ACTION

		DATE
Ad Hoc Sign COMMITTEE MAPC	- Authorized Adv. for P.H. -	1/8/76
M.A.P.C.		2/19/76
B.C.C./B. ~~CO.~~ C.	~~Appr. 1st Rdg.~~ except Item #4 Adopted 3-16-76 Publ. -	3-9-76
MAPC	- Re: Hgt. of Signs #4	4-1-76
B.C.C.	Item #4 Motion to deny 3 to 1	5-4-76

DR 75-27 - Possible amendments to Zoning Ordinance - Re: On-site and off-site signs.

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE April 28, 1976

TO Ralph Wulz, City Manager

FROM Robert A. Lakin, Director of Planning

SUBJECT DR 75-27 - Possible Amendments to Zoning Ordinance - Re: Sign Regulations

BACKGROUND

On March 9, 1976, the Board of City Commissioners considered possible amendments to the zoning ordinance, related to sign regulations, that had been recommeneed by the Ad Hoc Sign Committee and the Planning Commission. (See memo of March 3, 1976.) The Board of City Commissioners by a majority vote concurred with the recommendations submitted, except item number 4. An ordinance including the recommended changes in items 1, 2, 3, 5, 6 and 7 has been adopted.

In accordance with the State statutes, any recommendation of the Planning Commission not concurred with by the City Commission must be returned to MAPC for reconsideration.

SUMMARY

This possible amendment to the zoning ordinance was reconsidered by the MAPC at their meeting of April 1, 1976. A copy of excerpt of the MAPC minutes is attached for your information.

This recommended change to the zoning ordinance would allow an additional two and one-half feet of height for each 100 square feet of landscaping or architectural treatment at the base of the sign, with a maximum addition of ten feet to a sign with 400 square feet of treatment at the base. A delineated copy of this possible amendment to the zoning ordinance is attached.

The Planning Commission has again recommended that this amendment be adopted.

RECOMMENDATION

Take the action deemed to be in the best interest of the public.

Robert A. Lakin

Robert A. Lakin
Director of Planning

Moved - Shanahan
2nd - Donnell
to deny —
3 in favor
1 opposed (Cascio)
Shanahan
Donnell
Otto

RAL:GEL:ber
Attachment
cc: Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection

Deletions marked ~~thus~~
Additions underlined

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 28.04.139(K)(3) OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO THE PERMITTED HEIGHT OF ON-SITE SIGNS; AND REPEALING SAID ORIGINAL SECTION 28.04.139(K)(3).

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Section 28.04.139(K)(3) of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"3. Height Limit. No ground or pole sign shall exceed a height of 30 feet, provided: ~~except~~

a. That when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased 5 feet for each sign reduction. The use of this method to increase a sign height shall not permit any sign to exceed a height of 45 feet.

b. That an additional two and one-half feet in height may be permitted for each one hundred square feet of ground area which is landscaped and/or architecturally treated as a part of, or around, the base of a ground or pole sign. Such additional increases in height shall be granted only for the full 100, 200, 300 or 400 square feet of landscaping and/or architectural treatment. Such an increase in height may not exceed ten feet. If applied to the basic height limitation of 30 feet, no sign shall exceed 40 feet in height. If applied to a sign which is permitted by sub-section (a) hereof to exceed 30 feet, then the additional height may be added thereto. This height bonus shall be permitted only when the landscaping and/or architectural treatment complies with the following:

1. The base area shall be designed so as to prevent damage from vehicles.

2. There is provided a provision for water connection if live landscaping materials are used.

3. It is not a sight hazard for either vehicles or pedestrians.

4. It is of such design and substances as to provide visual eye contact at street level when adjacent to the zoning lot. Non-hardy plant material or solely turf grasses or similar landscape product shall not be considered adequate plant materials. If live landscape material is used, the basic plant material shall be evergreen."

The original of Section 28.04.139(K)(3) of the Code of the City of Wichita, Kansas, is hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall take effect upon its passage and publication once in the official city paper.

ADOPTED at Wichita, Kansas, this ____ day of _____, 1976.

ATTEST:

_____
James M. Donnell, Mayor

_____
Donald C. Gisick, City Clerk

Approved as to form

_____
John Dekker, City Attorney

EXCERPT FROM PLANNING COMMISSION MINUTES OF APRIL 1, 1976:

23. DR 75-27 - Reconsideration of recommendation on sign heights rejected by City Commission.

The following staff review which had been submitted to the Commissioners prior to the meeting was reviewed briefly by LAKIN.

The recommendations of the MAPC for amendments to the zoning ordinance related to signs were considered by the City Commission on March 9, 1976.

The City Commission considered each of the seven recommended changes separately and approved and adopted six of the provisions amending the zoning ordinance. The one recommendation rejected by the City Commission was to allow on-site ground or pole signs to be increased in height by the use of landscaping or architectural treatment at the base of the sign. (See attached copy of recommendation made by MAPC.)

Since the action of the City Commission was contrary to the recommendation of the Planning Commission, it is required that this portion of the amendment be reconsidered.

Recommendation

Take such action as the Planning Commission deems appropriate.

GOEBEL suggested that no matter what position the Planning Commission takes, the City Commission will do what they want to anyway.

BAYOUTH thought the City Commission had missed the most important point - the fact that by allowing an additional height (if landscaping or architectural treatment is provided at the base), it would reduce the number of signs. He felt the City Commission was more interested in height rather than number of signs.

LYTLE said the City Commission is aware that you are permitted additional height by reducing the number of signs. The amendment is in addition to that, permitting up to ten feet of additional height by providing landscaping or architectural treatment at the base of the sign.

LAKIN pointed out that the clause about reducing the number of signs in exchange for additional height is already a part of the ordinance, being clause a. as shown on the material provided the Commissioners. The only thing added was relative to landscaping or architectural treatment, and he felt that the City Commission just did not believe landscaping at the base was a fair trade for increased height, plus what they considered to be a policing problem so far as landscaped areas.

Since the Sign Committee has already spent considerable time on the matter, GOEBEL favored returning it to the City Commission as originally recommended, and let that body either approve or disapprove the proposal.

No one from the general public appeared to speak on this subject.

MOTION: That the Planning Commission again recommend to the City Commission the following amendment to the zoning ordinance.

Section 28.04.138(k)(3) shall be amended to read as follows:

"3. Height Limit. No ground or pole sign shall exceed a height of 30 feet, provided: except

a. That when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased 5 feet for each sign reduction. The use of this method to increase a sign height shall not permit any sign to exceed a height of 45 feet.

b. That an additional two and one-half feet in height may be permitted for each one hundred square feet of ground area which is landscaped and/or architecturally treated as a part of, or around, the base of a ground or pole sign. Such additional increase in height shall be granted only for the full 100, 200, 300 or 400 square feet of landscaping and/or architectural treatment. Such an increase in height may not exceed ten feet. If applied to the basic height limitation of 30 feet, no sign shall exceed 40 feet in height. If applied to a sign which is permitted by sub-section (a) hereof to exceed 30 feet, then the additional height may be added thereto. This height bonus shall be permitted only when the landscaping and/or architectural treatment complies with the following:

1. The base area shall be designed so as to prevent damage from vehicles.

2. There is provided a provision for water connection if live landscaping materials are used.

3. It is not a sight hazard for either vehicles or pedestrians.

4. It is of such design and substances as to provide visual eye contact at street level when adjacent to the zoning lot. Non-hardy plant material or solely turf grasses or similar landscape product shall not be considered adequate plant materials. If live landscape material is used, the basic plant material shall be evergreen."

Goebel moved, Hennessy seconded and it carried by a vote of 7 in favor (Geobel, Hennessy, Gragg, Taylor, Savina, Kamen, and Bayouth) and 2 opposed (Barrier and Porter). Collier was absent.

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE March 3, 1976

TO Ralph Wulz, City Manager

FROM Robert A. Lakin, Director of Planning

SUBJECT DR 75-27 - Possible Amendments to the Zoning Ordinance Re: On-site and off-site signs

At the request of the City Commission in the early part of 1975, an Ad Hoc Sign Committee was appoined by the MAPC Chairman to review the regulations pertaining to temporary and portable signs and the fees thereof. Revisions pertaining to these signs were adopted by the City Commission in July and August of 1975. During these discussions by the Committee and the City Commission, several other matters pertaining to the sign regulations were suggested as needing review.

The Ad Hoc Sign Committee began the review of the additional matters pertaining to the sign regulations in July. Mr. Goebel, Planning Commissioner, was appointed Chairperson of the Committee to replace Michael Gragert who had resigned from the Planning Commission. In addition to Mr. Goebel, the following people served on the Committee:

David Bayouth, Planning Commissioner
Dwight Hopper, Former Planning Commissioner
Paul Elliott, Zoning Advisory Committee Member
Ken Stewart, Zoning Advisory Committee Member
Don Boyd, Bottling Industry
Everett Hale, Sign Industry
Joan Kamas, Environmental Resources Advisory Board
Pat Guinan, Wichitans for Better Signs
Barbara Arvold, Wichitans for Better Signs.

This Committee met on 9 occasions with the meetings generally lasting from two to three hours. The Committee recommendations were presented to the Planning Commission at their regular meeting of January 8, 1976. A public hearing was advertised and held on February 19, 1976, on the amendments to the zoning ordinance. Copies of the minutes of both meetings are attached for your information, also a delineated copy of the recommended changes to the zoning ordinance.

SUMMARY

The changes to the zoning ordinance (Title 28) as recommended by the Planning Commission are as follows:

1. A change in the definition of on-site sign, deleting that portion of the definition which referred to the use of national advertising poster panels, or the use of trademark or symbols when a product is sold only by vending machines on the premises (28.04.139 a.1.J.)

2. Provide exemption of special displays from the restrictions of the ordinance when approved under Section 24.04.240 of the sign ordinance. (28.04.139 b)

3. Provide for additional on-site ground or pole signs in the "LC" Light Commercial, "C" Commercial, "D" Central Business, "E" Light Industrial, "F" Heavy Industrial zoning districts, subject to limiting the number, height, location and area of the additional signs. (28.04.139 g, 28.04.139 h, 28.04.139 i, and 28.04.139 j)

4. Permit on-site ground or pole signs to be erected to greater heights subject to the amount of landscaping and architectural treatment at the base of the sign. This would permit a maximum of ten additional feet in height for any sign. (28.04.139 K.3)

5. Provide for a reduction in the distance from the adjacent property for on-site ground or pole signs from 25 to 15 feet, and a clarification of the separation requirement for on-site ground or pole signs on the same property that are located closer than 35 feet from the street right-of-way line. (28.04.139 K.6)

6. Provide for an increase in the height of off-site signs from 30 feet to 40 feet when erected adjacent to an elevated roadway. (28.04.139 1)

7. Provide for the erection of off-site signs in the "LC" light commercial district subject to the following additional limitations not applicable in other districts permitting off-site signs:

   a. The property shall be located adjacent to arterial street, expressway or freeway; and

   b. The designated mile shall be adjacent to not less than 70% commercial or industrial zoned properties; and

   c. The property shall be a part of at least 300 continuous feet of "LC" zoning; and

   d. There shall be not less than 150 feet distance from the sign to a residence.

   (28.04.139 g and 28.04.139 1)

RECOMMENDATION

It is the recommendation of the Planning Commission that these amendments to the zoning ordinance be approved.

Robert A. Lakin
Director of Planning

RAL:GEL:ber

Attachments

cc: Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection
MAPC Members
Ad Hoc Sign Committee Members
Chamber of Commerce
Wichita Association of Homebuilders
Wichita Board of Realtors

April 28, 1976

Ralph Wulz, City Manager

Robert A. Lakin, Director of Planning

DR 75-27 - Possible Amendments to Zoning Ordinance - Re: Sign Regulations

BACKGROUND

On March 9, 1976, the Board of City Commissioners considered possible amendments to the zoning ordinance, related to sign regulations, that had been recommeneed by the Ad Hoc Sign Committee and the Planning Commission. (See memo of March 3, 1976.) The Board of City Commissioners by a majority vote concurred with the recommendations submitted, except item number 4. An ordinance including the recommended changes in items 1, 2, 3, 5, 6 and 7 has been adopted.

In accordance with the State statutes, any recommendation of the Planning Commission not concurred with by the City Commission must be returned to MAPC for reconsideration.

SUMMARY

This possible amendment to the zoning ordinance was reconsidered by the MAPC at their meeting of April 1, 1976. A copy of excerpt of the MAPC minutes is attached for your information.

This recommended change to the zoning ordinance would allow an additional two and one-half feet of height for each 100 square feet of landscaping or architectural treatment at the base of the sign, with a maximum addition of ten feet to a sign with 400 square feet of treatment at the base. A delineated copy of this possible amendment to the zoning ordinance is attached.

The Planning Commission has again recommended that this amendment be adopted.

RECOMMENDATION

Take the action deemed to be in the best interest of the public.

Robert A. Lakin
Director of Planning

RAL:GEL:ber
Attachment
cc: Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection

RE: AGENDA ITEM NO. 23

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE March 26, 1976

TO Wichita-Sedgwick County Metropolitan Area Planning Commission

FROM Robert A. Lakin, Director of Planning

SUBJECT DR 75-27 - Possible Amendments to Zoning Ordinance - Re: Sign Regulations

The recommendations of the MAPC for amendments to the zoning ordinance related to signs were considered by the City Commission on March 9, 1976.

The City Commission considered each of the seven recommended changes separately and approved and adopted six of the provisions amending the zoning ordinance. The one recommendation rejected by the City Commission was to allow on-site ground or pole signs to be increased in height by the use of landscaping or architectural treatment at the base of the sign. (See attached copy of recommendation made by MAPC.)

Since the action of the City Commission was contrary to the recommendation of the Planning Commission, it is required that this portion of the amendment be reconsidered.

RECOMMENDATION

Take such action as the Planning Commission deems appropriate.

Robert A. Lakin
Director of Planning

RAL:GEL:ber

Attachment

POSSIBLE AMENDMENT TO THE
ZONING ORDINANCE RELATED TO PERMITTED
HEIGHT OF ON-SITE GROUND OR POLE SIGNS

Section 28.04.138(K)(3) shall be amended to read as follows:

"3. Height Limit. No ground or pole sign shall exceed a height of 30 feet, provided: ~~except~~

a. That when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased 5 feet for each sign reduction. The use of this method to increase a sign height shall not permit any sign to exceed a height of 45 feet.

b. That an additional two and one-half feet in height may be permitted for each one hundred square feet of ground area which is landscaped and/or architecturally treated as a part of, or around, the base of a ground or pole sign. Such additional increase in height shall be granted only for the full 100, 200, 300 or 400 square feet of landscaping and/or architectural treatment. Such an increase in height may not exceed ten feet. If applied to the basic height limitation of 30 feet, no sign shall exceed 40 feet in height. If applied to a sign which is permitted by sub-section (a) hereof to exceed 30 feet, then the additional height may be added thereto. This height bonus shall be permitted only when the landscaping and/or architectural treatment complies with the following:

1. The base area shall be designed so as to prevent damage from vehicles.

2. There is provided a provision for water connection if live landscaping materials are used.

3. It is not a sight hazard for either vehicles or pedestrians.

4. It is of such design and substances as to provide visual eye contact at street level when adjacent to the zoning lot. Non-hardy plant material or solely turf grasses or similar landscape product shall not be considered adequate plant materials. If live landscape material is used, the basic plant material shall be evergreen."

RE: AGENDA ITEM NO. 23

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE March 26, 1976

TO Wichita-Sedgwick County Metropolitan Area Planning Commission

FROM Robert A. Lakin, Director of Planning

SUBJECT DR 75-27 - Possible Amendments to Zoning Ordinance - Re: Sign Regulations

The recommendations of the MAPC for amendments to the zoning ordinance related to signs were considered by the City Commission on March 9, 1976.

The City Commission considered each of the seven recommended changes separately and approved and adopted six of the provisions amending the zoning ordinance. The one recommendation rejected by the City Commission was to allow on-site ground or pole signs to be increased in height by the use of landscaping or architectural treatment at the base of the sign. (See attached copy of recommendation made by MAPC.)

Since the action of the City Commission was contrary to the recommendation of the Planning Commission, it is required that this portion of the amendment be reconsidered.

RECOMMENDATION

Take such action as the Planning Commission deems appropriate.

Robert A. Lakin
Director of Planning

RAL:GEL:ber

Attachment

Borbel 7-2 Barnes Parker.] no.

Return to City Com.

POSSIBLE AMENDMENT TO THE
ZONING ORDINANCE RELATED TO PERMITTED
HEIGHT OF ON-SITE GROUND OR POLE SIGNS

Section 28.04.138(k)(3) shall be amended to read as follows:

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b. That an additional two and one-half feet in height may be permitted for each one hundred square feet of ground area which is landscaped and/or architecturally treated as a part of, or around, the base of a ground or pole sign. Such additional increase in height shall be granted only for the full 100, 200, 300 or 400 square feet of landscaping and/or architectural treatment. Such an increase in height may not exceed ten feet. If applied to the basic height limitation of 30 feet, no sign shall exceed 40 feet in height. If applied to a sign which is permitted by sub-section (a) hereof to exceed 30 feet, then the additional height may be added thereto. This height bonus shall be permitted only when the landscaping and/or architectural treatment complies with the following:

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2. There is provided a provision for water connection if live landscaping materials are used.

3. It is not a sight hazard for either vehicles or pedestrians.

4. It is of such design and substances as to provide visual eye contact at street level when adjacent to the zoning lot. Non-hardy plant material or solely turf grasses or similar landscape product shall not be considered adequate plant materials. If live landscape material is used, the basic plant material shall be evergreen."

March 26, 1976

Wichita-Sedgwick County Metropolitan
Area Planning Commission

Robert A. Lakin, Director of Planning

DR 75-27 - Possible Amendments to Zoning
Ordinance - Re: Sign Regulations

The recommendations of the MAPC for amendments to the zoning ordinance related to signs were considered by the City Commission on March 9, 1976.

The City Commission considered each of the seven recommended changes separately and approved and adopted six of the provisions amending the zoning ordinance. The one recommendation rejected by the City Commission was to allow on-site ground or pole signs to be increased in height by the use of landscaping or architectural treatment at the base of the sign. (See attached copy of recommendation made by MAPC.)

Since the action of the City Commission was contrary to the recommendation of the Planning Commission, it is required that this portion of the amendment be reconsidered.

RECOMMENDATION

Take such action as the Planning Commission deems appropriate.

Robert A. Lakin
Director of Planning

RAL:GEL:ber

Attachment

ORDINANCE NO. 34-329

AN ORDINANCE AMENDING SECTIONS 28.04.139(A)(1)(j), 28.04.139(B), 28.04.139(G), 28.04.139(H), 28.04.139(I), 28.04.139(J), 28.04.139(K)(6) AND 28.04.139(L) OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO THE REVISION OF THE DEFINITION OF ON-SITE SIGNS; A REVISION TO EXEMPT SPECIAL DISPLAYS AUTHORIZED UNDER SECTION 24.04.240 OF THE CODE; A REVISION TO PERMIT A GREATER NUMBER OF ON-SITE GROUND OR POLE SIGNS IN ALL COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS; A REVISION TO REDUCE THE DISTANCE AN ON-SITE GROUND OR POLE SIGN IS REQUIRED TO SET BACK FROM AN ADJACENT PROPERTY AND FROM SIGNS ON THE SAME PROPERTY; A REVISION TO ALLOW OFF-SITE SIGNS TO BE ERECTED TO A HEIGHT OF 40 FEET; AND A REVISION TO PERMIT THE ERECTION OF OFF-SITE SIGNS IN THE "LC" LIGHT COMMERCIAL ZONING DISTRICT; AND REPEALING SAID ORIGINAL SECTIONS 28.04.139(A)(1)(j), 28.04.139(K)(6), AND 28.04.139(L).

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Section 28.04.139(A)(1)(j) of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"(j) Sign, On-site. A sign which carries only advertisement strictly incidental to a lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted; services rendered; goods sold or produced on the premises; the rental or lease of products or building space; name of person, firm or corporation occupying the premises."

Section 28.04.139(B) shall be amended by adding the following:

"7. Signs authorized as special displays under Section 24.04.240 of the Code of the City of Wichita."

Section 28.04.139(G) shall be amended by adding the following:

"3. Additional on-site ground or pole signs are allowed provided:

a. The area of the sign(s) does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized for all ground, pole or building signs permitted on the zoning lot.

b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

c. Under no circumstance shall the number of ground and pole signs on a zoning lot exceed twice the number permitted in Section 28.04.139(K)(1).

d. Any sign permitted by this subsection of the code shall not exceed a height of 30 feet.

4. Illuminated off-site signs as permitted by Section (L)."

Section 28.04.139(H) shall be amended by adding the following:

"5. Additional on-site ground or pole signs are allowed provided:

a. The area of the sign(s) does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized for all ground, pole or building signs permitted on the zoning lot.

b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

c. Under no circumstance shall the number of ground and pole signs on a zoning lot exceed twice the number permitted in Section 28.04.139(K)(1).

d. Any sign permitted by this subsection of the code shall not exceed a height of 30 feet."

Section 28.04.139(I) shall be amended by adding the following:

"4. Additional on-site ground or pole signs are allowed provided:

a. The area of the sign(s) does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized for all ground, pole or building signs permitted on the zoning lot.

b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

c. Under no circumstance shall the number of ground and pole signs on a zoning lot exceed twice the number permitted in Section 28.04.139(K)(1).

d. Any sign permitted by this subsection of the code shall not exceed a height of 30 feet."

Section 28.04.139(J) shall be amended by adding the following:

"5. Additional on-site ground or pole signs are allowed provided:

a. The area of the sign(s) does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized for all ground, pole or building signs permitted on the zoning lot.

b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

c. Under no circumstance shall the number of ground and pole signs on a zoning lot exceed twice the number permitted in Section 28.04.139(K)(1).

d. Any sign permitted by this subsection of the code shall not exceed a height of 30 feet."

Section 28.04.139(K)(6) shall be amended to read as follows:

"6. Location on Property. On-site ground or pole signs shall not project over public right-of-way, and shall be located not closer to an adjacent property line than one-third the frontage of the zoning lot or 15 feet; whichever is less. When more than one ground or pole sign is permitted on a zoning lot, there shall be a distance of not less than 150 feet between ground or pole signs along the same street frontage, however, this shall not apply to ground or pole signs that are 35 feet or more from the street right-of-way line."

Section 28.04.139(L) be amended to read as follows:

"(L) Off-site Signs when Permitted in the Commercial or Industrial Districts.

1. Number permitted. The number of off-site signs, facing a direction of travel within any designated mile, shall be determined by the lineal measurement in feet, along the center line of the street right-of-way, that is within or adjacent to any zoning district wherein off-site signs are a permitted use. For purposes of measurement, zoning shall be considered to extend to the center line of all streets. A designated mile shall be the length of the center line of a street between mile section lines, even though the lineal measurement may exceed 5,280 feet. There shall be permitted not more than one off-site sign facing a direction of travel for each 1,000 lineal feet, or major fraction thereof, of street having "C" Commercial or "E" Light Industrial properties adjacent thereto. There shall be permitted not more than one off-site sign facing a direction of travel for each 660 lineal feet, or major fraction thereof, of street having "F" Heavy Industrial properties adjacent thereto. Whenever any portion of the street has both "C" or "E" and the "F" zoning districts adjacent thereto, the permitted number shall be based on the "F" zoning district.

The number of off-site signs permitted in the "LC" Light Commercial district shall be on the same basis as the "C" or "E" zoning district subject to additional limitations as set forth in paragraph 6.

Under no circumstance shall there be more than five off-site signs facing a direction of travel within any designated mile unless such street is within or adjacent to the "F" Heavy Industrial District. Whenever such a condition is present, the calculations based on the permitted number for these districts shall not permit more than eight off-site signs within any designated mile.

2. Size and height permitted. The gross surface areas of an off-site sign shall not exceed 600 square feet, nor shall it exceed 30 feet in height. Exception: Off-site signs located adjacent to an elevated portion of a highway structure, may be erected to a height of 40 feet, or 14 feet above the traffic deck, whichever is less providing:

   a. no off-site sign shall have a horizontal dimension of greater than 40 feet, and;

   b. no off-site sign shall be located closer than 660 feet to another off-site sign on the same side of the elevated highway, and;

   c. there shall be not more than three off-site signs exceeding a height of 30 feet in a designated mile, and;

   d. any signs elevated to a height greater than thirty feet shall be limited to public service advertising for non-profit organizations, and to traveler's information giving direction to premises where food and lodging may be secured, and to the location of businesses engaged in supplying goods and service essential to the normal operation of motor vehicles, including emergency and towing services.

3. Prohibited locations. No off-site sign shall be erected on a property when any of the following conditions are found to exist:

   a. No off-site sign shall be erected on a zoning lot that already has more than two on-site ground or pole signs within 35 feet of the street right-of-way line; or

   b. No off-site sign shall be erected on a zoning lot that already has more than 200 square feet of on-site ground or pole signs facing a direction of travel, regardless of the number of signs; or

   c. No off-site sign shall be erected on any property that would obscure the view or any on-site signs. This shall be determined by establishing a sight point at the center line of the street 150 feet in either direction, then no on-site sign within 150 feet or the off-site sign shall be obscured from view; or

   d. No off-site sign shall be located closer than 330 feet to another off-site sign facing the same direction of travel; or

   e. No off-site sign shall be erected on a zoning lot that does not comply with the minimum lot size requirements of the zoning district.

4. Setback. Off-site signs shall comply with all building setback lines.

5. Type. Off-site signs may be ground, pole or wall signs, but shall not be erected upon or above the roof of any building, nor shall any portion of a sign project over public right-of-way.

6. Limitations of the "LC" Light Commercial District. In addition to the above requirements for off-site signs, off-site signs shall be permitted in the "LC" Light Commercial district subject to the following requirements:

   a. The zoning lot shall be located adjacent to an arterial street, expressway or freeway; and

   b. There shall be not less than 70% of the designated mile located adjacent to "LC", "C", "E" or "F" zoned properties or any combination thereof; and

   c. There shall not be less than 150 feet distance from any off-site sign to a residence; and

   d. No off-site sign shall be located on any property that is not a part of at least 300 continuous feet of "LC" zoning that has frontage along the arterial or expressway street; and

   e. Any sign permitted by this section shall face the direction of travel along the designated mile."

The originals of Sections 28.04.139(A)(1)(j), 28.04.139(K)(6) and 28.04.139(L) of the Code of the City of Wichita, Kansas, are hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official City paper.

ADOPTED at Wichita, Kansas, this 16 day of March, 1976.

Connie A. Peters, Mayor

ATTEST:

Donald C. Gisick, City Clerk

(SEAL)

APPROVED AS TO FORM:

Eugene L. Pittle
Assistant City Attorney

3-10-76
Date

March 3, 1976

Ralph Wulz, City Manager

Robert A. Lakin, Director of Planning

DR 75-27 - Possible Amendments to the Zoning Ordinance Re: On-site and off-site signs

At the request of the City Commission in the early part of 1975, an Ad Hoc Sign Committee was appoined by the MAPC Chairman to review the regulations pertaining to temporary and portable signs and the fees thereof. Revisions pertaining to these signs were adopted by the City Commission in July and August of 1975. During these discussions by the Committee and the City Commission, several other matters pertaining to the sign regulations were suggested as needing review.

The Ad Hoc Sign Committee began the review of the additional matters pertaining to the sign regulations in July. Mr. Goebel, Planning Commissioner, was appointed Chairperson of the Committee to replace Michael Gragert who had resigned from the Planning Commission. In addition to Mr. Goebel, the following people served on the Committee:

David Bayouth, Planning Commissioner
Dwight Hopper, Former Planning Commissioner
Paul Elliott, Zoning Advisory Committee Member
Ken Stewart, Zoning Advisory Committee Member
Don Boyd, Bottling Industry
Everett Hale, Sign Industry
Joan Kamas, Environmental Resources Advisory Board
Pat Guinan, Wichitans for Better Signs
Barbara Arvold, Wichitans for Better Signs.

This Committee met on 9 occasions with the meetings generally lasting from two to three hours. The Committee recommendations were presented to the Planning Commission at their regular meeting of January 8, 1976. A public hearing was advertised and held on February 19, 1976, on the amendments to the zoning ordinance. Copies of the minutes of both meetings are attached for your information, also a delineated copy of the recommended changes to the zoning ordinance.

S UMMARY

The changes to the zoning ordinance (Title 28) as recommended by the Planning Commission are as follows:

1. A change in the definition of on-site sign, deleting that portion of the definition which referred to the use of national advertising poster panels, or the use of trademark or symbols when a product is sold only by vending machines on the premises (28.04.139 a.1.J.)

2. Provide exemption of special displays from the restrictions of the ordinance when approved under Section 24.04.240 of the sign ordinance. (28.04.139 b)

3. Provide for additional on-site ground or pole signs in the "LC" Light Commercial, "C" Commercial, "D" Central Business, "E" Light Industrial, "F" Heavy Industrial zoning districts, subject to limiting the number, height, location and area of the additional signs. (28.04.139 g, 28.04.139 h, 28.04.139 i, and 28.04.139 j)

4. Permit on-site ground or pole signs to be erected to greater heights subject to the amount of landscaping and architectural treatment at the base of the sign. This would permit a maximum of ten additional feet in height for any sign. (28.04.139 K.3)

5. Provide for a reduction in the distance from the adjacent property for on-site ground or pole signs from 25 to 15 feet, and a clarification of the separation requirement for on-site ground or pole signs on the same property that are located closer than 35 feet from the street right-of-way line. (28.04.139 K.6)

6. Provide for an increase in the height of off-site signs from 30 feet to 40 feet when erected adjacent to an elevated roadway. (28.04.139 l)

7. Provide for the erection of off-site signs in the "LC" light commercial district subject to the following additional limitations not applicable in other districts permitting off-site signs:

   a. The property shall be located adjacent to arterial street, expressway or freeway; and

   b. The designated mile shall be adjacent to not less than 70% commercial or industrial zoned properties; and

   c. The property shall be a part of at least 300 continuous feet of "LC" zoning; and

   d. There shall be not less than 150 feet distance from the sign to a residence.
   (28.04.139 g and 28.04.139 l)

RECOMMENDATION

It is the recommendation of the Planning Commission that these amendments to the zoning ordinance be approved.

Robert A. Lakin
Director of Planning

RAL:GEL:ber

Attachments

cc: Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection
MAPC Members
Ad Hoc Sign Committee Members
Chamber of Commerce
Wichita Association of Homebuilders
Wichita Board of Realtors

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE

March 3, 1976

TO Ralph Wulz, City Manager

FROM Robert A. Lakin, Director of Planning

SUBJECT DR 75-27 - Possible Amendments to the Zoning Ordinance Re: On-site and off-site signs

At the request of the City Commission in the early part of 1975, an Ad Hoc Sign Committee was appoined by the MAPC Chairman to review the regulations pertaining to temporary and portable signs and the fees thereof. Revisions pertaining to these signs were adopted by the City Commission in July and August of 1975. During these discussions by the Committee and the City Commission, several other matters pertaining to the sign regulations were suggested as needing review.

The Ad Hoc Sign Committee began the review of the additional matters pertaining to the sign regulations in July. Mr. Goebel, Planning Commissioner, was appointed Chairperson of the Committee to replace Michael Gragert who had resigned from the Planning Commission. In addition to Mr. Goebel, the following people served on the Committee:

David Bayouth, Planning Commissioner
Dwight Hopper, Former Planning Commissioner
Paul Elliott, Zoning Advisory Committee Member
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Joan Kamas, Environmental Resources Advisory Board
Pat Guinan, Wichitans for Better Signs
Barbara Arvold, Wichitans for Better Signs.

This Committee met on 9 occasions with the meetings generally lasting from two to three hours. The Committee recommendations were presented to the Planning Commission at their regular meeting of January 8, 1976. A public hearing was advertised and held on February 19, 1976, on the amendments to the zoning ordinance. Copies of the minutes of both meetings are attached for your information, also a delineated copy of the recommended changes to the zoning ordinance.

S UMMARY

The changes to the zoning ordinance (Title 28) as recommended by the Planning Commission are as follows:

1. A change in the definition of on-site sign, deleting that portion of the definition which referred to the use of national advertising poster panels, or the use of trademark or symbols when a product is sold only by vending machines on the premises (28.04.139 a.1.J.)

2. Provide exemption of special displays from the restrictions of the ordinance when approved under Section 24.04.240 of the sign ordinance. (28.04.139 b)

3. Provide for additional on-site ground or pole signs in the "LC" Light Commercial, "C" Commercial, "D" Central Business, "E" Light Industrial, "F" Heavy Industrial zoning districts, subject to limiting the number, height, location and area of the additional signs. (28.04.139 g, 28.04.139 h, 28.04.139 i, and 28.04.139 j)

4. Permit on-site ground or pole signs to be erected to greater heights subject to the amount of landscaping and architectural treatment at the base of the sign. This would permit a maximum of ten additional feet in height for any sign. (28.04.139 K.3)

5. Provide for a reduction in the distance from the adjacent property for on-site ground or pole signs from 25 to 15 feet, and a clarification of the separation requirement for on-site ground or pole signs on the same property that are located closer than 35 feet from the street right-of-way line. (28.04.139 K.6)

6. Provide for an increase in the height of off-site signs from 30 feet to 40 feet when erected adjacent to an elevated roadway. (28.04.139 l)

7. Provide for the erection of off-site signs in the "LC" light commercial district subject to the following additional limitations not applicable in other districts permitting off-site signs:

   a. The property shall be located adjacent to arterial street, expressway or freeway; and

   b. The designated mile shall be adjacent to not less than 70% commercial or industrial zoned properties; and

   c. The property shall be a part of at least 300 continuous feet of "LC" zoning; and

   d. There shall be not less than 150 feet distance from the sign to a residence.

   (28.04.139 g and 28.04.139 l)

RECOMMENDATION

It is the recommendation of the Planning Commission that these amendments to the zoning ordinance be approved.

Robert A. Lakin
Director of Planning

RAL:GEL:ber

Attachments

cc: Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection
MAPC Members
Ad Hoc Sign Committee Members
Chamber of Commerce
Wichita Association of Homebuilders
Wichita Board of Realtors

Deletions marked thus
Additions underlined

ORDINANCE NO._____

AN ORDINANCE AMENDING SECTIONS 28.14.139(a)(1)(J), 28.04.139(b), 28.04.139(g), 28.04.139(h), 28.04.139(i), 28.04.139(j), 28.04.139(k)(3), 18.04.129(k)(6) AND 28.04.139(l) OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO THE REVISION OF THE DEFINITION OF ON-SITE SIGNS; A REVISION TO EXEMPT SPECIAL DISPLAYS AUTHORIZED UNDER SECTION 24.04.240 OF THE CODE; A REVISION TO PERMIT A GREATER NUMBER OF ON-SITE GROUND OR POLE SIGNS IN ALL COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS; A REVISION TO ALLOW ON-SITE GROUND OR POLE SIGNS TO GREATER HEIGHTS; A REVISION TO REDUCE THE DISTANCE AN ON-SITE GROUND OR POLE SIGN IS REQUIRED TO SET BACK FROM AN ADJACENT PROPERTY AND FROM SIGNS ON THE SAME PROPERTY; A REVISION TO ALLOW OFF-SITE SIGNS TO BE ERECTED TO A HEIGHT OF 40 FEET; AND A REVISION TO PERMIT THE ERECTION OF OFF-SITE SIGNS IN THE "LC" LIGHT COMMERCIAL ZONING DISTRICT; AND REPEALING SAID ORIGINAL SECTIONS 28.04.139(a)(1)(J), 28.04.139(k)(3), 28.04.139(k)(6), AND 28.04.139(l).

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Section 28.04.139(a)(1)(J) of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

SUMMARY ITEM NO. 1 MEMO 3-3-76

"(J) Sign, On-site. A sign which carried only advertisement strictly incidental to a lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted; services rendered; goods sold or produced on the premises; the rental or lease of products or building space; name of person, on, firm or corporation occupying the premises. ~~Such sign shall not include advertising of a product in a manner other than when it pertains directly to premises, such as the use of national advertising poster panels, or the use of advertising trademarks or symbols when a product is sold only by vending machines on the premises.~~"

Section 28.03.129(b) shall be amended by adding the following:

SUMMARY ITEM NO. 2 MEMO 3-3-76

"7. Signs authorized as special displays under Section 24.04.240 of the Code of the City of Wichita."

Section 28.04.139(g) shall be amended by adding the following:

"3. Additional on-site ground or pole signs are allowed provided:

SUMMARY ITEM NO. 3 MEMO 3-3-76

'LC' DIST.

a. The area of the sign(s) does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized for all ground, pole or building signs permitted on the zoning lot.

b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot but in no event shall it be nearer than thirty-five (35) feet to any property abutting a street.

c. Under no circumstance shall the number of ground and pole signs on a zoning lot exceed twice the number permitted in Section 28.04.139(k)(1).

d. Any sign permitted by this subsection of the code shall not exceed a height of 30 feet.

SUMMARY ITEM NO. 7 MEMO 3-3-76

4. Illuminated off-site signs as permitted by Section (1)."

Section 28.04.139(h) shall be amended by adding the following:

SUMMARY ITEM NO. 3 MEMO 3-3-76

'C' & 'E' DIST.

"5. Additional on-site ground or pole signs are allowed provided:

a. The area of the sign(s) does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized for all ground, pole or building signs permitted on the zoning lot .

b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

c. Under no circumstance shall the number of ground and pole signs on a zoning lot exceed twice the number permitted in Section 28.04.139(k)(1).

d. Any sign permitted by this subsection of the code shall not exceed a height of 30 feet."

Section 28.04.139(i) shall be amended by adding the following:

SUMMARY ITEM NO. 3 MEMO 3-3-76

'D' DIST.

"4. Additional on-site ground or pole signs are allowed provided:

a. The area of the sign(s) does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized for all ground, pole or building signs permitted on the zoning lot.

b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

c. Under no circumstance shall the number of ground and pole signs on a zoning lot exceed twice the number permitted in Section 28.04.139(k)(1).

d. Any sign permitted by this subsection of the code shall not exceed a height of 30 feet."

Section 28.04.139(j) shall be amended by adding the following:

SUMMARY ITEM NO. 3
MEMO 3-3-76

'F' DIST

"5. Additional on-site ground or pole signs are allowed provided:

a. The area of the sign(s) does not exceed the difference L tween the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized for all ground, pole or building signs permitted on th zoning lot.

b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

c. Under no circumstance shall the number of ground and pole signs on a zoning lot exceed twice the number permitted in Section 28.04.139(k)(1).

d. Any sign permitted by this subsection of the code shall not exceed a height of 30 feet."

Section 28.04.138(k)(3) shall be amended to read as follows:

SUMMARY ITEM NO. 4
MEMO 3-3-76

"3. Height Limit. No ground or pole sign shall exceed a height of 30 feet, provided: except

a. That when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased 5 feet for each sign reduction. The use of this method to increase a sign height shall not permit any sign to exceed a height of 45 feet.

b. That an additional two and one-half feet in height may be permitted for each one hundred square feet of ground area which is landscaped and/or architecturally treated as a part of, or around, the base of a ground or pole sign. Such additional increase in height shall be granted only for the full 100, 200, 300 or 400 square feet of landscaping and/or architectural treatment. Such an increase in height may not exceed ten feet. If applied to the basic height limitation of 30 feet, no sign shall exceed 40 feet in height. If applied to a sign which is permitted by sub-section (a) hereof to exceed 30 feet, then the additional height may be added thereto. This height bonus shall be permitted only when the landscaping and/or architectural treatment complies with the following:

1. The base area shall be designed so as to prevent damage from vehicles.

2. There is provided a provision for water connection if live landscaping materials are used.

3. It is not a sight hazard for either vehicles or pedestrians.

4. It is of such design and substances as to provide visual eye contact at street level when adjacent to the zoning lot. Non-hardy plant material or solely turf grasses or similar landscape product shall not be considered adequate plant materials. If liv landscape material is used, the basic plant material shall be evergreen."

Section 28.04.139(k)(6) shall be amended to read as follows:

SUMMARY ITEM NO. 5 MEMO 3-3-76

"6. Location on Property. On-site ground or pole signs shall not project over public right-of-way, and shall be located not closer to an adjacent property line than one-third the frontage of the zoning lot or ~~25~~ 15 feet; whichever is less. When more than one ground or pole sign is permitted on a zoning lot, there shall be a distance of not less than 150 feet between ground or pole signs along the same street frontage, however, this shall not apply to ground or pole signs that are 35 feet or more from the street right-of-way line."

Section 28.04.139(l) be amended to read as follows:

SUMMARY ITEM NO. 7 MEMO 3-3-76

"(l) Off-site Signs when Permitted in the Commercial or Industrial Districts.

1. Number permitted. The number of off-site signs, facing a direction of travel within any designated mile, shall be determined by the lineal measurement in feet, along the center line of the street right-of-way, that is within or adjacent to any zoning district wherein off-site signs are a permitted use. For purposes of measurement, zoning shall be considered to extend to the center line of all streets. A designated mile shall be the length of the center line of a street between mile section lines, even though the lineal measurement may exceed 5,280 feet. There shall be permitted not more than one off-site sign facing a direction of travel for each 1,000 lineal feet, or major fraction thereof, of street having "C" Commercial or "E" Light Industrial properties adjacent thereto. There shall be permitted not more than one off-site sign facing a direction of travel for each 660 lineal feet, or major fraction thereof, of street having "F" Heavy Industrial properties adjacent thereto. Whenever any portion of the street has both "C" or "E" and the "F" zoning districts adjacent thereto, the permitted number shall be based on the "F" zoning district.

The number of off-site signs permitted in the "LC" Light Commercial district shall be on the same basis as the "C" or "E" zoning district subject to additional limitations as set forth in paragraph 6.

Under no circumstance shall there be more than five off-site signs facing a direction of travel within any designated mile unless such street is within or adjacent to the "F" Heavy Industrial District. Whenever such a condition is present, the calculations based on the permitted number for these districts shall not permit more than eight off-site signs within any designated mile.

SUMMARY ITEM NO. 6 MEMO 3-3-76

2. Size and height permitted. The gross surface areas of an off-site sign shall not exceed 600 square feet, nor shall it exceed 30 feet in height. Exception: Off-site signs located adjacent to an elevated portion of

a highway structure, may be erected to a height of 40 feet, or 14 feet above the traffic deck, whichever is less providing;

a. no off-site sign shall have a horizontal dimension of greater than 40 feet, and;

b. no off-site sign shall be located closer than 660 feet to another off-site sign on the same side of the elevated highway, and;

c. there shall be not more than three off-site signs exceeding a height of 30 feet in a designated mile, and;

d. any signs elevated to a height greater than thirty feet shall be limited to public service advertising for non-profit organizations, and to traveler's information giving direction to premises where food and lodging may be secured, and to the location of businesses engaged in supplying goods and service essential to the normal operation of motor vehicles, including emergency and towing services.

