

ACTION

DATE

COMMITTEE

M.A.P.C. Approved as recommended by 7/21/81
Committee 7-14-81

B.C.C./B.C.O.C. Referred back to ~~7-14-81~~
MARC for reevaluation

MARC Instruct Staff to 9-10-81
bring tabs in 2 weeks.

MARC App. w/ amendment. 9-24-81

BCC Approved 10-20-81

BCC Reamended 11-17-81
Instructed to bring back for
election on club agenda - 11-24-81

Published 12-1-81

DR 79-11 - Possible Amendment to
the Zoning Ordinance - Re: Sign
Regulations.

FROM _____ DATE _____

ADMINISTRATION	ADVANCE PLANS	CURRENT PLANS	GRAPHICS
<input checked="" type="checkbox"/> Krout	<input type="checkbox"/> Stockwell	<input type="checkbox"/> Galbraith	<input type="checkbox"/> Pierce
<input type="checkbox"/> Lopez	<input type="checkbox"/> Young	<input type="checkbox"/> Lytle	<input type="checkbox"/> Commer
<input type="checkbox"/> Etouanis	<input type="checkbox"/> Bechtel	<input type="checkbox"/> Harris	<input type="checkbox"/> Crook
<input type="checkbox"/> Henderson	<input type="checkbox"/> Hart	<input type="checkbox"/> Losen	<input type="checkbox"/> Jones
<input type="checkbox"/> Kelly	<input type="checkbox"/> Kelley	<input type="checkbox"/> Nagley	
<input type="checkbox"/> Wasiko	<input type="checkbox"/> Kidd	<input type="checkbox"/> Olivarez	
<input type="checkbox"/> Wimbley	<input type="checkbox"/> Mitchell		
	<input type="checkbox"/> Shen		
	<input type="checkbox"/>		
	<input type="checkbox"/>		
	<input type="checkbox"/>		

Note & Return
 Handle
 All Staff
 Comment
 Signature

Sign Amendment 4/1

ACTION

DATE

COMMITTEE _____

M.A.P.C. Approved as recommended by 5/21/81
Committee 7-14-81

B.C.C./B.C.O.C. Referred back to 6-23-81
MAPC for reconsideration

MAPC Instruct Staff to 9-10-81
bring back in 2 weeks.

MAPC Appr. w/ amendments. 9-24-81

BCC Approved 10-20-81

BCC Reconsidered 11-17-81
Instructed to bring back for
election on clubs agenda - 11-24-81

Published 12-1-81

DR 79-11 - Possible Amendment to
the Zoning Ordinance - Re: Sign
Regulations.

FROM _____	ADVANCE PLANS	CURRENT PLANS	DATE _____
ADMINISTRATION <input checked="" type="checkbox"/> Krout <input type="checkbox"/> Lopez <input type="checkbox"/> Eubanks <input type="checkbox"/> Henderson <input type="checkbox"/> Kelly <input type="checkbox"/> Wasko <input type="checkbox"/> Wimbley	<input type="checkbox"/> Stockwell <input type="checkbox"/> Young <input type="checkbox"/> Bechtel <input type="checkbox"/> Hart <input type="checkbox"/> Kelley <input type="checkbox"/> Kidd <input type="checkbox"/> Mitchell <input type="checkbox"/> Shen <input type="checkbox"/> _____ <input type="checkbox"/> _____	<input type="checkbox"/> Galbraith <input type="checkbox"/> Lytle <input type="checkbox"/> Harris <input type="checkbox"/> Losew <input type="checkbox"/> Nagley <input type="checkbox"/> Olivarez <input type="checkbox"/> _____	GRAPHICS <input type="checkbox"/> Pierce <input type="checkbox"/> Commer <input type="checkbox"/> Crook <input type="checkbox"/> Jones
REMARKS <u>Sign Amendment for</u> <u>1981 - Get the people on</u> <u>the sign review committee</u> <u>that they worked with</u> <u>inside of front cover.</u>			

Note & Return
 Handle
 All Staff
 Comment
 Signature
 Library
 Information
 File
 Type
 Initial

79-105

Thinking
of your
info. Mailing addresses of

AD HOC COMMITTEE ON SIGNS

<u>NAME</u>	<u>ADDRESS</u>
✓ David Bayouth MAPC	216 N. Pershing ?
✓ Howard Boys Citizen Participation Organization	3415 E. Skinner 67218
✓ Bill Campbell Licensed Sing Hanger	3736 Salina 67204
✓ J.A. Dowdy Business (major/corporate)	3805 E. Harry 67218
✓ William Goebel MAPC	325 S. West Street
✓ Leo Goseland Business (small/independent)	426 St. James 67206
✓ John Greer American Institute of Architects	8325 E. Harry 67207
✓ Pat Guinan Environmental Resources Advisory Board	135 N. Pershing 67208
✓ Lonnie Hephner Temporary Sign Industry	2740 Laura 137 So. Washington 67211
✓ Mildred Lincoln Project Beauty	930 S. Hillside 67211
✓ Vern McIntyre Board of Realtors	1808 S. Edgemoor 67218
✓ Russ Ross Outdoor Billboard Sign Industry	1000 S. Woodlawn 3405 N. Wyandale 67219
Rev./George Boone Ex-officio (non-voting)	1511 W. 27th S.

On May 22, 1979, the City Commission adopted a resolution creating the Ad Hoc Committee on Signs to review and make recommendations on the sign regulations of the City Code

Joe Donnelly
Ex-officio

Central Inspection

(DR 79-11)

11-79

WICHITA-SEDGWICK COUNTY

DATE

November 19, 1981

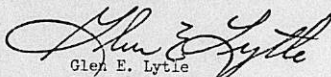
METROPOLITAN AREA PLANNING DEPARTMENT

TO John Dekker, City Attorney
FROM Glen E. Lytle, Special Assistant for Zoning
SUBJECT DR-79-11 Amendment to Zoning Ordinance Re: Sign Regulations

Attached hereto are the original and four copies of an ordinance that is submitted for your signature of approval as to form. You had previously approved this ordinance as to form when the ordinance was first submitted to the City Commission for their consideration in July.

At the City Commission meeting of November 17, 1981, the City Commission took action to amend the ordinance to remove the time limitations on portable signs. I have reviewed the changes with H. R. Kuhn, Assistant City Attorney, and he indicates the ordinance is ready for your signature.

This item will be placed on the City Clerk's agenda for adoption by the City Commission on November 24, 1981.


Glen E. Lytle
Special Assistant for Zoning

GEL:sad

Attachments

cc: H. R. Kuhn, Assistant City Attorney
Robert A. Lakin, Director of Planning
Don Gisick, City Clerk

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 28.04.139 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO THE LOCATION, HEIGHT, AREA, NUMBER AND TYPE OF SIGNS TO BE PERMITTED BY ZONING DISTRICTS; AND REPEALING THE ORIGINAL SECTION 28.04.139 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

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

Section 28.04.139 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

"28.04.139 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, and shall particularly regulate the size, height and type of sign permitted by the zoning district.

A. GENERAL STANDARDS.

1. Classification of Signs. Signs shall be classified by the superintendent of central inspection in accordance with the following classifications:

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 four feet, six inches above the roof or 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;

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 thirty-two square feet of gross surface area shall be classified as an

off-site sign and regulated accordingly;

m. Sign, Portable. A temporary on-site sign designed in such a manner to be readily movable and not permanently attached to the property; such as, A-frames, Trailer signs, signs placed on vehicles, beacon lights and other similar signs. Any such sign shall not exceed a height of 10 feet above grade.

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 one foot 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 four feet six inches above the roof or parapet;

t. Sign, Temporary. An on-site sign that is limited in the period of time that such sign may remain on a property, either by the limitations of these regulations or the conditions of the permit.