3. Prohibited locations. No off-site sign shall be erected on a property when any of the following conditions are found to exist:

a. No off-site sign shall be erected on a zoning lot that already has more than two on-site ground or pole signs within 35 feet of the street right-of-way line; or

b. No off-site sign shall be erected on a zoning lot that already has more than 200 square feet of on-site ground or pole signs facing a direction of travel, regardless of the number of signs; or

c. No off-site sign shall be erected on any property that would obscure the view of any on-site signs. This shall be determined by establishing a sight point at the center line of the street 150 feet in either direction, then no on-site sign within 150 feet or the off-site sign shall be obscured from view; or

d. No off-site sign shall be located closer than 330 feet to another off-site sign facing the same direction of travel; or

e. No off-site sign shall be erected on a zoning lot that does not comply with the minimum lot size requirements of the zoning district.

4. Setback. Off-site signs shall comply with all building setback lines.

5. Type. Off-site signs may be ground, pole or wall signs, but shall not be erected upon or above the roof of any building, nor shall any portion of a sign project over public right-of-way.

6. Limitations of the "LC" Light commercial District. In addition to the above requirements for off-site signs, off-site signs shall be permitted in the "LC" Light Commercial district subject to the following requirements.

EXCERPT FROM PLANNING COMMISSION MINUTES OF FEBRUARY 19, 1976:

12. DR 75-27 - Amendments to the zoning ordinance Re: On-site and off-site signs.

LYTLE reviewed the following staff report which had been provided the Commissioners prior to the meeting.

BACKGROUND

In July of 1975 an AD HOC SIGN COMMITTEE was appointed by Harlan Kamen, then Chairman of the Planning Commission, to review the issues raised by representatives of the sign industry and other sign code issues that might be brought before them. This ten-member committee was chaired by Bill Goebel, Planning Commissioner, with other members as follows:

David Bayouth, Planning Commissioner
Dwight Hopper, Former Planning Commissioner
Paul Elliott, Zoning Advisory Committee Member
Ken Stewart, Zoning Advisory Committee Member
Don Boyd, Bottling Industry
Everett Hale, Sign Industry
Joan Kamas, Environmental Resources Advisory Board
Pat Guinan, Wichitans for Better Signs
Barbara Arvold, Wichitans for Better Signs

The recommendations of the Ad Hoc Sign Committee were presented to the Planning Commission at your meeting of January 8, 1976. It was the recommendation of the MAPC to advertise for public hearing those amendments that are part of the zoning ordinance. These amendments have been advertised for public hearing at your meeting of February 19, 1976.

Members of the Ad Hoc Sign Committee, Wichita Board of Realtors, Wichita Association of Homebuilders, Chamber of Commerce, Kansas State Sign Association, representatives of the bottling industry, Kansas Petroleum Council, Environmental Resources Advisory Board, and other individuals who have expressed interest in these regulations, have been notified of this hearing.

Attached hereto is a copy of the possible amendments to the zoning ordinance that have been advertised for public hearing. Also attached is a copy of an excerpt from the Planning Commission meeting of January 8, 1976.

SUMMARY

The following is a list of the recommendations made by the Ad Hoc Sign Committee, noting origination of the request, and the section of the ordinance that it effects.

1. A request from a member of the sign committee to remove the restriction on on-site signs related to trademarks and symbols when a product is sold only by vending machines.

   RECOMMENDATION: Delete that portion of the definition of on-site signs as shown in Section 28.04.139(a)(1)(j) of the attachment.

2. A request from the Superintendent of Central Inspection to provide a method for special displays such as some requests for Bicentennial displays he has received.

   RECOMMENDATION: Provide exemption of special displays when approved under provision 24.04.240 of the sign code.

   This amendment is shown by the addition to Section 28.04.139(b) of the attachment.

3. A request from the K.S.S.A. that ground or pole signs be permitted to greater heights by the addition of landscaping at the base of the sign.

   RECOMMENDATION: That an additional two and one-half feet of height be permitted for each one hundred square foot of ground area that is landscaped and/or architecturally treated at the base of the sign.

   This amendment is shown in Section 28.04.139 (k)(3) of the attachment.

4. A request from the K.S.S.A. that ground or pole signs be required a lesser setback from adjoining property lines and driveways.

   RECOMMENDATION: To reduce the distance from a side property line from 25 feet to 15 feet or 1/3 of the lot width, whichever is less. The requirement for ground signs adjacent to driveway approaches was not recommended to be changed.

   This amendment is shown in Section 28.04.139 (k)(6) of the attachment. This amendment also includes a clarification of the intent of the ordinance on separation of ground or pole signs.

5. A request from the K.S.S.A. for additional on-site ground signs to be permitted in the commercial and industrial districts, particularly those generally described as wing-boards for on-site advertising.

   COMMITTEE RECOMMENDATION: Permit additional signs subject to regulating the location, number, height, and area.

   This amendment is shown in Sections 28.04.139 (g), (h), (i), and (j) of the attachment.

6. A request from the Donrey Outdoor Advertising to permit the height of off-site ground signs to exceed 30 feet in height adjacent to an elevated roadway.

   RECOMMENDATION: That off-site signs be permitted to a height of 40 feet or 14 feet above the traffic deck, whichever is less, provided there shall be no more than 3 signs exceeding 30 feet in a mile, and the distance between off-site signs shall be not less than 660 feet.

   This amendment is shown in paragraph 2. of Section 28.04.139(l) of the attachment.

7. A request from the Donrey Outdoor Advertising Company to permit off-site signs in the "LC" Light Commercial District subject to restrictions wherein such signs would be limited to areas generally developed with commercial and industrial uses.

   RECOMMENDATION: That off-site signs be permitted in the "LC" Light Commercial District subject to:

   (a) locations being adjacent to an arterial, expressway or freeway; (b) not located less than 150 feet from a residence; (c) not located on a property that is not within 300 continuous feet of "LC" zoning along the designated mile; (d) the "LC" zoning is part of a designated mile that has at least 70% adjacent to any of the commercial or industrial zoning districts.

   This amendment would be accomplished by the addition of the paragraph to Section 28.04.139 (g) and the amendments to Section 28.04.139 (l) of the attachment.

RECOMMENDATION

It is recommended that the Planning Commission make the changes deemed necessary after the public hearing and forward the recommendation to the Board of City Commissioners for their consideration.

As you will note, by the minutes of the January 8, 1976 MAPC meeting, the Planning Commission made the following recommendations pertaining to Title 24, the Sign Ordinance.

1. The sign ordinance should be amended to require only an original sign permit. (This would eliminate the triennial sign use permit for all permanent signs.)

2. A temporary sign permit fee of $6.00 be established which would be good for one year. And further, a $6.00 fee for promotional sales in any one year be established which would include pennants used in promotional sales.

Since Title 24 (Sign Ordinance) changes are not required to be a public hearing before the Planning Commission, the previous action of the Planning Commission will be forwarded to the Board of City Commissioners at the same time as your recommendations on the changes to the zoning ordinance.

S. E. COHLMIA, 1433 Stratford, had questions about on-site signs, and was provided a copy of the proposed ordinance amendments, it being pointed out that the fees for signs is not a part of the zoning ordinance and does not require a public hearing. BAYOUTH commented that it is not intended that the Commission will discuss the fee structure at this meeting. LYTLE suggested to Cohlmia that he obtain a copy of the fee schedule and discuss it with the Central Inspection Division, then be prepared to appear at the City Commission meeting for further discussion, if desired.

CHAIRMAN BAYOUTH asked that Mr. Cohlmia and other interested individuals, be notified of when this will be considered by the City Commission.

BOBBIE KELTNER, Chairman of the Environmental Resources Board, stated that the Resources Board has had a member on the Sign Committee and she commented on the Committee's recommendation as follows: In the present form the new ordinance represents a considerable compromise; however, the attack on the ordinance and the request for additional changes by special interests tend to complicate the ordinance to the point where it cannot be properly enforced.

Speaking as to proposal #3 that ground or pole signs be permitted to greater heights, it was their feeling such would mean further enforcement problems and in this case, maintenance of the landscaping is the key to the appearance of the signs.

There was also objection to proposal #5 to permit additional on-site signs, such as wingboard signs. The Resources Board was opposed to #7 to permit off-site signs in the light commercial district. Off-site signs have an extended area throughout the City in which to convey their message and to allow them as proposed would be another encroachment.

The Environmental Resources Board was disturbed by the action of the Commission on January 8, 1976, with respect to permits and fees. The elimination of sign use permits periodically means there will be no way to enforce maintenance of signs and, although it may be desirable that the period of time be longer than 3 years, the Board considered it a <u>must</u> that the sign use permit provision remain.

The amount of fees was not a concern of the Board, other than to hope that they could be as reasonable as possible and at the same time provide effective inspection; however, it was felt that the proposed changes for temporary sign permits would destroy the intent of the new ordinance in dealing with temporary signs, which are the major offenders.

The Board considered it imperative that sign permits specify time and location in order to have proper enforcement, but an alternate might be to allow special signage on merchants' permanent poles for temporary promotions. This has been done elsewhere in the country. The proposal as being considered would encourage the use of temporary signs and the Environmental Board urged the Commission to reconsider this point.

It was the opinion of the Board that a new ordinance is not always thoroughly understood by the inspectors and it is confusing so far as enforcement. It was suggested that time be taken to orient the sign inspectors as to the intent of the ordinance, and that flyers be included with any notices being mailed to explain provisions of new regulations.

CHAIRMAN BAYOUTH did not think the public at large is a special interest group; it involves all business, and if there is a special interest group on this matter, he didn't know who it would be. He commented further that the Commission was discussing business in general and signs are a part of business.

GRAGG also commented that special interest has been referred to twice at this meeting and whoever makes such references should be prepared to state who it is. He took exception to such inferences, stating that each of the Commissioners serves without compensation and that such comments really aggravate him. The second point, as far as enforcement and permits, it would be creating another governmental bureaucracy. The fee to enforce this was projected at a figure over $100,000 (three inspectors - $11,000, plus 25% fringe benefits).

HENNESSY asked why the Resources Board did not present its opposition at the January 8 meeting.

PAT GUINAN said she was a member of the Ad Hoc Sign Committee, and was told, as were others, that at the January 8 meeting the Commission would not discuss fees and permits, but would consider the recommendation of the Ad Hoc Committee and that this meeting was the time to come.

HENNESSY commented that the Commission did discuss the matter in great detail on January 8. GUINAN said she was sorry she had not been present, but it was presented to her that this was the proper time to appear.

COLLIER questioned the make-up of the Wichitans for Better Signs and commented further that visual pollution is a matter of individual taste; that he is a business man and needs signs.

BARRIER said that, as a member of the Commission, she was appalled at the ill-will demonstrated by the Commission, and that citizens do have a right to be heard. She did not find this being exhibited. She was sure there are many different opinions, but this is a free country and the democratic process is for each member of the Commission to hear this kind of presentation, whatever it may refer to, and try to make a judgment on an impartial and fair basis.

CHAIRMAN BAYOUTH told her she should not be appalled; that the Commission has spent many, many hours on this issue and it is not being taken lightly, and that the Commission feels that business people have rights too. He said he had nothing against environmentalists up to a point, but when they try to run his business, he did not like it.

BARRIER said what they are concerned with is visual pollution of Wichita; they are motivated by very high ideals and there is

nothing wrong with that. She thought the Commission should recognize that there may be two very distinct points of view, but still believed the Commission should listen. CHAIRMAN BAYOUTH repeated that they have listened.

SAVINA asked concerning the creation of the Environmental Resources Board. MS. KELTNER said it was an appointed Board, five members by the City Commission; five by the County Commission and ten by the Board of Health.

COHLMIA spoke again to point out that he considered it ridiculous to provide landscaping at the base of a sign, although admitting that it is nice; however, he maintained that a good business man will maintain his signs whether landscaped or not. He felt that an ordinance should be written so that if a sign becomes deteriorated, the owner can be made to maintain it. He asked that the Commission be logical as well as fair - fair to everybody. He said he would be at the City Commission meeting. In concluding his remarks, he indicated he did not appreciate seeing old signs, but favored new and well maintained signs, but if the City is going to take away from his making a living, then he would take as much as he could from the City of Wichita. He stated further that he is putting up a new sign at a new business where the sign cost $1,000 and the permit $100, and he did not appreciate it.

MS. MARY BRIGHTON, 3620 East English, speaking on behalf of Project Beauty, read a prepared statement bringing out the following points.

Beauty is good business and business recognizes beauty and is interested in locating in a city that is attractive. Signs are needed, but also sign controls are needed, and limited signs is one way to improve the appearance of the City and most citizens are interested in improving the appearance of their city.

BRIGHTON said she understood there has been some difficulty with the ordinance, and possibly that has been because of a lack of understanding of the ordinance. She said Project Beauty realizes that there may be some changes needed and so opposes only those points which would seem to nullify the intent to reduce clutter.

BRIGHTON said they were opposed to opening up "LC" districts for off-site signs. Off-site advertising, essentially, is the use of the public highways rather than use of private property. They did not feel it was in the public interest to have billboards in "LC" areas generally, and as an example pointed out the difficulty in distinguishing traffic signal lights and lighted signs along Kellogg, especially to someone not use to driving the street. Another concern was the increasing of off-site sign height along elevated highways, but as long as used only for travel information, she offered no opposition.

BRIGHTON pointed out that portable signs are the biggest cause of clutter of streetscapes. She was opposed to the liberalization of the use of portable signs made by the City Commission in June of last year from two special events per year to twelve, and from a maximum time of 30 days in any one year to 42 days. She assumed most of this type of sign was used by service stations; however, she commented further that many stations are now not using such signs as they have realized that an uncluttered pleasing appearance actually brings more business.

To enforce the use of temporary signs the limitations on time and required permit is essential. Without these two requirements, it would be impossible to have meaningful enforcement. As for service station clutter, BRIGHTON pointed out that there are many other types and sizes of signs available for their use, such as permanent signs, those on the building or the unrestricted use of window signs. She felt that without adequate controls and enforcement on temporary signs, the community would be much better off with the complete banning of such signs.

BRIGHTON referred to a recent study of various cities comparable in size to the City of Wichita, such study having rated the cities in various categories. Wichita was rated very high in most cases, however, received a "D" rating so far as environmental conditions. She urged that the Commission change its recommendation and keep off-site signs out of the "LC" districts and require permits and fees on temporary signs as previously adopted.

CHAIRMAN BAYOUTH said the Commission is really not discussing fees, but he still did not believe signs are a clutter in a neighborhood; nor did he consider them objectionable, and felt that very few business men would consider them objectionable.

BRIGHTON felt that there were quite a few business men realizing more and more that a well designed sign on the front indicating the name of the business and merchandise sold is better than temporary signs.

BAYOUTH asked if he, as a business man, didn't have the right to put up a particular type sign and create all the clutter he wanted to.

GRAGG stated that as indicated by the Chairman, the Commission has spent quite a bit of time on this matter, but he was interested in a couple of comments made by Mrs. Brighton. He pointed out that she had indicated the sign ordinance in Wichita is less restrictive than some cities, and asked in what way that was so.

BRIGHTON said that she had recently visited Shreveport, Louisiana, and the visual clutter was terrible with signs and debris; however, she had traveled through several cities in Oklahoma and noticed the lack of flashing, twisting, lighted signs and even at service stations there had been a noticeable lack of unpleasant signs. When asked for the population of some of the cities without visual clutter, BRIGHTON said one was McAlester, Oklahoma, but that she did not know the population. Several areas on the west coast, she stated, even along a stretch of Highway 101, had no offending billboards or signs.

CHAIRMAN BAYOUTH commented again that there is a difference in what each individual considers beautiful.

SAVINA asked concerning the organization of Project Beauty. BRIGHTON said it is a non-profit organization of more than 200 members (quite a number of prominent people), interested in doing what it can to beautify the City of Wichita.

BARRIER spoke again to say that it seemed to her again that as members of the Planning Commission, they were not here to argue with people who come before the Commission, but are to hear what they say and make some kind of impartial decision or recommendation. She suggested to Mr. Bayouth that if he cared to represent the business men, perhaps he should step down and speak before the public microphone to make his speech. CHAIRMAN BAYOUTH said he disagreed 100%.

SAVINA commented that Mrs. Brighton was trying to convince the Commission to change the determination heretofore made.

HENNESSY said the Commission has spent many, many hours on this subject when these people were not around.

BRIGHTON said she had no personal axe to grind, but was a public citizen here because she wanted Wichita to be a good place to live.

COLLIER asked if a motion was required to approve the items shown in the staff report; and that the Commission could stay in session for hours as was the case on January 8.

PORTER asked that the minutes reflect her opposition to items #3, #5 and #7, all as shown in the staff report, and was further opposed to the recommendations made by the Planning Commission with respect to fees and permits.

PORTER wanted her feelings as just expressed to be a part of the report that is submitted to the City Commission.

COHLMIA asked for clarification of the use of temporary signs for 12 events per year and not to exceed 42 days, and detailed explanation was given of how this would function.

COHLMIA did not think anyone could tell him how to run his business unless they subsidized his operation.

BARRIER asked if the Commission was going to vote on the proposals one at a time.

> MOTION: Gragg moved that the sign ordinance be repealed. Savina seconded the motion.

CHAIRMAN BAYOUTH said nothing would be gained by that action, and suggested the Commission either approve or disapprove the proposed changes as advertised and that he (Gragg) could be at the City Commission meeting to express himself.

HENNESSY noted that if the Commission votes approval of this amendment, it would be voting approval of the sign ordinance in general. BAYOUTH pointed out that this is a compromise that even business can "live with" and to completely "throw it out" would mean going through hours and hours of discussion again, because repeal will never pass the City Commission. GRAGG's comment was "that is their choice."

BARRIER asked again if the vote was to be one at a time individually or one vote on all proposed changes. BAYOUTH said they would be approved or disapproved as a whole and that they had been considered individually by the Planning Commission on January 8, 1976, and approved.

PORTER brought up the fact that any member may request that they be considered item-by-item, and BAYOUTH stated again that they had been considered item-by-item on January 8.

PORTER asked for a staff ruling on this point. GALBRAITH said it appears some would prefer to vote individually because they might support some of the changes and not others, and that the Commission could vote individually. BAYOUTH agreed to an individual vote.

BAYOUTH told Gragg he would accept his motion for repeal later, but for the present, the Commission would finish the matter at hand.

LYTLE pointed out that the recommendation on January 8, 1976, was that the proposed changes be advertised for a public hearing; each one was explained at that time, and that they could be voted on any way the Commission desired at this time.

PAT GUINAN said she has been a member of the Ad Hoc Sign Committee as well as attending almost every meeting on signs for the last 4 1/2 years. As a point of information, she reported that when the Ad Hoc Sign Committee first considered the proposed amendment to permit off-site signs in the "LC" districts, it was disapproved; however, at a later meeting it was approved, and this was probably the one point where there was less agreement than on any other item.

BAYOUTH answered that Mr. Tidwell (Donrey Outdoor Advertising Company), had given up something so far as billboards, and he believed they were reduced in number about 50% in order to allow additional height. LYTLE said they were reduced from 5 to 3 in any designated mile.

GUINAN said that nobody has opposed increased height on elevated highways because they have been restricted to helpful information for the traveling public.

GUINAN continued that there definitely are restrictions on where off-site signs may be in "LC" districts, but even with restric-

tions, they did not want "LC" opened up generally to these types of signs. She commented further that billboards are not the only clutter, but are considered by some the use of the public highways, rather than a bonafide use of private property on which it may be situated.

Reference was made to permits and fees by GUINAN and she pointed out that as now proposed, the recommendation does not represent as careful consideration as other proposed changes in the sign regulations, and the two recommendations made as to permits and fees will make it impossible to enforce the ordinance, if they are adopted by the City Commission. She considered them irresponsible recommendations and that the Commission has not given as much thought and time as to some of the other changes.

BARRIER said it was her understanding that Denver had adopted a rather stringent sign ordinance and visual pollution was reduced considerably.

GUINAN said it was her understanding that the on-site portion of Denver's ordinance has been upheld, but that efforts to ban billboards completely, was not upheld. She understood that the ordinance in general is much more restrictive than Wichita's, and that Fort Worth also has a much more restrictive ordinance adopted recently. As to the subject being discussed, she noted that it is a compromise from the original writing, and while she did not feel there should never be any changes, she was opposed to changes which would eliminate controls.

JAMES TIDWELL, Donrey Outdoor Advertising Company, referred back to the original Committee hearings of 1973 and 1974, and said that during hearings at that time, he had actually received nothing, and everything was taken away. At that time, the sign regulations being discussed were part of the proposed new zoning ordinance and considerable rezoning was anticipated with its adoption, which would result in some of the presently zoned "LC" areas being changed to a classification which would include off-site or billboard signs. It was decided at that time, TIDWELL continued, that in view of the proposed changes in the overall zoning for the City, the Planning Commission would accept the sign ordinance as written originally by the Zoning Advisory Committee. The Chairman of a special sign committee, however, had indicated to him that the final ordinance adopted was not as it was supposed to be. It was supposed to be a relief to the billboard people in return for the restrictions established. Upon further questioning, it was found that there was considerable resentment to the proposed rezoning plan. After it appeared that new mapping would be delayed, a proposal was submitted to the Ad Hoc Sign Committee to allow off-site or billboard signs in "LC" districts, with certain restrictions.

As now proposed by the Commission at the January 8 meeting, TIDWELL pointed out, if one reads the proposed text and relates it to various zoned areas, it will indicate that off-site signs would be permitted only in areas generally entirely commercial; they have no desire to locate billboards in residential, institutional, or near parks or playground areas.

When asked by GRAGG how he thought it should be resolved at this point, TIDWELL said he thought it had been resolved - that the present proposal would only allow off-site signs in "LC" areas under certain conditions and, while not as lenient as originally proposed, all they want is what was promised earlier.

TIDWELL asked for an explanation of proposal #7 as to off-site signs in "LC". LYTLE explained that the same number of off-site signs would be permitted in "LC" areas as in "E" and "C", but with restrictions; there would be a maximum of 5 off-site signs within a designated mile facing a direction of travel, and restricted to 600 square feet and a height of 30 feet; a 150-foot distance from a residence and the "LC" district must be adjacent to an arterial or expressway street and be not less than 300 continuous feet along such street.

GOEBEL pointed out that the proposed ordinance also provides that there must be at least 70% of the designated mile zoned commercial or industrial before any "LC" district could be used for an off-site sign. He thought as proposed would result in better placement of signs. He said the fact that they would be spaced out within a given mile is the only reason he favors the proposal.

LYTLE showed slides and discussed how this proposal might relate to certain streets in the city. GOEBEL said that in Committee meetings in relating the requirements to various streets, it was shown that there would be only two or three streets in the city actually qualified under this proposal. He continued that he would not permit a billboard on his property even if zoned light industrial, but so far as visual pollution, to have billboards strategically placed within a mile segment along a highway would be less eye pollution than to have them "all in a pile."

MOTION: That the Planning Commission recommend to the City Commission that the zoning ordinance be amended as outlined in the staff memo as Recommendation No. 1. Collier moved, Hennessy seconded and it carried unanimously. Kamen was absent.

MOTION: That the Planning Commission recommend to the City Commission that the zoning ordinance be amended as outlined in the staff memo as Recommendation No. 2. Collier moved, Hennessy seconded and it carried unanimously. Kamen was absent.

MOTION: That the Planning Commission recommend to the City Commission that the zoning ordinance be amended as outlined in the staff memo as Recommendation No. 3. Collier moved, Gragg seconded and it carried by a vote of 6 in favor (Collier, Gragg, Hennessy, Goebel, Bayouth, and Savina) and 3 opposed (Porter, Taylor and Barrier). Kamen was absent.

MOTION: That the Planning Commission recommend to the City Commission that the zoning ordinance be amended as outlined in the staff memo as Recommendation No. 4. Collier moved, Gragg seconded and it carried by a vote of 8 in favor (Collier, Gragg, Hennessy, Goebel, Bayouth, Savina, Taylor, and Porter) and 1 opposed (Barrier). Kamen was absent.

MOTION: That the Planning Commission recommend to the City Commission that the zoning ordinance be amended as outlined as Recommendation No. 5 in the staff report. Collier moved, Gragg seconded and it carried by a vote of 6 in favor (Collier, Gragg, Bayouth, Hennessy, Goebel and Savina), and 3 opposed (Porter, Barrier and Taylor). Kamen was absent.

MOTION: That the Planning Commission recommend to the City Commission that the zoning ordinance be amended as outlined as Recommendation No. 6 in the staff report. Collier moved, Gragg seconded and it carried unanimously. Kamen was absent.

MOTION: That the Planning Commission recommend to the City Commission that the zoning ordinance be amended as outlined as Recommendation No. 7 of the staff report. Collier moved, Gragg seconded and it carried by a vote of 6 in favor (Collier, Gragg, Hennessy, Goebel, Bayouth, and Savina) and 3 opposed (Porter, Taylor and Barrier). Kamen was absent.

By the above actions, the zoning ordinance is recommended for amendment as follows:

Section 28.04.139(a)(1)(J) of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"(J) Sign, On-site. A sign which carries only advertisement strictly incidental to a lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted; services rendered; goods sold or produced on the premises; the rental or lease of products or building space; name of the person, firm or corporation occupying the premises. ~~Such sign shall not include advertising of a product in a manner other than when it pertains directly to premises, such as the use of national advertising poster panels, or the use of advertising trademarks or symbols when a product is sold only by vending machines on the premises.~~"

Sections 28.04.139(g), 28.04.139(h), 28.04.139(i) and 28.04.139(j) shall be amended by adding the following:

"Additional on-site ground or pole signs are allowed provided:

a. The area of the sign(s) does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized for all ground pole or building signs permitted on the zoning lot.

b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

c. Under no circumstance shall the number of ground and pole signs on a zoning lot exceed twice the number permitted in Section 28.04.139 K.1.

d. Any sign permitted by this subsection of the code shall not exceed a height of 30 feet."

Section 28.04.139(k)(3) shall be amended to read as follows:

"3. Height Limit. No ground or pole signs shall exceed a height of 30 feet, provided: ~~except~~

a. That when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased 5 feet for each sign reduction. The use of this method to increase a sign height shall not permit any sign to exceed a height of 45 feet.

b. That an additional two and one-half feet in height may be permitted for each one hundred square feet of ground area which is landscaped and/or architecturally treated as a part of, or around, the base of a ground or pole sign. Such additional increase in height shall be granted only for the full 100, 200, 300 or 400 square feet of landscaping and/or architectural treatment. Such an increase in height may not exceed ten feet. If applied to the basic height limitation of 30 feet, no sign shall exceed 40 feet in height. If applied to a sign which is permitted by sub-section (a) hereof to exceed 30 feet, then the additional height may be added thereto. This height bonus shall be permitted only when the landscaping and/or architectural treatment complies with the following:

1) The base area shall be designed so as to prevent damage from vehicles.

2) There is provided a provision for water connection if live landscaping materials are used.

3) It is not a sight hazard for either vehicles or pedestrians.

4) It is of such design and substances as to provide visual eye contact at street level when adjacent to the zoning lot. Non-hardy plant material or solely turf grasses or similar landscape product shall not be considered adequate plant materials. If live landscape material is used, the basic plant material shall be evergreen."

Section 28.04.139(k)(6) shall be amended to read as follows:

"6. Location on Property. On site ground or pole signs shall not project over public right-of-way, and shall be located not closer to an adjacent property line than one-third the frontage of the zoning lot or ~~25~~ 15 feet; whichever is less. When more than one ground or pole sign is permitted on a zoning lot, there shall be a distance of not less than 150 feet between ground or pole signs along the same street frontage, however, this shall not apply to ground or pole signs that are 35 feet or more from the street right-of-way line.

Section 28.04.139(g) be amended by adding the following:

4. Illuminated off-site signs as permitted by Section (l)

Section 28.04.139(l) be amended to read as follows:

(l) Off-site signs when Permitted in the Commercial or Industrial Districts.

1. Number permitted. The number of off-site signs, facing a direction of travel within any designated mile, shall be determined by the lineal measurement in feet, along the center line of the street right-of-way, that is within or adjacent to any zoning district wherein off-site signs are a permitted use. For purposes of measurement, zoning shall be considered to extend to the center line of all streets. A designated mile shall be the length of the center line of a street between mile section lines, even though the lineal measurement may exceed 5,280 feet. There shall be permitted not more than one off-site sign facing a direction of travel for each 1,000 lineal feet, or major fraction thereof, of street having "C" Commercial or "E" Light Industrial properties adjacent thereto. There shall be permitted not more than one off-site sign facing a direction of travel for each 660 lineal feet, or major fraction thereof, of street having "F" Heavy Industrial properties adjacent thereto. Whenever any portion of the street has both "C" or "E" and the "F" zoning districts adjacent thereto, the permitted number shall be based on the "F" zoning district.

The number of off-site signs permitted in the "LC" Light Commercial district shall be on the same basis as the "C" or "E" zoning district subject to additional limitations as set forth in paragraph 6.

Under no circumstance shall there be more than five off-site signs facing a direction of travel within any designated mile unless such street is within or adjacent to the "F" Heavy Industrial District. Whenever such a condition is present, the calculations based on the per-

mitted number for these districts shall not permit more than eight off-site signs within any designated mile.

2. Size and height permitted. The gross surface areas of an off-site sign shall not exceed 600 square feet, nor shall it exceed 30 feet in height. Exception: Off-site signs located adjacent to an elevated portion of a highway structure, may be erected to a height of 40 feet, or 14 feet above the traffic deck, whichever is less providing:

   a. no off-site sign shall have a horizontal dimension of greater than 40 feet, and;

   b. no off-site sign shall be located closer than 660 feet to another off-site sign on the same side of the elevated highway, and;

   c. there shall be not more than three off-site signs exceeding a height of 30 feet in a designated mile, and;

   d. any signs elevated to a height greater than thirty feet shall be limited to public service advertising for non-profit organizations, and to travelers' information giving direction to premises where food and lodging may be secured, and to the location of businesses engaged in supplying goods and service essential to the normal operation of motor vehicles, including emergency and towing services."

3. Prohibited locations. No off-site sign shall be erected on a property when any of the following conditions are found to exist:

   a. No off-site sign shall be erected on a zoning lot that already has more than two on-site ground or pole signs within 35 feet of the street right-of-way line; or

   b. No off-site sign shall be erected on a zoning lot that already has more than 200 square feet of on-site ground or pole signs facing a direction of travel, regardless of the number of signs; or

   c. No off-site sign shall be erected on any property that would obscure the view of any on-site signs. This shall be determined by establishing a sight point at the center line of the street 150 feet in either direction, then no on-site sign within 150 feet of the off-site signs shall be obscured from view; or

   d. No off-site sign shall be located closer than 330 feet to another off-site sign facing the same direction of travel; or

   e. No off-site sign shall be erected on a zoning lot that does not comply with the minimum lot size requirements of the zoning district.

4. Setback. Off-site signs shall comply with all building setback lines.

5. Type. Off-site signs may be ground, pole or wall signs, but shall not be erected upon or above the roof of any building, nor shall any portion of a sign project over public right-of-way.

6. Limitations of the "LC" Light Commercial District. In addition to the above requirements for off-site signs, off-site signs shall be permitted in the "LC" Light Commercial District subject to the following requirements.

a. The zoning lot shall be located adjacent to an arterial street, expressway or freeway; and

b. There shall be not less than 70% of the designated mile located adjacent to "LC", "C" "E" or "F" zoned properties or any combination thereof; and

c. There shall not be less than 150 feet distance from any off-site sign to a residence; and

d. No off-site sign shall be located on an property that is not a part of at least 300 continuous feet of "LC" zoning that has frontage along the arterial or expressway street; and

e. Any sign permitted by this section shall face the direction of travel along the designated mile.

Section 28.04.139(b) shall be amended by adding the following:

"7. Signs authorized as special displays under Section 24.04.240 of the Code of the City of Wichita.

MOTION: That the previous recommendations on permits and fees made on January 8, 1976, be forwarded on as approved by the Planning Commission. Gragg moved. This motion was not seconded.

BARRIER said she was out of town (January 8 meeting), and when appointed to the Commission had explained that she would be out of town from time to time, so had not had an opportunity to record her vote on January 8, as to permits and fees.

PORTER asked that her opposition also be indicated to the two recommendations on fees and permits.

LAKIN said the comments of Barrier and Porter would be included and go along with the motions if that is satisfactory.

BAYOUTH commented that the Commission had voted on the changes once (January 8). PORTER said she had only asked that her comments be included in the minutes.

MOTION: That the sign ordinance be repealed. Gragg moved and Hennessy seconded.

LAKIN asked for clarification, pointing out that there are two parts of the City Code related to signs, one being in Title 28 (zoning ordinance), and the other Title 24, the sign ordinance.

BAYOUTH said that if the changes as recommended are approved by the City Commission, the ordinance will be more lenient than it was. LAKIN said he would not attempt to speak on the various points of view, and BAYOUTH commented that if the entire sign ordinance is repealed there would be no sign ordinance.

LAKIN considered the motion as made improper because Title 28 (zoning ordinance) cannot be amended by simple repeal, but must be advertised for a public hearing. If the Commission wants to eliminate, from the City Code, any control relative to signs, as to size, location, number, then the motion would have to authorize the staff to advertise such an amendment for a public hearing. The second part relating to elimination of structural requirements is a part of the sign ordinance and does not require a public hearing.

MOTION: That a change be advertised on the basis of fees. Gragg moved. This motion was not seconded.

LAKIN pointed out that the Commission sometime ago had discussed fees and made a recommendation, and that those recommendations did not require a public hearing and they will be going forward to the City Commission; however, if the Commission wants to change such recommendations, it can be done without a public hearing. (See paragraphs 1. and 2. under Recommendations in the staff report.)

BARRIER suggested that in light of the time spent in considering changes in the sign ordinance, she considered Mr. Gragg's motion irresponsible and asked him to withdraw it. She was tired of the harrassment and commented further that there seems to be a predominant feeling on the Commission for one point of view, but there are other interests in the community, and she asked Gragg again to withdraw his motion.

CHAIRMAN BAYOUTH thought it would be well to let the City Commission act on these recommended changes, and he asked Lakin for his opinion on this point.

LAKIN thought the recommendations just passed should go on to the City Commission and if that body has any changes it will have to come back to the Planning Commission, and it would be well to get it before them at least one time.

Hennessy withdrew his second to Gragg's motion and Gragg withdrew the motion.

LAKIN asked members of the Commission to be in attendance at the City Commission when this matter is heard by that body.

EXCERPT FROM PLANNING COMMISSION MINUTES OF JANUARY 8, 1976:

34. DR 75-27 - Possible Amendments to Zoning Oridnance Re: On-site and Off-site Signs. Recommendations from the Ad Hoc Sign Committee.

LYTLE briefly reviewed the following memorandum from the Director to the Planning Commissioners.

BACKGROUND

In July of 1975 an Ad Hoc Sign Committee was appointed by Harlan Kamen, then Chairman of the Planning Commission, to review the issues raised by representatives of the sign industry and other sign code issues that might be brought before them. This 10-member committee was chaired by Bill Goebel, Planning Commissioner, with other members as follows:

David Bayouth, Planning Commissioner
Dwight Hopper, Former Planning Commissioner
Paul Elliott, Zoning Advisory Committee Member
Ken Stewart, Zoning Advisory Committee Member
Don Boyd, Bottling Industry
Everett Hale, Sign Industry
Joan Kamas, Environmental Resources Advisory Board
Pat Guinan, Wichitans for Better Signs
Barbara Arvold, Wichitans for Better Signs

Over these months, the Committee met on 9 different occasions, with the meetings lasting two to three hours each. Attendance by the Committee members generally ranged from 6 to 8, with only one member failing to attend any of the meetings.

In addition to the requests made by the Kansas State Sign Association and the Donrey Outdoor Advertising Company, the Committee discussed all of the sign regulation problems that were brought to their attention. Some of the problems brought to their attention were simply a matter of misunderstanding the intent and purpose of the regulations or a lack of communication of factual information. A few of these were resolved by interpretations from the staff on the application of the regulations. Other problems required the deletion of, additions to, or redrafting of some portions of the regulations. These have been prepared as part of the Committee recommendations.

SUMMARY

Although the Committee did not agree 100% in their recommendations, the following list of recommended changes is representative of the majority, and were made following many hours of deliberation.

1. A request from the K.S.S.A. for additional on-site ground signs to be permitted in the Commercial and Industrial Districts, particularly those generally described as wing-boards for on-site advertising.

   COMMITTEE RECOMMENDATION. Permit additional signs subject to regulating the location, number, height and area.

   CODE REVISIONS REQUIRED. Amend Sections 28.04.139 G, H, I, and J regulating signs in each of the commercial and industrial districts by adding the following to each of the above code sections.

   "Additional on-site ground or pole signs are allowed provided:

   a. The area of the sign(s) does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized for all ground, pole or building signs permitted on the zoning lot.

b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot, but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

c. Under no circumstance shall the number of ground and pole signs on a zoning lot exceed twice the number permitted in Section 28.04.139.K.1.

d. Any sign permitted by this subsection of the Code shall not exceed a height of 30 feet."

2. A request from the K.S.S.A. that ground or pole signs be required a lesser setback from adjoining property lines and driveways.

RECOMMENDATION. To reduce the distance from a side property line from 25 feet to 15 feet or 1/3 of the lot width, whichever is less. The requirement for ground signs adjacent to driveway approaches was not recommended to be changed.

CODE REVISION REQUIRED. Amend Section 28.04.139 K.6 to read as follows:

"6. Location on Property. On-site ground or pole signs shall not project over public right-of-way, and shall be located not closer to an adjacent property line than one-third the frontage of the zoning lot or ~~25~~ 15 feet; whichever is less. When more than one ground or pole sign is permitted on a zoning lot, there shall be a distance of not less than 150 feet between ground or pole signs along the same street frontage, however, this shall not apply to ground or pole signs that are 35 feet or more from the street right-of-way line.

3. A request from the K.S.S.A. that ground or pole signs be permitted to greater heights by the addition of landscaping at the base of the sign.

RECOMMENDATION. That an additional two and one-half feet of height be permitted for each one hundred square foot of ground area that is landscaped and/or architecturally treated at the base of the sign.

CODE REVISION REQUIRED. Amend Section 28.04.139 K.3 to read as follows:

"3. Height Limit. No ground or pole sign shall exceed a height of 30 feet, provided: ~~except~~

a. That when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased 5 feet for each sign reduction. The use of this method to increase a sign height shall not permit any sign to exceed a height of 45 feet.

b. That an additional two and one-half feet in height may be permitted for each one hundred square feet of ground area which is landscaped and/or architecturally treated as a part of, or around, the base of a ground or pole sign. Such additional increase in height shall be granted only for the full 100, 200, 300 or 400 square feet of landscaping and/or architectural treatment. Such an increase in height may not exceed ten feet. If applied to the basic height limitation of 30 feet, no sign shall exceed 40 feet in height. If applied to a sign

which is permitted by sub-section (a) hereof to exceed 30 feet, then the additional height may be added thereto. This height bonus shall be permitted only when the landscaping and/or architectural treatment complies with the following:

1) The base area shall be designed so as to prevent damage from vehicles.

2) There is provided a provision for water connection if live landscaping materials are used.

3) It is not a sight hazard for either vehicles or pedestrians.

4) It is of such design and substances as to provide visual eye contact at street level when adjacent to the zoning lot. Non-hardy plant material or solely turf grasses or similar landscape product shall not be considered adequate plant materials. If live landscape material is used, the basic plant material shall be evergreen."

4. A request from the Donrey Outdoor Advertising Company to permit off-site signs in the "LC" Light Commercial District subject to restrictions wherein such signs would be limited to areas generally developed with commercial and industrial uses.

RECOMMENDATION. That off-site signs be permitted in the "LC" Light Commercial District subject to:

(a) locations being adjacent to an arterial, expressway or freeway; (b) not located less than 150 feet from a residence; (c) not located on a property that is not within 300 continuous feet of "LC" zoning along the designated mile; (d) the "LC" zoning is part of a designated mile that has at least 70% adjacent to any of the commercial or industrial zoning districts.

CODE REVISIONS REQUIRED. Amend Section 28.04.139-L. (See text amendment following item 5.)

Amend Section 28.04.139 G by adding the following:

4. Illuminated off-site signs as permitted by Section L.

5. A request from the Donrey Outdoor Advertising to permit the height of off-site ground signs to exceed 30 feet in height adjacent to an elevated roadway.

RECOMMENDATION. That off-site signs be permitted to a height of 40 feet or 14 feet above the traffic deck, whichever is less, provided there shall be not more than 3 signs exceeding 30 feet in a mile, and the distance between off-site signs shall be not less than 660 feet.

CODE REVISION REQUIRED. Amend Section 28.04.139 L. (Text amendment for items 4 and 5 are included in the following.)

"L" Off-site Signs when Permitted in the Commercial or Industrial Districts.

1. Number permitted. The number of off-site signs, facing a direction of travel within any designated mile, shall be determined by the lineal measurement in feet, along the center line of the street right-of-way, that is within or adjacent to any zoning district wherein off-site signs are a permitted use. For purposes of measurement, zoning shall be considered to extend to the center

line of all streets. A designated mile shall be the length of the center line of a street between mile section lines, even though the lineal measurement may exceed 5,280 feet. There shall be permitted not more than one off-site sign facing a direction of travel for each 1,000 lineal feet, or major fraction thereof, of street having "C" commercial or "E" Light Industrial properties adjacent thereto. There shall be permitted not more than one off-site sign facing a direction of travel for each 660 lineal feet, or major fraction thereof, of street having "F" Heavy Industrial properties adjacent thereto. Whenever any portion of the street has both "C" or "E" and the "F" zoning districts adjacent thereto, the permitted number shall be based on the "F" zoning district.

The number of off-site signs permitted in the "LC" Light Commercial District shall be on the same basis as the "C" or "E" zoning district subject to additional limitations as set forth in paragraph 6.

Under no circumstances shall there be more than five off-site signs facing a direction of travel within any designated mile unless such street is within or adjacent to the "F" Heavy Industrial District. Whenever such a condition is present, the calculations based on the permitted number for these districts shall not permit more than eight off-site signs within any designated mile.

2. Size and height permitted. The gross surface areas of an off-site sign shall not exceed 600 square feet, nor shall it exceed 30 feet in height. Exception: Off-site signs located adjacent to an elevated portion of a highway structure, may be erected to a height of 40 feet, or 14 feet above the traffic deck, whichever is less, providing:

   a. no off-site sign shall have a horizontal dimension of greater than 40 feet, and;

   b. no off-site sign shall be located closer than 660 feet to another off-site sign on the same side of the elevated highway, and;

   c. there shall be not more than three off-site signs exceeding a height of 30 feet in a designated mile, and;

   d. any signs elevated to a height greater than thirty feet shall be limited to public service advertising for non-profit organizations, and to traveler's information giving direction to premises where food and lodging may be secured, and to the location of businesses engaged in supplying goods and service essential to the normal operation of motor vehicles, including emergency and towing services."

3. Prohibited locations. No off-site sign shall be erected on a property when any of the following conditions are found to exist:

   a. No off-site sign shall be erected on a zoning lot that already has more than two on-site ground or pole signs within 35 feet of the street right-of-way line; or

   b. No off-site sign shall be erected on a zoning lot that already has more than 200 square feet of on-site ground or pole signs facing a direction of travel, regardless of the number of signs; or

c. No off-site sign shall be erected on any property that would obscure the view of any on-site signs. This shall be determined by establishing a sight point at the center line of the street 150 feet in either direction, then no on-site sign within 150 feet of the off-site sign shall be obscured from view; or

d. No off-site sign shall be located closer than 330 feet to another off-site sign facing the same direction of travel; or

e. No off-site sign shall be erected on a zoning lot that does not comply with the minimum lot size requirements of the zoning district.