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 when 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 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. 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 do not contain any advertising or printed copy, are not lighted and do not exceed ten percent 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 two hundred feet of any residential district, shall not be illuminated between the hours of eleven p.m. and seven 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 thirty degrees of a line perpendicular to the centerline of the street. A sign shall be considered facing both directions of travel along a street if the angle exceeds the thirty degrees as described above. Exception: A sign located within two hundred fifty 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 thirty degrees 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 centerline of a street at the points where lines are projected perpendicular to the centerline 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;

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 exception 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;

7. Signs authorized as special displays under Section 24.04.240 of this code.

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 shall be determined to be in keeping with the general design of the area and the size shall be limited in height and area dependent upon their location on the property;

3. Identification signs denoting only the name of the building or building complex when consisting of letters less than fifteen inches in height, carved into or securely attached in such a way that they are an architectural detail of the building or entranceway; and provided, further, they are not illuminated apart from the building or entranceway, are not made of reflecting material and do not project more than two inches from the surface to which they are attached;

4. Construction signs with the following limitations:
One sign per street frontage,

Gross surface area per sign - thirty-two square feet in "AA" and "A" districts, one hundred twenty-eight square feet in all other districts,

Sign may include illustration of project under construction;

5. Real estate sign, advertising the sale, rental or lease of the premises on which it is displayed, with the following limitations:

One sign per street frontage per listing, provided that a maximum of four real estate signs be permitted on a zoning lot,

Unlighted only,

Gross surface area per sign, residential zoning districts - eight square feet. All other zoning districts - thirty-two square feet;

6. Project title signs for subdivision identification, with the following limitations:

Time period, two years; however, the superintendent of central inspection may grant extensions every six months until the subdivision is seventy percent developed.

Exclusively for the purpose of advertising the subdivision in which the sign is located,

Unlighted only and neither reflective nor fluorescent,

Permit issued only after the final subdivision plat has been duly recorded.

Located at or near entrances to tract sections under construction,

Not more than two sign structures shall be maintained in any one subdivision less than forty acres in size. For each additional forty acres or major fraction thereof, one additional sign may be erected,

Area, maximum - one hundred twenty-eight square feet for each sign,

Length, maximum - sixteen feet;

7. Nameplate signs with a maximum area of two square feet;

8. Signs, advertising decorations, temporarily displayed during the hereinafter specified special event periods only, provided however, such displays shall not exceed a total time limitation of 30 days for an individual event. Such special events shall be limited to (a) grand openings for new businesses;

(b) licensed going out-of-business sales; (c) open houses in new subdivisions and home shows; and (d) sales in conjunction with nationally recognized holidays.

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 four signs for each street frontage, per zoning lot,

Total area of all signs shall not exceed sixty-four 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 twenty-five 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. Sign Portable, for office and institutional uses, provided however, only one sign shall be permitted on a zoning lot. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Any sign permitted by this section shall not exceed 60 square feet in gross surface area.

14. 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 sixteen square feet in area nor exceed twenty 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 thirty-two square feet in area nor exceed thirty 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 thirty-two square feet in area or thirty 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 twenty feet in height or exceed sixty-four 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 subsection K;

2. Illuminated building signs, provided that there shall be no more than three signs for each business for each building elevation having street frontage or fronting onto a parking area with a depth of one hundred fifty feet or more, and shall be limited in total area to twenty-five percent of each building elevation. Signs shall not be more than thirty feet above grade. Building elevations not having street frontage, but facing onto parking or loading areas exceeding fifty feet in depth, may provide identification signs for each place of business having an entrance therefrom; providing such signs shall not exceed fifteen square feet in area nor be more than twelve feet above grade;

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 signs(s) shall not extend beyond a line ten 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 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 subsection (K) (1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet;

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

5. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bulbs shall not be permitted. Any sign permitted by this section shall not exceed 60 square feet in gross surface area.

H. SIGNS PERMITTED IN THE "C" COMMERCIAL AND "E" LIGHT INDUSTRIAL DISTRICTS.

1. Illuminated on-site ground or pole signs as permitted by subsection K;

2. Illuminated off-site signs as permitted by subsection L,

3. Illuminated building signs, provided that no individual sign shall exceed six hundred 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 sign, provided, that it shall not project more than twenty 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;

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 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 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 subsection (K)(1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet.

6. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bulbs shall not be permitted.

Any sign permitted by this section shall not exceed 60 square feet in gross surface area.

I. SIGNS PERMITTED IN THE "D" CENTRAL BUSINESS DISTRICT.

1. Illuminated on-site ground or pole signs as permitted by subsection K;

2. Illuminated building signs, provided no individual sign shall exceed six hundred 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 sign provided that it shall not project more than thirty feet above the highest point of the structure on which it is located;

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 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 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 subsection (K) (1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet.

5. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the

sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bulbs shall not be permitted. Any sign permitted by this section shall not exceed 60 square feet in gross surface area.

J. SIGNS PERMITTED IN THE "F" HEAVY INDUSTRIAL DISTRICT.

1. Illuminated on-site ground or pole signs as permitted by subsection K;
2. Illuminated off-site signs as permitted by subsection L;
3. Illuminated building signs, provided that no individual sign shall exceed six hundred 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 sign, provided that it shall not project more than twenty 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;
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 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 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 subsection (K) (1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet.

6. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bulbs shall not be permitted. Any sign permitted by this section shall not exceed 60 square feet in gross surface area.

K. ON-SITE GROUND OR POLE SIGNS AS REFERRED TO IN SUBSECTIONS G, H, I AND J.

1. Number Permitted. The number of ground or pole signs permitted on a zoning lot shall be determined by the linear feet of street frontage of the zoning lot. 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; provided, however, signs permitted by a street frontage must be adjacent to, and face the direction of travel along said street. (Exception: signs located within fifty feet of the intersection of two streets on a corner lot may be placed so that it may face both directions of travel, such as a rotating sign or be erected on an angle. When this occurs, it shall be considered a sign adjacent to each street, and one-half of the sign area shall be charged against the total permitted sign area of each street frontage.) Every zoning lot shall be permitted one ground

or pole sign. Whenever more than one onsite ground or pole sign is permitted, it shall be determined by the required minimum horizontal distance from any adjacent property line and the minimum horizontal distance between onsite ground or pole signs on the zoning lot as set forth in paragraph 6. This will permit two signs on an interior zoning lot of 180 feet or more, and two signs on a corner lot of 165 feet or more. For each additional 150 feet of frontage above these minimums, one additional sign may be erected. In determining lot frontage, one-half the width of an adjoining alley may be considered as frontage.

(EXCEPTION: Whenever a zoning lot, of less than 330 feet of frontage, contains a greater number of separate lease hold tenants than the number of permitted on-site ground or pole signs as set forth above, the following provisions may apply:

- a. No individual business shall be permitted more than one one-site ground or pole sign, nor in any event, shall the distance between signs be less than 50 feet.
- b. No individual business shall install a sign with a gross surface area greater than that permitted by the "Table of Areas" set forth in paragraph 4 based on that frontage of the building occupied by the lease hold tenant. Whenever the building is more than one story, the frontage shall be divided by the number of floors involved.
- c. Whenever the number of permitted on-site ground or pole signs based on the 50 foot separation requirement does not allow one sign per business, it shall be necessary for tenants to share space on the same pole or base.
- d. Any sign permitted by this exception shall not exceed a height of 30 feet.)

2. Size Permitted. The size of an on-site sign shall not exceed the maximum permitted square feet of sign area as set forth in the "Table of Areas" of paragraph 4 of this section; provided, however, the total sign area of all on-site ground or pole signs on the zoning lot shall not exceed the total square feet of area long a street frontage as permitted by paragraph 4.

3. Height Limit. No ground or pole sign shall exceed a height of thirty feet, except when the number of permitted signs along a street frontage of the zoning lot, as set forth in paragraph one, is eliminated. For each sign that is eliminated along a street frontage, one sign may be increased five feet in height. The use of this method shall not permit any sign to exceed a height of fifty-five feet.

4. Maximum Area. The maximum permitted area of an individual ground or pole sign shall not exceed the square feet shown in the following table; provided, however, under no circumstance shall the total sign area of all ground or pole signs on a zoning lot exceed the area per lineal foot of street frontage adjacent to said street right-of-way.