4. Setback. Off-site signs shall comply with all building setback lines.

5. Type. Off-site signs may be ground, pole or wall signs, but shall not be erected upon or above the roof of any building, nor shall any portion of a sign project over public right-of-way.

6. Limitations of the "LC" Light Commercial District. In addition to the above requirements for off-site signs, off-site signs shall be permitted in the "LC" Light Commercial district subject to the following requirements.

a. The zoning lot shall be located adjacent to an arterial street, expressway or freeway; and

b. There shall be not less than 70% of the designated mile located adjacent to "LC", "C", "E" or "F" zoned properties or any combination thereof; and

c. There shall not be less than 150 feet distance from any off-site sign to a residence; and

d. No off-site sign shall be located on any property that is not a part of at least 300 continuous feet of "LC" zoning that has frontage along the arterial or expressway street; and

e. Any sign permitted by this section shall face the direction of travel along the designated mile.

6. A request from a member of the sign committee to remove the restriction on on-site signs related to trademarks and symbols when a product is sold only by vending machines.

RECOMMENDATION. Delete that portion of the definition of on-site sign.

CODE REVISION REQUIRED. Amend the definition of on-site sign to read as follows:

"(J) Sign, On-site. A sign which carries only advertisement strictly incidental to a lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted; services rendered; goods sold or produced on the premises; the rental or lease of products or building space; name of the person, firm or corporation occupying the premises. ~~Such sign shall not include advertising of a product in a manner other than when it pertains directly to premises,~~

~~such as the use of national advertising poster panels, or the use of advertising trademarks or symbols when a product is sold only by vending machiens on the premises.~~

7. A request from the Superintendent of Central Inspection to provide a method for special displays such as some requests for Bicentennial displays he has received.

   RECOMMENDATION. Provide exemption of special displays when approved under provision 24.04.240 of the sign code.

   CODE REVISION REQUIRED. Amend Section 28.04.139 B by adding the following:

   "7. Signs authorized as special displays under Section 24.04.240 of the Code of the City of Wichita."

8. A request from the K.S.S.A. that guy wire and chains not be permitted on ground or pole signs.

   RECOMMENDATION. Require such signs be designed with structural supports that will eliminate the need for external guy wires, chains or supports.

   CODE REVISION REQUIRED. Amend Section 24.04.220(d) to read as follows:

   "(d) No sign shall be erected that will allow the sign to swing or rotate due to wind action. All signs shall be securely fastened so that movement in any direction is prevented. External guy or support wires (chain or other similar material) shall not be used for ground, pole or building signs."

9. A request to review the permit fees required by Title 24, Sign Ordinance, particularly as it relates to the sign use permit fee.

   RECOMMENDATION. It was recommended that the committee not make a recommendation on fees, however, it was recommended that the statistical analysis of the sign ordinance prepared by the Superintendent of Central Inspection, be furnished the MAPC and that they make a recommendation on the fees and the frequency of inspections to the City Commission. (The sign ordinance now requires a sign use permit on a triennial basis, see Section 24.04.070(b) and 24.04.080.) A copy of the statistical analysis is attached to this report.

It is necessary to advertise for public hearing any amendments to the zoning ordinance. The above recommendations numbered 1 thru 7 are part of the zoning ordinance and will require a public hearing. Recommendations 8 and 9 are part of Title 24 of the code and do not require a public hearing before the Planning Commission.

RECOMMENDATION

a. Authorize the advertisement for public hearing items 1 thru 7, plus other amendments to be in the best interest of the public.

b. Make a recommendation on items 8 and 9 to be forwarded to the City Commission for their consideration.

BAYOUTH said he, personally, felt that having to pay a fee for pennant signs was ridiculous. He said the fees on these signs could cause untold hardship upon business because the fees were exorbitant when one considered the iact that, especially in pennant signs, they were usually only used for a few days, and then, according to the present ordinance, when one took those pennants down and put others up, one had to pay a fee again. He said there was just no way business could live with such an ordinance.

LYTLE, of the Planning Department, said that all forms of signs that are easily moved or placed are classed as temporary signs. He explained the portion of the ordinances that regulate the placement of all temporary signs.

BAYOUTH and SAVINA still felt that the fees for temporary signs, and most of the other sign fees, were too high.

BAYOUTH said he had been on the Ad Hoc Sign Committee for several months last spring and they had spent endless hours trying to work something out on the time limitations in the ordinance that restrict the use of temporary signs. He stated further that he felt the City Commission circumvented their efforts, but did make some adjustment.

JOHN FRAZIER, of the bottling industry, said there have been many different meetings trying to get some cooperation in regard to fees. He expressed concern about the fees on temporary signs. He said that the A-frame signs, used by the industry for promotions at service stations, will be stationed in one particular location for only a short period of time, perhaps 45 days, and then that sign will be moved to another location, and another fee is required. He also stated that something should be done on the sign use permit requirement so that all signs on a property could be lumped together under one sign use permit fee. He said they would suggest an inspection every five years rather than every three years as is now required.

At the request of Hennessy, BAYOUTH outlined the work of the Ad Hoc Committee. He said he could spend the whole evening on the matter.

BAYOUTH then asked Lytle to review the recommendations item by item as noted in the memo to the Planning Commission.

LYTLE told the Commissioners that it will be necessary to advertise for public hearing any changes to the zoning ordinance (Title 28), and that they might wish to review items 1 thru 7 one at a time. Then on items 8 and 9, a recommendation should be made that could be forwarded to the City Commission, and would not require a public hearing before the Planning Commission.

LYTLE then reviewed Item 1, which would provide for additional on-site signs on a property.

> MOTION: Kamen moved, Hennessy seconded and it carried unanimously that Item 1 be included in the advertisement for public hearing. Porter and Taylor were absent.

LYTLE then reviewed Item 2 which was a request to reduce setback requirements for on-site signs.

> MOTION: Kamen moved, Hennessy seconded and it carried unanimously that Item 2 be included in the advertisement for public hearing. Porter and Taylor were absent.

LYTLE then reviewed Item 3 which would permit additional height for on-site signs.

> MOTION: Goebel moved, Hennessy seconded and it carried unanimously that Item 3 be included in the advertisement for public hearing. Porter and Taylor were absent.

LYTLE then reviewed Item 4, the recommendation to permit off-site signs in the "LC" zoning district.

> MOTION: Kamen moved, Goebel seconded and it carried unanimously that Item 4 be included in the advertisement for public hearing. Porter and Taylor were absent.

LYTLE reviewed Item 5, permitting greater heights for off-site signs adjacent to elevated highways.

> MOTION: Goebel moved, Hennessy seconded and it carried unanimously that this portion of the recommendation was acceptable. Porter and Taylor were absent.

LYTLE reviewed Item 6, the recommendation to delete that portion of the definition on on-site signs related to trademarks and symbols when a product is sold only by a vending machine.

> MOTION: Goebel moved, Kamen seconded and it carried unanimously that this portion of the Committee's recommendation be advertised for a public hearing. Porter and Taylor were absent.

On Item 7, the Commissioners agreed that there should have been provisions for Bicentennial or similar displays included in the ordinance.

> MOTION: Collier moved, Goebel seconded and it carried unanimously that this recommendation be included in the advertisement for public hearing. Porter and Taylor were absent.

LYTLE stated that Item 8 was a recommendation made at the request of the Kansas State Sign Association, to eliminate the use of external guy wires and chains on ground or pole signs.

BAYOUTH indicated that he felt it was placing an extra expense on the owner with such a requirement. He stated that many signs require modification if not installed with guy wires or chains. He stated that possibly the Kansas State Sign Association could explain their position.

GOEBEL suggested that perhaps this should apply only to new sign installations.

LYTLE stated that if adopted, such a regulation would apply only to new signs and that existing signs would be exempt.

EVERETT HALE, representing the K.S.S.A. stated that it was their feeling signs can be installed without guy wires or chains at no additional cost to the owner, and thereby create a much neater appearance. However, if this is such an issue, he would withdraw the request and work within his organization to accomplish this.

> MOTION: Hennessy moved and Gragg seconded that the recommendation of the sign committee on Item 8, to eliminate the use of guy wires and chains, be withdrawn. Motion carried by a vote of 7 in favor (Hennessy, Gragg, Taylor, Goebel, Collier, Bayouth, and Savina) and 1 opposed (Kamen). Porter and Taylor were absent.

On Item 9, LYTLE stated that it was the consensus of the Ad Hoc Sign Committee that the Committee not make a recommendation on the fees since it was a matter of providing adequate revenue to administer the regulations. It was, however, recommended that the statistical analysis prepared by the Superintendent of Central Inspection be furnished the MAPC so that the Planning Commission could make a recommendation on the fees if they so desired.

BAYOUTH asked if Mr. Feldner was prepared to discuss the statistical analysis with the Commission.

LYTLE stated that Mr. Feldner had been notified of the meeting, but was not present at this time.

BAYOUTH again stated his feeling that the fee for temporary signs was excessive and further that the fee on pennants was not right. He asked Lytle to explain the permit fees on pennants.

LYTLE stated he was not there to defend the permit fees, but would try to answer any questions the Commission might have on any portion of the ordinances. He further stated that the use of the pennants is permitted on the same basis as are other temporary signs. Temporary signs are limited by the zoning ordinance to a maximum of 42 days in any calendar year at any location, and that this may be used up in any increment of days, providing that the number of such promotional pennants shall not exceed twelve. Permit fees for temporary signs are $8.00 for the first 75 square feet of sign area, plus $2.00 for each additional 100 square feet of temporary sign used. The method of determining an area on strings of pennants is one square foot for each lineal foot of streamer or pennants. There is no maximum on the total area of signage permitted on a property, so the bigger the display, the larger the permit fee.

LYTLE also stated that the use of temporary signs and pennants was possibly one of the main reasons for new regulations being drafted and adopted over a year ago. Although permits were required by previous ordinances, adequate enforcement was not provided to control the use of such displays.

COLLIER stated that he felt the fees should be based on the amount of space used.

GRAGG suggested that Bayouth was too personally involved in the matter.

BAYOUTH said he merely felt that the ordinance is unfair.

GRAGG and SAVINA both suggested that the Planning Commission was getting out of hand on this matter.

BAYOUTH stated that the sign use permit that requires a fee every three years is not right. He said he could see where there had to be a method of being sure that all signs are kept in good condition. However, he felt that some provision should be made in the ordinance for the sign use permit fee to apply to all signs on a property and that inspections be made of existing signs every five years instead of three years.

FRAZIER indicated that the fees established by Central Inspection were unfair and cited the cost of permits for the A-frame signs each time they are moved to a new location. He suggested the use of a permit for a temporary sign and that it go with the sign and the inspector could check the signs for a valid permit.

LYTLE again indicated that he was not trying to defend the fee structure for Mr. Feldner, but he had discussed the matter and would try to state the problem as he sees it. The fees have been established on a basis of providing enough revenue to administer the sign regulations and provide some enforcement that had heretofore been lacking. Until there had been a reasonable period of time to evaluate Mr. Feldner's analysis, it would be difficult to determine whether the fees are excessive. He stated that temporary signs are regulated by location and time as previously stated. If you issue a permit for a sign and allow the sign to be placed anywhere the bottling company might use it, there would be no way to regulate the length of time or use of temporary signs on a particular property. It would be physically impossible to regulate the use of the signs unless individual location permits are required.

GOEBEL stated that he felt it was unfair to require permit fees on signs every three years, and that permits are not required on other uses that require original permits.

LYTLE stated that Mr. Feldner's survey indicated that approximately 27% of existing signs have been installed without benefit of a permit. This is probably due to the fact that signs are readily installed and many times go unnoticed unless someone is specifically assigned to inspect same.

MOTION: Gragg moved, Hennessy seconded that the Planning Commission recommend to the City Commission that there should only be an original sign permit fee. The motion carried unanimously. Porter and Taylor were absent.

LYTLE stated that the motion as stated would eliminate the sign use permit every three years. The Commission concurred.

MOTION: Savina moved, Hennessy seconded that there be a $12 fee for temporary signs with no limitation as to time.

There was considerable discussion concerning this motion.

SUBSTITUTE MOTION: Bayouth moved that there be a $6.00 fee established for temporary signs which would be good for one year, and further that a $6 fee for promotional sales in any one year be established, including pennants. Collier seconded the motion and it carried by a vote of 4 in favor (Bayouth, Collier, Goebel and Kamen) and 3 opposed (Gragg, Savina and Hennessy). Taylor and Porter were absent.

HENNESSY asked to be notified when this matter goes before the City Commission. LYTLE stated that when these recommendations are forwarded to the City Commission, all would be notified.

EXCERPT FROM PLANNING COMMISSION MINUTES OF JANUARY 8, 1976:

34. DR 75-27 - Possible Amendments to Zoning Ordinance Re: On-site and Off-site Signs. Recommendations from the Ad Hoc Sign Committee.

LYTLE briefly reviewed the following memorandum from the Director to the Planning Commissioners.

BACKGROUND

In July of 1975 an Ad Hoc Sign Committee was appointed by Harlan Kamen, then Chairman of the Planning Commission, to review the issues raised by representatives of the sign industry and other sign code issues that might be brought before them. This 10-member committee was chaired by Bill Goebel, Planning Commissioner, with other members as follows:

David Bayouth, Planning Commissioner
Dwight Hopper, Former Planning Commissioner
Paul Elliott, Zoning Advisory Committee Member
Ken Stewart, Zoning Advisory Committee Member
Don Boyd, Bottling Industry
Everett Hale, Sign Industry
Joan Kamas, Environmental Resources Advisory Board
Pat Guinan, Wichitans for Better Signs
Barbara Arvold, Wichitans for Better Signs

Over these months, the Committee met on 9 different occasions, with the meetings lasting two to three hours each. Attendance by the Committee members generally ranged from 6 to 8, with only one member failing to attend any of the meetings.

In addition to the requests made by the Kansas State Sign Association and the Donrey Outdoor Advertising Company, the Committee discussed all of the sign regulation problems that were brought to their attention. Some of the problems brought to their attention were simply a matter of misunderstanding the intent and purpose of the regulations or a lack of communication of factual information. A few of these were resolved by interpretations from the staff on the application of the regulations. Other problems required the deletion of, additions to, or redrafting of some portions of the regulations. These have been prepared as part of the Committee recommendations.

SUMMARY

Although the Committee did not agree 100% in their recommendations, the following list of recommended changes is representative of the majority, and were made following many hours of deliberation.

A request from the K.S.S.A. for additional on-site ground signs to be permitted in the Commercial and Industrial Districts, particularly those generally described as wingboards for on-site advertising.

COMMITTEE RECOMMENDATION. Permit additional signs subject to regulating the location, number, height and area.

CODE REVISIONS REQUIRED. Amend Sections 28.04.139 G, H, I, and J regulating signs in each of the commercial and industrial districts by adding the following to each of the above code sections.

"Additional on-site ground or pole signs are allowed provided:

a. The area of the sign(s) does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized for all ground, pole or building signs permitted on the zoning lot.

b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot, but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

c. Under no circumstance shall the number of ground and pole signs on a zoning lot exceed twice the number permitted in Section 28.04.139.K.1.

d. Any sign permitted by this subsection of the Code shall not exceed a height of 30 feet."

2. A request from the K.S.S.A. that ground or pole signs be required a lesser setback from adjoining property lines and driveways.

RECOMMENDATION. To reduce the distance from a side property line from 25 feet to 15 feet or 1/3 of the lot width, whichever is less. The requirement for ground signs adjacent to driveway approaches was not recommended to be changed.

CODE REVISION REQUIRED. Amend Section 28.04.139 K.6 to read as follows:

"6. Location on Property. On-site ground or pole signs shall not project over public right-of-way, and shall be located not closer to an adjacent property line than one-third the frontage of the zoning lot or ~~25~~ 15 feet; whichever is less. When more than one ground or pole sign is permitted on a zoning lot, there shall be a distance of not less than 150 feet between ground or pole signs along the same street frontage, however, this shall not apply to ground or pole signs that are 35 feet or more from the street right-of-way line.

3. A request from the K.S.S.A. that ground or pole signs be permitted to greater heights by the addition of landscaping at the base of the sign.

RECOMMENDATION. That an additional two and one-half feet of height be permitted for each one hundred square foot of ground area that is landscaped and/or architecturally treated at the base of the sign.

CODE REVISION REQUIRED. Amend Section 28.04.139 K.3 to read as follows:

"3. Height Limit. No ground or pole sign shall exceed a height of 30 feet, provided: ~~except~~

a. That when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased 5 feet for each sign reduction. The use of this method to increase a sign height shall not permit any sign to exceed a height of 45 feet.

b. That an additional two and one-half feet in height may be permitted for each one hundred square feet of ground area which is landscaped and/or architecturally treated as a part of, or around, the base of a ground or pole sign. Such additional increase in height shall be granted only for the full 100, 200, 300 or 400 square feet of landscaping and/or architectural treatment. Such an increase in height may not exceed ten feet. If applied to the basic height limitation of 30 feet, no sign shall exceed 40 feet in height. If applied to a sign

which is permitted by sub-section (a) hereof to exceed 30 feet, then the additional height may be added thereto. This height bonus shall be permitted only when the landscaping and/or architectural treatment complies with the following:

1) The base area shall be designed so as to prevent damage from vehicles.

2) There is provided a provision for water connection if live landscaping materials are used.

3) It is not a sight hazard for either vehicles or pedestrians.

4) It is of such design and substances as to provide visual eye contact at street level when adjacent to the zoning lot. Non-hardy plant material or solely turf grasses or similar landscape product shall not be considered adequate plant materials. If live landscape material is used, the basic plant material shall be evergreen."

4. A request from the Donrey Outdoor Advertising Company to permit off-site signs in the "LC" Light Commercial District subject to restrictions wherein such signs would be limited to areas generally developed with commercial and industrial uses.

RECOMMENDATION. That off-site signs be permitted in the "LC" Light Commercial District subject to:

(a) locations being adjacent to an arterial, expressway or freeway; (b) not located less than 150 feet from a residence; (c) not located on a property that is not within 300 continuous feet of "LC" zoning along the designated mile; (d) the "LC" zoning is part of a designated mile that has at least 70% adjacent to any of the commercial or industrial zoning districts.

CODE REVISIONS REQUIRED. Amend Section 28.04.139-L. (See text amendment following item 5.)

Amend Section 28.04.139 G by adding the following:

4. Illuminated off-site signs as permitted by Section L.

5. A request from the Donrey Outdoor Advertising to permit the height of off-site ground signs to exceed 30 feet in height adjacent to an elevated roadway.

RECOMMENDATION. That off-site signs be permitted to a height of 40 feet or 14 feet above the traffic deck, whichever is less, provided there shall be not more than 3 signs exceeding 30 feet in a mile, and the distance between off-site signs shall be not less than 660 feet.

CODE REVISION REQUIRED. Amend Section 28.04.139 L. (Text amendment for items 4 and 5 are included in the following.)

"L" Off-site Signs when Permitted in the Commercial or Industrial Districts.

1. Number permitted. The number of off-site signs, facing a direction of travel within any designated mile, shall be determined by the lineal measurement in feet, along the center line of the street right-of-way, that is within or adjacent to any zoning district wherein off-site signs are a permitted use. For purposes of measurement, zoning shall be considered to extend to the center line of all streets. A designated mile shall be the length of the center line of a street between mile section lines, even though the lineal measurement may exceed 5,280 feet. There shall be permitted not more than one off-site sign facing a direction of travel for each 1,000 lineal feet, or major fraction thereof, of street having "C" commercial or "E" Light Industrial properties adjacent thereto. There shall be permitted not more than one off-site sign facing a direction of travel for each 660 lineal feet, or major fraction thereof, of street having "F" Heavy Industrial properties adjacent thereto. Whenever any portion of the street has both "C" or "E" and the "F" zoning districts adjacent thereto, the permitted number shall be based on the "F" zoning district.

The number of off-site signs permitted in the "LC" Light Commercial District shall be on the same basis as the "C" or "E" zoning district subject to additional limitations as set forth in paragraph 6.

Under no circumstances shall there be more than five off-site signs facing a direction of travel within any designated mile unless such street is within or adjacent to the "F" Heavy Industrial District. Whenever such a condition is present, the calculations based on the permitted number for these districts shall not permit more than eight off-site signs within any designated mile.

2. Size and height permitted. The gross surface areas of an off-site sign shall not exceed 600 square feet, nor shall it exceed 30 feet in height. Exception: Off-site signs located adjacent to an elevated portion of a highway structure, may be erected to a height of 40 feet, or 14 feet above the traffic deck, whichever is less, providing:

a. no off-site sign shall have a horizontal dimension of greater than 40 feet, and;

b. no off-site sign shall be located closer than 660 feet to another off-site sign on the same side of the elevated highway, and;

c. there shall be not more than three off-site signs exceeding a height of 30 feet in a designated mile, and;

d. any signs elevated to a height greater than thirty feet shall be limited to public service advertising for non-profit organizations, and to traveler's information giving direction to premises where food and lodging may be secured, and to the location of businesses engaged in supplying goods and service essential to the normal operation of motor vehicles, including emergency and towing services."

3. Prohibited locations. No off-site sign shall be erected on a property when any of the following conditions are found to exist:

a. No off-site sign shall be erected on a zoning lot that already has more than two on-site ground or pole signs within 35 feet of the street right-of-way line; or

b. No off-site sign shall be erected on a zoning lot that already has more than 200 square feet of on-site ground or pole signs facing a direction of travel, regardless of the number of signs; or

c. No off-site sign shall be erected on any property that would obscure the view of any on-site signs. This shall be determined by establishing a sight point at the center line of the street 150 feet in either direction, then no on-site sign within 150 feet of the off-site sign shall be obscured from view; or

d. No off-site sign shall be located closer than 330 feet to another off-site sign facing the same direction of travel; or

e. No off-site sign shall be erected on a zoning lot that does not comply with the minimum lot size requirements of the zoning district.

4. Setback. Off-site signs shall comply with all building setback lines.

5. Type. Off-site signs may be ground, pole or wall signs, but shall not be erected upon or above the roof of any building, nor shall any portion of a sign project over public right-of-way.

6. Limitations of the "LC" Light Commercial District. In addition to the above requirements for off-site signs, off-site signs shall be permitted in the "LC" Light Commercial district subject to the following requirements.

a. The zoning lot shall be located adjacent to an arterial street, expressway or freeway; and

b. There shall be not less than 70% of the designated mile located adjacent to "LC", "C", "E" or "F" zoned properties or any combination thereof; and

c. There shall not be less than 150 feet distance from any off-site sign to a residence; and

d. No off-site sign shall be located on any property that is not a part of at least 300 continuous feet of "LC" zoning that has frontage along the arterial or expressway street; and

e. Any sign permitted by this section shall face the direction of travel along the designated mile.

6. A request from a member of the sign committee to remove the restriction on on-site signs related to trademarks and symbols when a product is sold only by vending machines.

RECOMMENDATION. Delete that portion of the definition of on-site sign.

CODE REVISION REQUIRED. Amend the definition of on-site sign to read as follows:

"(J) Sign, On-site. A sign which carries only advertisement strictly incidental to a lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted; services rendered; goods sold or produced on the premises; the rental or lease of products or building space; name of the person, firm or corporation occupying the premises. ~~Such sign shall not include advertising of a product in a manner other than when it pertains directly to premises, such as the use of national advertising poster panels; or the use of advertising trademarks or symbols when a product is sold only by vending machines on the premises.~~

7. A request from the Superintendent of Central Inspection to provide a method for special displays such as some requests for Bicentennial displays he has received.

RECOMMENDATION. Provide exemption of special displays when approved under provision 24.04.240 of the sign code.

CODE REVISION REQUIRED. Amend Section 28.04.139 B by adding the following:

"7. Signs authorized as special displays under Section 24.04.240 of the Code of the City of Wichita."

8. A request from the K.S.S.A. that guy wire and chains not be permitted on ground or pole signs.

RECOMMENDATION. Require such signs be designed with structural supports that will eliminate the need for external guy wires, chains or supports.

CODE REVISION REQUIRED. Amend Section 24.04.220(d) to read as follows:

"(d) No sign shall be erected that will allow the sign to swing or rotate due to wind action. All signs shall be securely fastened so that movement in any direction is prevented. External guy or support wires (chain or other similar material) shall not be used for ground, pole or building signs."

9. A request to review the permit fees required by Title 24, Sign Ordinance, particularly as it relates to the sign use permit fee.

RECOMMENDATION. It was recommended that the committee not make a recommendation on fees, however, it was recommended that the statistical analysis of the sign ordinance prepared by the Superintendent of Central Inspection, be furnished the MAPC and that they make a recommendation on the fees and the frequency of inspections to the City Commission. (The sign ordinance now requires a sign use permit on a triennial basis, see Section 24.04.070(b) and 24.04.080.) A copy of the statistical analysis is attached to this report.

It is necessary to advertise for public hearing any amendments to the zoning ordinance. The above recommendations numbered 1 thru 7 are part of the zoning ordinance and will require a public hearing. Recommendations 8 and 9 are part of Title 24 of the code and do not require a public hearing before the Planning Commission.

RECOMMENDATION

a. Authorize the advertisement for public hearing items 1 thru 7, plus other amendments to be in the best interest of the public.

b. Make a recommendation on items 8 and 9 to be forwarded to the City Commission for their consideration.

BAYOUTH said he, personally, felt that having to pay a fee for pennant signs was ridiculous. He said the fees on these signs could cause untold hardship upon business because the fees were exorbitant when one considered the fact that, especially in pennant signs, they were usually only used for a few days, and then, according to the present ordinance, when one took those pennants down and put others up, one had to pay a fee again. He said there was just no way business could live with such an ordinance.

LYTLE, of the Planning Department, said that all forms of signs that are easily moved or placed are classed as temporary signs. He explained the portion of the ordinances that regulate the placement of all temporary signs.

BAYOUTH and SAVINA still felt that the fees for temporary signs, and most of the other sign fees, were too high.

BAYOUTH said he had been on the Ad Hoc Sign Committee for several months last spring and they had spent endless hours trying to work something out on the time limitations in the ordinance that restrict the use of temporary signs. He stated further that he felt the City Commission circumvented their efforts, but did make some adjustment.

JOHN FRASIER, of the bottling industry, said there have been many different meetings trying to get some cooperation in regard to fees. He expressed concern about the fees on temporary signs. He said that the A-frame signs, used by the industry for promotions at service stations, will be stationed in one particular location for only a short period of time, perhaps 45 days, and then that sign will be moved to another location, and another fee is required. He also stated that something should be done on the sign use permit requirement so that all signs on a property could be lumped together under one sign use permit fee. He said they would suggest an inspection every five years rather than every three years as is now required.

At the request of Hennessy, BAYOUTH outlined the work of the Ad Hoc Committee. He said he could spend the whole evening on the matter.

BAYOUTH then asked Lytle to review the recommendations item by item as noted in the memo to the Planning Commission.

LYTLE told the Commissioners that it will be necessary to advertise for public hearing any changes to the zoning ordinance (Title 28), and that they might wish to review items 1 thru 7 one at a time. Then on items 8 and 9, a recommendation should be made that could be forwarded to the City Commission, and would not require a public hearing before the Planning Commission.

LYTLE then reviewed Item 1, which would provide for additional on-site signs on a property.

> MOTION: Kamen moved, Hennessy seconded and it carried unanimously that Item 1 be included in the advertisement for public hearing. Porter and Taylor were absent.

LYTLE then reviewed Item 2 which was a request to reduce setback requirements for on-site signs.

> MOTION: Kamen moved, Hennessy seconded and it carried unanimously that Item 2 be included in the advertisement for public hearing. Porter and Taylor were absent.

LYTLE then reviewed Item 3 which would permit additional height for on-site signs.

> MOTION: Goebel moved, Hennessy seconded and it carried unanimously that Item 3 be included in the advertisement for public hearing. Porter and Taylor were absent.

LYTLE then reviewed Item 4, the recommendation to permit off-site signs in the "LC" zoning district.

> MOTION: Kamen moved, Goebel seconded and it carried unanimously that Item 4 be included in the advertisement for public hearing. Porter and Taylor were absent.

LYTLE reviewed Item 5, permitting greater heights for off-site signs adjacent to elevated highways.

> MOTION: Goebel moved, Hennessy seconded and it carried unanimously that this portion of the recommendation was acceptable. Porter and Taylor were absent.

LYTLE reviewed Item 6, the recommendation to delete that portion of the definition on on-site signs related to trademarks and symbols when a product is sold only by a vending machine.

> MOTION: Goebel moved, Kamen seconded and it carried unanimously that this portion of the Committee's recommendation be advertised for a public hearing. Porter and Taylor were absent.

On Item 7, the Commissioners agreed that there should have been provisions for Bicentennial or similar displays included in the ordinance.

> MOTION: Collier moved, Goebel seconded and it carried unanimously that this recommendation be included in the advertisement for public hearing. Porter and Taylor were absent.

LYTLE stated that Item 8 was a recommendation made at the request of the Kansas State Sign Association, to eliminate the use of external guy wires and chains on ground or pole signs.

BAYOUTH indicated that he felt it was placing an extra expense on the owner with such a requirement. He stated that many signs require modification if not installed with guy wires or chains. He stated that possibly the Kansas State Sign Association could explain their position.

GOEBEL suggested that perhaps this should apply only to new sign installations.

LYTLE stated that if adopted, such a regulation would apply only to new signs and that existing signs would be exempt.

EVERETT HALE, representing the K.S.S.A. stated that it was their feeling signs can be installed without guy wires or chains at no additional cost to the owner, and thereby create a much neater appearance. However, if this is such an issue, he would withdraw the request and work within his organization to accomplish this.

> MOTION: Hennessy moved and Gragg seconded that the recommendation of the sign committee on Item 8, to eliminate the use of guy wires and chains, be withdrawn. Motion carried by a vote of 7 in favor (Hennessy, Gragg, Taylor, Goebel, Collier, Bayouth, and Savina) and 1 opposed (Kamen). Porter and Taylor were absent.

On Item 9, LYTLE stated that it was the consensus of the Ad Hoc Sign Committee that the Committee not make a recommendation on the fees since it was a matter of providing adequate revenue to administer the regulations. It was, however, recommended that the statistical analysis prepared by the Superintendent of Central Inspection be furnished the MAPC so that the Planning Commission could make a recommendation on the fees if they so desired.

BAYOUTH asked if Mr. Feldner was prepared to discuss the statistical analysis with the Commission.

LYTLE stated that Mr. Feldner had been notified of the meeting, but was not present at this time.

BAYOUTH again stated his feeling that the fee for temporary signs was excessive and further that the fee on pennants was not right. He asked Lytle to explain the permit fees on pennants.

LYTLE stated he was not there to defend the permit fees, but would try to answer any questions the Commission might have on any portion of the ordinances. He further stated that the use of the pennants is permitted on the same basis as are other temporary signs. Temporary signs are limited by the zoning ordinance to a maximum of 42 days in any calendar year at any location, and that this may be used up in any increment of days, providing that the number of such promotional pennants shall not exceed twelve. Permit fees for temporary signs are $8.00 for the first 75 square feet of sign area, plus $2.00 for each additional 100 square feet of temporary sign used. The method of determining an area on strings of pennants is one square foot for each lineal foot of streamer or pennants. There is no maximum on the total area of signage permitted on a property, so the bigger the display, the larger the permit fee.

LYTLE also stated that the use of temporary signs and pennants was possibly one of the main reasons for new regulations being drafted and adopted over a year ago. Although permits were required by previous ordinances, adequate enforcement was not provided to control the use of such displays.

COLLIER stated that he felt the fees should be based on the amount of space used.

GRAGG suggested that Bayouth was too personally involved in the matter.

BAYOUTH said he merely felt that the ordinance is unfair.

GRAGG and SAVINA both suggested that the Planning Commission was getting out of hand on this matter.

BAYOUTH stated that the sign use permit that requires a fee every three years is not right. He said he could see where there had to be a method of being sure that all signs are kept in good condition. However, he felt that some provision should be made in the ordinance for the sign use permit fee to apply to all signs on a property and that inspections be made of existing signs every five years instead of three years.

FRAZIER indicated that the fees established by Central Inspection were unfair and cited the cost of permits for the A-frame signs each time they are moved to a new location. He suggested the use of a permit for a temporary sign and that it go with the sign and the inspector could check the signs for a valid permit.

LYTLE again indicated that he was not trying to defend the fee structure for Mr. Feldner, but he had discussed the matter and would try to state the problem as he sees it. The fees have been established on a basis of providing enough revenue to administer the sign regulations and provide some enforcement that had heretofore been lacking. Until there had been a reasonable period of time to evaluate Mr. Feldner's analysis, it would be difficult to determine whether the fees are excessive. He stated that temporary signs are regulated by location and time as previously stated. If you issue a permit for a sign and allow the sign to be placed anywhere the bottling company might use it, there would be no way to regulate the length of time or use of temporary signs on a particular property. It would be physically impossible to regulate the use of the signs unless individual location permits are required.

GOEBEL stated that he felt it was unfair to require permit fees on signs every three years, and that permits are not required on other uses that require original permits.

LYTLE stated that Mr. Feldner's survey indicated that approximately 27% of existing signs have been installed without benefit of a permit. This is probably due to the fact that signs are readily installed and many times go unnoticed unless someone is specifically assigned to inspect same.

MOTION: Gragg moved, Hennessy seconded that the Planning Commission recommend to the City Commission that there should only be an original sign permit fee. The motion carried unanimously. Porter and Taylor were absent.

LYTLE stated that the motion as stated would eliminate the sign use permit every three years. The Commission concurred.

MOTION: Savina moved, Hennessy seconded that there be a $12 fee for temporary signs with no limitation as to time.

There was considerable discussion concerning this motion.

SUBSTITUTE MOTION: Bayouth moved that there be a $6.00 fee established for temporary signs which would be good for one year, and further that a $6 fee for promotional sales in any one year be established, including pennants. Collier seconded the motion and it carried by a vote of 4 in favor (Bayouth, Collier, Goebel and Kamen) and 3 opposed (Gragg, Savina and Hennessy). Taylor and Porter were absent.

HENNESSY asked to be notified when this matter goes before the City Commission. LYTLE stated that when these recommendations are forwarded to the City Commission, all would be notified.

EXCERPT FROM PLANNING COMMISSION MINUTES OF FEBRUARY 19, 1976:

12. DR 75-27 - Amendments to the zoning ordinance Re: On-site and off-site signs.

LYTLE reviewed the following staff report which had been provided the Commissioners prior to the meeting.

BACKGROUND

In July of 1975 an AD HOC SIGN COMMITTEE was appointed by Harlan Kamen, then Chairman of the Planning Commission, to review the issues raised by representatives of the sign industry and other sign code issues that might be brought before them. This ten-member committee was chaired by Bill Goebel, Planning Commissioner, with other members as follows:

David Bayouth, Planning Commissioner
Dwight Hopper, Former Planning Commissioner
Paul Elliott, Zoning Advisory Committee Member
Ken Stewart, Zoning Advisory Committee Member
Don Boyd, Bottling Industry
Everett Hale, Sign Industry
Joan Kamas, Environmental Resources Advisory Board
Pat Guinan, Wichitans for Better Signs
Barbara Arvold, Wichitans for Better Signs

The recommendations of the Ad Hoc Sign Committee were presented to the Planning Commission at your meeting of January 8, 1976. It was the recommendation of the MAPC to advertise for public hearing those amendments that are part of the zoning ordinance. These amendments have been advertised for public hearing at your meeting of February 19, 1976.

Members of the Ad Hoc Sign Committee, Wichita Board of Realtors, Wichita Association of Homebuilders, Chamber of Commerce, Kansas State Sign Association, representatives of the bottling industry, Kansas Petroleum Council, Environmental Resources Advisory Board, and other individuals who have expressed interest in these regulations, have been notified of this hearing.

Attached hereto is a copy of the possible amendments to the zoning ordinance that have been advertised for public hearing. Also attached is a copy of an excerpt from the Planning Commission meeting of January 8, 1976.

SUMMARY

The following is a list of the recommendations made by the Ad Hoc Sign Committee, noting origination of the request, and the section of the ordinance that it effects.

1. A request from a member of the sign committee to remove the restriction on on-site signs related to trademarks and symbols when a product is sold only by vending machines.

   RECOMMENDATION: Delete that portion of the definition of on-site signs as shown in Section 28.04.139(a)(1)(j) of the attachment.

2. A request from the Superintendent of Central Inspection to provide a method for special displays such as some requests for Bicentennial displays he has received.

   RECOMMENDATION: Provide exemption of special displays when approved under provision 24.04.240 of the sign code.

   This amendment is shown by the addition to Section 28.04.139(b) of the attachment.

3. A request from the K.S.S.A. that ground or pole signs be permitted to greater heights by the addition of landscaping at the base of the sign.

   RECOMMENDATION: That an additional two and one-half feet of height be permitted for each one hundred square foot of ground area that is landscaped and/or architecturally treated at the base of the sign.

   This amendment is shown in Section 28.04.139 (k)(3) of the attachment.

4. A request from the K.S.S.A. that ground or pole signs be required a lesser setback from adjoining property lines and driveways.

   RECOMMENDATION: To reduce the distance from a side property line from 25 feet to 15 feet or 1/3 of the lot width, whichever is less. The requirement for ground signs adjacent to driveway approaches was not recommended to be changed.

   This amendment is shown in Section 28.04.139 (k)(6) of the attachment. This amendment also includes a clarification of the intent of the ordinance on separation of ground or pole signs.

5. A request from the K.S.S.A. for additional on-site ground signs to be permitted in the commercial and industrial districts, particularly those generally described as wing-boards for on-site advertising.

   COMMITTEE RECOMMENDATION: Permit additional signs subject to regulating the location, number, height, and area.

   This amendment is shown in Sections 28.04.139 (g), (h), (i), and (j) of the attachment.

6. A request from the Donrey Outdoor Advertising to permit the height of off-site ground signs to exceed 30 feet in height adjacent to an elevated roadway.

   RECOMMENDATION: That off-site signs be permitted to a height of 40 feet or 14 feet above the traffic deck, whichever is less, provided there shall be no more than 3 signs exceeding 30 feet in a mile, and the distance between off-site signs shall be not less than 660 feet.

   This amendment is shown in paragraph 2. of Section 28.04.139(l) of the attachment.

7. A request from the Donrey Outdoor Advertising Company to permit off-site signs in the "LC" Light Commercial District subject to restrictions wherein such signs would be limited to areas generally developed with commercial and industrial uses.

   RECOMMENDATION: That off-site signs be permitted in the "LC" Light Commercial District subject to:

   (a) locations being adjacent to an arterial, expressway or freeway; (b) not located less than 150 feet from a residence; (c) not located on a property that is not within 300 continuous feet of "LC" zoning along the designated mile; (d) the "LC" zoning is part of a designated mile that has at least 70% adjacent to any of the commercial or industrial zoning districts.

   This amendment would be accomplished by the addition of the paragraph to Section 28.04.139 (g) and the amendments to Section 28.04.139 (l) of the attachment.

RECOMMENDATION

It is recommended that the Planning Commission make the changes deemed necessary after the public hearing and forward the recommendation to the Board of City Commissioners for their consideration.

As you will note, by the minutes of the January 8, 1976 MAPC meeting, the Planning Commission made the following recommendations pertaining to Title 24, the Sign Ordinance.

1. The sign ordinance should be amended to require only an original sign permit. (This would eliminate the triennial sign use permit for all permanent signs.)

2. A temporary sign permit fee of $6.00 be established which would be good for one year. And further, a $6.00 fee for promotional sales in any one year be established which would include pennants used in promotional sales.

Since Title 24 (Sign Ordinance) changes are not required to be a public hearing before the Planning Commission, the previous action of the Planning Commission will be forwarded to the Board of City Commissioners at the same time as your recommendations on the changes to the zoning ordinance.

S. E. COHLMIA, 1433 Stratford, had questions about on-site signs, and was provided a copy of the proposed ordinance amendments, it being pointed out that the fees for signs is not a part of the zoning ordinance and does not require a public hearing. BAYOUTH commented that it is not intended that the Commission will discuss the fee structure at this meeting. LYTLE suggested to Cohlmia that he obtain a copy of the fee schedule and discuss it with the Central Inspection Division, then be prepared to appear at the City Commission meeting for further discussion, if desired.

CHAIRMAN BAYOUTH asked that Mr. Cohlmia and other interested individuals, be notified of when this will be considered by the City Commission.

BOBBIE KELTNER, Chairman of the Environmental Resources Board, stated that the Resources Board has had a member on the Sign Committee and she commented on the Committee's recommendation as follows: In the present form the new ordinance represents a considerable compromise; however, the attack on the ordinance and the request for additional changes by special interests tend to complicate the ordinance to the point where it cannot be properly enforced.

Speaking as to proposal #3 that ground or pole signs be permitted to greater heights, it was their feeling such would mean further enforcement problems and in this case, maintenance of the landscaping is the key to the appearance of the signs.

There was also objection to proposal #5 to permit additional on-site signs, such as wingboard signs. The Resources Board was opposed to #7 to permit off-site signs in the light commercial district. Off-site signs have an extended area throughout the City in which to convey their message and to allow them as proposed would be another encroachment.

The Environmental Resources Board was disturbed by the action of the Commission on January 8, 1976, with respect to permits and fees. The elimination of sign use permits periodically means there will be no way to enforce maintenance of signs and, although it may be desirable that the period of time be longer than 3 years, the Board considered it a <u>must</u> that the sign use permit provision remain. The amount of fees was not a concern of the Board, other than to hope that they could be as reasonable as possible and at the same time provide effective inspection; however, it was felt that the proposed changes for temporary sign permits would destroy the intent of the new ordinance in dealing with temporary signs, which are the major offenders.

The Board considered it imperative that sign permits specify time and location in order to have proper enforcement, but an alternate might be to allow special signage on merchants' permanent poles for temporary promotions. This has been done elsewhere in the country. The proposal as being considered would encourage the use of temporary signs and the Environmental Board urged the Commission to reconsider this point.

It was the opinion of the Board that a new ordinance is not always thoroughly understood by the inspectors and it is confusing so far as enforcement. It was suggested that time be taken to orient the sign inspectors as to the intent of the ordinance, and that flyers be included with any notices being mailed to explain provisions of new regulations.

CHAIRMAN BAYOUTH did not think the public at large is a special interest group; it involves all business, and if there is a special interest group on this matter, he didn't know who it would be. He commented further that the Commission was discussing business in general and signs are a part of business.

GRAGG also commented that special interest has been referred to twice at this meeting and whoever makes such references should be prepared to state who it is. He took exception to such inferences, stating that each of the Commissioners serves without compensation and that such comments really aggravate him. The second point, as far as enforcement and permits, it would be creating another governmental bureaucracy. The fee to enforce this was projected at a figure over $100,000 (three inspectors - $11,000, plus 25% fringe benefits).

HENNESSY asked why the Resources Board did not present its opposition at the January 8 meeting.

PAT GUINAN said she was a member of the Ad Hoc Sign Committee, and was told, as were others, that at the January 8 meeting the Commission would not discuss fees and permits, but would consider the recommendation of the Ad Hoc Committee and that this meeting was the time to come.

HENNESSY commented that the Commission did discuss the matter in great detail on January 8. GUINAN said she was sorry she had not been present, but it was presented to her that this was the proper time to appear.