(Exception: When only one sign is permitted by the frontage of a zoning lot, it shall be permitted an area of 150 square feet when adjacent to an arterial or expressway; 50 square feet when adjacent to a collector street; or 25 square feet when adjacent to an undesignated street.)

TABLE OF AREAS

MAXIMUM PERMITTED AREAS FOR ON-SITE GROUND OR POLE SIGNS

<u>Type of Street*</u>	<u>Maximum Area of Individual Sign In Square Feet</u>	<u>Total permitted area in sq. ft. of all signs per lineal ft. of street frontage</u>
<u>Undesignated**</u>	<u>50</u>	<u>0.5</u>
<u>Collector</u>	<u>150</u>	<u>1.0</u>
<u>Arterial</u>	<u>600</u>	<u>2.0</u>
<u>Expressway</u>	<u>600</u>	<u>2.0</u>

* As designated on Map 13A of the transportation plan element of the comprehensive plan.

** When an undesignated street is located in an area such 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 only in commercial or industrial districts.

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 fifteen feet, whichever is less. The center line of an alley shall be considered an adjacent property line. When more than one ground or pole sign is permitted on a zoning lot, there shall be maintained a minimum horizontal distance of 150 feet, along the same street frontage from another ground or pole sign on the same zoning lot. (See exception in paragraph 1.) This shall apply to all on-site ground or pole signs within 35 feet of the street right-of-way line. (Exception: The Superintendent of Central Inspection may vary these minimum horizontal distances up to 30% when circumstances related to the physical features of the zoning lot prevent the installation of the sign at the minimum horizontal distances. The reduction of these minimums shall in no way change the number of signs permitted on a zoning lot.)

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 linear measurement in feet, along the centerline of the street right-of-way, that is within or adjacent to any commercial or industrial zoning district, provided however, such signs shall only be permitted in the zoning districts as set forth in paragraphs G, H and J of this section of the code. Except in the "C", "E" or "F" zoning districts, no zoning shall be considered for linear measurement unless it is adjacent to an arterial street or expressway.

For purposes of measurement, zoning shall be considered to extend to the centerline of all streets. A designated mile shall be the length of the centerline of a street between mile

section lines, even though the linear measurement may exceed five thousand two hundred eighty feet. Any mile not covered entirely by city boundary shall be treated on a percentage basis. The number of signs allowed shall be in direct proportion to the percentage of the designated mile that lies within the city limits boundary.

There shall be permitted not more than one off-site sign facing a direction of travel, for each five hundred linear feet of street having "C", "E" or "F" zoning adjacent thereto provided however, under no circumstances shall there be erected more than five off-site signs facing a direction of travel in a designated mile in the "C" and "E" zoning districts, and 8 per mile in the "F" zoning district; and provided further, whenever any off-site sign is to be located in the "LC" Light Commercial District the following shall be applicable.

Off-site signs may be permitted in the "LC" Light Commercial District only when a designated mile has at least 1500 linear feet of "LC", "C", "E" or "F" zoning adjacent thereto. When there is at least 3000 linear feet of appropriate zoning adjacent to a designated mile, a second off-site sign may be permitted. When there is at least 4500 linear feet of appropriate zoning adjacent to a designated mile, a third off-site sign may be permitted.

2. Size and Height Permitted. The gross surface area of an off-site sign shall not exceed eight hundred twenty-five square feet, including any extensions. Extensions may not extend more than five and one-half feet above the normal upper rectangular lineage of the face, nor more than two feet beyond any of the other three sides. Maximum rectangular dimensions, excluding extensions, shall be fourteen feet in height by forty-eight feet in length. No off-site sign shall exceed thirty feet in height at the top of the maximum rectangular dimension, which does not include the permitted extensions. Exceptions: Off-site signs located adjacent to an elevated portion of a highway structure may be erected to a height of fourteen feet

above the traffic deck. Off-site signs located within 3 feet of a one story building may be erected at a height that will allow eight feet of clearance between the bottom of the sign and the roof or parapet.