COLLIER questioned the make-up of the Wichitans for Better Signs and commented further that visual pollution is a matter of individual taste; that he is a business man and needs signs.

BARRIER said that, as a member of the Commission, she was appalled at the ill-will demonstrated by the Commission, and that citizens do have a right to be heard. She did not find this being exhibited. She was sure there are many different opinions, but this is a free country and the democratic process is for each member of the Commission to hear this kind of presentation, whatever it may refer to, and try to make a judgment on an impartial and fair basis.

CHAIRMAN BAYOUTH told her she should not be appalled; that the Commission has spent many, many hours on this issue and it is not being taken lightly, and that the Commission feels that business people have rights too. He said he had nothing against environmentalists up to a point, but when they try to run his business, he did not like it.

BARRIER said what they are concerned with is visual pollution of Wichita; they are motivated by very high ideals and there is

nothing wrong with that. She thought the Commission should recognize that there may be two very distinct points of view, but still believed the Commission should listen. CHAIRMAN BAYOUTH repeated that they have listened.

SAVINA asked concerning the creation of the Environmental Resources Board. MS. KELTNER said it was an appointed Board, five members by the City Commission; five by the County Commission and ten by the Board of Health.

COHLMIA spoke again to point out that he considered it ridiculous to provide landscaping at the base of a sign, although admitting that it is nice; however, he maintained that a good business man will maintain his signs whether landscaped or not. He felt that an ordinance should be written so that if a sign becomes deteriorated, the owner can be made to maintain it. He asked that the Commission be logical as well as fair - fair to everybody. He said he would be at the City Commission meeting. In concluding his remarks, he indicated he did not appreciate seeing old signs, but favored new and well maintained signs, but if the City is going to take away from his making a living, them he would take as much as he could from the City of Wichita. He stated further that he is putting up a new sign at a new business where the sign cost $1,000 and the permit $100, and he did not appreciate it.

MS. MARY BRIGHTON, 3620 East English, speaking on behalf of Project Beauty, read a prepared statement bringing out the following points.

Beauty is good business and business recognizes beauty and is interested in locating in a city that is attractive. Signs are needed, but also sign controls are needed, and limited signs is one way to improve the appearance of the City and most citizens are interested in improving the appearance of their city.

BRIGHTON said she understood there has been some difficulty with the ordinance, and possibly that has been because of a lack of understanding of the ordinance. She said Project Beauty realizes that there may be some changes needed and so opposes only those points which would seem to nullify the intent to reduce clutter.

BRIGHTON said they were opposed to opening up "LC" districts for off-site signs. Off-site advertising, essentially, is the use of the public highways rather than use of private property. They did not feel it was in the public interest to have billboards in "LC" areas generally, and as an example pointed out the difficulty in distinguishing traffic signal lights and lighted signs along Kellogg, especially to someone not use to driving the street. Another concern was the increasing of off-site sign height along elevated highways, but as long as used only for travel information, she offered no opposition.

BRIGHTON pointed out that portable signs are the biggest cause of clutter of streetscapes. She was opposed to the liberalization of the use of portable signs made by the City Commission in June of last year from two special events per year to twelve, and from a maximum time of 30 days in any one year to 42 days. She assumed most of this type of sign was used by service stations; however, she commented further that many stations are now not using such signs as they have realized that an uncluttered pleasing appearance actually brings more business.

To enforce the use of temporary signs the limitations on time and required permit is essential. Without these two requirements, it would be impossible to have meaningful enforcement. As for service station clutter, BRIGHTON pointed out that there are many other types and sizes of signs available for their use, such as permanent signs, those on the building or the unrestricted use of window signs. She felt that without adequate controls and enforcement on temporary signs, the community would be much better off with the complete banning of such signs.

BRIGHTON referred to a recent study of various cities comparable in size to the City of Wichita, such study having rated the cities in various categories. Wichita was rated very high in most cases, however, received a "D" rating so far as environmental conditions. She urged that the Commission change its recommendation and keep off-site signs out of the "LC" districts and require permits and fees on temporary signs as previously adopted.

CHAIRMAN BAYOUTH said the Commission is really not discussing fees, but he still did not believe signs are a clutter in a neighborhood; nor did he consider them objectionable, and felt that very few business men would consider them objectionable.

BRIGHTON felt that there were quite a few business men realizing more and more that a well designed sign on the front indicating the name of the business and merchandise sold is better than temporary signs.

BAYOUTH asked if he, as a business man, didn't have the right to put up a particular type sign and create all the clutter he wanted to.

GRAGG stated that as indicated by the Chairman, the Commission has spent quite a bit of time on this matter, but he was interested in a couple of comments made by Mrs. Brighton. He pointed out that she had indicated the sign ordinance in Wichita is less restrictive than some cities, and asked in what way that was so.

BRIGHTON said that she had recently visited Shreveport, Louisiana, and the visual clutter was terrible with signs and debris; however, she had traveled through several cities in Oklahoma and noticed the lack of flashing, twisting, lighted signs and even at service stations there had been a noticeable lack of unpleasant signs. When asked for the population of some of the cities without visual clutter, BRIGHTON said one was McAlester, Oklahoma, but that she did not know the population. Several areas on the west coast, she stated, even along a stretch of Highway 101, had no offending billboards or signs.

CHAIRMAN BAYOUTH commented again that there is a difference in what each individual considers beautiful.

SAVINA asked concerning the organization of Project Beauty. BRIGHTON said it is a non-profit organization of more than 200 members (quite a number of prominent people), interested in doing what it can to beautify the City of Wichita.

BARRIER spoke again to say that it seemed to her again that as members of the Planning Commission, they were not here to argue with people who come before the Commission, but are to hear what they say and make some kind of impartial decision or recommendation. She suggested to Mr. Bayouth that if he cared to represent the business men, perhaps he should step down and speak before the public microphone to make his speech. CHAIRMAN BAYOUTH said he disagreed 100%.

SAVINA commented that Mrs. Brighton was trying to convince the Commission to change the determination heretofore made.

HENNESSY said the Commission has spent many, many hours on this subject when these people were not around.

BRIGHTON said she had no personal axe to grind, but was a public citizen here because she wanted Wichita to be a good place to live.

COLLIER asked if a motion was required to approve the items shown in the staff report; and that the Commission could stay in session for hours as was the case on January 8.

PORTER asked that the minutes reflect her opposition to items #3, #5 and #7, all as shown in the staff report, and was further opposed to the recommendations made by the Planning Commission with respect to fees and permits.

PORTER wanted her feelings as just expressed to be a part of the report that is submitted to the City Commission.

COHLMIA asked for clarification of the use of temporary signs for 12 events per year and not to exceed 42 days, and detailed explanation was given of how this would function.

COHLMIA did not think anyone could tell him how to run his business unless they subsidized his operation.

BARRIER asked if the Commission was going to vote on the proposals one at a time.

> MOTION: Gragg moved that the sign ordinance be repealed. Savina seconded the motion.

CHAIRMAN BAYOUTH said nothing would be gained by that action, and suggested the Commission either approve or disapprove the proposed changes as advertised and that he (Gragg) could be at the City Commission meeting to express himself.

HENNESSY noted that if the Commission votes approval of this amendment, it would be voting approval of the sign ordinance in general. BAYOUTH pointed out that this is a compromise that even business can "live with" and to completely "throw it out" would mean going through hours and hours of discussion again, because repeal will never pass the City Commission. GRAGG's comment was "that is their choice."

BARRIER asked again if the vote was to be one at a time individually or one vote on all proposed changes. BAYOUTH said they would be approved or disapproved as a whole and that they had been considered individually by the Planning Commission on January 8, 1976, and approved.

PORTER brought up the fact that any member may request that they be considered item-by-item, and BAYOUTH stated again that they had been considered item-by-item on January 8.

PORTER asked for a staff ruling on this point. GALBRAITH said it appears some would prefer to vote individually because they might support some of the changes and not others, and that the Commission could vote individually. BAYOUTH agreed to an individual vote.

BAYOUTH told Gragg he would accept his motion for repeal later, but for the present, the Commission would finish the matter at hand.

LYTLE pointed out that the recommendation on January 8, 1976, was that the proposed changes be advertised for a public hearing; each one was explained at that time, and that they could be voted on any way the Commission desired at this time.

PAT GUINAN said she has been a member of the Ad Hoc Sign Committee as well as attending almost every meeting on signs for the last 4 1/2 years. As a point of information, she reported that when the Ad Hoc Sign Committee first considered the proposed amendment to permit off-site signs in the "LC" districts, it was disapproved; however, at a later meeting it was approved, and this was probably the one point where there was less agreement than on any other item.

BAYOUTH answered that Mr. Tidwell (Donrey Outdoor Advertising Company), had given up something so far as billboards, and he believed they were reduced in number about 50% in order to allow additional height. LYTLE said they were reduced from 5 to 3 in any designated mile.

GUINAN said that nobody has opposed increased height on elevated highways because they have been restricted to helpful information for the traveling public.

GUINAN continued that there definitely are restrictions on where off-site signs may be in "LC" districts, but even with restrictions, they did not want "LC" opened up generally to these types of signs. She commented further that billboards are not the only clutter, but are considered by some the use of the public highways, rather than a bonafide use of private property on which it may be situated.

Reference was made to permits and fees by GUINAN and she pointed out that as now proposed, the recommendation does not represent as careful consideration as other proposed changes in the sign regulations, and the two recommendations made as to permits and fees will make it impossible to enforce the ordinance, if they are adopted by the City Commission. She considered them irresponsible recommendations and that the Commission has not given as much thought and time as to some of the other changes.

BARRIER said it was her understanding that Denver had adopted a rather stringent sign ordinance and visual pollution was reduced considerably.

GUINAN said it was her understanding that the on-site portion of Denver's ordinance has been upheld, but that efforts to ban billboards completely, was not upheld. She understood that the ordinance in general is much more restrictive than Wichita's, and that Fort Worth also has a much more restrictive ordinance adopted recently. As to the subject being discussed, she noted that it is a compromise from the original writing, and while she did not feel there should never be any changes, she was opposed to changes which would eliminate controls.

JAMES TIDWELL, Donrey Outdoor Advertising Company, referred back to the original Committee hearings of 1973 and 1974, and said that during hearings at that time, he had actually received nothing, and everything was taken away. At that time, the sign regulations being discussed were part of the proposed new zoning ordinance and considerable rezoning was anticipated with its adoption, which would result in some of the presently zoned "LC" areas being changed to a classification which would include off-site or billboard signs. It was decided at that time, TIDWELL continued, that in view of the proposed changes in the overall zoning for the City, the Planning Commission would accept the sign ordinance as written originally by the Zoning Advisory Committee. The Chairman of a special sign committee, however, had indicated to him that the final ordinance adopted was not as it was supposed to be. It was supposed to be a relief to the billboard people in return for the restrictions established. Upon further questioning, it was found that there was considerable resentment to the proposed rezoning plan. After it appeared that new mapping would be delayed, a proposal was submitted to the Ad Hoc Sign Committee to allow off-site or billboard signs in "LC" districts, with certain restrictions.

As now proposed by the Commission at the January 8 meeting, TIDWELL pointed out, if one reads the proposed text and relates it to various zoned areas, it will indicate that off-site signs would be permitted only in areas generally entirely commercial; they have no desire to locate billboards in residential, institutional, or near parks or playground areas.

When asked by GRAGG how he thought it should be resolved at this point, TIDWELL said he thought it had been resolved - that the present proposal would only allow off-site signs in "LC" areas under certain conditions and, while not as lenient as originally proposed, all they want is what was promised earlier.

TIDWELL asked for an explanation of proposal #7 as to off-site signs in "LC". LYTLE explained that the same number of off-site signs would be permitted in "LC" areas as in "E" and "C", but with restrictions; there would be a maximum of 5 off-site signs within a designated mile facing a direction of travel, and restricted to 600 square feet and a height of 30 feet; a 150-foot distance from a residence and the "LC" district must be adjacent to an arterial or expressway street and be not less than 300 continuous feet along such street.

GOEBEL pointed out that the proposed ordinance also provides that there must be at least 70% of the designated mile zoned commercial or industrial before any "LC" district could be used for an off-site sign. He thought as proposed would result in better placement of signs. He said the fact that they would be spaced out within a given mile is the only reason he favors the proposal.

LYTLE showed slides and discussed how this proposal might relate to certain streets in the city. GOEBEL said that in Committee meetings in relating the requirements to various streets, it was shown that there would be only two or three streets in the city actually qualified under this proposal. He continued that he would not permit a billboard on his property even if zoned light industrial, but so far as visual pollution, to have billboards strategically placed within a mile segment along a highway would be less eye pollution than to have them "all in a pile."

MOTION: That the Planning Commission recommend to the City Commission that the zoning ordinance be amended as outlined in the staff memo as Recommendation No. 1. Collier moved, Hennessy seconded and it carried unanimously. Kamen was absent.

MOTION: That the Planning Commission recommend to the City Commission that the zoning ordinance be amended as outlined in the staff memo as Recommendation No. 2. Collier moved, Hennessy seconded and it carried unanimously. Kamen was absent.

MOTION: That the Planning Commission recommend to the City Commission that the zoning ordinance be amended as outlined in the staff memo as Recommendation No. 3. Collier moved, Gragg seconded and it carried by a vote of 6 in favor (Collier, Gragg, Hennessy, Goebel, Bayouth, and Savina) and 3 opposed (Porter, Taylor and Barrier). Kamen was absent.

MOTION: That the Planning Commission recommend to the City Commission that the zoning ordinance be amended as outlined in the staff memo as Recommendation No. 4. Collier moved, Gragg seconded and it carried by a vote of 8 in favor (Collier, Gragg, Hennessy, Goebel, Bayouth, Savina, Taylor, and Porter) and 1 opposed (Barrier). Kamen was absent.

MOTION: That the Planning Commission recommend to the City Commission that the zoning ordinance be amended as outlined as Recommendation No. 5 in the staff report. Collier moved, Gragg seconded and it carried by a vote of 6 in favor (Collier, Gragg, Bayouth, Hennessy, Goebel and Savina), and 3 opposed (Porter, Barrier and Taylor). Kamen was absent.

MOTION: That the Planning Commission recommend to the City Commission that the zoning ordinance be amended as outlined as Recommendation No. 6 in the staff report. Collier moved, Gragg seconded and it carried unanimously. Kamen was absent.

MOTION: That the Planning Commission recommend to the City Commission that the zoning ordinance be amended as outlined as Recommendation No. 7 of the staff report. Collier moved, Gragg seconded and it carried by a vote of 6 in favor (Collier, Gragg, Hennessy, Goebel, Bayouth, and Savina) and 3 opposed (Porter, Taylor and Barrier). Kamen was absent.

By the above actions, the zoning ordinance is recommended for amendment as follows:

Section 28.04.139(a)(1)(J) of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"(J) Sign, On-site. A sign which carries only advertisement strictly incidental to a lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted; services rendered; goods sold or produced on the premises; the rental or lease of products or building space; name of the person, firm or corporation occupying the premises. ~~Such sign shall not include advertising of a product in a manner other than when it pertains directly to premises, such as the use of national advertising poster panels, or the use of advertising trademarks or symbols when a product is sold only by vending machines on the premises.~~"

Sections 28.04.139(g), 28.04.139(h), 28.04.139(i) and 28.04.139(j) shall be amended by adding the following:

"Additional on-site ground or pole signs are allowed provided:

a. The area of the sign(s) does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized for all ground pole or building signs permitted on the zoning lot.

b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

c. Under no circumstance shall the number of ground and pole signs on a zoning lot exceed twice the number permitted in Section 28.04.139 K.1.

d. Any sign permitted by this subsection of the code shall not exceed a height of 30 feet."

Section 28.04.139(k)(3) shall be amended to read as follows:

"3. Height Limit. No ground or pole signs shall exceed a height of 30 feet, provided: ~~except~~

a. That when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased 5 feet for each sign reduction. The use of this method to increase a sign height shall not permit any sign to exceed a height of 45 feet.

b. That an additional two and one-half feet in height may be permitted for each one hundred square feet of ground area which is landscaped and/or architecturally treated as a part of, or around, the base of a ground or pole sign. Such additional increase in height shall be granted only for the full 100, 200, 300 or 400 square feet of landscaping and/or architectural treatment. Such an increase in height may not exceed ten feet. If applied to the basic height limitation of 30 feet, no sign shall exceed 40 feet in height. If applied to a sign which is permitted by sub-section (a) hereof to exceed 30 feet, then the additional height may be added thereto. This height bonus shall be permitted only when the landscaping and/or architectural treatment complies with the following:

1) The base area shall be designed so as to prevent damage from vehicles.

2) There is provided a provision for water connection if live landscaping materials are used.

3) It is not a sight hazard for either vehicles or pedestrians.

4) It is of such design and substances as to provide visual eye contact at street level when adjacent to the zoning lot. Non-hardy plant material or solely turf grasses or similar landscape product shall not be considered adequate plant materials. If live landscape material is used, the basic plant material shall be evergreen."

Section 28.04.139(k)(6) shall be amended to read as follows:

"6. Location on Property. On site ground or pole signs shall not project over public right-of-way, and shall be located not closer to an adjacent property line than one-third the frontage of the zoning lot or 15 feet; whichever is less. When more than one ground or pole sign is permitted on a zoning lot, there shall be a distance of not less than 150 feet between ground or pole signs along the same street frontage, however, this shall not apply to ground or pole signs that are 35 feet or more from the street right-of-way line.

Section 28.04.139(g) be amended by adding the following:

4. Illuminated off-site signs as permitted by Section (l)

Section 28.04.139(l) be amended to read as follows:

(l) Off-site signs when Permitted in the Commercial or Industrial Districts.

1. Number permitted. The number of off-site signs, facing a direction of travel within any designated mile, shall be determined by the lineal measurement in feet, along the center line of the street right-of-way, that is within or adjacent to any zoning district wherein off-site signs are a permitted use. For purposes of measurement, zoning shall be considered to extend to the center line of all streets. A designated mile shall be the length of the center line of a street between mile section lines, even though the lineal measurement may exceed 5,280 feet. There shall be permitted not more than one off-site sign facing a direction of travel for each 1,000 lineal feet, or major fraction thereof, of street having "C" Commercial or "E" Light Industrial properties adjacent thereto. There shall be permitted not more than one off-site sign facing a direction of travel for each 660 lineal feet, or major fraction thereof, of street having "F" Heavy Industrial properties adjacent thereto. Whenever any portion of the street has both "C" or "E" and the "F" zoning districts adjacent thereto, the permitted number shall be based on the "F" zoning district.

The number of off-site signs permitted in the "LC" Light Commercial district shall be on the same basis as the "C" or "E" zoning district subject to additional limitations as set forth in paragraph 6.

Under no circumstance shall there be more than five off-site signs facing a direction of travel within any designated mile unless such street is within or adjacent to the "F" Heavy Industrial District. Whenever such a condition is present, the calculations based on the permitted number for these districts shall not permit more than eight off-site signs within any designated mile.

2. Size and height permitted. The gross surface areas of an off-site sign shall not exceed 600 square feet, nor shall it exceed 30 feet in height. Exception: Off-site signs located adjacent to an elevated portion of a highway structure, may be erected to a height of 40 feet, or 14 feet above the traffic deck, whichever is less providing:

a. no off-site sign shall have a horizontal dimension of greater than 40 feet, and;

b. no off-site sign shall be located closer than 660 feet to another off-site sign on the same side of the elevated highway, and;

c. there shall be not more than three off-site signs exceeding a height of 30 feet in a designated mile, and;

d. any signs elevated to a height greater than thirty feet shall be limited to public service advertising for non-profit organizations, and to travelers' information giving direction to premises where food and lodging may be secured, and to the location of businesses engaged in supplying goods and service essential to the normal operation of motor vehicles, including emergency and towing services."

3. Prohibited locations. No off-site sign shall be erected on a property when any of the following conditions are found to exist:

a. No off-site sign shall be erected on a zoning lot that already has more than two on-site ground or pole signs within 35 feet of the street right-of-way line; or

b. No off-site sign shall be erected on a zoning lot that already has more than 200 square feet of on-site ground or pole signs facing a direction of travel, regardless of the number of signs; or

c. No off-site sign shall be erected on any property that would obscure the view of any on-site signs. This shall be determined by establishing a sight point at the center line of the street 150 feet in either direction, then no on-site sign within 150 feet of the off-site signs shall be obscured from view; or

d. No off-site sign shall be located closer than 330 feet to another off-site sign facing the same direction of travel; or

e. No off-site sign shall be erected on a zoning lot that does not comply with the minimum lot size requirements of the zoning district.

4. Setback. Off-site signs shall comply with all building setback lines.

5. Type. Off-site signs may be ground, pole or wall signs, but shall not be erected upon or above the roof of any building, nor shall any portion of a sign project over public right-of-way.

6. Limitations of the "LC" Light Commercial District. In addition to the above requirements for off-site signs, off-site signs shall be permitted in the "LC" Light Commercial District subject to the following requirements.

a. The zoning lot shall be located adjacent to an arterial street, expressway or freeway; and

b. There shall be not less than 70% of the designated mile located adjacent to "LC", "C" "E" or "F" zoned properties or any combination thereof; and

c. There shall not be less than 150 feet distance from any off-site sign to a residence; and

d. No off-site sign shall be located on any property that is not a part of at least 300 continuous feet of "LC" zoning that has frontage along the arterial or expressway street; and

e. Any sign permitted by this section shall face the direction of travel along the designated mile.

Section 28.04.139(b) shall be amended by adding the following:

"7. Signs authorized as special displays under Section 24.04.240 of the Code of the City of Wichita.

MOTION: That the previous recommendations on permits and fees made on January 8, 1976, be forwarded on as approved by the Planning Commission. Gragg moved. This motion was not seconded.

BARRIER said she was out of town (January 8 meeting), and when appointed to the Commission had explained that she would be out of town from time to time, so had not had an opportunity to record her vote on January 8, as to permits and fees.

PORTER asked that her opposition also be indicated to the two recommendations on fees and permits.

LAKIN said the comments of Barrier and Porter would be included and go along with the motions if that is satisfactory.

BAYOUTH commented that the Commission had voted on the changes once (January 8). PORTER said she had only asked that her comments be included in the minutes.

MOTION: That the sign ordinance be repealed. Gragg moved and Hennessy seconded.

LAKIN asked for clarification, pointing out that there are two parts of the City Code related to signs, one being in Title 28 (zoning ordinance), and the other Title 24, the sign ordinance.

BAYOUTH said that if the changes as recommended are approved by the City Commission, the ordinance will be more lenient than it was. LAKIN said he would not attempt to speak on the various points of view, and BAYOUTH commented that if the entire sign ordinance is repealed there would be no sign ordinance.

LAKIN considered the motion as made improper because Title 28 (zoning ordinance) cannot be amended by simple repeal, but must be advertised for a public hearing. If the Commission wants to eliminate, from the City Code, any control relative to signs, as to size, location, number, then the motion would have to authorize the staff to advertise such an amendment for a public hearing. The second part relating to elimination of structural requirements is a part of the sign ordinance and does not require a public hearing.

MOTION: That a change be advertised on the basis of fees. Gragg moved. This motion was not seconded.

LAKIN pointed out that the Commission sometime ago had discussed fees and made a recommendation, and that those recommendations did not require a public hearing and they will be going forward to the City Commission; however, if the Commission wants to change such recommendations, it can be done without a public hearing. (See paragraphs 1. and 2. under Recommendations in the staff report.)

BARRIER suggested that in light of the time spent in considering changes in the sign ordinance, she considered Mr. Gragg's motion irresponsible and asked him to withdraw it. She was tired of the harrassment and commented further that there seems to be a predominant feeling on the Commission for one point of view, but there are other interests in the community, and she asked Gragg again to withdraw his motion.

CHAIRMAN BAYOUTH thought it would be well to let the City Commission act on these recommended changes, and he asked Lakin for his opinion on this point.

LAKIN thought the recommendations just passed should go on to the City Commission and if that boo, has any changes it will have to come back to the Planning Commission, and it would be well to get it before them at least one time.

Hennessy withdrew his second to Gragg's motion and Gragg withdrew the motion.

LAKIN asked members of the Commission to be in attendance at the City Commission when this matter is heard by that body.

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE March 3, 1976

TO Ralph Wulz, City Manager

FROM Robert A. Lakin, Director of Planning

SUBJECT Recommendations of the AD HOC SIGN COMMITTEE and the Planning Commission on sign permits and fees (Title 24).

BACKGROUND

See background information included in memo this date with subject (DR-75-27 - Possible amendments to the zoning ordinance - Re: on-site and off-site signs), and the accompanying MAPC minutes. Also attached is a copy of Title 24, sign ordinance, as adopted in December 1974 and the amendments thereto adopted during 1975.

SUMMARY

During the meetings of the AD HOC SIGN COMMITTEE, the requirements for permits and fees were discussed on several occasions. It was the concensus opinion of the AD HOC SIGN COMMITTEE not to make any recommendation on the permits and fees that are set forth in the sign ordinance. However, as indicated in the minutes of the Planning Commission meeting of January 8, 1976, considerable amount of the discussion pertained to the requirements of permits and fees. The discussions all took place without benefit of any representative of the enforcing department being present.

Recommendations made by the Planning Commission on permits and fees are as follows:

1. The sign ordinance be amended to require only an initial sign permit. (This would eliminate the triennial sign use permit required by Section 24.04.070-b of the ordinance.)

2. A temporary sign permit fee of $6.00 be established for temporary portable ground signs to be paid annually. Also a temporary sign permit fee of $6.00 be established for promotional activities on a property, to be good for one year, which would include all signs and pennants used in the promotional activities.

It is my understanding that the Superintendent of Central Inspection will be prepared to discuss the matter of permits and fees with the Commission.

RECOMMENDATION

Take the action deemed to be in the best interest of the public and instruct the staff to prepare the necessary amendments to Title 24 to accomplish same.

Robert A. Lakin
Director of Planning

RAL:GEL:rme
Attachment

cc: Ray Bruggeman, Director of Public Works
Robert Feldner, Superintendent of Central Inspection
Metropolitan Area Planning Commissioners
AD HOC SIGN COMMITTEE
Chamber of Commerce
Wichita Board of Realtors
Wichita Association of Home Builders

March 3, 1976

Ralph Wulz, City Manager

Robert A. Lakin, Director of Planning

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WICHITA-SEDGWICK COUNTY

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Director of Planning

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cc: Ray Bruggeman, Director of Public Works
Robert Feldner, Superintendent of Central Inspection
Metropolitan Area Planning Commissioners
AD HOC SIGN COMMITTEE
Chamber of Commerce
Wichita Board of Realtors
Wichita Association of Home Builders

Glen

February 12, 1976

Wichita-Sedgwick County Metropolitan
Area Planning Commission

Robert A. Lakin, Director of Planning

DR 75-27 - Possible Amendments to Zoning
Ordinance Re: On-site and Off-site Signs

BACKGROUND

In July of 1975 an AD HOC SIGN COMMITTEE was appointed by Harlan Kamen, then Chairman of the Planning Commission, to review the issues raised by representatives of the sign industry and other sign code issues that might be brought before them. This ten-member committee was chaired by Bill Goebel, Planning Commissioner, with other members as follows:

David Bayouth, Planning Commissioner
Dwight Hopper, Former Planning Commissioner
Paul Elliott, Zoning Advisory Committee Member
Ken Stewart, Zoning Advisory Committee Member
Don Boyd, Bottling Industry
Everett Hale, Sign Industry
Joan Kamas, Environmental Resources Advisory Board
Pat Guinan, Wichitans for Better Signs
Barbara Arvold, Wichitans for Better Signs

The recommendations of the Ad Hoc Sign Committee were presented to the Planning Commission at your meeting of January 8, 1976. It was the recommendation of the MAPC to advertise for public hearing those amendments that are part of the zoning ordinance. These amendments have been advertised for public hearing at your meeting of February 19, 1976.

Members of the Ad Hoc Sign Committee, Wichita Board of Realtors, Wichita Association of Homebuilders, Chamber of Commerce, Kansas State Sign Association, representatives of the bottling industry, Kansas Petroleum Council, Environmental Resources Advisory Board, and other individuals who have expressed interest in these regulations, have been notified of this hearing.

Attached hereto is a copy of the possible amendments to the zoning ordinance that have been advertised for public hearing. Also attached is a copy of an excerpt from the Planning Commission meeting of January 8, 1976.

SUMMARY

The following is a list of the recommendations made by the Ad Hoc Sign Committee, noting origination of the request, and the section of the ordinance that it effects.

1. A request from a member of the sign committee to remove the restriction on on-site signs related to trademarks and symbols when a product is sold only by vending machines.

   RECOMMENDATION: Delete that portion of the definition of on-site signs as shown in Section 28.04.139(a)(1)(j) of the attachment.

2. A request from the Superintendent of Central Inspection to provide a method for special displays such as some requests for Bicentennial displays he has received.

   RECOMMENDATION: Provide exemption of special displays when approved under provision 24.04.240 of the sign code.

   This amendment is shown by the addition to Section 28.04.139(b) of the attachment.

3. A request from the K.S.S.A. that ground or pole signs be permitted to greater heights by the addition of landscaping at the base of the sign.

   RECOMMENDATION: That an additional two and one-half feet of height be permitted for each one hundred square foot of ground area that is landscaped and/or architecturally treated at the base of the sign.

   This amendment is shown in Section 28.04.139 (k)(3) of the attachment.

4. A request from the K.S.S.A. that ground or pole signs be required a lesser setback from adjoining property lines and driveways.

   RECOMMENDATION: To reduce the distance from a side property line from 25 feet to 15 feet or 1/3 of the lot width, whichever is less. The requirement for ground signs adjacent to driveway approaches was not recommended to be changed.

   This amendment is shown in Section 28.04.139 (k)(6) of the attachment. This amendment also includes a clarification of the intent of the ordinance on separation of ground or pole signs.

5. A request from the K.S.S.A. for additional on-site ground signs to be permitted in the commercial and industrial districts, particularly those generally described as wingboards for on-site advertising.

   COMMITTEE RECOMMENDATION: Permit additional signs subject to regulating the location, number, height, and area.

   This amendment is shown in Sections 28.04.139 (g), (h), (i), and (j) of the attachment.

6. A request from the Donrey Outdoor Advertising to permit the height of off-site ground signs to exceed 30 feet in height adjacent to an elevated roadway.

   RECOMMENDATION: That off-site signs be permitted to a height of 40 feet or 14 feet above the traffic deck, whichever is less, provided there shall be no more than 3 signs exceeding 30 feet in a mile, and the distance between off-site signs shall be not less than 660 feet.

   This amendment is shown in paragraph 2. of Section 28.04.139(1) of the attachment.

7. A request from the Donrey Outdoor Advertising Company to permit off-site signs in the "LC" Light Commercial District subject to restrictions wherein such signs would be limited to areas generally developed with commercial and industrial uses.

   RECOMMENDATION: That off-site signs be permitted in the "LC" Light Commercial District subject to:

   (a) locations being adjacent to an arterial, expressway or freeway; (b) not located less than 150 feet from a residence; (c) not located on a property that is not within 300 continuous feet of "LC" zoning along the designated mile; (d) the "LC" zoning is part of a designated mile that has at least 70% adjacent to any of the commercial or industrial zoning districts.

   This amendment would be accomplished by the addition of the paragraph to Section 28.04.139 (g) and the amendments to Section 28.04.139 (1) of the attachment.

RECOMMENDATION

It is recommended that the Planning Commission make the changes deemed necessary after the public hearing and forward the recommendation to the Board of City Commissioners for their consideration.

As you will note, by the minutes of the January 8, 1976 MAPC meeting, the Planning Commission made the following recommendations pertaining to Title 24, the Sign Ordinance.

1. The sign ordinance should be amended to require only an original sign permit. (This would eliminate the triennial sign use permit for all permanent signs.)

2. A temporary sign permit fee of $6.00 be established which would be good for one year. And further, a $6.00 fee for promotional sales in any one year be established which would include pennants used in promotional sales.

Since Title 24 (Sign Ordinance) changes are not required to be a public hearing before the Planning Commission, the previous action of the Planning Commission will be forwarded to the Board of City Commissioners at the same time as your recommendations on the changes to the zoning ordinance.

Robert A. Lakin
Director of Planning

RAL:GEL:ber

Attachment

cc: Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection
~~Zoning Advisory~~ Committee
AD HOC SIGN

cc: memo to following 2-13-76

Pat Guinan
135 NOrth Pershing
67208

Joan Kamas
3619 Elmwood
67218

Wichita Area Chamber of Commerce
350 West Douglas
67202

Wes Galyon
Wichita Board of Realtors
626 North Broadway
67214

Tim Hurley, Executive Director
Wichita Association of Home Builders
730 North Main
67203

Roy L. Frost
Kansas Petroleum Council
200 East 1st Street
67202

Paul Elliott
701 South Edgemoor
67218

Don Boyd
Pepsi Cola Bottling Company
301 McLean Boulevard, N.W.
67203

Kenneth Stewart, Attorney
1st National Bank Building
67202

Jim Tidwell
Donrey Outdoor Advertising Company
250 North Kansas
67214

Barbara Arvold
660 North Armour
67206

82787 (Published in The Daily Record January 26, 1976)

OFFICIAL NOTICE

To whom it may concern and to all persons interested:

Notice is hereby given that on Thursday, February 19, 1976, the Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Chambers, First Floor, City Hall, 455 North Main Street, Wichita, Kansas, at 1:30 p.m. will consider the following change to Title 28, the Code of the City of Wichita, Kansas.

Amend Section 28.04.139 of the Zoning Ordinance as follows:

(1) permit additional on-site ground or pole signs on a zoning lot in the commercial and industrial zoning districts subject to regulating the location, height, number and area;

(2) reduce the required distance from side property lines for on site ground and pole signs and eliminate the distance requirement between certain signs on the same zoning lot;

(3) permit greater height for on site ground or pole signs subject to providing a landscaped area at the base;

(4) permit the location of off-site signs in the "LC" Light Commercial zoning district subject to restricting said locations generally developed with commercial or industrial uses;

(5) permit the height of off-site signs to be increased when adjacent to an elevated roadway;

(6) amend the definition of on-site signs; and

(7) permit the use of special displays when authorized by the City Manager or the Board of City Commissioners.

Copies of the proposed amendment are available upon request from the Wichita-Sedgwick County Metropolitan Area Planning Department.

The proposed amendment will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission, and all persons interested in said manner will be heard at this time concerning their views and wishes, and any protest against any of the provisions of the proposed changes of the zoning ordinance will be considered by the Commission as by law provided.

Wilness my hand and seal this 26th day of January, 1976.

ROBERT A. LAKIN
Secretary
Wichita Sedgwick County
Metropolitan Area Planning Commission
(SEAL)

RE: AGENDA ITEM NO.

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE January 2, 1976

TO Wichita-Sedgwick County Metropolitan Area Planning Commission

FROM Robert A. Lakin, Director of Planning

SUBJECT DR-75-27 - Possible Amendments to Zoning Ordinance
RE: On-site and Off-site Signs. Recommendation from the Ad Hoc Sign Committee.

BACKGROUND

In July of 1975 an AD HOC SIGN COMMITTEE was appointed by Harlan Kamen, then Chairman of the Planning Commission, to review the issues raised by representatives of the sign industry and other sign code issues that might be brought before them. This ten member committee was chaired by Bill Goebel, Planning Commission, with other members as follows:

David Bayouth, Planning Commissioner
Dwight Hopper, Former Planning Commissioner
Paul Elliott, Zoning Advisory Committee Member
Ken Stewart, Zoning Advisory Committee Member
Don Boyd, Bottling Industry
Everett Hale, Sign Industry
Joan Kamas, Environmental Resources Advisory Board
Pat Guinan, Wichitans for Better Signs
Barbara Arvold, Wichitans for Better Signs

Over these months, the committee met on 9 different occasions, with the meetings lasting two to three hours each. Attendance by the committee members generally ranged from six to eight with only one member failing to attend any of the meetings.

In addition to the requests made by the Kansas State Sign Association and the Donrey Outdoor Advertising Company, the committee discussed all of the sign regulation problems that were brought to their attention. Some of the problems brought to their attention were simply a matter of misunderstanding the intent and purpose of the regulations or a lack of communication of factual information. A few of these were resolved by interpretations from the staff on the application of the regulations. Other problems required the deletion of, additions to, or redrafting of some portions of the regulations. These have been prepared as part of the committee recommendations.

SUMMARY

Although the committee did not agree 100% in their recommendations, the following list of recommended changes are representative of the majority, and were made following many hours of deliberation.

1. A request from the K.S.S.A. for additional on-site ground signs to be permitted in the Commercial and Industrial Districts, particularly those generally described as wing-boards for on-site advertising.

COMMITTEE RECOMMENDATION. Permit additional signs subject to regulating the location, number, height and area.

CODE REVISIONS REQUIRED. Amend Sections 28.04.139 G, H, I, and J regulating signs in each of the commercial and industrial districts by adding the following to each of the above code sections.

"Additional on-site ground or pole signs are allowed provided:

a. The area of the sign(s) does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized for all ground, pole or building signs permitted on the zoning lot.

b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot, but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

c. Under no circumstance shall the number of ground and pole signs on a zoning lot exceed twice the number permitted in Section 28.04.139.K.1.

d. Any sign permitted by this subsection of the code shall not exceed a height of 30 feet."

2. A request from the K.S.S.A. that ground or pole signs be required a lesser setback from adjoining property lines and driveways.

RECOMMENDATION. To reduce the distance from a side property line from 25 feet to 15 feet or 1/3 of the lot width, whichever is less. The requirement for ground signs adjacent to driveway approaches was not recommended to be changed.

CODE REVISION REQUIRED. Amend Section 28.04.139 K.6 to read as follows:

"6. Location on Property. On-site ground or pole signs shall not project over public right-of-way, and shall be located not closer to an adjacent property line than one-third the frontage of the zoning lot or ~~25~~ 15 feet; whichever is less. When more than one ground or pole sign is permitted on a zoning lot, there shall be a distance of not less than 150 feet between ground or pole signs along the same street frontage, however, this shall not apply to ground or pole signs that are 35 feet or more from the street right-of-way line.

3. A request from the K.S.S.A. that ground or pole signs be permitted to greater heights by the addition of landscaping at the base of the sign.

RECOMMENDATION. That an additional two and one-half feet of height be permitted for each one hundred square foot of ground area that is landscaped and/or architecturally treated at the base of the sign.

CODE REVISION REQUIRED. Amend Section 28.04.139 K.3 to read as follows:

"3. Height Limit. No ground or pole sign shall exceed a height of 30 feet, provided: ~~except~~

a. That when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased 5 feet for each sign reduction. The use of this method to increase a sign height shall not permit any sign to exceed a height of 45 feet.

b. That an additional two and one-half feet in height may be permitted for each one hundred square feet of ground area which is landscaped and/or architecturally treated as a part of, or around, the base of a ground or pole sign. Such additional increase in height shall be granted only for the full 100,

200, 300 or 400 square feet of landscaping and/or architectural treatment. Such an increase in height may not exceed ten feet. If applied to the basic height limitation of 30 feet, no sign shall exceed 40 feet in height. If applied to a sign which is permitted by sub-section (a) hereof to exceed 30 feet, then the additional height may be added thereto. This height bonus shall be permitted only when the landscaping and/or architectural treatment complies with the following:

1) The base area shall be designed so as to prevent damage from vehicles.

2) There is provided a provision for water connection if live landscaping materials are used.

3) It is not a sight hazard for either vehicles or pedestrians.

4) It is of such design and substances as to provide visual eye contact at street level when adjacent to the zoning lot. Non-hardy plant material or solely turf grasses or similar landscape product shall not be considered adequate plant materials. If live landscape material is used, the basic plant material shall be evergreen."

4. A request from the Donrey Outdoor Advertising Company to permit off-site signs in the "LC" Light Commercial district subject to restrictions wherein such signs would be limited to areas generally developed with commercial and industrial uses.

RECOMMENDATION. That off-site signs be permitted in the "LC" Light Commercial district subject to:

(a) locations being adjacent to an arterial, expressway or freeway; (b) not located less than 150 feet from a residence; (c) not located on a property that is not within 300 continuous feet of 'LC' zoning along the designated mile; (d) the 'LC' zoning is part of a designated mile that has at least 70% adjacent to any of the commercial or industrial zoning districts.

CODE REVISIONS REQUIRED. Amend Section 28.04.139-L. (See text amendment following item 5.)

Amend Section 28.04.139 G be amended by adding the following:

4. Illuminated off-site signs as permitted by Section L.

5. A request from the Donrey Outdoor Advertising to permit the height of off-site ground signs to exceed 30 feet in height adjacent to an elevated roadway.

RECOMMENDATION. That off-site signs be permitted to a height of 40 feet or 14 feet above the traffic deck, whichever is less, provided there shall be not more than 3 signs exceeding 30 feet in a mile, and the distance between off-site signs shall be not less than 660 feet.

CODE REVISION REQUIRED. Amend Section 28.04.139 L. (Text amendment for items 4 and 5 are included in the following.)

"L" Off-site Signs when Permitted in the Commercial or Industrial Districts.

1. Number permitted. The number of off-site signs, facing a direction of travel within any designated mile, shall be determined by the lineal measurement in feet, along the center line of the street right-of-way, that is within or adjacent to any zoning district wherein off-site signs are a permitted use. For purposes of measurement, zoning shall be considered to extend to the center line of all streets. A designated mile shall be the length of the center line of a street between mile section lines, even though the lineal measurement may exceed 5,280 feet. There shall be permitted not more than one off-site sign facing a direction of travel for each 1,000 lineal feet, or major fraction thereof, of street having "C" Commercial or "E" Light Industrial properties adjacent thereto. There shall be permitted not more than one off-site sign facing a direction of travel for each 660 lineal feet, or major fraction thereof, of street having "F" Heavy Industrial properties adjacent thereto. Whenever any portion of the street has both "C" or "E" and the "F" zoning districts adjacent thereto, the permitted number shall be based on the "F" zoning district.

The number of off-site signs permitted in the "LC" Light Commercial district shall be on the same basis as the "C" or "E" zoning district subject to additional limitations as set forth in paragraph 6.

Under no circumstances shall there be more than five off-site signs facing a direction of travel within any designated mile unless such street is within or adjacent to the "F" Heavy Industrial District. Whenever such a condition is present, the calculations based on the permitted number for these districts shall not permit more than eight off-site signs within any designated mile.

2. Size and height permitted. The gross surface areas of an off-site sign shall not exceed 600 square feet, nor shall it exceed 30 feet in height. Exception: Off-site signs located adjacent to an elevated portion of a highway structure, may be erected to a height of 40 feet, or 14 feet above the traffic deck, whichever is less, providing;

   a. no off-site sign shall have a horizontal dimension of greater than 40 feet, and;

   b. no off-site sign shall be located closer than 660 feet to another off-site sign on the same side of the elevated highway, and;

   c. there shall be not more than three off-site signs exceeding a height of 30 feet in a designated mile, and;

   d. any signs elevated to a height greater than thirty feet shall be limited to public service advertising for non-profit organizations, and to traveler's information giving direction to premises where food and lodging may be secured, and to the location of businesses engaged in supplying goods and service essential to the normal operation of motor vehicles, including emergency and towing services."

3. Prohibited locations. No off-site sign shall be erected on a property when any of the following conditions are found to exist:

   a. No off-site sign shall be erected on a zoning lot that already has more than two on-site ground or pole signs within 35 feet of the street right-of-way line; or

b. No off-site sign shall be erected on a zoning lot that already has more than 200 square feet of on-site ground or pole signs facing a direction of travel, regardless of the number of signs; or

c. No off-site sign shall be erected on any property that would obscure the view of any on-site signs. This shall be determined by establishing a sight point at the center line of the street 150 feet in either direction, then no on-site sign within 150 feet of the off-site sign shall be obscured from view; or

d. No off-site sign shall be located closer than 330 feet to another off-site sign facing the same direction of travel; or

e. No off-site sign shall be erected on a zoning lot that does not comply with the minimum lot size requirements of the zoning district.

4. Setback. Off-site signs shall comply with all building setback lines.

5. Type. Off-site signs may be ground, pole or wall signs, but shall not be erected upon or above the roof of any building, nor shall any portion of a sign project over public right-of-way.

6. Limitations of the "LC" Light Commercial District. In addition to the above requirements for off-site signs, off-site signs shall be permitted in the "LC" Light Commercial district subject to the following requirements.

a. The zoning lot shall be located adjacent to an arterial street, expressway or freeway; and

b. There shall be not less than 70% of the designated mile located adjacent to "LC", "C", "E" or "F" zoned properties or any combination thereof; and

c. There shall not be less than 150 feet distance from any off-site sign to a residence; and

d. No off-site sign shall be located on any property that is not a part of at least 300

continuous feet of "LC" zoning that has frontage along the arterial or expressway street; and

e. Any sign permitted by this section shall face the direction of travel along the designated mile.

6. A request from a member of the sign committee to remove the restriction on on-site signs related to trademarks and symbols when a product is sold only by vending machines.

RECOMMENDATION. Delete that portion of the definition of on-site sign.

CODE REVISION REQUIRED. Amend the definition of on-site sign to read as follows:

"(J) Sign, On-site. A sign which carries only advertisement strictly incidental to a lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted; services rendered; goods sold or produced on the premises; the rental or lease of products or building space; name of the person, firm or corporation occupying the premises. ~~Such sign shall not include advertising of a product in a manner other than when it pertains directly to premises, such as the use of national advertising poster panels, or the use of advertising trademarks or symbols when a product is sold only by vending machines on the premises.~~"

7. A request from the Superintendent of Central Inspection to provide a method for special displays such as some requests for Bicentennial displays he has received.

RECOMMENDATION. Provide exemption of special displays when approved under provision 24.04.240 of the sign code.

CODE REVISION REQUIRED. Amend Section 28.04.139 B by adding the following:

"7. Signs authorized as special displays under Section 24.04.240 of the Code of the City of Wichita."

8. A request from the K.S.S.A. that guy wire and chains not be permitted on ground or pole signs.

RECOMMENDATION. Require such signs be designed with structural supports that will eliminate the need for external guy wires, chains or supports.

CODE REVISION REQUIRED. Amend Section 24.04.220(d) to read as follows:

"(d) No sign shall be erected that will allow the sign to swing or rotate due to wind action. All signs shall be securely fastened so that movement in any direction is prevented. External guy or support wires (chain or other similar material) shall not be used for ground, pole or building signs."

9. A request to review the permit fees required by Title 24, Sign Ordinance, particularly as it relates to the sign use permit fee.

RECOMMENDATION. It was recommended that the committee not make a recommendation on fees, however, it was recommended that the statistical analysis of the sign ordinance prepared by the Superintendent of Central Inspection, be furnished the MAPC and that they make a recommendation on the fees and the frequency of inspections to the City Commission. (The sign ordinance now requires a sign use permit on a triennial basis, see Section 24.04.070(b) and 24.04.080.) A copy of the statistical analysis is attached to this report.

It is necessary to advertise for public hearing any amendments to the zoning ordinance. The above recommendations numbered 1 thru 7 are part of the zoning ordinance and will require a public hearing. Recommendations 8 and9 are part of Title 24 of the code and do not require a public hearing before the Planning Commission.

RECOMMENDATION.

a. Authorize the advertisement for public hearing items 1 thru 7 plus other amendments to be in the best interest of the public.

b. Make a recommendation on items 8 and 9 to be forwarded to the City Commission for their consideration.

Robert A. Lakin
Robert A. Lakin
Director of Planning

RAL:GEL:rme
Attachment

SIGN ORDINANCE

STATISTICAL ANALYSIS

Existing historical records indicate that 10,500 permanent signs exist within the city. However, this figure is not a true reflection of ongoing workload. Field surveys recently conducted in selected areas evinced that 27% of the existing signs were originally constructed without permits. Utilizing this computation, Central Inspection projects that 13,335 permanent signs currently exist within the corporate limits of the city.

An average of 240 actual work days per year for a two-year period (1976-77) plus the remaining 63 work days of 1975 equals 543 work days within the initial 3-year compliance period. This means that approximately 25 existing signs must be permitted per workday. This is in addition to new sign construction and enforcement of temporary and portable signs.

Although it is generally agreed that a large volume of portable and temporary signs exist, a lack of historical data renders projections upon future workload and anticipated revenues impossible to predict. Field surveys and enforcement procedures, soon to be initiated by a large contingent of Central Inspection personnel, may provide this data.

A chart indicated as Chart I showing the number of new sign permits issued during the first eight months of 1975 follows*:

Chart I

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
87	90	115	99	88	162	168	176	985

Average per month - 123
Average per workday - 6

*Figures indicated include 11 special use temporary signs.

A composite of actual inspections made is contained below as Chart II. The composite includes personnel training during January, February and most of March for a new inspector as well as monitoring political signs during March and May; conducting an existing sign inventory in select locations; recheck of all signs indicated removed; and field review of signs with no record of permit.

Chart II
Inspection Record

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
Inspector A	691	1003	473	1951	1709	962	243	273	7285
Inspector B	-Training-		199	3192	2839	1325	395	495	8445
							Grand Total		15,730

10-13-75

Chart III indicates the number of notices issued from January through August, 1975:

Chart III

Notices Issued - 1975

	Temporary & Portable Signs	Permanent				Total
		Number Permits	Repair Signs	Abandoned; Remove	Illegal Signs	
January	6	2	1			9
February						0
March	42	15	7	2		66
April						0
May		29		8		37
June		79		6		85
July	1	121	2	51		175
August	1	138	1	23	1	164
September	18	41	1	24	1	85
Total	68	425	12	114	2	621

The sign inspectors drove 8,038 miles in 14 man-months. This averages 575 miles per man per month. Traffic Engineering estimates that while driving random routes throughout the city, a vehicle will average 15 miles per hour. This equates $38\frac{1}{2}$ hours per month or 1 hour and 50 minutes vehicular travel each day.

Each inspector is allocated a lunch break of one hour and two 15-minute breaks per day. Two hours per day are required in the office on telephone and personal interviews, routine reporting and personnel forms, filing, scheduling next day's activities, etc. Average actual inspection time expended per sign inspection is 20 minutes. New signs require an average of two inspections.

Workload Summary

To complete the city within three years (1975-77), 25 existing signs must be completed per workday.

New sign permits are issued at an average rate of 6 per day.

Chart IV

Projected Daily Workload

25 existing signs @ 20 minutes each	=	8 hours 21 minutes
6 new signs @ 40 minutes each	=	4 hours
Daily on-site inspection time required	=	12 hours 21 minutes

Inspection Schedule (For 1 man)

Time per workday	7 hours 30 minutes
In-office procedures	-2 hours
Vehicular travel time	-1 hour 50 minutes
Actual on-site inspection time allocation	3 hours 40 minutes

Number of inspectors required to complete projected workload (excluding portable and temporary signs):

12 hours 21 minutes ÷ 3 hours 40 minutes = 3.37 inspectors required

Projected Cost/Revenue Ratio

Each of the aforementioned 13,335 existing signs within the city must be inspected once each three years, evincing 4,445 existing signs to be inspected per year. Based upon prior experience and historical sign records, Central Inspection Division makes the assumption that two-thirds of all existing signs fall within the $12 permit range with the remaining one-third at $15. However, 27% of the existing signs were erected without the benefit of a permit; thus 2,835 existing signs will be assessed a new sign permit fee during the initial three year compliance period.

Chart V itemizes projected revenues for 1976. Projections for 1977 are identical.

Chart V

Projected Revenue - 1976*

Existing Sign Use Permit: 3,500 per year		
(1/3) 1,167 x $15	=	$ 17,505
(2/3) 2,333 x $12	=	27,996
Existing Sign Without Permit:		
945 x $24.27	=	22,935
New Sign Permit:		
1,476 (123 per mo. Aug.) x $24.27	=	35,822
Projected Annual Revenue		$104,258

*Excluding portable and temporary signs

Projected Cost - 1976

Enforcement of the ordinance (permit issuance, field inspection, administrative, etc.) consists of:

One Clerk II @ $5,640.44 + 22.9% fringe benefits	$ 6,933
Three Inspector I @ $11,349.78 + 22.9% fringe benefits	41,847
½ Time Inspector II (Supervision) @ $6,376.24 + 22.9% fringe benefits	7,837
Transportation Costs - Purchase of two vehicles	5,600
Motor Pool Charges of $100 per month each	3,600
Administrative overhead (17.7% of salaries)	10,022
Computer processing (clerical, fiscal, inspection scheduling)	5,000
Forms, programming and implementation costs	8,500
Inspection Equipment (Ladders, hammers, tapes, etc.)	399
In-field inspection/enforcement support*	17,793
Projected 1976 Cost	$107,531

*Indicated figure is 10% of Housing and Building Inspector's (13) time in providing assistance in enforcing portable, temporary, abandoned, etc. Each inspector will average 45 minutes per day. The computation was made as follows:

Average salary $11,136.58 x 13 inspectors x 10% of time + 22.9% fringe benefits.

Cost/Revenue Summary*

*Excluding temporary and portable signs

Total projected cost	$107,531
Total projected revenue	104,258
Expenditures over revenue	$ 3,273

Central Inspection anticipates that the deficit will be offset by portable and temporary sign revenues.

January 28, 1976

Robert B. Feldner, Superintendent
of Central Inspection
Robert A. Lakin, Director of Planning

DR 75-27 - Possible amendment to the zoning ordinance.
Re: On-site and off-site signs.

For your information, excerpts of the planning commission meeting of January 8, 1976 pertaining to discussion of the recommendations of the AD HOC SIGN COMMITTEE on the sign regulations are attached. You will note that the planning commission authorized the advertisement for public hearing those recommended changes that pertain to the zoning ordinance. These will be advertised for public hearing to be held by the planning commission at their meeting of February 19, 1976.

It will be of special interest for you to note the recommendation made by the planning commission on the matter of sign permit fees. The one recommendation to require only the initial sign permit for permanent signs and not require the triennial sign use permit would not provide the revenue projected in your statistical analysis. Also a reduction in permit fees on temporary signs and the method of issuance will also reduce the amount of revenue quite drastically.

I will appreciate your being available for discussion at the planning commission meeting on February 19, 1976.

Robert A. Lakin
Director of Planning

RAL:GEL:rme
Attachment

cc: Ray Bruggeman, Director of Public Works
Jack H. Galbraith, Chief Planner

(_____) Published in The Daily Record on January 28, 1976

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on Thursday, February 19, 1976, the Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Chambers, First Floor, City Hall, 455 North Main Street, Wichita, Kansas, at 1:30 p.m. will consider the following change to Title 28, the Code of the City of Wichita, Kansas.

Amend Section 28.04.139 of the Zoning Ordinance as follows:

(1) permit additional on-site ground or pole signs on a zoning lot in the commercial and industrial zoning districts subject to regulating the location, height, number and area;

(2) reduce the required distance from side property lines for on-site ground and pole signs and eliminate the distance requirement between certain signs on the same zoning lot;

(3) permit greater height for on-site ground or pole signs subject to providing a landscaped area at the base;

(4) permit the location of off-site signs in the "LC" Light Commercial zoning district subject to restricting said locations generally developed with commercial or industrial uses;

(5) permit the height of off-site signs to be increased when adjacent to an elevated roadway;

(6) amend the definition of on-site signs; and

(7) permit the use of special displays when authorized by the City Manager or the Board of City Commissioners.

Copies of the proposed amendment are available upon request from the Wichita-Sedgwick County Metropolitan Area Planning Department.

The proposed amendment will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission, and all persons interested in said matter will be heard at

this time concerning their views and wishes, and any protest against any of the provisions of the proposed changes of the zoning ordinance will be considered by the Commission as by law provided.

WITNESS my hand and seal this 26th day of January, 1976.

(SEAL)

Robert A. Lakin, Secretary
Wichita-Sedgwick County Metropolitan Area Planning Commission

January 6, 1976

Robert B. Feldner, Superintendent of Central
Inspection
Glen E. Lytle, Special Assistant for Zoning

DR 75-27 - Possible amendment to zoning ordinance;
Re: On-site and off-site signs.

Attached hereto is a copy of the report from the Ad Hoc Sign Committee that will be presented to the MAPC on Thursday, January 8, 1976.

As you will note by the report, one item that was not resolved by the committee was that of fees and frequency of inspections for the sign use permit. This is scheduled as item 34 on the agenda and will probably be fairly late in the afternoon.

Mr. Lakin has asked that you or your representative be available for any discussion on this item.

Glen E. Lytle
Special Assistant for Zoning

GEL:rme
Attachment

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE

January 2, 1976

TO Wichita-Sedgwick County Metropolitan Area Planning Commission

FROM Robert A. Lakin, Director of Planning

SUBJECT DR-75-27 - Possible Amendments to Zoning Ordinance
RE: On-site and Off-site Signs. Recommendation from the Ad Hoc Sign Committee.

BACKGROUND

In July of 1975 an AD HOC SIGN COMMITTEE was appointed by Harlan Kamen, then Chairman of the Planning Commission, to review the issues raised by representatives of the sign industry and other sign code issues that might be brought before them. This ten member committee was chaired by Bill Goebel, Planning Commission, with other members as follows:

David Bayouth, Planning Commissioner
Dwight Hopper, Former Planning Commissioner
Paul Elliott, Zoning Advisory Committee Member
Ken Stewart, Zoning Advisory Committee Member
Don Boyd, Bottling Industry
Everett Hale, Sign Industry
Joan Kamas, Environmental Resources Advisory Board
Pat Guinan, Wichitans for Better Signs
Barbara Arvold, Wichitans for Better Signs

Over these months, the committee met on 9 different occasions, with the meetings lasting two to three hours each. Attendance by the committee members generally ranged from six to eight with only one member failing to attend any of the meetings.

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SUMMARY

Although the committee did not agree 100% in their recommendations, the following list of recommended changes are representative of the majority, and were made following many hours of deliberation.

1. A request from the K.S.S.A. for additional on-site ground signs to be permitted in the Commercial and Industrial Districts, particularly those generally described as wing-boards for on-site advertising.

COMMITTEE RECOMMENDATION. Permit additional signs subject to regulating the location, number, height and area.

CODE REVISIONS REQUIRED. Amend Sections 28.04.139 G, H, I, and J regulating signs in each of the commercial and industrial districts by adding the following to each of the above code sections.

"Additional on-site ground or pole signs are allowed provided:

a. The area of the sign(s) does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized for all ground, pole or building signs permitted on the zoning lot.

b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot, but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

c. Under no circumstance shall the number of ground and pole signs on a zoning lot exceed twice the number permitted in Section 28.04.139.K.1.

d. Any sign permitted by this subsection of the code shall not exceed a height of 30 feet."

2. A request from the K.S.S.A. that ground or pole signs be required a lesser setback from adjoining property lines and driveways.

RECOMMENDATION. To reduce the distance from a side property line from 25 feet to 15 feet or 1/3 of the lot width, whichever is less. The requirement for ground signs adjacent to driveway approaches was not recommended to be changed.

CODE REVISION REQUIRED. Amend Section 28.04.139 K.6 to read as follows:

"6. Location on Property. On-site ground or pole signs shall not project over public right-of-way, and shall be located not closer to an adjacent property line than one-third the frontage of the zoning lot or ~~25~~ 15 feet; whichever is less. When more than one ground or pole sign is permitted on a zoning lot, there shall be a distance of not less than 150 feet between ground or pole signs along the same street frontage, however, this shall not apply to ground or pole signs that are 35 feet or more from the street right-of-way line.

3. A request from the K.S.S.A. that ground or pole signs be permitted to greater heights by the addition of landscaping at the base of the sign.

RECOMMENDATION. That an additional two and one-half feet of height be permitted for each one hundred square foot of ground area that is landscaped and/or architecturally treated at the base of the sign.

CODE REVISION REQUIRED. Amend Section 28.04.139 K.3 to read as follows:

"3. Height Limit. No ground or pole sign shall exceed a height of 30 feet, provided: ~~except~~

a. That when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased 5 feet for each sign reduction. The use of this method to increase a sign height shall not permit any sign to exceed a height of 45 feet.

b. That an additional two and one-half feet in height may be permitted for each one hundred square feet of ground area which is landscaped and/or architecturally treated as a part of, or around, the base of a ground or pole sign. Such additional increase in height shall be granted only for the full 100,

200, 300 or 400 square feet of landscaping and/or architectural treatment. Such an increase in height may not exceed ten feet. If applied to the basic height limitation of 30 feet, no sign shall exceed 40 feet in height. If applied to a sign which is permitted by sub-section (a) hereof to exceed 30 feet, then the additional height may be added thereto. This height bonus shall be permitted only when the landscaping and/or architectural treatment complies with the following:

1) The base area shall be designed so as to prevent damage from vehicles.

2) There is provided a provision for water connection if live landscaping materials are used.

3) It is not a sight hazard for either vehicles or pedestrians.

4) It is of such design and substances as to provide visual eye contact at street level when adjacent to the zoning lot. Non-hardy plant material or solely turf grasses or similar landscape product shall not be considered adequate plant materials. If live landscape material is used, the basic plant material shall be evergreen."

4. A request from the Donrey Outdoor Advertising Company to permit off-site signs in the "LC" Light Commercial district subject to restrictions wherein such signs would be limited to areas generally developed with commercial and industrial uses.

RECOMMENDATION. That off-site signs be permitted in the "LC" Light Commercial district subject to:

(a) locations being adjacent to an arterial, expressway or freeway; (b) not located less than 150 feet from a residence; (c) not located on a property that is not within 300 continuous feet of 'LC' zoning along the designated mile; (d) the 'LC' zoning is part of a designated mile that has at least 70% adjacent to any of the commercial or industrial zoning districts.

CODE REVISIONS REQUIRED. Amend Section 28.04.139-L. (See text amendment following item 5.)

Amend Section 28.04.139 G be amended by adding the following:

4. Illuminated off-site signs as permitted by Section L.

5. A request from the Donrey Outdoor Advertising to permit the height of off-site ground signs to exceed 30 feet in height adjacent to an elevated roadway.

RECOMMENDATION. That off-site signs be permitted to a height of 40 feet or 14 feet above the traffic deck, whichever is less, provided there shall be not more than 3 signs exceeding 30 feet in a mile, and the distance between off-site signs shall be not less than 660 feet.

CODE REVISION REQUIRED. Amend Section 28.04.139 L. (Text amendment for items 4 and 5 are included in the following.)

"L" Off-site Signs when Permitted in the Commercial or Industrial Districts.

1. Number permitted. The number of off-site signs, facing a direction of travel within any designated mile, shall be determined by the lineal measurement in feet, along the center line of the street right-of-way, that is within or adjacent to any zoning district wherein off-site signs are a permitted use. For purposes of measurement, zoning shall be considered to extend to the center line of all streets. A designated mile shall be the length of the center line of a street between mile section lines, even though the lineal measurement may exceed 5,280 feet. There shall be permitted not more than one off-site sign facing a direction of travel for each 1,000 lineal feet, or major fraction thereof, of street having "C" Commercial or "E" Light Industrial properties adjacent thereto. There shall be permitted not more than one off-site sign facing a direction of travel for each 660 lineal feet, or major fraction thereof, of street having "F" Heavy Industrial properties adjacent thereto. Whenever any portion of the street has both "C" or "E" and the "F" zoning districts adjacent thereto, the permitted number shall be based on the "F" zoning district.

The number of off-site signs permitted in the "LC" Light Commercial district shall be on the same basis as the "C" or "E" zoning district subject to additional limitations as set forth in paragraph 6.

Under no circumstances shall there be more than five off-site signs facing a direction of travel within any designated mile unless such street is within or adjacent to the "F" Heavy Industrial District. Whenever such a condition is present, the calculations based on the permitted number for these districts shall not permit more than eight off-site signs within any designated mile.

2. Size and height permitted. The gross surface areas of an off-site sign shall not exceed 600 square feet, nor shall it exceed 30 feet in height. Exception: Off-site signs located adjacent to an elevated portion of a highway structure, may be erected to a height of 40 feet, or 14 feet above the traffic deck, whichever is less, providing;

   a. no off-site sign shall have a horizontal dimension of greater than 40 feet, and;

   b. no off-site sign shall be located closer than 660 feet to another off-site sign on the same side of the elevated highway, and;

   c. there shall be not more than three off-site signs exceeding a height of 30 feet in a designated mile, and;

   d. any signs elevated to a height greater than thirty feet shall be limited to public service advertising for non-profit organizations, and to traveler's information giving direction to premises where food and lodging may be secured, and to the location of businesses engaged in supplying goods and service essential to the normal operation of motor vehicles, including emergency and towing services."

3. Prohibited locations. No off-site sign shall be erected on a property when any of the following conditions are found to exist:

   a. No off-site sign shall be erected on a zoning lot that already has more than two on-site ground or pole signs within 35 feet of the street right-of-way line; or

b. No off-site sign shall be erected on a zoning lot that already has more than 200 square feet of on-site ground or pole signs facing a direction of travel, regardless of the number of signs; or

c. No off-site sign shall be erected on any property that would obscure the view of any on-site signs. This shall be determined by establishing a sight point at the center line of the street 150 feet in either direction, then no on-site sign within 150 feet of the off-site sign shall be obscured from view; or

d. No off-site sign shall be located closer than 330 feet to another off-site sign facing the same direction of travel; or

e. No off-site sign shall be erected on a zoning lot that does not comply with the minimum lot size requirements of the zoning district.

4. Setback. Off-site signs shall comply with all building setback lines.

5. Type. Off-site signs may be ground, pole or wall signs, but shall not be erected upon or above the roof of any building, nor shall any portion of a sign project over public right-of-way.

6. Limitations of the "LC" Light Commercial District. In addition to the above requirements for off-site signs, off-site signs shall be permitted in the "LC" Light Commercial district subject to the following requirements.

a. The zoning lot shall be located adjacent to an arterial street, expressway or freeway; and

b. There shall be not less than 70% of the designated mile located adjacent to "LC", "C", "E" or "F" zoned properties or any combination thereof; and

c. There shall not be less than 150 feet distance from any off-site sign to a residence; and

d. No off-site sign shall be located on any property that is not a part of at least 300

continuous feet of "LC" zoning that has frontage along the arterial or expressway street; and

e. Any sign permitted by this section shall face the direction of travel along the designated mile.

6. A request from a member of the sign committee to remove the restriction on on-site signs related to trademarks and symbols when a product is sold only by vending machines.

RECOMMENDATION. Delete that portion of the definition of on-site sign.

CODE REVISION REQUIRED. Amend the definition of on-site sign to read as follows:

"(J) Sign, On-site. A sign which carries only advertisement strictly incidental to a lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted; services rendered; goods sold or produced on the premises; the rental or lease of products or building space; name of the person, firm or corporation occupying the premises. ~~Such sign shall not include advertising of a product in a manner other than when it pertains directly to premises, such as the use of national advertising poster panels, or the use of advertising trademarks or symbols when a product is sold only by vending machines on the premises.~~"

7. A request from the Superintendent of Central Inspection to provide a method for special displays such as some requests for Bicentennial displays he has received.

RECOMMENDATION. Provide exemption of special displays when approved under provision 24.04.240 of the sign code.

CODE REVISION REQUIRED. Amend Section 28.04.139 B by adding the following:

"7. Signs authorized as special displays under Section 24.04.240 of the Code of the City of Wichita."

8. A request from the K.S.S.A. that guy wire and chains not be permitted on ground or pole signs.

RECOMMENDATION. Require such signs be designed with structural supports that will eliminate the need for external guy wires, chains or supports.

CODE REVISION REQUIRED. Amend Section 24.04.220(d) to read as follows:

"(d) No sign shall be erected that will allow the sign to swing or rotate due to wind action. All signs shall be securely fastened so that movement in any direction is prevented. External guy or support wires (chain or other similar material) shall not be used for ground, pole or building signs."

9. A request to review the permit fees required by Title 24, Sign Ordinance, particularly as it relates to the sign use permit fee.

RECOMMENDATION. It was recommended that the committee not make a recommendation on fees, however, it was recommended that the statistical analysis of the sign ordinance prepared by the Superintendent of Central Inspection, be furnished the MAPC and that they make a recommendation on the fees and the frequency of inspections to the City Commission. (The sign ordinance now requires a sign use permit on a triennial basis, see Section 24.04.070(b) and 24.04.080.) A copy of the statistical analysis is attached to this report.

It is necessary to advertise for public hearing any amendments to the zoning ordinance. The above recommendations numbered 1 thru 7 are part of the zoning ordinance and will require a public hearing. Recommendations 8 and9 are part of Title 24 of the code and do not require a public hearing before the Planning Commission.

RECOMMENDATION.

a. Authorize the advertisement for public hearing items 1 thru 7 plus other amendments to be in the best interest of the public.

b. Make a recommendation on items 8 and 9 to be forwarded to the City Commission for their consideration.

Robert A. Lakin
Director of Planning

RAL:GEL:rme
Attachment

Sign mtg - 12-15-75

OK on mater. submitted
w/correction on language suggested.

Motion by Bayouth, second by Stewart,

that Feldner submit the previously submitted material on admin. costs of inspections and revenue produced by the ordinance & allow the MAPC to make a recommendation on the fees and frequency of inspection (sign use permit typically 3 yrs.) to the City Commission.
motion Carried 4-0 (2 abstained)

Ad Hoc Sign Comm. Mtg

Clarification of the intent of the 150' separation requirement for on-site ground or pole signs ~~for~~ along stat. frontage.

12-15-75

Possible Amendment to Section 28.04.139 B to permit special displays such as Bicentennial displays; by adding the following:

7. Signs authorized as special displays under Section 24.04.240 of the Code of the City of Wichita.

24.04.240 Special displays. Decorative displays used for holidays, public demonstrations or for the promotion of civic welfare or charitable enterprises may be authorized by the city manager or the board of city commissioners. Such displays shall be for a stated period of time and subject to such conditions as deemed advisable to protect the health, safety and welfare of the public. This may require the applicant to furnish a bond, approved as to form by the city attorney in such an amount and with such sureties to save and hold the city free and harmless from all damages which may be occasioned by the erection and maintenance of such sign or display. (Ord. No. 33-589, (part).)

December 5, 1975

Ad Hoc Sign Committee

Glen E. Lytle, Special Assistant for Zoning

Meeting date change.

The Ad Hoc Sign Committee meeting has been changed to Monday, December 15, 1975 at 3:00 p.m. in the Planning Department Conference Room, 10th Floor, City Hall.

Glen E. Lytle
Special Assistant for Zoning

GEL:rme

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE December 3, 1975

TO Ad Hoc Sign Committee

FROM Glen E. Lytle, Special Assistant for Zoning

SUBJECT Sign committee meeting.

A meeting of the Ad Hoc Sign Committee meeting will be held at 3:00 p.m., Monday, December 8, 1975 in the planning department conference room, 10th Floor, City Hall, 455 North Main.

We have completed our move into the new building and apologize for the delay in sending out the notice of this meeting. I have not been able to find all the notes of our last meeting but believe that the attached information is the action of the committee.

I have taken the summary of the Ad Hoc Sign Committee that we reviewed at the last meeting and have noted the changes made on November 10, 1975. I have also prepared the necessary amendments created by the changes and attached same to the noted copy of the summary sheets. In addition I have included the possible change to the definition section that the committee asked the staff to review relating to on-site and off-site signs that Mr. Boyd had requested. As you will note, the provision restricting the use of product advertising symbols when a product is sold by vending machines has been deleted. This would then permit the use of this type of sign in all commercial and industrial districts subject to the number, height and area limitations heretofore established.

I will have my secretary call you the day of the meeting as a reminder.

Glen E. Lytle

Glen E. Lytle
Special Assistant for Zoning

GEL:rme
Attachment

Changes suggested November 10, 1975

#1. The committee recommended that the additional height be permitted on two and one-half foot increments for each 100 square feet of landscaped and/or architecturally treated area at the base of the sign in lieu of the 2 inches for each square foot.

Amend Section 28.04.139 K.3 to read as follows:

"3. Height Limit. No ground or pole sign shall exceed a height of 30 feet, provided:

a. That when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased 5 feet for each sign reduction. The use of this method to increase a sign height shall not permit any sign to exceed a height of 45 feet.

b. That an additional two and one-half feet in height may be permitted for each one hundred square feet of ground area which is landscaped and/or architecturally treated as a part of, or around, the base of a ground or pole sign. Such additional increase in height shall be granted only for the full 100, 200, 300 or 400 square feet of landscaping and/or architectural treatment. Such an increase in height may not exceed ten feet. If applied to the basic height limitation of 30 feet, no sign shall exceed 40 feet in height. If applied to a sign which is permitted by sub-section (a) hereof to exceed 30 feet, then the additional height may be added thereto. This height bonus shall be permitted only when the landscaping and/or architectural treatment complies with the following:

1) The base area shall be designed so as to prevent damage from vehicles.

2) There is provided a provision for water connection if live landscaping materials are used.

3) It is not a sight hazard for either vehicles or pedestrians.

4) It is of such design and substances as to provide visual eye contact at street level when adjacent to the zoning lot. Non-hardy plant material or solely turf grasses or similar landscape product shall not be considered adequate plant materials. If live landscape material is used, the basic plant material shall-be evergreen."

#2. The committee recommended that the request by the Donrey Outdoor Advertising Company to permit off-site signs in the "LC" Light Commercial district be permitted subject to certain limitations heretofore discussed.

Amend Section 28.04.139 G be amended by adding the following:

4. Illuminated off-site signs as permitted by Section L.

Amend Section 28.04.139 L. to read as follows:

L. Off-side Signs when Permitted in the Commercial or Industrial Districts.

1. Number permitted. The number of off-site signs, facing a direction of travel within any designated mile, shall be determined by the lineal measurement in feet, along the center line of the street right-of-way, that is within or adjacent to any zoning district wherein off-site signs are a permitted use. For purposes of measurement, zoning shall be considered to extend to the center line of all streets. A designated mile shall be the length of the center line of a street between mile section lines, even though the lineal measurement may exceed 5,280 feet. There shall be permitted not more than one off-site sign facing a direction of travel for each 1,000 lineal feet, or major fraction thereof, of street having "C" Commercial or "E" Light Industrial properties adjacent thereto. There shall be permitted not more than one off-site sign facing a direction of travel for each 660 lineal feet, or major fraction thereof, of street having "F" Heavy Industrial properties adjacent thereto. Whenever any portion of the street has both "C" or "E" and the "F" zoning districts adjacent thereto, the permitted number shall be based on the "F" zoning district.

   The number of off-site signs permitted in the "LC" Light Commercial district shall be on the same basis as the "C" or "E" zoning district subject to additional limitations as set forth in paragraph 6.

   Under no circumstances shall there be more than five off-site signs facing a direction of travel within any designated mile unless such street is within or adjacent to the "F" Heavy Industrial District. Whenever such a condition is present, the calculations based on the permitted number for these districts shall not permit more than eight off-site signs within any designated mile.

"2. Size and height permitted. The gross surface areas of an off-site sign shall not exceed 600 square feet, nor shall it exceed 30 feet in height. Exception: Off-site signs located adjacent to an elevated portion of a highway structure, may be erected to a height of 40 feet, or 14 feet above the traffic deck, whichever is less, providing;

a. no off-site sign shall have a horizontal dimension of greater than 40 feet, and;

b. no off-site sign shall be located closer than 660 feet to another off-site sign on the same side of the elevated highway, and;

c. there shall be not more than three off-site signs exceeding a height of 30 feet in a designated mile, and;

d. any signs elevated to a height greater than thirty feet shall be limited to public service advertising for non-profit organizations, and to traveler's information giving direction to premises where food and lodging may be secured, and to the location of businesses engaged in supplying goods and service essential to the normal operation of motor vehicles, including emergency and towing services."

3. Prohibited locations. No off-site sign shall be erected on a property when any of the following conditions are found to exist:

a. No off-site sign shall be erected on a zoning lot that already has more than two on-site ground or pole signs within 35 feet of the street right-of-way line; or

b. No off-site sign shall be erected on a zoning lot that already has more than 200 square feet of on-site ground or pole signs facing a direction of travel, regardless of the number of signs; or

c. No off-site sign shall be erected on any property that would obscure the view of any on-site signs. This shall be determined by establishing a sight point at the center line of the street 150 feet in either direction, then no on-site sign within 150 feet of the off-site sign shall be obscured from view; or

d. No off-site sign shall be located closer than 330 feet to another off-site sign facing the same direction of travel; or

e. No off-site sign shall be erected on a zoning lot that does not comply with the minimum lot size requirements of the zoning district.

4. Setback. Off-site signs shall comply with all building setback lines.

5. Type. Off-site signs may be ground, pole or wall signs, but shall not be erected upon or above the roof of any building, nor shall any portion of a sign project over public right-of-way.

6. Limitations of the "LC" Light Commercial District. In addition to the above requirements for off-site signs, off-site signs shall be permitted in the "LC" Light Commerical district subject to the following requirements.

   a. The zoning lot shall be located adjacent to an arterial street, expressway or freeway; and

   b. There shall be not less than 70% of the designated mile located adjacent to "LC", "C", "E" or "F" zoned properties or any combination thereof; and

   c. There shall not be less than 150 feet distance from any off-site sign to a residence; and

   d. No off-site sign shall be located on any property that is not a part of at least 300 continuous feet of "LC" zoning that has frontage along the arterial or expressway street; and

   e. Any sign permitted by this section shall face the direction of travel along the designated mile.

#3. The committee requested a review of the definitions related to off-site and on-site signs.

The following shows the proposed change to these definitions:

(I) Sign, Off-site. A sign delivering a message or advertisement other than the name, occupation or nature of the activities conducted on the premises or the products sold or manufactured thereon, and shall include all poster panel signs;

(J) Sign, On-site. A sign which carries only advertisement strictly incidental to a lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted; services rendered; goods sold or produced on the premises; the rental or lease of products or building space; name of the person, firm or corporation occupying the premises. ~~Such sign shall not include advertising of a product in a manner other than when it pertains directly to premises, such as the use of national advertising poster panels, or the use of advertising trade marks or symbols when a product is sold only by vending machines on the premises~~;

SUMMARY OF AD HOC SIGN COMMITTEE RECOMMENDATIONS

1. Request from the K.S.S.A. for additional on-site ground signs to be permitted at service stations, particularly those generally described as wingboards for on-site advertising.

   RECOMMENDATION. Permit additional signs subject to regulations of location, number, height and area.

   CODE REVISIONS REQUIRED. Amend Sections 28.04.139 G, H, I, and J regulating signs in each of the commercial and industrial districts by adding the following to each of the above code sections.

   "Additional on-site ground or pole signs are allowed provided:

   a. The area of the sign(s) does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized for all ground, pole or building signs permitted on the zoning lot.

   b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot, but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

   c. Under no circumstance shall the number of ground and pole signs on a zoning lot exceed twice the number permitted in Section 28.04.139.K.1.

   d. Any sign permitted by this subsection of the code shall not exceed a height of 30 feet."

2. Request from the K.S.S.A. that ground signs not be required to set back from adjoining property lines or driveways.

   RECOMMENDATION. To reduce the distance from a side property line from 25 feet to 15 feet or 1/3 of the lot width, whichever is less. The requirement for ground signs adjacent to driveway approachs was not recommended to be changed.

   CODE REVISION REQUIRED. Amend section 28.04.139 K.6 to read as follows:

"6. Location on Property. On-site ground or pole signs shall not project over public right-of-way, and shall be located not closer to an adjacent property line than one-third the frontage of the zoning lot or ~~25~~ 15 feet; whichever is less. When more than one sign is permitted on a zoning lot, there shall be a distance of not less than 150 feet between signs."

3. Request from the K.S.S.A. that guy wire and chains not be permitted on ground or pole signs.

RECOMMENDATION. Require such signs be designed with structural supports that will eliminate the need for external guy wires, chains or supports.

CODE REVISION REQUIRED. Amend Section 24.04.220(d) to read as follows:

"(d) No sign shall be erected that will allow the sign to swing or rotate due to wind action. All signs shall be securely fastened so that movement in any direction is prevented. External guy or support wires (chain or other similar material) shall not be used for ground, pole or building signs."

4. Request from the K.S.S.A. that ground or pole signs be permitted to greater heights by the addition of landscaping at the base of the sign.

#1 RECOMMENDATION. That an additional 2 inches of height be permitted for each one square foot of ground area that is landscaped and/or architecturally treated at the base of the sign.

CODE REVISION REQUIRED. Amend Section 28.04.139 K.3 to read as follows:

"3. Height Limit. No ground or pole sign shall exceed a height of 30 feet, provided:

a. That when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased 5 feet for each sign reduction. The use of this method to increase a sign height shall not permit any sign to exceed a height of 45 feet.

b. That an additional two inches in height may be permitted for each one square foot of ground area which is landscaped and/or architecturally treated as a part of and around the base of a pole sign. Such an increase in height may exceed 10 feet. If applied to the basic height limitation of 30 feet, no sign shall exceed 40 feet in height. If applied to a

sign whose height exceeds 30 feet under the provision of sub-section (a) hereof, the maximum allowable is the height of the sign plus 10 feet.

This landscape/architectural bonus shall be permitted only when:

1) The base area shall be designed so as to prevent damage from vehicles.

2) There is provided a provision for water connection if line landscaping materials are used.

3) It is not a sight hazard for either vehicles or pedestrians.

4) It is of such design and substances as to provide visual eye contact at street level when adjacent to the zoning lot. Non-hardy plant material or solely turf grasses or similar landscape product shall not be considered adequate plant materials. If live landscape material is used, the basic plant material shall be evergreen."

5. Request from the Donrey Outdoor Advertising Company to permit off-site signs in the "LC" Light Commerical district subject to; (a) locations being adjacent to an arterial, expressway or freeway; (b) not located less than 150 feet from a residence; (c) not located on a property that is not within 300 continuous feet of 'LC' zoning along the designated mile; (d) the 'LC' zoning is part of a designated mile that has at least 70% adjacent to any of the commercial or industrial zoning districts.

#2

RECOMMENDATION. It was recommended to deny this request.

6. Request from the Donrey Outdoor Advertising to permit the height of off-site ground signs to exceed 30 feet in height adjacent to an elevated roadway.

RECOMMENDATION. That off-site signs be permitted to a height of 40 feet or 14 feet above the traffic deck, whichever is less, provided there shall be not more than 3 signs exceeding 30 feet in an mile, and the distance between off-site signs shall be not less than 660 feet.

CODE REVISION REQUIRED. Amend Section 28.04.139 L.2 to read as follows:

"2. Size and height permitted. The gross surface areas of an off-site sign shall not exceed 600 square feet, nor shall it exceed 30 feet in height. Exception: Off-site signs located adjacent to an elevated portion of

a highway structure, may be erected to a height of 40 feet, or 14 feet above the traffic deck, whichever is less, providing;

a. no off-site sign shall have a horizontal dimension of greater than 40 feet, and;

b. no off-site sign shall be located closer than 660 feet to another off-site sign on the same side of the elevated highway, and;

c. there shall be not more than three off-site signs exceeding a height of 30 feet in an designated mile, and;

d. any signs elevated to a height greater than thirty feet shall be limited to public service advertising for non-profit organizations, and to traveler's information giving direction to premises where food and lodging may be secured, and to the location of businesses engaged in supplying goods and services essential to the normal operation of motor vehicles, including emergency and towing services."

#3 Review of definitions
Re: Off-site & On-site signs

December 3, 1975

Ad Hoc Sign Committee

Glen E. Lytle, Special Assistant for Zoning

Sign committee meeting.

A meeting of the Ad Hoc Sign Committee meeting will be held at 3:00 p.m., Monday, December 8, 1975 in the planning department conference room, 10th Floor, City Hall, 455 North Main.

We have completed our move into the new building and apologize for the delay in sending out the notice of this meeting. I have not been able to find all the notes of our last meeting but believe that the attached information is the action of the committee.

I have taken the summary of the Ad Hoc Sign Committee that we reviewed at the last meeting and have noted the changes made on November 10, 1975. I have also prepared the necessary amendments created by the changes and attached same to the noted copy of the summary sheets. In addition I have included the possible change to the definition section that the committee asked the staff to review relating to on-site and off-site signs that Mr. Boyd had requested. As you will note, the provision restricting the use of product advertising symbols when a product is sold by vending machines has been deleted. This would then permit the use of this type of sign in all commercial and industrial districts subject to the number, height and area limitations heretofore established.

I will have my secretary call you the day of the meeting as a reminder.

Glen E. Lytle
Special Assistant for Zoning

GEL:rme
Attachment

Yes = Y M = mover
No = N S = second.

AD HOC SIGN COMMITTEE

November 10, 1975

		1	2	3	4	5	6
GOEBEL -	Yes ✓	Y	Y	Y	Y	Y	Y
Bayouth -	Yes ✓	~~m~~N	~~S~~	N	mY	MY	SY
Elliott -	Yes ✓	S Y	Y	mY	Y	Y	Y
Stewart -	Yes ✓	~~m~~	Y	Y	Y	N	Y
Boyd -	Yes ✓	N	Y	N	Y	SY	Y
Hale -	Yes ✓	S Y	Y	SY	SY	..Y	MY
Campbell ✓ Kamas -	~~Not in~~						
Guinan -	Yes ✓	N	~~m~~	Y	A	N	A
Hopper -	No						
Arvold -	No						

Lakin ✓ -
Faldner ✓ -Enlow ✓-
Lytle ✓ -
Tidwell ✓

Stewart to work w/ definition on off-site sign. / Bauman - McKenna.

Discussion of statistical analysis by CIO.

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE December 3, 1975

TO Ad Hoc Sign Committee

FROM Glen E. Lytle, Special Assistant for Zoning

SUBJECT Sign committee meeting.

A meeting of the Ad Hoc Sign Committee meeting will be held at 3:00 p.m., Monday, December 8, 1975 in the planning department conference room, 10th Floor, City Hall, 455 North Main.

We have completed our move into the new building and apologize for the delay in sending out the notice of this meeting. I have not been able to find all the notes of our last meeting but believe that the attached information is the action of the committee.

I have taken the summary of the Ad Hoc Sign Committee that we reviewed at the last meeting and have noted the changes made on November 10, 1975. I have also prepared the necessary amendments created by the changes and attached same to the noted copy of the summary sheets. In addition I have included the possible change to the definition section that the committee asked the staff to review relating to on-site and off-site signs that Mr. Boyd had requested. As you will note, the provision restricting the use of product advertising symbols when a product is sold by vending machines has been deleted. This would then permit the use of this type of sign in all commercial and industrial districts subject to the number, height and area limitations heretofore established.