3. Prohibited Locations. No off-site sign shall be erected on a property when any of the following conditions exist.

- a. No off-site sign shall be erected on a zoning lot, of less than one hundred fifty feet of frontage, that has more than two on-site ground or pole signs totaling more than two hundred fifty square feet gross surface area facing a direction of travel that are located within thirty-five feet of the street right-of-way line.
- b. Whenever a zoning lot exceeds 150 feet of frontage, no off-site sign shall be permitted except when the zoning lot does not exceed 50 percent of the number permitted by Section K.
- c. No off-site sign shall be erected that would obscure the view of any on-site sign. This shall be determined by establishing a sight point at the centerline of the street one hundred fifty feet in either direction, then no on-site sign within one hundred fifty feet of the off-site sign shall be obscured from view.
- d. No off-site sign shall be erected within three hundred thirty feet of another off-site sign facing the same direction of travel along the same street.
- e. No off-site sign shall be erected on a zoning lot which does not comply with the minimum lot size of the zoning district.
- f. No off-site sign shall be erected on "LC" zoned property within one hundred fifty feet (measured perpendicular to the sign face) or within seventy-five feet (measured parallel to the sign face) of a residential structure. The perpendicular measurement shall extend forty-five degrees to either side of the perpendicular line.
- g. No off-site sign shall be located on any property in the "LC" Light Commercial zoning district that is not

a part of at least 300 continuous feet (linear measurement) of commercial or industrial zoning.

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 over the roof of any building; provided, however, a pole sign may cantilever over a building not to exceed twenty feet as long as a vertical clearance of 8 feet is provided between the roof and any portion of the sign."

The original of Section 28.04.139 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 _____, 1981.

R. C. Brown, Mayor

ATTEST:

Donald C. Gisick, City Clerk

Approved as to form:

John Dekker, City Attorney

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

November 10, 1981

TO E. H. Denton, City Manager
FROM Robert A. Lakin, Director of Planning
SUBJECT DR 79-11 - Amendment to Zoning Ordinance
Re: Sign Regulations

At the City Commission meeting of October 20, 1981, the ordinance amending the sign regulations was placed on first reading with the understanding that a legal opinion be obtained from the Department of Law relative to the final changes to the ordinance. Attached is a copy of that opinion. Unless we seek and gain approval of legislation to allow the use of zoning for aesthetic purposes only, then other action than restricting timing to 90/30 days, or other alternates will need to be considered.

In order to comply with the content of this opinion it would appear that the City Commission would have the following options to consider before adopting the ordinance.

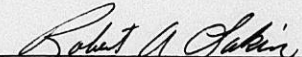
1. Establish a time limit for portable signs after which the person, business or institution would have to revert to permanent signs for identification. This establishes a one time use of portables for any given business. The basis of this approach is to allow a new business to determine whether they will be successful before installing a permanent sign. Once established and with permanent signing available, the use of portables for that particular business would not be permitted.
2. Prohibit the use of any portable sign.
3. Place portable signs under the same limitations as on-site ground and pole signs and allow the person, business or institution to determine whether they wish to install a permanent sign or to use a portable sign for identification purposes. The ordinance as now written requires a separation of 150 feet between signs. Any change to this option would require the sign owner to choose between permanent and portable unless there was an adequate distance between signs as required by the ordinance. It will also limit the use of portables unless the difference between the amount of square footage of signage allowable under the ordinance and the square footage of permanent signs existing on the site was sufficient (estimated from 32 to 60 square feet) to allow the portable. This requires square footage to be split between permanent and portable signs.
4. Place no time limit on the use of portable signs. This allows permanent placement subject to location and size. Square footage, height and location requirements would remain the same.

E. H. Denton, City Manager
November 10, 1981
Page 2

Except for option 4, it would appear that specific language will have to be drafted before the ordinance is adopted.