I will have my secretary call you the day of the meeting as a reminder.

Glen E. Lytle
Special Assistant for Zoning

GEL:rme
Attachment

Changes suggested November 10, 1975

#1. The committee recommended that the additional height be permitted on two and one-half foot increments for each 100 square feet of landscaped and/or architecturally treated area at the base of the sign in lieu of the 2 inches for each square foot.

Amend Section 28.04.139 K.3 to read as follows:

"3. Height Limit. No ground or pole sign shall exceed a height of 30 feet, provided:

a. That when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased 5 feet for each sign reduction. The use of this method to increase a sign height shall not permit any sign to exceed a height of 45 feet.

b. That an additional two and one-half feet in height may be permitted for each one hundred square feet of ground area which is landscaped and/or architecturally treated as a part of, or around, the base of a ground or pole sign. Such additional increase in height shall be granted only for the full 100, 200, 300 or 400 square feet of landscaping and/or architectural treatment. Such an increase in height may not exceed ten feet. If applied to the basic height limitation of 30 feet, no sign shall exceed 40 feet in height. If applied to a sign which is permitted by sub-section (a) hereof to exceed 30 feet, then the additional height may be added thereto. This height bonus shall be permitted only when the landscaping and/or architectural treatment complies with the following:

1) The base area shall be designed so as to prevent damage from vehicles.

2) There is provided a provision for water connection if live landscaping materials are used.

3) It is not a sight hazard for either vehicles or pedestrians.

4) It is of such design and substances as to provide visual eye contact at street level when adjacent to the zoning lot. Non-hardy plant material or solely turf grasses or similar landscape product shall not be considered adequate plant materials. If live landscape material is used, the basic plant material shall be evergreen."

#2. The committee recommended that the request by the Donrey Outdoor Advertising Company to permit off-site signs in the "LC" Light Commercial district be permitted subject to certain limitations heretofore discussed.

Amend Section 28.04.139 G be amended by adding the following:

4. Illuminated off-site signs as permitted by Section L.

Amend Section 28.04.139 L. to read as follows:

L. Off-side Signs when Permitted in the Commercial or Industrial Districts.

1. Number permitted. The number of off-site signs, facing a direction of travel within any designated mile, shall be determined by the lineal measurement in feet, along the center line of the street right-of-way, that is within or adjacent to any zoning district wherein off-site signs are a permitted use. For purposes of measurement, zoning shall be considered to extend to the center line of all streets. A designated mile shall be the length of the center line of a street between mile section lines, even though the lineal measurement may exceed 5,280 feet. There shall be permitted not more than one off-site sign facing a direction of travel for each 1,000 lineal feet, or major fraction thereof, of street having "C" Commercial or "E" Light Industrial properties adjacent thereto. There shall be permitted not more than one off-site sign facing a direction of travel for each 660 lineal feet, or major fraction thereof, of street having "F" Heavy Industrial properties adjacent thereto. Whenever any portion of the street has both "C" or "E" and the "F" zoning districts adjacent thereto, the permitted number shall be based on the "F" zoning district.

The number of off-site signs permitted in the "LC" Light Commercial district shall be on the same basis as the "C" or "E" zoning district subject to additional limitations as set forth in paragraph 6.

Under no circumstances shall there be more than five off-site signs facing a direction of travel within any designated mile unless such street is within or adjacent to the "F" Heavy Industrial District. Whenever such a condition is present, the calculations based on the permitted number for these districts shall not permit more than eight off-site signs within any designated mile.

"2. Size and height permitted. The gross surface areas of an off-site sign shall not exceed 600 square feet, nor shall it exceed 30 feet in height. Exception: Off-site signs located adjacent to an elevated portion of a highway structure, may be erected to a height of 40 feet, or 14 feet above the traffic deck, whichever is less, providing;

a. no off-site sign shall have a horizontal dimension of greater than 40 feet, and;

b. no off-site sign shall be located closer than 660 feet to another off-site sign on the same side of the elevated highway, and;

c. there shall be not more than three off-site signs exceeding a height of 30 feet in a designated mile, and;

d. any signs elevated to a height greater than thirty feet shall be limited to public service advertising for non-profit organizations, and to traveler's information giving direction to premises where food and lodging may be secured, and to the location of businesses engaged in supplying goods and service essential to the normal operation of motor vehicles, including emergency and towing services."

3. Prohibited locations. No off-site sign shall be erected on a property when any of the following conditions are found to exist:

a. No off-site sign shall be erected on a zoning lot that already has more than two on-site ground or pole signs within 35 feet of the street right-of-way line; or

b. No off-site sign shall be erected on a zoning lot that already has more than 200 square feet of on-site ground or pole signs facing a direction of travel, regardless of the number of signs; or

c. No off-site sign shall be erected on any property that would obscure the view of any on-site signs. This shall be determined by establishing a sight point at the center line of the street 150 feet in either direction, then no on-site sign within 150 feet of the off-site sign shall be obscured from view; or

d. No off-site sign shall be located closer than 330 feet to another off-site sign facing the same direction of travel; or

e. No off-site sign shall be erected on a zoning lot that does not comply with the minimum lot size requirements of the zoning district.

4. Setback. Off-site signs shall comply with all building setback lines.

5. Type. Off-site signs may be ground, pole or wall signs, but shall not be erected upon or above the roof of any building, nor shall any portion of a sign project over public right-of-way.

6. Limitations of the "LC" Light Commercial District. In addition to the above requirements for off-site signs, off-site signs shall be permitted in the "LC" Light Commerical district subject to the following requirements.

   a. The zoning lot shall be located adjacent to an arterial street, expressway or freeway; and

   b. There shall be not less than 70% of the designated mile located adjacent to "LC", "C", "E" or "F" zoned properties or any combination thereof; and

   c. There shall not be less than 150 feet distance from any off-site sign to a residence; and

   d. No off-site sign shall be located on any property that is not a part of at least 300 continuous feet of "LC" zoning that has frontage along the arterial or expressway street; and

   e. Any sign permitted by this section shall face the direction of travel along the designated mile.

#3. The committee requested a review of the definitions related to off-site and on-site signs.

The following shows the proposed change to these definitions:

(I) Sign, Off-site. A sign delivering a message or advertisement other than the name, occupation or nature of the activities conducted on the premises or the products sold or manufactured thereon, and shall include all poster panel signs;

(J) Sign, On-site. A sign which carries only advertisement strictly incidental to a lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted; services rendered; goods sold or produced on the premises; the rental or lease of products or building space; name of the person, firm or corporation occupying the premises. ~~Such sign shall not include advertising of a product in a manner other than when it pertains directly to premises, such as the use of national advertising poster panels, or the use of advertising trade marks or symbols when a product is sold only by vending machines on the premises~~;

SUMMARY OF AD HOC SIGN COMMITTEE RECOMMENDATIONS

1. Request from the K.S.S.A. for additional on-site ground signs to be permitted at service stations, particularly those generally described as wingboards for on-site advertising.

   RECOMMENDATION. Permit additional signs subject to regulations of location, number, height and area.

   CODE REVISIONS REQUIRED. Amend Sections 28.04.139 G, H, I, and J regulating signs in each of the commercial and industrial districts by adding the following to each of the above code sections.

   "Additional on-site ground or pole signs are allowed provided:

   a. The area of the sign(s) does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized for all ground, pole or building signs permitted on the zoning lot.

   b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot, but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

   c. Under no circumstance shall the number of ground and pole signs on a zoning lot exceed twice the number permitted in Section 28.04.139.K.1.

   d. Any sign permitted by this subsection of the code shall not exceed a height of 30 feet."

2. Request from the K.S.S.A. that ground signs not be required to set back from adjoining property lines or driveways.

   RECOMMENDATION. To reduce the distance from a side property line from 25 feet to 15 feet or 1/3 of the lot width, whichever is less. The requirement for ground signs adjacent to driveway approachs was not recommended to be changed.

   CODE REVISION REQUIRED. Amend section 28.04.139 K.6 to read as follows:

   "6. Location on Property. On-site ground or pole signs shall not project over public right-of-way, and shall be located not closer to an adjacent property line than one-third the frontage of the zoning lot or ~~25~~ 15 feet; whichever is less. When more than one sign is permitted on a zoning lot, there shall be a distance of not less than 150 feet between signs."

3. Request from the K.S.S.A. that guy wire and chains not be permitted on ground or pole signs.

   RECOMMENDATION. Require such signs be designed with structural supports that will eliminate the need for external guy wires, chains or supports.

   CODE REVISION REQUIRED. Amend Section 24.04.220(d) to read as follows:

   "(d) No sign shall be erected that will allow the sign to swing or rotate due to wind action. All signs shall be securely fastened so that movement in any direction is prevented. External guy or support wires (chain or other similar material) shall not be used for ground, pole or building signs."

4. Request from the K.S.S.A. that ground or pole signs be permitted to greater heights by the addition of landscaping at the base of the sign.

   #1 RECOMMENDATION. That an additional 2 inches of height be permitted for each one square foot of ground area that is landscaped and/or architecturally treated at the base of the sign.

   CODE REVISION REQUIRED. Amend Section 28.04.139 K.3 to read as follows:

   "3. Height Limit. No ground or pole sign shall exceed a height of 30 feet, provided:

   a. That when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased 5 feet for each sign reduction. The use of this method to increase a sign height shall not permit any sign to exceed a height of 45 feet.

   b. That an additional two inches in height may be permitted for each one square foot of ground area which is landscaped and/or architecturally treated as a part of and around the base of a pole sign. Such an increase in height may exceed 10 feet. If applied to the basic height limitation of 30 feet, no sign shall exceed 40 feet in height. If applied to a

sign whose height exceeds 30 feet under the provision of sub-section (a) hereof, the maximum allowable is the height of the sign plus 10 feet.

This landscape/architectural bonus shall be permitted only when:

1) The base area shall be designed so as to prevent damage from vehicles.

2) There is provided a provision for water connection if line landscaping materials are used.

3) It is not a sight hazard for either vehicles or pedestrians.

4) It is of such design and substances as to provide visual eye contact at street level when adjacent to the zoning lot. Non-hardy plant material or solely turf grasses or similar landscape product shall not be considered adequate plant materials. If live landscape material is used, the basic plant material shall be evergreen."

#2

5. Request from the Donrey Outdoor Advertising Company to permit off-site signs in the "LC" Light Commerical district subject to; (a) locations being adjacent to an arterial, expressway or freeway; (b) not located less than 150 feet from a residence; (c) not located on a property that is not within 300 continuous feet of 'LC' zoning along the designated mile; (d) the 'LC' zoning is part of a designated mile that has at least 70% adjacent to any of the commercial or industrial zoning districts.

RECOMMENDATION. It was recommended to deny this request.

6. Request from the Donrey Outdoor Advertising to permit the height of off-site ground signs to exceed 30 feet in height adjacent to an elevated roadway.

RECOMMENDATION. That off-site signs be permitted to a height of 40 feet or 14 feet above the traffic deck, whichever is less, provided there shall be not more than 3 signs exceeding 30 feet in an mile, and the distance between off-site signs shall be not less than 660 feet.

CODE REVISION REQUIRED. Amend Section 28.04.139 L.2 to read as follows:

"2. Size and height permitted. The gross surface areas of an off-site sign shall not exceed 600 square feet, nor shall it exceed 30 feet in height. Exception: Off-site signs located adjacent to an elevated portion of

a highway structure, may be erected to a height of 40 feet, or 14 feet above the traffic deck, whichever is less, providing;

a. no off-site sign shall have a horizontal dimension of greater than 40 feet, and;

b. no off-site sign shall be located closer than 660 feet to another off-site sign on the same side of the elevated highway, and;

c. there shall be not more than three off-site signs exceeding a height of 30 feet in an designated mile, and;

d. any signs elevated to a height greater than thirty feet shall be limited to public service advertising for non-profit organizations, and to traveler's information giving direction to premises where food and lodging may be secured, and to the location of businesses engaged in supplying goods and services essential to the normal operation of motor vehicles, including emergency and towing services."

#3 Review of definitions
Re: Off-site & On-site signs

November 4, 1975

Ad Hoc Sign Committee

Glen E. Lytle, Special Assistant for Zoning

Change of meeting date.

A request of one of the committee members to stay with the Monday afternoon time has prompted a change in the meeting date. With the permission of the chairman and the majority of the members, the meeting has been changed from Friday to Monday, November 10, 1975 at 3:00 p.m. The meeting will be held in the Traffic Engineering Conference Room, 6th Floor, City Building Annex, 104 South Main.

As a reminder, we will have one of the secretaries call you the morning of the meeting.

Glen E. Lytle
Special Assistant for Zoning

GEL:rme

cc: Robert Feldner, Superintendent of Central Inspection
Robert A. Lakin, Director of Planning

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE November 4, 1975

TO Ad Hoc Sign Committee

FROM Glen E. Lytle, Special Assistant for Zoning

SUBJECT Change of meeting date.

A request of one of the committee members to stay with the Monday afternoon time has prompted a change in the meeting date. With the permission of the chairman and the majority of the members, the meeting has been changed from Friday to Monday, November 10, 1975 at 3:00 p.m. The meeting will be held in the Traffic Engineering Conference Room, 6th Floor, City Building Annex, 104 South Main.

As a reminder, we will have one of the secretaries call you the morning of the meeting.

Glen E. Lytle
Special Assistant for Zoning

GEL:rme

cc: Robert Feldner, Superintendent of Central Inspection
Robert A. Lakin, Director of Planning

October 30, 1975

AD HOC SIGN COMMITTEE

Glen E. Lytle, Special Assistant for Zoning

Meeting Date.

A meeting of the AD HOC SIGN COMMITTEE has been called for Friday, November 7, 1975, at 3:00 p.m. This meeting will be held in the Traffic Engineering Conference Room, Sixth Floor, City Building Annex, 104 South Main.

This meeting will be for the express purpose of reviewing the previous recommendations of the committee prior to forwarding same to the planning commission. This information was mailed to you on October 2, 1975.

Mr. Lakin hopes that the majority of the members of the committee can be present so that we can reach a general consensus of the committee on these recommendations and finish up the committee work on this date.

As a reminder we will have one of the secretaries call you the day of the meeting.

Glen E. Lytle
Special Assistant for Zoning

GEL:rme

cc: Robert Feldner, Superintendent, Central Inspection
Robert A. Lakin, Director of Planning

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE

October 2, 1975

TO AD HOC SIGN COMMITTEE

FROM Glen E. Lytle, Special Assistant for Zoning

SUBJECT Summary of Committee Recommendations.

Attached hereto is a summary of the recommendations of the committee that will require public hearings by the Planning Commission and the City Commission. It was expressed that these should be reviewed by the committee proior to forwarding their recommendation to the planning commission.

Again we find that conflicts with other meetings have necessitated a change in the original suggestion on a meeting date. A meeting of the committee has been set for Monday, October 13, 1975 at 3:00 p.m., in the Planning Commission Room.

As a reminder we will have one of the secretaries call you the day of the meeting.

Glen E. Lytle
Special Assistant for Zoning

GEL:rme
Attachment

SUMMARY OF AD HOC SIGN COMMITTEE RECOMMENDATIONS

1. Request from the K.S.S.A. for additional on-site ground signs to be permitted at service stations, particularly those generally described as wingboards for on-site advertising.

   RECOMMENDATION. Permit additional signs subject to regulations of location, number, height and area.

   CODE REVISIONS REQUIRED. Amend Sections 28.04.139 G, H, I, and J regulating signs in each of the commercial and industrial districts by adding the following to each of the above code sections.

   "Additional on-site ground or pole signs are allowed provided:

   a. The area of the sign(s) does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized for all ground, pole or building signs permitted on the zoning lot.

   b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot, but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

   c. Under no circumstance shall the number of ground and pole signs on a zoning lot exceed twice the number permitted in Section 28.04.139.K.1.

   d. Any sign permitted by this subsection of the code shall not exceed a height of 30 feet."

2. Request from the K.S.S.A. that ground signs not be required to set back from adjoining property lines or driveways.

   RECOMMENDATION. To reduce the distance from a side property line from 25 feet to 15 feet or 1/3 of the lot width, whichever is less. The requirement for ground signs adjacent to driveway approachs was not recommended to be changed.

   CODE REVISION REQUIRED. Amend section 28.04.139 K.6 to read as follows:

"6. Location on Property. On-site ground or pole signs shall not project over public right-of-way, and shall be located not closer to an adjacent property line than one-third the frontage of the zoning lot or ~~25~~ 15 feet; whichever is less. When more than one sign is permitted on a zoning lot, there shall be a distance of not less than 150 feet between signs."

3. Request from the K.S.S.A. that guy wire and chains not be permitted on ground or pole signs.

RECOMMENDATION. Require such signs be designed with structural supports that will eliminate the need for external guy wires, chains or supports.

CODE REVISION REQUIRED. Amend Section 24.04.220(d) to read as follows:

"(d) No sign shall be erected that will allow the sign to swing or rotate due to wind action. All signs shall be securely fastened so that movement in any direction is prevented. External guy or support wires (chain or other similar material) shall not be used for ground, pole or building signs."

4. Request from the K.S.S.A. that ground or pole signs be permitted to greater heights by the addition of landscaping at the base of the sign.

RECOMMENDATION. That an additional 2 inches of height be permitted for each one square foot of ground area that is landscaped and/or architecturally treated at the base of the sign.

CODE REVISION REQUIRED. Amend Section 28.04.139 K.3 to read as follows:

"3. Height Limit. No ground or pole sign shall exceed a height of 30 feet, provided:

a. That when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased 5 feet for each sign reduction. The use of this method to increase a sign height shall not permit any sign to exceed a height of 45 feet.

b. That an additional two inches in height may be permitted for each one square foot of ground area which is landscaped and/or architecturally treated as a part of and around the base of a pole sign. Such an increase in height may exceed 10 feet. If applied to the basic height limitation of 30 feet, no sign shall exceed 40 feet in height. If applied to a

sign whose height exceeds 30 feet under the provision of sub-section (a) hereof, the maximum allowable is the height of the sign plus 10 feet.

This landscape/architectural bonus shall be permitted only when:

1) The base area shall be designed so as to prevent damage from vehicles.

2) There is provided a provision for water connection if line landscaping materials are used.

3) It is not a sight hazard for either vehicles or pedestrians.

4) It is of such design and substances as to provide visual eye contact at street level when adjacent to the zoning lot. Non-hardy plant material or solely turf grasses or similar landscape product shall not be considered adequate plant materials. If live landscape material is used, the basic plant material shall be evergreen."

5. Request from the Donrey Outdoor Advertising Company to permit off-site signs in the "LC" Light Commerical district subject to; (a) locations being adjacent to an arterial, expressway or freeway; (b) not located less than 150 feet from a residence; (c) not located on a property that is not within 300 continuous feet of 'LC' zoning along the designated mile; (d) the 'LC' zoning is part of a designated mile that has at least 70% adjacent to any of the commercial or industrial zoning districts.

RECOMMENDATION. It was recommended to deny this request.

6. Request from the Donrey Outdoor Advertising to permit the height of off-site ground signs to exceed 30 feet in height adjacent to an elevated roadway.

RECOMMENDATION. That off-site signs be permitted to a height of 40 feet or 14 feet above the traffic deck, whichever is less, provided there shall be not more than 3 signs exceeding 30 feet in an mile, and the distance between off-site signs shall be not less than 660 feet.

CODE REVISION REQUIRED. Amend Section 28.04.139 L.2 to read as follows:

"2. Size and height permitted. The gross surface areas of an off-site sign shall not exceed 600 square feet, nor shall it exceed 30 feet in height. Exception: Off-site signs located adjacent to an elevated portion of

a highway structure, may be erected to a height of 40 feet, or 14 feet above the traffic deck, whichever is less, providing;

a. no off-site sign shall have a horizontal dimension of greater than 40 feet, and;

b. no off-site sign shall be located closer than 660 feet to another off-site sign on the same side of the elevated highway, and;

c. there shall be not more than three off-site signs exceeding a height of 30 feet in an designated mile, and;

d. any signs elevated to a height greater than thirty feet shall be limited to public service advertising for non-profit organizations, and to traveler's information giving direction to premises where food and lodging may be secured, and to the location of businesses engaged in supplying goods and services essential to the normal operation of motor vehicles, including emergency and towing services."

10 October 1975

To: Mr. Bill Goebel, Chairman
Sign Ordinance Review Committee

From: J. L. Tidwell
Donrey Outdoor Advertising Co.

Subject: Proposal for changes to Sign Ordinance.

1. Light Commercial Zones. Due to the importance of our proposals on this subject and the circumstances regarding committee members absent at the time it was voted on we request that this item be reconsidered and voted on again. We will have new information to present on this subject at the October 13th meeting.

2. Additional On-Site Ground or Pole Signs. We have no objection to this proposal except the effect that it has on certain regulations regarding off-site signs already contained in the present ordinance.

On page 15 of the sign ordinance under Prohibited Locations it says that no off-site sign shall be erected on a zoning lot that already has more than two on-site ground or pole signs.

This ties regulations of off-site signs to the on-site sign regulations. This regulation was written based on what the on-site regulations are in the existing ordinance. Now that these regulations might be changed we think it only fair that the regulations on page 15 be changed accordingly.

We suggest that either the regulation under item A on page 15 not be subject to those on-site signs as provided for under the proposed changes, or that the wording in item A be changed as follows:

" No off-site sign shall be erected on a zoning lot that already has more than four on-site ground or pole signs."

28.04140 (3)(a) (b)

Donrey Outdoor Advertising Company
250 North Kansas Avenue Wichita, Kansas 67214 1-316-263-5293 Member Donrey Media Group

DO

3. Off-site signs along elevated highways. Due to the very restrictive regulations on off-site signs along elevated highways we ask that the committee consider the reasonableness of the provision in the present ordinance to allow only three types of advertisers to use them.

This provision in our viewpoint serves absolutely no purpose.

Best Regards,

J. L. Tidwell

J. L. Tidwell

Copies: Mr. Robert Phillips
Chamber of Commerce

Mr. Ted Hill

JLT/jmc

Donrey Outdoor Advertising Company

250 North Kansas Avenue Wichita, Kansas 67214 1-316-263-5293 Member Donrey Media Group

P. O. Box 2240
Wichita, Kansas 67201
October 10, 1975

Mr. Bill Goebel, Chairman
Sign Review Committee
c/o Star Lumber and Supply Co., Inc.
325 South West Street
Wichita, Kansas 67213

Gentlemen:

The Wichita Area Chamber of Commerce has had a number of complaints on the provisions of the new sign ordinance adopted in December, 1974. Several members have requested that the Chamber take a position and the board of directors appointed a task force in August to study the matter.

We, the members of the task force, feel that we should make the following recommendations to the board of directors of the Chamber of Commerce and that you should be aware of these recommendations:

1. There should be every effort made by your committee to see that the permits and inspection department personnel have a thorough understanding of the meaning and spirit of the regulations.

2. With regard to off-site signs, Mr. Jim Tidwell of Donrey Outdoor Advertising Company has presented a written proposal per a letter of August 14, 1975, and later the numbers in Item B and C of his letter were changed in committee meeting. The committee feels that the recommendations as changed are reasonable and should be given due consideration.

3. There have been many complaints about the permits required and the fee structure, and we urge that thorough consideration be given to ascertain if this structure is fair and reasonable to all business.

4. The Wichita Board of Realtors has suggested a variance committee be formed per their letter of May 8, 1975 to Mayor Connie Peters. Due to the many restrictions in the total sign ordinance, we feel that this is a good suggestion.

We make these recommendations hoping we won't be taking a position for any one special interest over another and realizing fully that there may be other areas of the ordinance that need review. We recognize, however, and hope that you will, that without a prosperous business community the Wichita economy will suffer and that onerous restrictions should be avoided wherever possible because of their detrimental effect on efficient operation of business.

Very truly yours,

R. D. Phillips

TASK FORCE COMMITTEE
R. D. Phillips, Chairman
Elvin Cramer
Monte Johnson
Jo Zakas

RDP/jw
Enclosures (Copies for Members of Sign Review Committee)

SIGN ORDINANCE

STATISTICAL ANALYSIS

Existing historical records indicate that 10,500 permanent signs exist within the city. However, this figure is not a true reflection of ongoing workload. Field surveys recently conducted in selected areas evinced that 27% of the existing signs were originally constructed without permits. Utilizing this computation, Central Inspection projects that 13,335 permanent signs currently exist within the corporate limits of the city.

An average of 240 actual work days per year for a two-year period (1976-77) plus the remaining 63 work days of 1975 equals 543 work days within the initial 3-year compliance period. This means that approximately 25 existing signs must be permitted per workday. This is in addition to new sign construction and enforcement of temporary and portable signs.

Although it is generally agreed that a large volume of portable and temporary signs exist, a lack of historical data renders projections upon future workload and anticipated revenues impossible to predict. Field surveys and enforcement procedures, soon to be initiated by a large contingent of Central Inspection personnel, may provide this data.

A chart indicated as Chart I showing the number of new sign permits issued during the first eight months of 1975 follows*:

Chart I

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
87	90	115	99	88	162	168	176	985

Average per month - 123
Average per workday - 6

*Figures indicated include 11 special use temporary signs.

A composite of actual inspections made is contained below as Chart II. The composite includes personnel training during January, February and most of March for a new inspector as well as monitoring political signs during March and May; conducting an existing sign inventory in select locations; recheck of all signs indicated removed; and field review of signs with no record of permit.

Chart II
Inspection Record

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
Inspector A	691	1003	473	1951	1709	962	243	273	7285
Inspector B	-Training-		199	3192	2839	1325	395	495	8445
							Grand Total		15,730

Chart III indicates the number of notices issued from January through August, 1975:

Chart III

Notices Issued - 1975

	Temporary & Portable Signs	Permanent				Total
		Number Permits	Repair Signs	Abandoned; Remove	Illegal Signs	
January	6	2	1			9
February						0
March	42	15	7	2		66
April						0
May		29		8		37
June		79		6		85
July	1	121	2	51		175
August	1	138	1	23	1	164
September	18	41	1	24	1	85
Total	68	425	12	114	2	621

The sign inspectors drove 8,038 miles in 14 man-months. This averages 575 miles per man per month. Traffic Engineering estimates that while driving random routes throughout the city, a vehicle will average 15 miles per hour. This equates 38½ hours per month or 1 hour and 50 minutes vehicular travel each day.

Each inspector is allocated a lunch break of one hour and two 15-minute breaks per day. Two hours per day are required in the office on telephone and personal interviews, routine reporting and personnel forms, filing, scheduling next day's activities, etc. Average actual inspection time expended per sign inspection is 20 minutes. New signs require an average of two inspections.

Workload Summary

To complete the city within three years (1975-77), 25 existing signs must be completed per workday.

New sign permits are issued at an average rate of 6 per day.

Chart IV

Projected Daily Workload

25 existing signs @ 20 minutes each	=	8 hours 21 minutes
6 new signs @ 40 minutes each	=	4 hours
Daily on-site inspection time required	=	12 hours 21 minutes

Inspection Schedule (For 1 man)

Time per workday	7 hours 30 minutes
In-office procedures	-2 hours
Vehicular travel time	-1 hour 50 minutes
Actual on-site inspection time allocation	3 hours 40 minutes

Number of inspectors required to complete projected workload (excluding portable and temporary signs):

12 hours 21 minutes ÷ 3 hours 40 minutes = 3.37 inspectors required

Projected Cost/Revenue Ratio

Each of the aforementioned 13,335 existing signs within the city must be inspected once each three years, evincing 4,445 existing signs to be inspected per year. Based upon prior experience and historical sign records, Central Inspection Division makes the assumption that two-thirds of all existing signs fall within the $12 permit range with the remaining one-third at $15. However, 27% of the existing signs were erected without the benefit of a permit; thus 2,835 existing signs will be assessed a new sign permit fee during the initial three year compliance period.

Chart V itemizes projected revenues for 1976. Projections for 1977 are identical.

Chart V

Projected Revenue - 1976*

Existing Sign Use Permit: 3,500 per year		
(1/3) 1,167 x $15	=	$ 17,505
(2/3) 2,333 x $12	=	27,996
Existing Sign Without Permit:		
945 x $24.27	=	22,935
New Sign Permit:		
1,476 (123 per mo. Aug.) x $24.27	=	35,822
Projected Annual Revenue		$104,258

*Excluding portable and temporary signs

Projected Cost - 1976

Enforcement of the ordinance (permit issuance, field inspection, administrative, etc.) consists of:

One Clerk II @ $5,640.44 + 22.9% fringe benefits	$ 6,933
Three Inspector I @ $11,349.78 + 22.9% fringe benefits	41,847
½ Time Inspector II (Supervision) @ $6,376.24 + 22.9% fringe benefits	7,837
Transportation Costs - Purchase of two vehicles	5,600
Motor Pool Charges of $100 per month each	3,600
Administrative overhead (17.7% of salaries)	10,022
Computer processing (clerical, fiscal, inspection scheduling)	5,000
Forms, programming and implementation costs	8,500
Inspection Equipment (Ladders, hammers, tapes, etc.)	399
In-field inspection/enforcement support*	17,793
Projected 1976 Cost	$107,531

*Indicated figure is 10% of Housing and Building Inspector's (13) time in providing assistance in enforcing portable, temporary, abandoned, etc. Each inspector will average 45 minutes per day. The computation was made as follows:

Average salary $11,136.58 x 13 inspectors x 10% of time + 22.9% fringe benefits.

Cost/Revenue Summary*

*Excluding temporary and portable signs

Total projected cost	$107,531
Total projected revenue	104,258
Expenditures over revenue	$ 3,273

Central Inspection anticipates that the deficit will be offset by portable and temporary sign revenues.

October 2, 1975

AD HOC SIGN COMMITTEE

Glen E. Lytle, Special Assistant for Zoning

Summary of Committee Recommendations.

Attached hereto is a summary of the recommendations of the committee that will require public hearings by the Planning Commission and the City Commission. It was expressed that these should be reviewed by the committee proior to forwarding their recommendation to the planning commission.

Again we find that conflicts with other meetings have necessitated a change in the original suggestion on a meeting date. A meeting of the committee has been set for Monday, October 10, 1975 at 3:00 p.m., in the Planning Commission Room.

As a reminder we will have one of the secretaries call you the day of the meeting.

Glen E. Lytle
Special Assistant for Zoning

GEL:rme
Attachment

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE

October 2, 1975

TO AD HOC SIGN COMMITTEE

FROM Glen E. Lytle, Special Assistant for Zoning

SUBJECT Summary of Committee Recommendations.

Attached hereto is a summary of the recommendations of the committee that will require public hearings by the Planning Commission and the City Commission. It was expressed that these should be reviewed by the committee proior to forwarding their recommendation to the planning commission.

Again we find that conflicts with other meetings have necessitated a change in the original suggestion on a meeting date. A meeting of the committee has been set for Monday, October 13, 1975 at 3:00 p.m., in the Planning Commission Room.

As a reminder we will have one of the secretaries call you the day of the meeting.

Glen E. Lytle
Special Assistant for Zoning

GEL:rme
Attachment

SUMMARY OF AD HOC SIGN COMMITTEE RECOMMENDATIONS

1. Request from the K.S.S.A. for additional on-site ground signs to be permitted at service stations, particularly those generally described as wingboards for on-site advertising.

   RECOMMENDATION. Permit additional signs subject to regulations of location, number, height and area.

   CODE REVISIONS REQUIRED. Amend Sections 28.04.139 G, H, I, and J regulating signs in each of the commercial and industrial districts by adding the following to each of the above code sections.

   "Additional on-site ground or pole signs are allowed provided:

   a. The area of the sign(s) does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized for all ground, pole or building signs permitted on the zoning lot.

   b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot, but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

   c. Under no circumstance shall the number of ground and pole signs on a zoning lot exceed twice the number permitted in Section 28.04.139.K.1.

   d. Any sign permitted by this subsection of the code shall not exceed a height of 30 feet."

2. Request from the K.S.S.A. that ground signs not be required to set back from adjoining property lines or driveways.

   RECOMMENDATION. To reduce the distance from a side property line from 25 feet to 15 feet or 1/3 of the lot width, whichever is less. The requirement for ground signs adjacent to driveway approachs was not recommended to be changed.

   CODE REVISION REQUIRED. Amend section 28.04.139 K.6 to read as follows:

"6. Location on Property. On-site ground or pole signs shall not project over public right-of-way, and shall be located not closer to an adjacent property line than one-third the frontage of the zoning lot or ~~25~~ 15 feet; whichever is less. When more than one sign is permitted on a zoning lot, there shall be a distance of not less than 150 feet between signs."

3. Request from the K.S.S.A. that guy wire and chains not be permitted on ground or pole signs.

RECOMMENDATION. Require such signs be designed with structural supports that will eliminate the need for external guy wires, chains or supports.

CODE REVISION REQUIRED. Amend Section 24.04.220(d) to read as follows:

"(d) No sign shall be erected that will allow the sign to swing or rotate due to wind action. All signs shall be securely fastened so that movement in any direction is prevented. External guy or support wires (chain or other similar material) shall not be used for ground, pole or building signs."

4. Request from the K.S.S.A. that ground or pole signs be permitted to greater heights by the addition of landscaping at the base of the sign.

RECOMMENDATION. That an additional 2 inches of height be permitted for each one square foot of ground area that is landscaped and/or architecturally treated at the base of the sign.

CODE REVISION REQUIRED. Amend Section 28.04.139 K.3 to read as follows:

"3. Height Limit. No ground or pole sign shall exceed a height of 30 feet, provided:

a. That when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased 5 feet for each sign reduction. The use of this method to increase a sign height shall not permit any sign to exceed a height of 45 feet.

b. That an additional two inches in height may be permitted for each one square foot of ground area which is landscaped and/or architecturally treated as a part of and around the base of a pole sign. Such an increase in height may exceed 10 feet. If applied to the basic height limitation of 30 feet, no sign shall exceed 40 feet in height. If applied to a

sign whose height exceeds 30 feet under the provision of sub-section (a) hereof, the maximum allowable is the height of the sign plus 10 feet.

This landscape/architectural bonus shall be permitted only when:

1) The base area shall be designed so as to prevent damage from vehicles.

2) There is provided a provision for water connection if line landscaping materials are used.

3) It is not a sight hazard for either vehicles or pedestrians.

4) It is of such design and substances as to provide visual eye contact at street level when adjacent to the zoning lot. Non-hardy plant material or solely turf grasses or similar landscape product shall not be considered adequate plant materials. If live landscape material is used, the basic plant material shall be evergreen."

5. Request from the Donrey Outdoor Advertising Company to permit off-site signs in the "LC" Light Commerical district subject to; (a) locations being adjacent to an arterial, expressway or freeway; (b) not located less than 150 feet from a residence; (c) not located on a property that is not within 300 continuous feet of 'LC' zoning along the designated mile; (d) the 'LC' zoning is part of a designated mile that has at least 70% adjacent to any of the commercial or industrial zoning districts.

RECOMMENDATION. It was recommended to deny this request.

6. Request from the Donrey Outdoor Advertising to permit the height of off-site ground signs to exceed 30 feet in height adjacent to an elevated roadway.

RECOMMENDATION. That off-site signs be permitted to a height of 40 feet or 14 feet above the traffic deck, whichever is less, provided there shall be not more than 3 signs exceeding 30 feet in an mile, and the distance between off-site signs shall be not less than 660 feet.

CODE REVISION REQUIRED. Amend Section 28.04.139 L.2 to read as follows:

"2. Size and height permitted. The gross surface areas of an off-site sign shall not exceed 600 square feet, nor shall it exceed 30 feet in height. Exception: Off-site signs located adjacent to an elevated portion of

a highway structure, may be erected to a height of 40 feet, or 14 feet above the traffic deck, whichever is less, providing;

a. no off-site sign shall have a horizontal dimension of greater than 40 feet, and;

b. no off-site sign shall be located closer than 660 feet to another off-site sign on the same side of the elevated highway, and;

c. there shall be not more than three off-site signs exceeding a height of 30 feet in an designated mile, and;

d. any signs elevated to a height greater than thirty feet shall be limited to public service advertising for non-profit organizations, and to traveler's information giving direction to premises where food and lodging may be secured, and to the location of businesses engaged in supplying goods and services essential to the normal operation of motor vehicles, including emergency and towing services."

September 18, 1975

Joan Kamas, Chairman
Environmental Resource
Advisory Board
3619 Elmwood
Wichita, Kansas 67218

Dear Joan:

Attached hereto is a summary of the recommendations that have been made by the Ad Hoc Sign Committee over the past two months. As you will note, I have not included several insignificant requests that have been made, nor have I included some of the requests for discussion on the requirements for permits and fees that have been discussed very briefly to this date.

If you have any questions on any of the recommendations, please give me a call and I will try to clarify my summary comments.

Yours very truly,

Glen E. Lytle
Special Assistant for Zoning

GEL:rme

September 10, 1975

Ad Hoc Sign Committee

Glen E. Lytle, Special Assistant for Zoning

Meeting Date.

The meeting previously planned for September 15, 1975 has been rescheduled for Monday, September 22, 1975 at 3:00 p.m. in the Planning Commission Conference room. This change was necessary due to the unavailability of Mr. Feldner on this date, and it was felt by the committee that when fees are discussed he should be in attendance.

The gentlemen who appeared at the committee meeting several weeks ago that were concerned about the fees will be notified of this meeting. Please mark your calendar and we will have the secretary call you the morning of the meeting as a reminder.

Glen E. Lytle
Special Assistant for Zoning

GEL:rme

cc: Robert A. Lakin, Director of Planning
Robert Feldner, Superintendent, Central Inspection
Chamber of Commerce, 350 West Douglas, 67202
Charles Sutherland, Wichita Board of Realtors
626 North Broadway, 67214
Wichita Association of Home Builders, 730 N. Main, 67203
Jim Tidwell, Donrey Outdoor Advertising Co., 250 N. Kansas, 67214

September 10, 1975

Mr. Phil Rain
2531 North Broadway
Wichita, Kansas 67219

Dear Sir:

As one of the persons who appeared at the Ad Hoc Sign Committee's meeting on August 15, 1975, you were informed that when the committee was ready to discuss permits and fees therefor, you would be notified of the meeting. This meeting will be held on Monday, September 22, 1975 at 3:00 p.m. in the Planning Commission conference room, 4th Floor, City Building Annex, 104 South Main.

A letter to you from Mr. Robert Lakin, Director of Planning, requested that if you had specific concerns of the sign regulations that it would be helpful that these be forwarded to him so that they might be furnished to the committee members. To this date we have not received any specific items for discussion, however, if you have some, they will still be appreciated.

If there are specific questions, particularly relative to fees, exemptions from same, etc., it would be helpful if you could discuss these with the inspectors of the Central Inspection division prior to the meeting. If I can be of any assistance, please give me a call.

Sincerely,

Glen E. Lytle
Special Assistant for Zoning

GEL:rme

cc: William J. Goebel, Chairman, Ad Hoc Sign Committee
Robert Feldner, Superintendent, Central Inspection

Letter also sent to: Mr. John Savute, 3303 N. Broadway, 67219
Mr. Jerry Friedman, 3055 N. Broadway, 67219

ATTENDENCE RECORD

Date: Aug. 25, 1975
Time: 3:00 P.M.
Place: MAPC
Meeting Arranged By: LAKIN
Purpose: AD HOC SIGN COMM.

Name	Organization	Address
Lytle Phone:	MAPD	
R. Lakin Phone:	MAPD	
Goebel Phone:	MAPC	
Bagenth Phone:	MAPC	
Jim Tidwell Phone:	Dowrey	
R. D. Phillips Phone: 267-0311	Chamber of Commerce	
Barbara Arnold Phone:	W. for B.S.	
~~Everett Hale~~ Phone:		
Bill Campbell Phone:		
Ken Stewart Phone:		
Joan Kamas Phone:		

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE August 29, 1975

TO Ad Hoc Sign Committee

FROM Glen E. Lytle, Special Assistant for Zoning

SUBJECT Meeting dates

The next meeting of the Ad Hoc Sign Committee will be on Monday, September 8, 1975 at 3:00 p.m. in the Planning Commission meeting room. At that time, we will try to complete the discussions of the changes that have been suggested by Mr. Tidwell of the Donrey Outdoor Advertising Company. A copy of the suggestions made by the committee have been put into appropriate language to fit into the ordinance and are attached for your review. We will prepare a map indicating the applicability of these regulations.

Due to the fact that Mr. Feldner has a conflict with the meeting of September 8, we will hold over any discussion on the application of fees until the meeting of September 15, 1975.

Glen E. Lytle
Special Assistant for Zoning

GEL:rme

cc: Robert A. Lakin, Director of Planning
Robert Feldner, Superintendent, Central Inspection
Chamber of Commerce, 350 West Douglas, 67202
Charles Sutherland, Wichita Board of Realtors
626 North Broadway, 67214
Wichita Association of Home Builders, 730 North Main, 67203
Jim Tidwell, Donrey Outdoor Advertising Co., 250 N. Kansas, 67214

8-29-75

Add to Section 28.04.139 G.

4. Illuminated off-site signs as permitted by Section L.

Amend Section 28.04.139 L. to read as follows:

L. Off-site Signs when Permitted in the Commercial or Industrial Districts.

1. Number permitted. The number of off-site signs, facing a direction of travel within any designated mile, shall be determined by the lineal measurement in feet, along the center line of the street right-of-way, that is within or adjacent to any zoning district wherein off-site signs are a permitted use. A designated mile shall be the length of the center line of a street between mile section lines, even though the lineal measurement may exceed 5,280 feet. There shall be permitted not more than one off-site sign facing a direction of travel for each 1,000 lineal feet, or major fraction thereof, of street having "C" Commercial or "E" Light Industrial properties adjacent thereto. There shall be permitted not more than one off-site sign facing a direction of travel for each 660 lineal feet, or major fraction thereof, of street having "F" Heavy Industrial properties adjacent thereto. Whenever any portion of the street has both "C" or "E" and the "F" zoning districts adjacent thereto, the permitted number shall be based on the "F" zoning district.

The number of off-site signs permitted in the "LC" Light Commercial district shall be on the same basis as the "C" or "E" zoning district subject to additional limitations as set forth in paragraph 6.

Under no circumstances shall there be more than five off-site signs facing a direction of travel within any designated mile unless such street is within or adjacent to the "F" Heavy Industrial District. Whenever such a condition is present, the calculations based on the permitted number for these districts shall not permit more than eight off-site signs within any designated mile.

2. Size and height permitted. The gross surface area of an off-site sign shall not exceed 600 square feet, nor shall it exceed 30 feet in height. Exception: Off-site signs located adjacent to an elevated portion of an Interstate highway structure as permitted by Section 24.04.200(g) of the code, may be erected to a height of 40 feet, or 14 feet above the traffic deck, whichever is less, providing;

   a. no sign shall have a horizontal dimension of greater than 40 feet, and;

   b. no sign on the same side of the elevated highway shall be located closer than 660 feet to another off-site sign, and;

c. there shall be not more than three signs exceeding a height of 30 feet in any designated mile.

3. Size permitted. The gross surface area of an off-site sign shall not exceed 600 square feet, nor shall it exceed 30 feet in height.

3. Prohibited locations. No off-site sign shall be erected on a property when any of the following conditions are found to exist:

a. No off-site sign shall be erected on a zoning lot that already has more than two-on-site ground or pole signs; or

b. No off-site sign shall be erected on a zoning lot that already has more than 200 square feet of on-site ground or pole signs facing a direction of travel, regardless of the number of signs; or

c. No off-site sign shall be erected on any property that would obscure the view of any on-site signs. This shall be determined by establishing a sight point at the center line of the street 150 feet in either direction, then no on-site sign within 150 feet of the off-site sign shall be obscured from view; or

d. No off-site sign shall be located closer than 330 feet to another off-site sign facing the same direction of travel; or

e. No off-site sign shall be erected on a zoning lot that does not comply with the minimum lot size requirements of the zoning district.

4. Setback. Off-site signs shall comply with all building setback lines.

5. Type. Off-site signs may be ground, pole or wall signs, but shall not be erected upon or above the roof of any building, nor shall any portion of a sign project over public right-of-way.

6. Limitations of the "LC" Light Commercial District. In addition to the above requirements for off-site signs, off-site signs shall be permitted in the "LC" Light Commercial district subject to the following requirements.

a. The zoning lot shall be located adjacent to an arterial or expressway street; and

b. There shall be not less than 70% of the designated mile located adjacent to "LC", "C", "E" or "F" zoned properties or any combination thereof; and

c. There shall not be less than 150 feet distance from any off-site sign to a residence; and

d. No off-site sign shall be located on any property that is not a part of at least 300 continuous feet of "LC" zoning that has frontage along the arterial or expressway street; and

e. Any sign permitted by this section shall face the direction of travel along the designated mile.

August 29, 1975

Ad Hoc Sign Committee

Glen E. Lytle, Special Assistant for Zoning

Meeting dates

The next meeting of the Ad Hoc Sign Committee will be on Monday, September 8, 1975 at 3:00 p.m. in the Planning Commission meeting room. At that time, we will try to complete the discussions of the changes that have been suggested by Mr. Tidwell of the Donrey Outdoor Advertising Company. A copy of the suggestions made by the committee have been put into appropriate language to fit into the ordinance and are attached for your review. We will prepare a map indicating the applicability of these regulations.

Due to the fact that Mr. Feldner has a conflict with the meeting of September 8, we will hold over any discussion on the application of fees until the meeting of September 15, 1975.

Glen E. Lytle
Special Assistant for Zoning

GEL:rme

cc: Robert A. Lakin, Director of Planning
Robert Feldner, Superintendent, Central Inspection
Chamber of Commerce, 350 West Douglas, 67202
Charles Sutherland, Wichita Board of Realtors
626 North Broadway, 67214
Wichita Association of Home Builders, 730 North Main, 67203
Jim Tidwell, Donrey Outdoor Advertising Co., 250 N. Kansas, 67214

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE August 18, 1975

TO Ad Hoc Sign Committee

FROM Robert A. Lakin, Director of Planning

SUBJECT August 25, 1975 Meeting

The next meeting of the Ad Hoc Sign Committee will be on the 25th of August at 3:00 p.m. in the Planning Commission meeting room. At that time, we should continue discussion of Mr. Tidwell's request as per the suggestions that he has made in his letter to me of August 14, 1975. A copy is attached for those who were not in attendance at the last meeting.

Also attached is my memory of the August 5 discussions with changes to the ordinance in line to what I believe to have been the Committee's action. This is contained in my memorandum to the sign committee dated August 15. As indicated to those in attendance at the last meeting, the bonus provision for landscaping contains some general criteria as to when the landscaping/architectural bonus can be utilized. I would appreciate any additional suggestions that members of the Committee may have.

At the last meeting, Mr. Rain, Savute and Friedman appeared before the Committee concerned about contents of the sign regulations, particularly insofar as it required permits to be obtained for signs erected without permits and relative to the fees for such permits and the fees for the three year "use" permit. I am sending these gentlemen copies of the ordinance, suggesting that they read them thoroughly, understanding what is exempted from the fee schedule and if they should have questions, to contact Mr. Feldner's office for clarification. I am also asking that they submit their concerns in writing to me so that we may transit it to the Committee. Should we complete the discussion on billboards, I would expect that you may want to move into a general discussion of fees. Frankly, I do not imagine we will make much headway on fees at the next meeting, but we should complete the billboard section and if possible a review of the previously suggested changes made to date.

Robert A. Lakin
Director of Planning

RAL:ber
Attachments
cc: Chamber of Commerce, 350 West Douglas 67202
Chas. Sutherland, Wichita Board of Realtors
Wichita Association of Homebuilders
Robert Feldner, Supt. of Central Inspection
Glen Lytle, Special Asst. for Zoning

August 18, 1975

Ad Hoc Sign Committee

Robert A. Lakin, Director of Planning

August 25, 1975 Meeting

The next meeting of the Ad Hoc Sign Committee will be on the 25th of August at 3:00 p.m. in the Planning Commission meeting room. At that time, we should continue discussion of Mr. Tidwell's request as per the suggestions that he has made in his letter to me of August 14, 1975. A copy is attached for those who were not in attendance at the last meeting.

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Robert A. Lakin
Director of Planning

RAL:ber
Attachments
cc: Chamber of Commerce, 350 West Douglas 67202
Chas. Sutherland, Wichita Board of Realtors
Wichita Association of Homebuilders
Robert Feldner, Supt. of Central Inspection
Glen Lytle, Special Asst. for Zoning

August 18, 1975

Mr. Phil Rain
2531 North Broadway
Wichita, Kansas 67219

Dear Sir:

As one of three who appeared at the Ad Hoc Sign Committee's last meeting in connection with the content of the sign ordinances, I am enclosing a copy of the three ordinances that are currently in force relative to signs. As I understand your major concern, it is relative to obtaining permits and the fees associated therewith. I further understand that you have concerns relative to the three year inspection provision and the fees therein.

After you have had an opportunity to read the ordinances in full, and particularly note the signs that are exempt from fees and permits, I would encourage writing down your specific concerns and if you should have recommendations in addition, forward them to me so that I can distribute them to members of the sign committee before their next meeting. It would be most helpful to have these in hand ahead of time so that the committee members will have an opportunity to have read through and studied them.

Our next meeting will be on August 25 in the Planning Commission room at 3:00 p.m. The agenda for that meeting, however, is to continue the discussion relative to billboard controls. In the event we finish that particular item, we will review the previously agreed on amendments as to content, and then if time is available, move on to consideration of fees and permits. It is difficult to say whether we will be able to get into the fee schedule on the 25. If not, then I would expect this would be the subject material for the next meeting which is yet to be scheduled. As soon as a meeting date is set for that subsequent meeting, I will keep you advised. If there are specific questions, particularly relative to fees, I would suggest that you address your

inquiries to Bob Feldner. If there are other concerns relative to the number of signs, the height, etc., please contact either my office, Glen Lytle, or Mr. Feldner.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:ber
Attachments

cc: Wm. J. Goebel, Chairman, Ad Hoc Sign Committee
Robert Feldner, Supt. of Central Inspection

August 18, 1975

Mr. John Savute
3303 North Broadway
Wichita, Kansas 67219

Dear Sir:

As one of three who appeared at the Ad Hoc Sign Committee's last meeting in connection with the content of the sign ordinances, I am enclosing a copy of the three ordinances that are currently in force relative to signs. As I understand your major concern, it is relative to obtaining permits and the fees associated therewith. I further understand that you have concerns relative to the three year inspection provision and the fees therein.

After you have had an opportunity to read the ordinances in full, and particularly note the signs that are exempt from fees and permits, I would encourage writing down your specific concerns and if you should have recommendations in addition, forward them to me so that I can distribute them to members of the sign committee before their next meeting. It would be most helpful to have these in hand ahead of time so that the committee members will have an opportunity to have read through and studied them.

Our next meeting will be on August 25 in the Planning Commission room at 3:00 p.m. The agenda for that meeting, however, is to continue the discussion relative to billboard controls. In the event we finish that particular item, we will review the previously agreed on amendments as to content, and then if time is available, move on to consideration of fees and permits. It is difficult to say whether we will be able to get into the fee schedule on the 25. If not, then I would expect this would be the subject material for the next meeting which is yet to be scheduled. As soon as a meeting date is set for that subsequent meeting, I will keep you advised. If there are specific questions, particularly relative to fees, I would suggest that you address your

inquiries to Bob Feldner. If there are other concerns relative to the number of signs, the height, etc., please contact either my office, Glen Lytle, or Mr. Feldner.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:ber
Attachments

cc: Wm. J. Goebel, Chairman, Ad Hoc Sign Committee
Robert Feldner, Supt. of Central Inspection

August 18, 1975

Mr. Jerry Friedman
3055 North Broadway
Wichita, Kansas 67219

Dear Sir:

As one of three who appeared at the Ad Hoc Sign Committee's last meeting in connection with the content of the sign ordinances, I am enclosing a copy of the three ordinances that are currently in force relative to signs. As I understand your major concern, it is relative to obtaining permits and the fees associated therewith. I further understand that you have concerns relative to the three year inspection provision and the fees therein.

After you have had an opportunity to read the ordinances in full, and particularly note the signs that are exempt from fees and permits, I would encourage writing down your specific concerns and if you should have recommendations in addition, forward them to me so that I can distribute them to members of the sign committee before their next meeting. It would be most helpful to have these in hand ahead of time so that the committee members will have an opportunity to have read through and studied them.

Our next meeting will be on August 25 in the Planning Commission room at 3:00 p.m. The agenda for that meeting, however, is to continue the discussion relative to billboard controls. In the event we finish that particular item, we will review the previously agreed on amendments as to content, and then if time is available, move on to consideration of fees and permits. It is difficult to say whether we will be able to get into the fee schedule on the 25. If not, then I would expect this would be the subject material for the next meeting which is yet to be scheduled. As soon as a meeting date is set for that subsequent meeting, I will keep you advised. If there are specific questions, particularly relative to fees, I would suggest that you address your

inquiries to Bob Feldner. If there are other concerns relative to the number of signs, the height, etc., please contact either my office, Glen Lytle, or Mr. Feldner.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:ber
Attachments

cc: Wm. J. Goebel, Chairman, Ad Hoc Sign Committee
Robert Feldner, Supt. of Central Inspection

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE August 18, 1975

TO Ad Hoc Sign Committee

FROM Robert A. Lakin, Director of Planning

SUBJECT August 25, 1975 Meeting

The next meeting of the Ad Hoc Sign Committee will be on the 25th of August at 3:00 p.m. in the Planning Commission meeting room. At that time, we should continue discussion of Mr. Tidwell's request as per the suggestions that he has made in his letter to me of August 14, 1975. A copy is attached for those who were not in attendance at the last meeting.

Also attached is my memory of the August 5 discussions with changes to the ordinance in line to what I believe to have been the Committee's action. This is contained in my memorandum to the sign committee dated August 15. As indicated to those in attendance at the last meeting, the bonus provision for landscaping contains some general criteria as to when the landscaping/architectural bonus can be utilized. I would appreciate any additional suggestions that members of the Committee may have.

COPY

At the last meeting, Mr. Rain, Savuts and Friedman appeared before the Committee concerned about contents of the sign regulations, particularly insofar as it required permits to be obtained for signs erected without permits and relative to the fees for such permits and the fees for the three year "use" permit. I am sending these gentleman copies of the ordinance, suggesting that they read them thoroughly, understanding what is exempted from the fee schedule and if they should have questions, to contact Mr. Feldner's office for clarification. I am also asking that they submit their concerns in writing to me so that we may transit it to the Committee. Should we complete the discussion on billboards, I would expect that you may want to move into a general discussion of fees. Frankly, I do not imagine we will make much headway on fees at the next meeting, but we should complete the billboard section and if possible a review of the previously suggested changes made to date.

RAL

Robert A. Lakin
Director of Planning

RAL:ber
Attachments
cc: Chamber of Commerce, 350 West Douglas 67202
Chas. Sutherland, Wichita Board of Realtors
Wichita Association of Homebuilders
Robert Feldner, Supt. of Central Inspection
Glen Lytle, Special Asst. for Zoning

DO

August 14, 1975

To: Mr. Robert Lakin, Director of Planning
Members of the Sign Ordinance Review Committee

From: J. L. Tidwell, Vice President & General Manager
Donrey Outdoor Advertising Company

Subject: Suggested changes to sign ordinance.

To begin, I want to state again that we generally agree with the regulations contained in the new sign ordinance as they pertain to (off-site signs) our industry.

Our suggestions for change are few as they represent only the situations that are presently having an extremely serious effect on our business. The suggestions and our reasons for requesting your consideration of these are as follows:

1. Light Commercial Zones. Those of you involved in the Planning Commission and Sign Committee meetings discussions on the regulations to make up the new sign ordinance adopted in December, 1974, will recollect the mention of a new zoning plan. Often times this new zoning plan was offered as a reason for the need of new regulations on signs, and the regulations being proposed were discussed in that context.

The importance of the new zoning to our business was the fact that it reclassified certain districts of the city now zoned light commercial and not allowing off-site signs, to zones allowing off-site signs. The areas in question have obviously taken on a configuration over the years that would more suitably be described under the present C-Zone district classification rather than LC.

It was our understanding during the discussions that the new zoning ordinance would be implemented at the same time. We were not aware that this would not be the case until shortly before the Sign Committee and Planning Commission concluded their hearings on regulations proposed for the new sign ordinance.

Donrey Outdoor Advertising Company

250 North Kansas Avenue Wichita, Kansas 67214 1-316-263-5293 Member Donrey Media Group

DO

It has come to our attention over the past few months that there is considerable opposition to the present proposal for new zoning and that previous similar proposals have been dropped due to this opposition.

We are, I believe understandably, not hopeful that the new zoning will take place; at least not anytime soon, as we expected.

We originally considered requesting that we be allowed to appeal to the Board of Zoning Appeals for a special permit to be allowed in certain areas presently zoned L C. We have however, since been advised that this particular situation would not fit the hardship and uniqueness criteria required for this type request.

For the preceding reasons we suggest that off-site signs be allowed in certain L C zones that meet the following criteria.

A. There shall be not less than 70% of the designated mile adjacent to any of the commercial or industrial zoning districts.

B. No off-site sign shall be located less than 100 feet from a residence.

C. No off-site sign shall be located on a property zoned L C that has less than 200 feet of frontage on the designated arterial or expressway, which is bordered on both sides along the designated arterial or expressway by a residential zone. This will also apply if bordered on one side by a street with a residential district across the street.

D. Any off-site sign shall be located only on a property adjacent to an arterial or expressway street as designated on the city transportation plan.

E. Any sign permitted by this section of the code shall comply with all general limitations placed on off-site signs by 28.04 139 L.

F. Any off-site sign shall face the direction of travel along the arterial or expressway used in determination of compliance to regulations.

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DO

Height Restriction. We went through eighteen months of meetings with two committees and the Planning Commission. It was accepted by these three groups that a forty foot height limitation on off-site signs was reasonable. These decisions were made after in-depth debate on the reasons. The main reason in this case was the fact that new regulations were being added that would affect where we located an off-site sign on a property, relative to existing on-site signs that may already be there. Another reason was that we were being required to set back with the required building lines under the new ordinance.

After all of this debate on this subject the City Commission, with very little discussion of the reasons or need for the forty foot height, reduced the limitation to thirty feet.

The outdoor advertising industry does not like to build high signs. We know from research and logic that they do not read as well as those closer to the normal vision level of the driving public.

Another obviously important factor is, it costs more. For these reasons it's illogical to build an off-site sign structure any higher than absolutely necessary. If you will take particular notice of off-site signs in the city, you will see that 95% of the ground supported signs are less than thirty foot in height.

It was only for the unusual exceptions that we requested (and received) approval of the forty foot restriction for off-site signs by the Sign Committee and Planning Commission.

One particular exception situation that is seriously affecting our ability to serve our customers is the case of elevated highways. In many cases the deck height of this type highway does not allow us to build a sign structure that will read to the traffic on that artery and comply with the thirty foot height restriction.

This is a serious situation to us and our customers as the advertising on those types of highways is needed to direct the transit traffic these arteries carry through the city to local food, lodging and automobile services.

Donrey Outdoor Advertising Company

250 North Kansas Avenue Wichita, Kansas 67214 1-316-263-5293 Member Donrey Media Group

DO

To remedy this situation we suggest the following.

A. Off-site signs be allowed to be constructed to a height of 40 feet or 14 feet above the grade or deck level at the outer edge of the highway, whichever is the smallest figure. This would apply to those highways where the grade level at the outside edge of the deck or paving is _____ feet or more above the grade level at the right-of-way line.

B. We suggest that the minimum spacing between off-site signs on these type highways be increased to 500 feet, rather than the present 330 feet.

We will attempt to live with the thirty foot height restriction in all other areas.

3. Permits. In discussions prior to the adoption of the present fee system it was indicated that the new fees would be approximately double the old fees. As it has turned out, the new fees are more than three times what they were previously. We would like to discuss getting the fees back in line with what we expected.

Regards,

J. L. Tidwell

J. L. Tidwell
General Manager, Donrey Outdoor Advertising

JLT:jc

Donrey Outdoor Advertising Company
250 North Kansas Avenue Wichita, Kansas 67214 1-316-263-5293 Member Donrey Media Group

August 14, 1975

To: Mr. Robert Lakin, Director of Planning
Members of the Sign Ordinance Review Committee

From: J. L. Tidwell, Vice President & General Manager
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B. We suggest that the minimum spacing between off-site signs on these type highways be increased to 500 feet, rather than the present 330 feet.

We will attempt to live with the thirty foot height restriction in all other areas.

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General Manager, Donrey Outdoor Advertising

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WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE August 1, 1975

TO Ad Hoc Sign Committee

FROM Robert A. Lakin, Director of Planning

SUBJECT Meeting of August 4, 1975

The Ad Hoc Sign Committee will meet again at 3:00 p.m. on August 4, 1975 in the Planning Commission room.

At the last meeting work began on the issues raised by the Kansas State Sign Association letter from Mr. Hale. Item 3 of the letter was dismissed as having been resolved. Item 1 relative to wing boards and similar type of signs near service stations, was resolved by directing that an amendment be proposed which would allow an owner to have extra signs which, in essence, utilized any allowable sign area which was unused on building signs or the ground and pole signs out front. That is, if for an allowable sign, only half of the area permitted is used, he could have an extra sign back near the building which utilized the other half of this allowable sign area. The motion was to include the computation based on the allowable sign area from the ground and pole sign section and from the building sign part of the ordinance.

I have drafted this in two ways. Either way, I think would accomplish the job. Our staff will have a further look and so will Central Inspection before the Monday afternoon meeting.

The first alternate is to amend what types of signs are allowed in each of the "LC", "C", "E", "D", and "F" districts. This allows a change in the ratio of signage permitted between the "LC" and "heavier" districts. The reason I raise this issue is that building signs in the "LC" are based on 25% of the gross area of the front elevation of the building whereas a ratio of 6 square feet of sign to one square foot of lot frontage is the criteria in the heavier zones. This, conceivably, could be much higher than a 25% ratio. The following first alternate reduces the amount permitted in these so-called trade-off signs in the "C", "D", "E" and "F" districts to a lesser ratio than that in the "LC".

ALTERNATE 1

Section 28.04.139.C.

Add

"3. Additional on-site ground or pole signs are allowed provided:

a. The area of the sign does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized in paragraphs 1 and 2 of this subsection.

b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot, but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

c. The number of ground and pole signs shall not exceed twice the number permitted in Section 28.04.139.K.1.

Section 28.04.139.H.

Add

"5. Additional on-site ground or pole signs are allowed provided:

a. The area of the sign does not exceed the difference between the total of one-half of the maximum allowable sign area for building signs and the maximum area for ground signs; and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized in paragraphs 1 and 3 of this subsection.

b. The location of such sign(s) shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot, but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

c. The number of ground and pole signs shall not exceed twice the number permitted in Section 28.04.139.K.1.

Section 28.04.139.I.

Add

"4. Additional on-site ground or pole signs are allowable provided:

a. The area of the sign does not exceed the difference between the total of one-half of the maximum allowable sign area for building signs and the maximum area for ground signs; and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of signs exceed that authorized in paragraphs 1 and 2 of this subsection.

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Add

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c. The number of ground and pole signs shall not exceed twice the number permitted in Section 28.04.139.K.1.

A second alternate would be to amend the ordinance so that the trade-offs are applicable to all commercial and industrial zoning districts. This involves Section K of the ordinance.

ALTERNATE 2

Amend paragraph K.1 to be designated as paragraph K.1.a.

Add a new K.1.b. as follows:

"Additional ground or pole signs are permitted where the area of the sign does not exceed the difference between the maximum allowable sign area for building signs and ground signs and the actual area of existing signs or signs on which a permit shall have been issued. In no event shall the total area of all on-site signs exceed that authorized in 28.04.139.K.4 and the area for building signs.

Add a new K.1.c. as follows:

"The number of on-site ground and pole signs authorized in 1.b. shall not exceed twice the number permitted in Section 1.a.

Amend 28.04.139.K.6 to read as follows:

"6. Location on Property. On-site ground or pole signs shall not project over public right-of-way, and shall be located not closer to an adjacent property line than one-third the frontage of the zoning lot or ~~25~~ 15 feet; whichever is less. When more than one sign is permitted on a zoning lot, there shall be a distance of not less than 150 feet between signs. The location of such sign(s) authorized in 1.b. above, shall not extend beyond a line ten (10) feet from and parallel to the front elevation of the main structure on the zoning lot, but in no event shall it be nearer than thirty-five (35) feet to any property line abutting a street.

Item 4 of the Hale letter discussed the placing of pole signs in and about the building, not as a trade-off, but simply as one of the permitted rights in locating ground and pole signs. I believe by the language that I have structured, this can be accomplished as long as the total signage limitations are complied with.

There was some concern that by allowing the wing wall or the trade-off type signs, that actually wing walls would not be built, but any number of types of smaller ground or pole signs would be built and thus add to the proliferation of signs. I have attempted to limit this to some degree (even though not in your motion), by limiting the number of these trade-off type signs on site.

The matter relative to item 2 of the Hale letter dealing with the setback from adjacent property lines is included in the paragraph in Alternate 2 of the first question. Specifically, it is in the change from 25 to 15 in paragraph 28.04.139.K.6.

This language need not be final and any suggestions that you may have, or the staff may have, as to clarity will be appreciated.

Robert A. Lakin

Robert A. Lakin
Director of Planning

RAL:ber

August 1, 1975

Ad Hoc Sign Committee

Robert A. Lakin, Director of Planning

Meeting of August 4, 1975

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Section 28.04.139.I.

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Director of Planning

RAL:ber

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE July 21, 1975

TO Members of the Sign Review Committee

FROM Robert A. Lakin, Director of Planning

SUBJECT Review of Recently Adopted Sign Regulations

The Planning Commission and City Commission have had two requests; one from the billboard industry and one from the sign industry in general, to review certain provisions of the recently adopted sign regulations of the City of Wichita. During the last review session concerning temporary signs, the Planning Commission decided to limit their discussion to those particular matters under review. At that time, they indicated that in the month of July, they would commence a review of the issues raised by Mr. Tidwell and by Mr. Everett Hale, through the special sign committee appointed by the Chairman of the Planning Commission.

Since the last work session of that Committee, Mike Gragert has resigned from the Planning Commission and is no longer a member of that Committee. As such, the Chairman of the Planning Commission has appointed Bill Goebel as replacement for Mr. Gragert and designated him Chairman of this committee. Other members of the sign committee are as follows:

David Bayouth, Planning Commissioner
Dwight Hopper, Planning Commissioner
Paul Elliott, Zoning Advisory Committee Member
Ken Stewart, Zoning Advisory Committee Member
Don Boyd, Bottling Industry
Everett Hale, Sign Industry
Joan Kamas, Environmental Resources Board
Pat Guinan, Wichitans for Better Signs
Barbara Arvold, Wichitans for Better Signs

Attached is the current sign ordinance as amended by the Board of City Commissioners on July 15. It is expected that this ordinance will be adopted on July 22 and be published later this week. This will provide you the current status of sign regulations as they exist. Also attached are the requests from Mr. Hale and from Mr. Tidwell.

Inasmuch as it is expected that these issues will be time-consuming, it is suggested that there will need to be several meetings in order to resolve the issues and to make recommendations to the Planning Commission and ultimately to the City Commission. It should be remembered that once recommendations from this ad hoc sign committee have been formulated, any changes to Title 28 of the City Code (zoning ordinance), will require the

Planning Commission to authorize their being advertised for public hearing. After the appropriate publication and the required waiting time occur, the Planning Commission will hold a public hearing on the items and then forward their recommendations in the form of an ordinance, to the City Commission for their action. Title 24 of the City Code does not require these public hearings and thus can be amended at any time the recommendations are forwarded to the City Commission in ordinance form.

In order to facilitate these meetings, it is suggested that we begin on July 28 and meet when possible on a regular Monday basis. It is my suggestion that we meet at approximately 3:00 p.m. and plan on working for two or two and one-half hours at the maximum each time. As a tentative schedule, I have reserved the Planning Commission meeting room on the days of July 28, August 4, and August 25. Inasmuch as the meeting room and the staff are committed for the afternoon of August 11, it is suggested that we meet that week on Friday, August 15. That will provide some turnaround time before the next meeting on August 25, in order to prepare any material the Committee may desire to have developed.

It is my suggestion that we begin with Mr. Hale's letter and take the items in order listed. It is further suggested that all the meetings be open to anybody who wishes to speak to any of these particular items and that any of the people receiving copies of this letter should inform others that may have an interest in this matter to attend these meetings.

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Robert A. Lakin
Director of Planning

RAL:ber
Attachments

cc: Harlan Kamen, Chairman, MAPC
Charles Sutherland, Wichita Board of Realtors
Craig Mann, Wichita Assn. of Homebuilders
Chamber of Commerce

July 21, 1975

Members of the Sign Review Committee

Robert A. Lakin, Director of Planning

Review of Recently Adopted
Sign Regulations

The Planning Commission and City Commission have had two requests; one from the billboard industry and one from the sign industry in general, to review certain provisions of the recently adopted sign regulations of the City of Wichita. During the last review session concerning temporary signs, the Planning Commission decided to limit their discussion to those particular matters under review. At that time, they indicated that in the month of July, they would commence a review of the issues raised by Mr. Tidwell and by Mr. Everett Hale, through the special sign committee appointed by the Chairman of the Planning Commission.

Since the last work session of that Committee, Mike Gragert has resigned from the Planning Commission and is no longer a member of that Committee. As such, the Chairman of the Planning Commission has appointed Bill Goebel as replacement for Mr. Gragert and designated him Chairman of this committee. Other members of the sign committee are as follows:

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Dwight Hopper, Planning Commissioner
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Ken Stewart, Zoning Advisory Committee Member
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Chamber of Commerce

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE July 21, 1975

TO Members of the Sign Review Committee

FROM Robert A. Lakin, Director of Planning

SUBJECT Review of Recently Adopted Sign Regulations

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Chamber of Commerce

ELECTRICAL Advertising DISPLAYS

RECEIVED APR 14 1975 METROPOLITAN PLANNING

CLAUDE NEON FEDERAL CO. S. W. / P. O. BOX 11163 / 139 CLEVELAND / WICHITA, KANSAS 67202

April 11, 1975

Mr. Robert Lakin
Metropolitan Area Planning Comm.
104 South Main
Wichita, Kansas 67202

Dear Mr. Lakin:

This is to advise that as the representative of the Kansas State Sign Association, I am hereby making application for amendments to the existing Sign and Zoning Ordinance approved December 13, 1974.

At the present time the City Commission has appointed an ad hoc committee of ten people to look into amendments to the existing ordinance. I am a member of that committee, and in the meetings to date we have considered only changes regarding temporary signs. However, in that the Metropolitan Area Planning Commission is now considering amendments to the existing ordinance and will be advertising for public hearings, we feel that this would be the time to consider other changes that we feel are necessary to the best interests of the business people here in Wichita.

During the many meetings that eventually led up to the ordinance being proposed to the City Commission, which was ultimately adopted, it was my understanding in discussions with the MAPC that if we found areas of the ordinance we could not live with they would be open for discussion. The following items have become problems and we feel the need for amendments.

One of the items would be that the Building Inspection Department have a complete understanding of the ordinance and the amendments thereto so that not only the sign companies and planning department, but also they would have a mutual understanding. At the present time, even though we were present at all meetings discussing the current ordinance, we are very seldom in agreement with the Building Inspection Department and nearly always in agreement with the Planning Department.

WICHITA, KANSAS
(316) 264-7318

OKLAHOMA CITY
(405) 235-6438

ELECTRICAL Advertising DISPLAYS

CLAUDE NEON FEDERAL CO. S. W. / P. O. BOX 11163 / 139 CLEVELAND / WICHITA, KANSAS 67202

Item 1. At the present time, wing boards, which have been erected at many service stations, are being counted in determining the total area of ground signs allowable. While we feel the basic ordinance limiting square foot areas allowed for ground signs is in the best interest of the public, we can not agree that these wing boards should be counted.

First of all they are decorative, and as there are many service stations abutting residential areas the wing boards tend to serve as a screen, and in our opinion enhance the appearance of the station and the surrounding area. The only limitation we would recommend is that the sign areas on these wing boards be limited to 25% of the total area and that they further be limited to the side facing the station area.

Item 2. One of the areas creating many problems is the set-back of ground signs from adjoining property and driveways. Many times the only possible location for setting a sign will end up in the middle of a driveway or other area needed for parking, etc. There was no reason, in our opinion, to change the old ordinance which simply stated the sign must set back from the adjacent property in an amount equal to the projection of the sign. In the new ordinance, while there is no projection over public property, we would recommend that the sign set back from the adjoining property a distance equal to the length of the sign with no further restrictions.

Item 3. This item is in regard to all signs. The old ordinance allowed signs to project above the parapet wall at an accepted distance of 2' above the parapet wall. At the present time the Inspection Department has determined there shall be no projection above parapet walls. It is our opinion that as long as the sign

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is installed in a structurally safe manner without any structural members showing, the projection of 2' should continue to be allowed. We feel this is quite reasonable in that the ordinance reads you can install signs in nearly all areas 4'6" above the roof line.

Item 4. The limitation as to the number of signs on a single piece of property is in our opinion a reasonable attempt to regulate the number of signs; however, some of the intent has been lost in that it is our opinion that the signs to be counted would be signs mounted out at the property line of a given piece of property. However, this is not the interpretation of the Building Inspection Department. We would recommend that signs not be counted when installed on poles within 10' of the building, especially in areas where they meet all set-back requirements of the new ordinance.

Item 5. One of the other problem areas that has become a real problem, and we feel is discriminatory, is in small shopping areas having a frontage of 150' or less where one building has been vacated and some of the other tenants have existing displays. The new tenant is then limited to signs on the building only or he must bear the expense of remodeling a sign that belongs to some one else, provided the other tenant would even agree to it. Again, we think the intent of the ordinance is good, and we would not like to see pressure brought to bear by either the rental agencies for the centers or the developers themselves which would result in this portion of the ordinance proper being thrown out. We feel that there is much merit to limiting the number of signs; however, we feel under certain circumstances there would be reason for granting variance. The procedure now would be to apply to the Board of Zoning Appeals, which is a lengthy process with a minimum investment of $50.00, for which you have no guarantee, and in that most small new businesses already have their share of problems, and if they are unable to use on-premise advertising, which is probably

ELECTRICAL Advertising DISPLAYS

CLAUDE NEON FEDERAL CO. S. W. / P. O. BOX 11163 / 139 CLEVELAND / WICHITA, KANSAS 67202

the least expensive advertising they can buy, they may well be out of business before the Board of Zoning Appeals agrees to do something for them. We are, therefore, recommending that a variance board be set up with the authority to grant a variance on the spot, consisting of one member from the Planning Department, one member from Wichita For Better Signs, one member from the sign industry, one real estate man, and one of the business men.

Item 6. One of the items that is not clarified in the new ordinance covers store front remodeling. Many sign manufacturers are working in this area because we have the design and engineering departments to completely remodel older buildings, not only furnishing signs but also completely up-dating the store front. There is a need for this type of service in that most of the architects are not interested because of the small fee involved, and no one really wants to coordinate all of the different trades involved in remodeling store fronts. Again, we would want clarification so that only sign limitations be considered in the square footage limitation and all architectural features be considered under the building permit.

Item 7. We previously recommended that for better looking signs all pole supported signs be installed eliminating any guy wires and poles necessary for the side guys. It is true that there would be a slight additional cost to furnish structural supports eliminating guy wires; however, the finished appearance would more than justify the added cost.

Item 8. At the present time, the maximum height of a display is limited to 45'. This can only be adjusted through the elimination of other displays. However, we had previously discussed with MAPC the possibilities of allowing increases in height for landscaping at the base of the display. In nearly all cases our art

ELECTRICAL Advertising DISPLAYS

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department suggests landscaping on any ground mounted display; however, we sell less than 1% because of the added cost to the customer, and unless there is an incentive for him to do so, he simply will save the money. Therefore, as we are really interested in a better visual environment, we would recommend that they be allowed 2" of additional height for each square foot of landscaping with a maximum gain of 10' above the normal height. This would make the total height limitation 55' with landscaping.

We feel all of the above changes are in the best interests of the public and our industry, and would strongly recommend adoption for presentation to the City Commission.

Very truly yours,

Everett F. Hale
Executive Director
Kansas State Sign Association

EFH:cw

WICHITA, KANSAS
(316) 264-7318

OKLAHOMA CITY
(405) 235-6438

April 21, 1975

Mr. Bob Lakin
Metropolitan Area Planning Department
104 South Main
Wichita, Kansas 67202

Re: Off-site Signs - Light Commercial Zones.

Dear Bob:

I have requested by letter to Mr. Kamon that the Planning Commission have us on their agenda as soon as possible for the purpose of discussing allowing off-site signs in areas zoned light commercial.

We are requesting this because according to the information we receive, there seems to be considerable doubt that the new zoning will be implemented anytime soon, if at all.

We have suggested that off-site signs be allowed in light commercial zones by exception, or variance if certain criteria exists. However, due to the time and expense involved we would very much prefer new zoning.

Thinking along the lines of new zoning we would like to pose this question: Would it be possible to insert a new zone designation such as L.C.-A, into the present ordinance for those areas planned to be B-4 or B-5, under the new zoning?

I would appreciate your views on this subject and would like to discuss it with you further prior to a Planning Commission meeting.

Best regards,

Jim Tidwell

RECEIVED
APR 24 1975
METROPOLITAN AREA PLANNING

JT:jc

Donrey Communications Company, Inc.
d/b/a Donrey Outdoor Advertising Company
Donrey Outdoor Advertising Company
250 North Kansas Avenue Wichita, Kansas 67214 1-316-263-5293 Member Donrey Media Group

April 16, 1975

Mr. Harlan Kamen, Chairman
Metropolitan Area Planning Commission
5517 Polo Drive
Wichita, Kansas 67208

Dear Mr. Kamen:

First, let me apologize for intruding on the M. A. P. C. meeting of April 11th. I was not sure if the meeting was open for discussing anything pertaining to the sign ordinance or not, but thought I would check and see.

The attached letter will explain what I wished to discuss with the Planning Commission. This should not be a controversial item as the new sign ordinance and zoning ordinance were originally planned to be implemented together.

We would appreciate the opportunity to discuss this proposal with the Planning Commission at your earliest convenience.

Best regards,

J. L. Tidwell

J. L. Tidwell

JLT:jc
Enc.

Donrey Communications Company, Inc.
d/b/a Donrey Outdoor Advertising Company
Donrey Outdoor Advertising Company
250 North Kansas Avenue Wichita, Kansas 67214 1-316-263-5293 Member Donrey Media Group

April 10, 1975

Chairman Kamen and members of the Commission:

As some of you will remember, all during the time regulations for the new sign ordinance adopted Dec. 10th, were being discussed, there was continuous reference to a plan for new zoning.

This new zoning plan was given as one of the major reasons for the need of better sign regulations, most of which we agreed with.

As it turned out the new regulations were adopted but the new zoning plan has not been to date. This is causing a considerable hardship on us and we would like to request the following relief until such time as the zoning changes are made.

To 28. 04. 183 add the following:

The Board of Zoning Appeals may by special permit, grant exceptions and authorize off-site signs to be located in the "L. C." (light commercial) district, subject to the following conditions and requirements.

A. Any off-site sign shall be located on a property adjacent to an arterial or expressway street as designated on the city transportation plan.

B. Any sign permitted by this section of the code shall comply with all general limitations placed on off-site signs by 28. 04. 139 L.

C. Any off-site sign shall face the direction of travel along the arterial or expressway street used in determination of compliance above.

D. Any other conditions the Board of Zoning Appeals might deem appropriate.

The type of areas that I am referring to here would be those that would be zoned B-4, B-5 in the proposed new zoning. We are not suggesting that we be allowed in any areas presently zoned "Light Commercial" that would not be rezoned to B-4, B-5 under the new plan.

If allowed to request and possibly receive these special permits, it will enable us to remove an existing non-conforming sign structure from a residential area where it has been annexed into the city over the years, and replace it with a new structure in an area with a configuration compatible with off-site sign use.

We respectfully request your consideration of these changes to the sign ordinance.

Examples of areas involved:

1. So. Broadway - Kellogg to Pawnee

2. No. West St. - Maple to Central

3. No. Broadway - Murdock to 13th St.

Regards,

J. L. Tidwell
Vice President & General Manager
Donrey Outdoor Advertising Company

JLT:jc

E. There shall be not less than 75% of the designated mile adjacent to any of the commercial or industrial zoning districts.

Amendment 7-15-75
1st Reading C.C.

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 28.04.139 B, and 28.04.139 C.8, OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO THE PLACEMENT AND CONTROL OF TEMPORARY AND PORTABLE SIGNS ON COMMERCIAL AND INDUSTRIAL PROPERTIES; AND THE LIMITATIONS FOR SPECIAL DISPLAYS; AND REPEALING SAID ORIGINAL SECTION 2.04.139 C 8.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Section 28.04.139 B of the Code of the City of Wichita, Kansas, shall be amended by adding the following to the list of signs exempt from the provisions of the Code:

"5. Temporary on-site signs placed in or upon windows of a commercial or industrial building, whether painted or attached.

6. Signs designed as an integral part of vending machines and dispensing equipment; signs which are an integral part of merchandise display racks; and similar merchandise and advertising displays. All such signs included in this exemption shall be located within eight feet of the building and not on public right-of-way, provided, however such signs located on service station properties may also be located on, or immediately adjacent to, the service islands. This provision shall in no way be deemed to permit the display or storage of merchandise, vending machines or equipment not otherwise permitted by the provisions of this Code."

Section 28.04.139 C.8 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"8. Signs, portable and advertising decorations, temporarily displayed during special event periods only, such as grand openings, holidays, carnivals and the like, with a limit of twelve such events and a total time limitation of six weeks within any calendar year for any business or institution."

The original of Section 28.04.139 C.8 of the Code of the City of Wichita, Kansas, is hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

ADOPTED at Wichita, Kansas, this _____day of_____, 1975.

_____
Connie A. Peters, Mayor

ATTEST:

_____
Donald C. Gisick, City Clerk

(SEAL)

PUBLISHED IN THE DAILY RECORD ON DEC 13 1974

ORDINANCE NO. 33-589

AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION, CONSTRUCTION, MAINTENANCE AND USE OF SIGNS AND SIGN DISPLAYS WITHIN THE CITY OF WICHITA, KANSAS; DEFINING SIGNS AND SIGN DISPLAYS AND PROVIDING FOR PERMITS AND FEES IN CONNECTION WITH THE LOCATION, CONSTRUCTION, MAINTENANCE AND USE THEREOF; PROVIDING FOR PENALITIES FOR THE VIOLATION OF THE PERMIT REQUIREMENTS; PROVIDING FOR RESTRICTIONS ON NONCONFORMING SIGNS, ABANDONED SIGNS, AND THE REMOVAL OF SIGNS AND SIGN DISPLAYS; PROVIDING FOR THE LICENSING OF SIGN HANGERS WITH BONDING REQUIREMENTS; PROVIDING FOR RIGHT OF ENTRY, INSPECTIONS, APPROVAL AND REVOCATION OF SIGN AND SIGN DISPLAY PERMITS; SUBSTITUTING THIS ORDINANCE FOR TITLE 24 OF THE CODE OF THE CITY OF WICHITA, KANSAS AND REPEALING THE ORIGINAL SAID TITLE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Title 24 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

"24.04.010. Title. This ordinance shall be known as the "Sign Ordinance of the City of Wichita, Kansas".

24.04.020. Purpose. The purpose of the sign regulations set forth in this ordinance shall be to eliminate potential hazards to motorists and pedestrians; to encourage signs which, by their location and design, are harmonious to the buildings and sites which they occupy, and which eliminate excessive and confusing sign displays; to provide an opportunity to achieve a reasonable balance between the need of the sign and outdoor advertising industries while improving and preserving the visual qualities of the community; to protect public and private investment in buildings and open spaces; to provide for the administration of the regulations imposed and set forth in the Zoning Ordinance of the City of Wichita; and to promote the public health, safety and general welfare.

24.04.030. Applicability. The provisions of this ordinance shall apply to the construction, erection, alteration, use, location and maintenance of all signs located out of doors; to those signs painted on any part of a building; and to those signs

placed within a building for the express purpose of being visable from the exterior of the building.

(a) Exceptions. The provisions of this ordinance shall not apply to:

(1) Signs exempt from the provisions of the zoning ordinance by Section 28.04.139-B.

(2) Temporary decorations or displays located on private property celebrating the occasion of traditionally-accepted patriotic or religous holidays.

(3) Signs on a truck, bus, trailer or other vehicle while operated in the normal course of a business which is not primarily the display of such signs.

(4) Window displays and temporary on site signs placed in the windows of any commercial or industrial building.

(5) Scoreboard structures in athletic stadiums that the face of which is not visable from any residence or public street.

(b) Exemption from permit fees. All provisions of this ordinance shall apply to the following signs except that permits or permit fees shall not be required for:

(1) Temporary, nonilluminated, real estate signs, not more than eight square feet in area, advertising the sale, lease or rental of the premises on which the sign is located,

(2) Political signs not exceeding 32 square feet in area, provided such signs shall not be more than 5 feet in height and shall not be located closer than 6 feet to a property line,

(3) Nameplate signs not exceeding two square feet in area accessory to a dwelling,

(4) Temporary on site signs in conjunction with licensed miscellaneous sales, not exceeding two square feet, and located on private property, or

(5) Special displays as set forth in Section 24.

24.04.040. Definitions. The definition of terms and description of sign types used in this ordinance are set forth in the zoning ordinance, Title 28 of the code.

24.04.050. Permits Required. Except as otherwise provided in this ordinance, it shall be unlawful for any person to erect, alter, relocate, create by painting or maintain a sign within the City without first obtaining a permit from the Superintendent of Central Inspection who shall issue permits for the following:

(a) Initial sign and use permit. This permit shall be required for all new signs erected, relocated, created by painting, reconstructed, or for signs altered to increase the height or area. The initial sign and use permit shall be valid for a period of three years from the date of issuance. At the termination of the initial sign and use permit the owner shall be required to obtain an existing sign use permit.

(b) Existing sign use permit. The owner of any sign regulated by this ordinance, except temporary signs and portable signs, in existence on the effective date of this ordinance, shall obtain a sign use permit and renew the permit triennially for as long as the sign is used. Permanent signs in existence on the date of enactment of this ordinance which do not conform to the provisions of this code, but which were constructed, erected, affixed or maintained in compliance with all previous applicable regulations, shall be regarded as nonconforming signs and may be continued

as nonconforming signs, from the effective date of this ordinance, for a period of not to exceed fifteen years before conformance or removal. A sign use permit shall be valid for a period of three years.

(c) Temporary sign permit. The owner of any temporary sign or portable sign shall obtain a temporary sign permit. All temporary signs and portable ground signs existing on the effective date of this ordinance may remain in use for 60 days after which it will be necessary to comply with all applicable regulations and obtain a temporary sign permit. Temporary sign permits shall be valid only for the duration of time noted on the permit and furthermore subject to all applicable provisions of the city ordinances.

24.04.060. Permit Application and Issuance. Application for permits shall be made to the Superintendent of Central Inspection upon forms provided by the City and shall be accompanied by such information as may be required to assure compliance with all appropriate regulations. This may include drawings indicating the sign legend or advertising message, location, dimensions, construction and structural design. If the Superintendent of Central Inspection deems it necessary, he may also require that a licensed engineer furnish information concerning structural design of the sign and the proposed attachments.

The Superintendent of Central Inspection shall issue a permit for a sign when an application therefor has been made and the sign complies with all applicable regulations of the City.

An initial sign and use permit issued under the provisions of this ordinance shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within 90 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned for a

period of 120 days or more at any time after the work is commenced. The Superintendent of Central Inspection may grant extensions to these time limitations when a request is made in writing due to unusual circumstances. Before such work can be commenced or resumed thereafter a new permit shall first be obtained and the fee thereof shall be one-half the amount required for a new permit for such work, provided no changes have been made in the original design of the sign and provided further, that such suspension or abandonment has not exceeded one year.

The Superintendent of Central Inspection may, in writing, suspend, or revoke any permit issued under the provisions of this ordinance whenever the permit is issued on the basis of a material omission or misstatement of fact, or the sign is in violation of this ordinance or any other applicable ordinance.

No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain a public or private nuisance nor shall any permit issued hereunder constitute a defense in an action to abate a nuisance.

24.04.070. Permit fees. The fees prescribed herein must be paid to the City of Wichita for each sign for which a permit is required and shall be paid before any such permit is issued.

(a) Initial Sign and Use Permit Fee.

(1) For each sign that is erected, installed, affixed, relocated, created by painting, or reconstructed, the initial sign and use permit fee shall be $10.00 (TEN DOLLARS) plus $2.00 (TWO DOLLARS) per each 10 square feet of sign area or major fraction thereof.

(2) For each existing sign that is altered to increase the area or height of the sign, an initial sign and use permit fee of $10.00 (TEN DOLLARS) plus $2.00 (TWO DOLLARS) per each 10 square feet of sign area increase or major fraction thereof. Credit toward the payment of this fee may be any unused portion of the existing sign use permit.

(3) For each sign that is erected, installed, affixed, altered, relocated, created by painting, or reconstructed, without first obtaining an initial sign and use permit, the fee shall be twice the amount specified above.

(b) Existing Sign Use Permit Fee.

(1) For each existing sign for which a sign use permit is required a sign use permit feet of $12.00 (TWELVE DOLLARS) shall be paid for any sign not exceeding 150 square feet in gross surface area and for any sign exceeding 150 square feet in gross surface area the permit fee shall be $15.00 (FIFTEEN DOLLARS).

When the application for an existing sign use permit is accompanied by a certificate of inspection by a licensed and bonded sign hanger, the permit fee stated above shall be reduced to one-half the amount.

(2) Failing to secure a sign use permit within 30 days after notification by the Superintendent of Central Inspection, the fee shall be twice the amount specified above.

(c) Temporary Sign Permit Fee.

(1) For temporary signs and displays for which a permit is required, a temporary sign permit fee of $8.00 (EIGHT DOLLARS) for the first 75 square feet of sign area plus $2.00 (TWO DOLLARS) for each additional 100 square feet of sign and display area or major fraction thereof, plus $1.00 (ONE DOLLAR) for each 30 day period the permit is issued therefore. (For the purpose of calculating the permit fee when more than one sign, display, pennant, or streamers etc. are to be used,

the areas of the signs shall be actual, and the area of pennants, streamers and other wind type signs shall be estimated at one square foot for each lineal foot of such display).

(2) For temporary signs and displays placed on a property without the permit as required, the fee shall be twice the amount specified above.

(d) Double Fee.

The payment of a double fee for failing to obtain the appropriate permit prior to the erecting, placing, installing, creating by painting, affixing, reconstructing or altering a sign shall not relieve any person from complying with other provisions of this ordinance or from the penalties prescribed herein.

24.04.080. Conditions for Sign Use Permit. All signs together with all their supports, braces, connections, anchors and any appurtenance thereto, shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. Every sign and the immediate surrounding premises shall be maintained by the owner or person in charge thereof in a safe, clean, sanitary, and inoffensive condition, and shall be kept free and clear of all obnoxious substances, rubbish and weeds.

Any crazing, fading, chipping, peeling or flaking of paint, plastic or glass, or any mechanical, electrical or structural defect shall be corrected before any sign use permit is issued.

24.04.090. Signs Hereafter Rendered Nonconforming. Any sign which becomes nonconforming subsequent to the effective date of this ordinance, either by reason of annexation to the City of the zoning lot upon which the sign is located, or the amendment of this ordinance or any other ordinance so as to render such sign nonconforming shall be subject to the provisions of this ordinance. The period within which such sign must be

removed shall commence to run upon the effective date of the annexation, amendment or the date upon which the sign otherwise becomes nonconforming.

24.04.100. Alteration and Repair of Nonconforming Signs. No alteration or repair shall be made to any nonconforming sign unless such sign is brought into conformance with all applicable regulations, except for the following:

(a) Altering or changing the copy of any off site sign, and the copy of on site signs for the same business on the zoning lot, and may include the sign faces when no structural modifications of the sign are made, or such alteration does not increase the height, area or type of the sign.

(b) Structural alterations or repairs to any nonconforming sign shall be limited to signs damaged by fire, explosion, act of God, traffic accident or other similar accident, and when the damage does not exceed 50% of its structural value.

(c) Normal maintenance and repairs required for the issuance of a sign use permit.

24.04.110. Permits for New Signs or Expansion of Nonconforming Signs. No permit shall be issued for a new sign or the reconstruction, relocation or expansion of a nonconforming sign, when the issuance of the permit would be contrary to applicable regulations, except for the following:

(a) Off site signs may be erected, relocated, expanded or reconstructed only when the number of permitted off site signs within a designated mile is being reduced, or is less than the number permitted by all applicable regulations and the total square feet of permitted off site sign area (number of permitted signs multiplied by the maximum permitted sign area) within the designated mile is not exceeded. However, if the total square feet of off site signs in the

designated mile exceeds, the permitted area, then a permit shall be issued only when an equal or greater amount of off site sign area is being removed within the designated mile and the number of off site signs within the designated mile is being reduced. Permits for the relocation, reconstruction or expansion of nonconforming off site signs shall be limited to the sign structures that would be permitted by all applicable regulations.

(b) On site ground or pole signs may be erected, altered, expanded, relocated or reconstructed only when such alteration, expansion, relocation or reconstruction is associated with the removal of, or the reduction of, the number and area of nonconforming signs. Whenever permits are issued under this section of the ordinance, a plan shall be submitted, by the owner of the zoning lot to the Superintendent of Central Inspection designating which sign structures are to remain at the termination date of all nonconforming signs, and permits shall be limited to those designated signs. This authorization for exception shall not apply to a zoning lot where only one business or use is located thereon.

(c) On site building signs may be erected, affixed, created by painting, expanded, altered, relocated or reconstructed only when the area of such sign would not exceed the permitted area for the portion of the building occupied by the use. The owner of the zoning lot shall determine the building sign area that will be reduced at the termination date of all nonconforming signs.

(d) On site building signs may be erected, affixed, created by painting, expanded, altered, relocated or reconstructed within the limitations of all applicable regulations for building signs regardless of the presence of any nonconforming off site signs, on

site ground or pole signs, on site roof signs or projecting signs on the zoning lot only until the termination date of all nonconforming signs.

24.04.120. Abandoned Signs. Any sign which is located on a property which becomes vacant and unoccupied for a period of thirty days, or any sign which was erected for an occupant or business unrelated to the present occupant or his business shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six months or more. An abandoned sign is prohibited and shall be removed within 30 days after notification by the Superintendent of Central Inspection.

24.04.130. Removal of Signs. The Superintendent of Central Inspection shall remove or cause to be removed any abandoned, dangerous, defective, illegal or prohibited sign subject to removal under the provisions of this ordinance which has not been removed within the time period specified in this ordinance, or any other sign maintained in violation of the provisions of this ordinance. The Superintendent of Central Inspection shall prepare a notice which shall describe the sign and specify the violation involved and which shall state that if the sign is not removed or the violation is not corrected within 30 days, the sign shall be removed in accordance with the provisions of this ordinance.

The notice shall be mailed or given to the owner of the sign, the occupant of the property or their employee or representative upon which the sign is located and to the owner of the property on which the sign is located as shown on the records of the Register of Deeds.

Any person having an interest in the sign or the property may appeal the determination of the Superintendent of Central Inspection ordering removal or compliance by filing a written

notice of appeal. Appeals appertaining to the provisions of the zoning ordinance shall be filed with the Secretary of the Board of Zoning Appeals.

Appeals appertaining to the general regulations of this ordinance shall be filed with the Superintendent of Central Inspection who shall refer such appeal to the Board of Appeals, Building Code.

Notwithstanding the above, in cases of emergency, the Superintendent of Central Inspection may cause the immediate removal of a dangerous of defective sign without notice.

24.04.140. Cost of Sign Removal. Any sign removed by the Superintendent of Central Inspection may be disposed of in any manner deemed appropriate by the City. The cost of abatement or removal shall include any and all incidental expenses incurred by the City in connection with the sign abatement or removal. These costs shall be certified to the City Clerk who shall assess the costs as a special assessment against the lot or parcel of land on which the sign was located.

24.04.150. License to Engage in Business of Sign Hanger. All persons engaged in the business of hanging signs, which involves in whole or part, the erection, alteration, creating by painting, relocation, maintenance or other sign work shall be required to obtain a licence from the City to conduct such business. This shall be an annual license and the fee therefor shall be seventy-five dollars.

24.04.160. Bond Required. No license shall be issued to any sign hanger until a bond shall have been filed with the City Clerk in the sum of two thousand dollars, such bond to be approved as to form by the City Attorney. Such bond shall be conditioned for the construction and erection of signs in accordance with the ordinances of the City, the provisions of this Code and the laws of the State, and to protect and save the City harmless from any and all claims or demands by reason of any

negligence of the sign hanger or his agents, servants or employees by reason of the erection, demolition, construction, maintenance, repair, removal or defects in or collapse of any sign erected by or under the direction of the sign hanger named in such bond. This obligation shall be a continuing obligation and shall remain in full force and effect until cancelled by the principal or surety after having given thirty days written notice to the City.

24.04.170. Liability for safe maintenance. The granting of a permit by the Superintendent of Central Inspection shall not relieve the owner of the sign or the owner, tenant or lessee of the premises upon which or to which the sign is attached, from the responsibility of safely maintaining such sign.

24.04.180. Revocation of Permits. The Superintendent of Central Inspection may revoke any permit under the provisions of this ordinance or stop the work or order the removal of any sign for any of the following reasons:

(a) Whenever there is a violation of any of the provisions of this ordinance or any other ordinance relating to signs.

(b) Whenever the continuance of any work becomes dangerous to life or property.

(c) Whenever there is any violation of any condition on which the permit was based.

(d) Whenever, in the opinion of the Superintendent of Central Inspection, the person having charge of such work is incompetent.

(e) Whenever any false statement or misrepresentation has been made on the application on which the issuance of the permit was based.

(f) Whenever the owner has failed to maintain a sign in conformance with this ordinance.

(g) Whenever the owner has changed the zoning lot to make a sign nonconforming.

The notice to stop work or order for removal of a sign shall be as set forth in Section 24.04.130.

24.04.190. Inspections - Right of Entry. The Superintendent of Central Inspection, or his authorized representative, shall inspect all signs regulated by this ordinance. He may also enter any building or upon any premises at any reasonable time for the purpose of inspection or to prevent a violation of this ordinance, upon presentation of the proper credentials.

24.04.200. Prohibited Locations.

(a) Obstructing Windows, Doors, etc. No sign shall be placed or erected across or so as to obstruct in any way any window, door, exit or entrance of, to or from any building, whether occupied or not, but this provision shall not prohibit placing a sign across a transom. No sign of any kind shall be attached to or placed upon a building in such a manner as to obstruct any fire escape, nor shall any sign be attached to any fire escape.

(b) Interfering with Public Safety and Convenience. No sign shall be constructed, erected or maintained in any way that will interfere with public safety and convenience or with the proper and convenient operation of the fire department for protection of property.

(c) Across Streets, Alleys, etc. No sign shall be suspended or constructed across any street or alley, except as provided in this Code.

(d) Use of Public Property. No sign, except as provided in Section 24.040.230-g, shall be supported in any way by public property. No sign shall project over public right-of-way except projecting signs permitted on buildings located within eight feet of a right-of-way line. No signs projecting into alleys shall be permitted in Fire Zone No. 1 as defined by Title 18 of this Code. No part of any projecting sign extending

from the surface immediately below, except signs not exceeding four square feet in area and not projecting more than two feet may be hung not less than eight feet from the surface of the public property immediately below; and provided further, that no part of any sign extending over any public roadway shall be less than fifteen feet from the surface immediately below. In no case shall the outer edge of a projecting sign extend closer to the vertical plane of a street curb than two feet, unless the bottom of such sign is thirteen feet, six inches or more from the sidewalk immediately below.

Any permit for a sign over public property issued under the provisions of this ordinance, or any previous ordinance, shall be revocable at the will of the Board of City Commissioners.

(e) Interfering with Traffic. No sign of any kind shall be erected or maintained in such a manner as to interfere with, mislead or confuse traffic or to obstruct the line of sight of any traffic signal, or traffic device as may be determined by the Traffic Commission.

(f) No off site sign shall be located within 50 feet of a residential structure.

(g) No off site sign shall be located closer than 660 feet to the established bank lines of the Big Arkansas or the Little Arkansas River, to any park or recreation area under the jurisdiction of the Board of Park Commissioners of the City, or to any portion of an Interstate Highway structure which the traffic deck is elevated ten feet or more above the grade of adjacent properties.

(h) No ground sign, permanent or temporary, shall be located closer than 25 feet to a driveway unless it is placed six feet from the public right-of-way.

24.04.210. Signs Subject to more than One Classification. Whenever a sign could be subject to more than one classification, the Superintendent of Central Inspection shall determine the most appropriate classification and apply all applicable regulations.

24.04.220. General Requirements. The signs regulated by this ordinance shall be subject to all applicable ordinances, conditions and special requirements as may be specified herein.

(a) All signs shall comply with the appropriate detailed provisions of Title 18, Building Code, relating to the design, structural members and connections.

(b) All signs shall comply with the applicable provisions of Title 19, Electrical Code, and subject to the permits required therein.

(c) All signs shall comply with the limitations of height, area, type and illumination requirements as set forth in Title 28, zoning ordinance.

(d) No sign shall be erected that will allow the sign to swing or rotate due to wind action. All signs shall be securely fastened so that movement in an direction is prevented.

(e) Every sign shall be erected level and plumb and be constructed of galvanized metal or otherwise protected from corrosion.

(f) No sign of combustible material shall be erected in Fire Zone No. 1 as defined in Title 18, Building Code, except for temporary signs.

(g) Structures of all signs shall be fabricated of incombustible materials and supported by concrete foundations or anchored with metallic connections to the supporting structure. All electrically illuminated signs shall be constructed as set forth in the Electrical Code, but signs outside of Fire Zone No. 1 may be faced with combustible materials with the approval of the Superintendent of Central Inspection.

(h) Wall signs shall not extend beyond the top or ends of the wall surface on which the sign is placed without the approval of the Superintendent of Central Inspection.

(i) No projecting sign shall be erected closer to an adjacent property than the distance the sign projects from its support. All projecting signs shall be constructed entirely of incombustible material.

(j) Signs erected on, attached to or made a part of a canopy or marquee projecting over public right-of-way shall be considered projecting signs.

(k) Roof signs shall be constructed of incombustible material and shall be so located as not to interfere with the drainage of the roof, or to prevent access onto any portion of the roof. Permit for any roof sign shall be issued only after compliance by the applicant with the following provisions:

The applicant shall give a bond in the sum of five thousand dollars to save and hold the City free and harmless from all damages which may be occasioned by the erection and maintenance of such sign; the bond to be signed by the sureties acceptable to the City and to be approved as to form by the City Attorney.

In lieu of this bond of five thousand dollars for each roof sign permitted under this section, it shall be permissible to file with the City a blanket surety bond to cover all roof signs erected and maintained by a person within the City. Such bond shall be of such nature as to cover each such roof sign erected and maintained, in the amount of five thousand dollars. Such blanket surety bond shall be conditioned to save and hold the City free and harmless from any and all damages, claims or demands which may be occasioned by the erection and maintenance of such sign. Such bond shall be signed by sureties acceptable to the City and shall be approved as to form by the City Attorney.

(l) Each sign, except temporary signs for which permits have been issued for 30 days or less, shall have the permit number and the name of the sign owner affixed to the sign in a manner approved by the Superintendent of Central Inspection.

(m) Only licensed and bonded sign hangers may erect, create by painting, affix, alter, relocate or reconstruct any sign requiring a permit. Exception: Temporary signs set forth in Section 24.04.230 unless required to be erected by a licensed sign hanger.

24.04.230. Temporary Signs. No temporary sign shall be placed on any property without first obtaining a temporary sign permit. Such permit shall be subject to the following requirements:

(a) No temporary sign shall exceed 128 square feet in area, except as permitted in Section (g).

(b) No temporary sign shall extend over or into any street, alley or sidewalk or other public right-of-way except for those attached to permanent canopies or marquees. No temporary sign suspended from or attached to a canopy or marquee shall extend closer to the sidewalk than seven feet.

(c) Temporary signs shall be limited to on site signs.

(d) All temporary signs shall be substantially constructed and adequately weighted or anchored to prevent movement or overturning by the wind.

(e) All temporary signs exceeding 72 square feet in area, and all temporary signs on private structures over any public right-of-way shall be erected, affixed or placed by a licensed and bonded sign hanger.

(f) A permit for a temporary sign shall be subject to all applicable regulations and shall be removed within 24 hours of the expiration of the permit.

(g) Temporary Signs on Private Structures over Public Space. Permits for the placing of temporary signs, upon privately owned structures, located over or upon public streets, alleys or other public spaces, may be issued for not to exceed thirty days, subject to the following requirements:

(1) The applicant shall submit a signed statement from the owner, agent or lessee of the structure, granting permission for the erection of the sign.

(2) The sign shall not be over two hundred square feet in area or exceed five feet in its least dimension.

(3) The owner of the sign shall file with the City Clerk a surety bond, approved as to form by the City Attorney, for each sign in the amount of fifteen thousand dollars, or any other equivalent security the Board of City Commissioners may approve, to save and hold the City free and harmless from all damages which may be occasioned by the erection and maintenance of such sign.

(4) The advertising contained on the sign shall pertain to events of a public or semipublic nature, or civic or charitable enterprises.

24.04.240. Special Displays. Decorative displays used for holidays, public demonstrations or for the promotion of civic welfare or charitable enterprises may be authorized by the City Manager or the Board of City Commissioners. Such displays shall be for a stated period of time and subject to such conditions as deemed advisable to protect the health, safety and welfare of the public. This may require the applicant to furnish a bond, approved as to form by the City Attorney in such an amount and with such sureties to save and hold the City free and harmless from all damages which may be occasioned by the erection and maintenance of such sign or display.

24.04.250. Penalty for Violation of Chapter, Rule or Order. Any person violating any of the provisions of this chapter, or any reasonable rule or order of the Superintendent of Central Inspection, or causing, permitting or suffering the same to be done, shall be deemed guilty of violation of this chapter, and shall be punished as provided in Section 1.04.060 of this Code.

The issuance or granting of a permit shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this chapter. No permit presuming to give authority to violate or cancel the provisions of this chapter shall be valid, except insofar as the work or use which it authorizes is lawful."

The original of Title 24 of the Code of the City of Wichita, Kansas is hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall take effect upon its passage and publication once in the official City paper.

ADOPTED at Wichita, Kansas, this 10 day of DECEMBER, 1974.

Garry L. Porter MAYOR

ATTEST:

DEP. City Clerk DONALD C. GISICK

Approved as to form:

John Dekker, Director of Law

PUBLISHED IN THE DAILY RECORD ON JAN 31 1975

ORDINANCE NO. 33-654

AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION OF OFF-SITE SIGNS WITHIN THE CITY OF WICHITA, KANSAS; AMENDING SECTION 24.04.200(g) OF THE CODE OF THE CITY OF WICHITA, KANSAS; AND REPEALING THE ORIGINAL OF SAID SECTION OF THE CODE OF THE CITY OF WICHITA, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 24.04.200(g) of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"(g) No off-site sign shall be located closer than 660 feet to the established bank lines of the Big Arkansas or the Little Arkansas Rivers, to any park or recreation area under the jurisdiction of the Board of Park Commissioners of the City, or to any portion of an Interstate Highway structure which the traffic deck is elevated ten feet or more above the grade of adjacent properties. Exception: Off-site signs may be erected adjacent to elevated portions of an Interstate Highway when the signs are limited to public service advertising for non-profit organizations, and to travelers' information giving direction to premises where food and lodging may be secured, and to the location of businesses engaged in supplying goods and services essential to the normal operation of motor vehicles, including emergency and towing services."

The original of Section 24.04.200(g) of the Code of the City of Wichita, Kansas, is hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official City paper.

ADOPTED at Wichita, Kansas, this 28 day of January, 1975.

Mayor Garry L. Porter

ATTEST:

City Clerk Donald C. Cisick

(SEAL)

APPROVED AS TO FORM THIS JAN 28 1975

Director of Law

PUBLISHED IN THE DAILY RECORD ON DEC 13 1974

ORDINANCE NO. 33-588

AN ORDINANCE ESTABLISHING REGULATIONS TO CONTROL SIGNS BY LIMITING THE NUMBER, HEIGHT, AREA AND TYPE OF SIGNS TO BE PERMITTED ON A PROPERTY, BASED ON THE SIZE OF THE PROPERTY AND THE LOCATION WITHIN THE ZONING DISTRICTS; AMENDING SECTION 28.04.020 BY PROVIDING ADDITIONAL DEFINITIONS; AMENDING SECTIONS 28.04.040 A-10, 28.04.065 A-3, 28.04.070 A-11, 28.04.080 A-10, 28.04.090 A-1.24 AND 28.04.090 A-2.1 OF THE CODE OF THE CITY OF WICHITA, KANSAS; AND REPEALING THE ORIGINAL SECTIONS 28.04.040 A-10, 28.04.065 A-3, 28.04.070 A-11, 28.04.070 A-12, 28.04.080 A-10, 28.04.090 A-1.24 AND 28.04.090 A-2.1 OF THE CODE OF THE CITY OF WICHITA, KANSAS; AND ADDING THERETO SECTION 28.04.139.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Section 28.04.020 of the Code of the City of Wichita, Kansas, is hereby amended to include the following definitions:

"SIGN. Any printed or written text (including letter, word or numeral), pictorial representation (including illustration, decoration or figure), emblem (including device, symbol or trademark), commercial flag (including advertising banner, streamer or pennant), or any other object which:

Is a structure or any part thereof; or is attached to, painted on, or in any other manner represented on a building, fence, wall, post or any other structure or surface; and

Is used to identify, instruct, attract, guide or advertise.

"LOT, ZONING. A parcel of land that is designated by its owner or developer, at the time of applying for an occupancy certificate as a tract, all of which is to be used, developed or built upon as a unit under single ownership. As long as it satisfies the requirements of the above and the requirements of the Subdivision Rules and Regulations, such lot may consist of:

(1) A single lot of record, or

(2) A portion of a lot of record, or

(3) A combination of complete lots of record, complete lots and portions of lots of record, or portions of lots of record."

Section 28.04.040 A-10 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"Signs, as permitted by Section 28.04.139 of this Code."

Section 28.04.065 A-3 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"Signs, as permitted by Section 28.04.139 of this Code."

Section 28.04.070 A-11 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"Signs, as permitted by Section 28.04.139 of this Code."

Section 28.04.080 A-10 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"Signs, as permitted by Section 28.04.139 of this Code."

Section 28.04.090 A-1.24 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"Signs, as permitted by Section 28.04.139 of this Code."

Section 28.04.090 A-2.1 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"Signs not permitted by Section 28.04.139 of this Code."

Section 28.04.139 of the Code of the City of Wichita, Kansas, shall read as follows:

"Sign Regulations. Notwithstanding the provisions of this Code regulating the uses permitted in the zoning districts, signs shall be regulated by this section of the Code.

"No sign shall be painted, constructed, erected, relocated, remodeled or expanded that would be contrary to the provisions of this Code. The provisions herein contained shall be considered together with the Sign, Building and Electrical Codes of the City of Wichita, and shall particularly regulate the size, height and type of sign permitted by the zoning district.

"A. General Standards. Signs shall be classified by the Superintendent of Central Inspection in accordance with the following classifications:

1. Classification of Signs.

a. Sign. Advertising decoration

Various sign materials used for temporary display and decoration, including streamers, banners, pennants, pinwheels, commercial flags, bunting and similar devices.

b. Sign, Building

An on-site sign attached to, painted onto a wall, erected upon or above the roof of a building or structure, the height of which shall not exceed 4 feet, 6 inches above the roof of parapet.

c. Sign, Bulletin Board

An on-site sign containing the name of the institution or organization, and may also include names of persons connected with it, announcements of persons, events or activities occurring at the institution. Such sign may also present a greeting or similar message.

d. Sign, Construction

A temporary on-site sign indicating the names of architects, engineers, landscape architects, contractors, financier, and similar artisans involved in the design and construction of a structure or project during the period of construction.

e. Sign, Directional

A sign containing words or symbols indicating an entrance to, exit from, or location of parking, loading, restrooms, and emergency entrances which are for the convenience of the public.

"f. Sign, Ground

A sign placed upon, or supported by the ground independently of any building or structure on the property. This includes a sign supported on poles or posts whose face is less than six feet above ground level.

g. Sign, Identification

An on-site sign which carries only the name and address of a building, business, development or establishment. Such sign may be wholly or partly devoted to a readily recognized symbol.

h. Sign, Nameplate

A small on-site sign located at an entrance to a building and indicating the name and/or address of an occupant and, where applicable, a professional status.

i. Sign, Off-site

A sign delivering a message or advertisement other than the name, occupation or nature of the activities conducted on the premises or the products sold or manufactured thereon, and shall include all poster panel signs.

j. Sign, On-site

A sign which carries only advertisement strictly incidental to a lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted; services rendered; goods sold or produced on the premises; the rental or lease of products or building space; name of the person, firm or corporation occupying the premises. Such sign shall not include advertising of a product in a manner other than when it pertains

"directly to premises, such as the use of national advertising poster panels, or the use of advertising trade marks or symbols when a product is sold only by vending machines on the premises.

k. Sign, Pole

A sign whose face is not less than six feet above ground level and is supported by poles or posts.

l. Sign, Political

A sign pertaining to the announcement of an individual being a legally registered candidate for an elective political office. Any such sign exceeding 32 square feet of gross surface area shall be classified as an off-site sign and regulated accordingly.

m. Sign, Portable

An on-site sign designed in such a manner to be readily movable and not permanently attached to the property. Any non-permanent sign not classed as a temporary sign shall be deemed to be a portable sign.

n. Sign, Poster Panel

An off-site sign designed for the application of advertising poster displays or being comprised of a series of connected panels on which the advertising is frequently changed.

o. Sign, Project Directory

An on-site sign containing the names and locations, in list or map form, of the individual components making up a planned unit development, shopping center or similar project.

p. Sign, Project Title

An on-site sign which carries the overall name of a residential subdivision, shopping center,

"industrial park, medical complex, planned unit development, mobile home park and similar projects.

q. Sign, Projecting

An on-site sign suspended from or supported by a building or structure and projecting therefrom a distance exceeding 1'0" beyond the property line.

r. Sign, Real Estate

An on-site sign displayed for the purpose of offering real property for sale, lease or rent.

s. Sign, Roof

A sign erected upon or above the roof of a building or structure to a height exceeding 4 feet, 6 inches above the roof or parapet.

t. Sign, Temporary

An on-site sign such as cloth banners, pennants, window signs in business and industrial establishments, signs of light-weight cardboard, airborne, plastic or paper materials intended to be displayed for a short period of time

u. Sign, Wall

A sign attached to, erected against, or painted onto a wall of a building with the exposed face of the sign in a plane parallel to said wall.

v. Sign, Window

On-site signs, either temporary or permanent, installed on the window area of a building.

"2. Gross Surface Area of Sign. The gross surface area of a sign shall be the sum of all surface areas of all the sign faces, except that ground or pole signs designed as double faced signs, with both faces parallel and the distance between the faces does not exceed two feet, then only one face of the sign shall be considered in determining the sign area.

"In determining the surface area of a sign, each face of a sign may be broken down into three areas. Each surface area shall include the total area within a single continuous perimeter enclosing the extreme limits of the sign elements, and in no case passing through or between any of the sign elements. Such perimeters need not include any structural elements lying outside the limits of such sign when they do not form an integral part of the display, nor shall it include architectural embellishments when such does not contain any advertising or printed copy, is not lighted and does not exceed 10% of the permitted sign area.

"3. Limitations. Limitations apply to the type, height, setback, number and gross surface area of signs on each zoning lot.

"4. Height of Sign. Sign height shall be measured from grade at the nearest street right-of-way line to the highest portion of the sign structure.

"5. Illuminated Signs. Signs shall be shaded wherever necessary to avoid casting bright light upon property located in any residential district or upon any public street. Any illuminated sign located on a lot adjacent to or across the street from any residential district, which sign is visible and within 200 feet of any residential district, shall not be illuminated between the hours of 11:00 p.m. and 7:00 a.m. Signs may not be illuminated unless so designated to permit same.

"6. Flashing or Moving Signs. No flashing signs, rotating or moving signs, animated signs, signs with moving lights, or signs which create the illusion of movement shall be permitted in a residential zoning district, or in the "BB" Office District.

"7. Facing Direction of Travel. A sign shall be considered facing the direction of travel when it is visible from any lane of traffic proceeding along a street and the face of such sign is in a plane within 30° of a line perpendicular to the center line of the street. A sign shall be considered facing both directions of travel along a street if the angle exceeds the 30° as described above.

"Exception: Signs located within 250 feet of an intersection of arterials or expressways, or combination thereof, shall be considered facing the lane of traffic it is most directed toward providing the face of the sign is in a plane within 30° of a line perpendicular to the centerline of that street.

"8. Distance Between Off-Site Signs. Distance between off-site signs facing a direction of travel shall be measured at the center line of a street at the points where lines are projected perpendicular to the center line of the street to the center of the signs.

"B. Exemptions. The following signs shall be exempt from the requirements of the zoning ordinance:

"1. Flags or emblems of a government or of a political, civic, philanthropic, educational or religious organization, displayed on private property and provided further any emblem shall be used only as an identifying symbol and shall not include advertising language.

"2. Signs not exceeding six square feet of a duly constituted governmental body, including directional signs for public buildings and uses, traffic or similar regulatory devices, legal notices, warnings at railroad crossings, and other instructional or regulatory signs having to do with health, hazards, parking, swimming, dumping, and other similar signs.

"3. Memorial signs and tablets displayed on private property.

"4. Address numerals and other signs required to be maintained by law or governmental order not exceeding two square feet.

Amendment 7-15-75

"C. Signs Permitted in All Zoning Districts. The following signs shall be permitted in all zoning districts:

"1. Small directional on-site signs, not exceeding five square feet in area, displayed on private property for the convenience of the public, including signs to identify entrance and exit drives, parking areas, restrooms, freight entrances and the like.

"2. Permanent markers located on private property for the convenience of the public in the identification of a subdivision or the streets therein, provided that the design shall first have been submitted to the Director of Planning and the Superintendent of Central Inspection for approval. The markers

"Exception: Signs located within 250 feet of an intersection of arterials or expressways, or combination thereof, shall be considered facing the lane of traffic it is most directed toward providing the face of the sign is in a plane within 30° of a line perpendicular to the centerline of that street.

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negligence of the sign hanger or his agents, servants or employees by reason of the erection, demolition, construction, maintenance, repair, removal or defects in or collapse of any sign erected by or under the direction of the sign hanger named in such bond. This obligation shall be a continuing obligation and shall remain in full force and effect until cancelled by the principal or surety after having given thirty days written notice to the City.

24.04.170. Liability for safe maintenance. The granting of a permit by the Superintendent of Central Inspection shall not relieve the owner of the sign or the owner, tenant or lessee of the premises upon which or to which the sign is attached, from the responsibility of safely maintaining such sign.

24.04.180. Revocation of Permits. The Superintendent of Central Inspection may revoke any permit under the provisions of this ordinance or stop the work or order the removal of any sign for any of the following reasons:

(a) Whenever there is a violation of any of the provisions of this ordinance or any other ordinance relating to signs.

(b) Whenever the continuance of any work becomes dangerous to life or property.

(c) Whenever there is any violation of any condition on which the permit was based.

(d) Whenever, in the opinion of the Superintendent of Central Inspection, the person having charge of such work is incompetent.

(e) Whenever any false statement or misrepresentation has been made on the application on which the issuance of the permit was based.

(f) Whenever the owner has failed to maintain a sign in conformance with this ordinance.

(g) Whenever the owner has changed the zoning lot to make a sign nonconforming.

"Located at or near entrances to tract sections under construction.

Not more than 2 sign structures shall be maintained in any one subdivision less than 40 acres in size. For each additional 40 acres or major fraction thereof, one additional sign may be erected.

Area, maximum - 128 square feet for each sign.

Length, maximum - 16 feet.

"7. Nameplate signs with a maximum area of 2 square feet.

Amended 2-15-75 1st Reading

"8. Signs, portable and advertising decorations, temporarily displayed during special event periods only, such as grand openings, holidays, carnivals and the like, with a limit of two such events and a total time limitation of 30 days within any calendar year for any business or institution.

"9. Temporary signs in conjunction with licensed miscellaneous sales, when located in a residence district, and not on public property.

"10. Political signs, when located on private property with the permission of the owner or tenant, and with the following limitations:

Not more than 4 signs for each street frontage, per zoning lot.

Total area of all signs shall not exceed 64 square feet per zoning lot.

All signs shall be removed within seven days following the election in which a candidate is elected to office or is eliminated from further participation in the election as a candidate.

"11. Bulletin board signs not exceeding 25 square feet gross area and lighted indirectly only by white light.

"12. Building sign, unlighted and not exceeding two square feet in area for a home occupation, but shall be permitted in the "AA" single-family dwelling district only when the home occupation is required to be identified by state law.

"13. Other signs which the Superintendent of Central Inspection may determine fall within the intent and purpose of this section.

"D. Signs permitted in the "RB", "R-5", "R-6" and "B" Residential Zoning Districts.

"1. Identification signs for multiple family dwellings and other major office and institutional uses. Such signs shall not exceed 16 square feet in area nor exceed 20 feet in height, and shall be limited to indirect or internal illumination of white light only.

"E. Signs permitted in the "BB" Office District and the "U" University District.

"1. Identification signs, provided they shall not exceed 32 square feet in area nor exceed 30 feet in height and one per zoning lot. Such signs shall be limited to indirect or internal illumination of white light only.

"2. Building sign not exceeding 32 square feet in area or 30 feet in height, and be limited to one for each major use in the building. Such signs shall be limited to indirect or internal illumination of white light only.

"F. Signs permitted in the "G" Mobile Home District.

"1. Identification sign for a mobile home park. Such sign shall not exceed 20 feet in height or exceed 64 square feet in area, and shall be limited to indirect or internal illumination of white light only.

"G. Signs permitted in the "LC" Light Commercial District.

"1. Illuminated on-site ground or pole signs as permitted by Section K.

"2. Illuminated building signs, provided that there shall be no more than 3 signs for each business for each building elevation having street frontage or fronting onto a parking area with a depth of 150 feet or more, and shall be limited in total area to 25% of each building elevation. Signs shall not be more than 30 feet above grade. Building elevations not having street frontage, but facing onto parking or loading areas exceeding 50 feet in depth, may provide identification signs for each place of business having an entrance therefrom, providing such signs shall not exceed 15 square feet in area nor be more than 12 feet above grade.

"H. Signs permitted in the "C" Commercial and "E" Light Industrial Districts.

"1. Illuminated on-site ground or pole signs as permitted by Section K.

"2. Illuminated off-site signs as permitted by Section L.

"3. Illuminated building signs, provided that no individual sign shall exceed 600 square feet, and there shall not be more than six square feet of building sign area for each lineal foot of street frontage.

"4. Illuminated roof signs, provided that it shall not project more than 20 feet above the highest point of the structure on which it is located and furthermore the height shall not exceed the distance of the sign to the center of the adjoining public right-of-way or to a residential zoning district. Any roof sign shall be in lieu of a permitted ground or pole sign.

"I. Signs permitted in the "D" Central Business District.

"1. Illuminated on-site ground or pole signs as permitted by Section K.

"2. Illuminated building signs, provided no individual sign shall exceed 600 square feet, and there shall not be more than six square feet of building sign area for each lineal foot of street frontage.

"3. Illuminated roof signs provided that it shall not project more than 30 feet above the highest point of the structure on which it is located.

"J. Signs permitted in the "F" Heavy Industrial District.

"1. Illuminated on-site ground or pole signs as permitted by Section K.

"2. Illuminated off-site signs as permitted by Section L.

"3. Illuminated building signs, provided that no individual sign shall exceed 600 square feet in area and there shall not be more than six square feet of building sign area for each lineal foot of street frontage.

"4. Illuminated roof signs, provided that it shall not project more than 20 feet above the highest point of the structure on which it is located, and furthermore the height shall not exceed the distance of the sign to

"the center of the adjoining public right-of-way or to a residential zoning district.

"K. On-site ground or pole signs as referred to in Sections G, H, I and J.

"1. Number and size permitted. One ground or pole sign is permitted for each zoning lot having frontage on a public right-of-way, Where a zoning lot has a frontage greater than 250 feet along the same right-of-way such zoning lot is permitted to have two ground or pole signs, plus one additional ground or pole sign for every additional 200 feet of frontage; or the owner may elect to combine two or more such signs, where permitted, into one ground or pole sign thereby allowing a 50% area increase for each sign that is eliminated, with a maximum allowable sign area not to exceed 300% of the area permitted by the table of areas in paragraph 4.

"2. More than one frontage. Where a zoning lot has frontage on more than one public right-of-way or street, the provisions of this section shall apply to each frontage. Signs permitted by a street frontage shall be placed adjacent to same and face the direction of travel along said street. Signs permitted by separate street frontage shall not be combined to attain a greater area or height. Exception: When one sign is erected at the corner of a zoning lot formed by two intersecting streets in lieu of one sign for each street frontage, then that sign may be increased 5 feet in height and 50% in area.

"3. Height Limit. No ground or pole sign shall exceed a height of 30 feet, except that when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased 5 feet for each sign reduction. The use of this method to increase a sign height shall not permit any sign to exceed a height of 45 feet.

"4. Area. The maximum permitted area of a ground or pole sign, except when two or more permitted signs are combined, shall not exceed the figures shown in the following table:

"TABLE OF AREAS
Maximum Permitted Areas for On-site
Ground or Pole Signs

Type of Street*	Area of Sign in Square Feet
Undesignated**	25
Collector	50
Arterial	150
Expressway	150

*As designated Map 13A of the Transportation Plan Element of the Comprehensive Plan

**When an undesignated street is located in an area that both sides of the street, between intersecting streets, are zoned entirely of the Commercial or Industrial Districts, the limitations of a collector street shall then apply.

"5. Rotating Signs. Rotating ground or pole signs are permitted in all commercial or industrial districts. When rotating signs are used, the area permitted by 7-215(D) shall be reduced 33%.

"6. Location on Property. On-site ground or pole signs shall not project over public right-of-way, and shall be located not closer to an adjacent property line than one-third the frontage of the zoning lot or 25 feet, whichever is less. When more than one sign is permitted on a zoning lot, there shall be a distance of not less than 150 feet between signs.

"L. Off-Site Signs when Permitted in the Commercial or Industrial Districts.

"1. Number permitted. There shall be permitted not more than one off-site sign facing a direction of travel for each 1,000 lineal feet, or major fraction thereof, of street having "C" Commercial or "E" Light Industrial properties adjacent thereto. There shall be permitted not more than one off-site sign facing a direction of travel for each 660 lineal feet, or major fraction thereof, of street having "F" Heavy Industrial properties adjacent thereto. Whenever any portion of the street has both "C" or "E" and the "F" zoning districts adjacent thereto, the permitted number shall be based on the "F" zoning district.

"The number of off-site signs, facing a direction of travel within any designated mile, shall be determined by the lineal measurement

"in feet, along the center line of the street right-of-way, that is within or adjacent to any zoning district wherein off-site signs are a permitted use. A designated mile shall be the length of the center line of a street between mile section lines, even though the lineal measurement may exceed 5,280 feet. Under no circumstance shall there be more than five off-site signs facing a direction of travel within any designated mile unless such street is within or adjacent to the "F" Heavy Industrial District. Whenever such a condition is present, the calculations based on the permitted number for these districts shall not permit more than eight off-site signs within any designated mile.

"2. Size permitted. The gross surface area of an off-site sign shall not exceed 600 square feet, nor shall it exceed 30 feet in height.

"3. Prohibited locations. No off-site sign shall be erected on a property when any of the following conditions are found to exist:

"a. No off-site sign shall be erected on a zoning lot that already has more than two-on-site ground or pole signs; or

"b. No off-site sign shall be erected on a zoning lot that already has more than 200 square feet of on-site ground or pole signs facing a direction of travel, regardless of the number of signs; or

"c. No off-site sign shall be erected on any property that would obscure the view of any on-site signs. This shall be determined by establishing a sight point at the center line of the street 150 feet in either direction, then no on-site sign within 150 feet of the off-site sign shall be obscured from view; or

"d. No off-site sign shall be located closer than 330 feet to another off-site sign facing the same direction of travel; or

"e. No off-site sign shall be erected on a zoning lot that does not comply with the minimum lot size requirements of the zoning district.

"4. Setback. Off-site signs shall comply with all building setback lines.

"5. Type. Off-site signs may be ground, pole or wall signs, but shall not be erected upon or above the roof of any building, nor shall any portion of a sign project over public right-of-way."

The originals of Sections 28.04.040 A-10, 28.04.065 A-3, 28.04.070 A-11, 28.04.070 A-12, 28.04.080 A-10, 28.04.090 A-1.24 and 28.04.090 A-2.1 of the Code of the City of Wichita, Kansas are hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall take effect upon its passage and publication once in the official city paper.

ADOPTED at Wichita, Kansas, this 10 day of December, 1974.

Garry L. Porter MAYOR

ATTEST:

DONALD C. GISICK Deputy City Clerk

Approved as to form:

John Bekker, Director of Law