Recommended Actions:

- 1) Determine which option is preferred and instruct the staff to return with amendatory language on December 15. If option 1, advise as to time limit. Suggest not over six months.
If option 2, set effective date for termination of use (not over 30 days).
If option 3, determine a minimum distance between signs (not less than 50 on small sized parcels of land).
If option 4, no additional decisions needed,
or;
- 2) Adopt the ordinance reflecting changes made by the City Commission at their October 20, 1981 meeting, by amending the ordinance placed on first reading with the specific language submitted in the attached revised ordinance and instruct the staff to survey other cities as to their practices and problems with portable signs and return a report to the Metropolitan Area Planning Commission and the Board of City Commissioners by April 1.
- 3) and/or
Amend the legislative programs to request the legislature to authorize the use of zoning for solely aesthetic purposes so that regulations as to timing on the use of portable signs can be adopted.


Robert A. Lakin
Director of Planning

RAL:GEL:rme

Attachments: Legal opinion
Ordinance (revised)

cc: Metropolitan Area Planning Commission
Ad Hoc Committee on Signs
John Dekker, Director of Law
Ken Francisco, 3405 North Hydraulic, Wichita 67219
Don Anderson, Director, Housing & Economic Development
Robert Feldner, Superintendent of Central Inspection
Wichita Board of Realtors, 717 North Emporia, Wichita 67214
Wichita Area Builders Association, 730 North Main, Wichita 67203
Chamber of Commerce, 350 West Douglas, Wichita 67202

November 10, 1981

E. H. Denton, City Manager
Robert A. Lakin, Director of Planning

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Robert A. Lakin
Director of Planning

RAL:GEL:rms

Attachments: Legal opinion
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WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

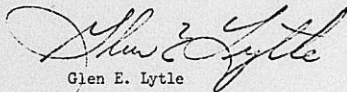
October 22, 1981

TO John Dekker, Director of Law
FROM Glen E. Lytle, Special Assistant for Zoning
SUBJECT DR-79-11 Amendment to Zoning Ordinance Re: Sign Regulations

Attached hereto are the original and four copies of an ordinance that is submitted for your signature of approval as to form. You had previously approved this back in July when it was first submitted to the City Commission for their consideration. It has since been revised and placed on first reading by the City Commission at their meeting of October 20, 1981.

As you are aware, most of the controversy has been over the regulation of portable signs. The City Commission requested that an opinion be obtained from the Department of Law on the defensibility of the provisions on portable signs prior to the adoption of the ordinance.

A response at your earliest convenience will be appreciated.



Glen E. Lytle

GEL:sad

cc: H. R. Kuhn, Assistant City Attorney
Robert A. Lakin, Director of Planning

THE CITY OF WICHITA

OFFICE OF DEPARTMENT OF LAW

DATE October 30, 1981

TO GLEN E. LYTLE, SPECIAL ASSISTANT OF ZONING

FROM H. R. KUHN, ASSISTANT CITY ATTORNEY

SUBJECT Amendment to zoning ordinance
RE: Portable sign regulations

The Department of Law has reviewed the proposed amendment to Section 28.04.139 of the Code of the City of Wichita. Particular attention was given to the section concerning the placement and time limitations applying to portable signs.

As indicated in previous meetings concerning this question it is our opinion that, if subjected to legal challenge, the District Court of Sedgwick County would hold the "90 days on - 30 days off" provision as unconstitutional and unlawful. The District Court of Sedgwick County, Kansas in 1979 upheld the validity of all of the Code provisions relating to temporary and portable signs except the provision regulating the use of portable signs to 12 special events a year. The Court based its ruling upon its conclusion that the provision fixing the 12 special events a year was based solely or predominately on aesthetic considerations, and such being the case, could not stand. In other words, the Court found that the 12 special events provision was not reasonably related to any of the police powers of the City, i.e., safety, health, morals, and general welfare, etc. The Court specifically rejected the argument that such a provision was related to public safety or invasion of individual privacy.

The proposed amendment consisting of the 90 days on and 30 days off is so similar in effect to the "special events" provision that the District Court would probably apply the same reasoning and declare the same unconstitutional and unlawful. Safety, both pedestrian and vehicular, and individual privacy arguments would again probably be rejected on the basis that if they could conceivably be an issue, they would be an issue on the first day of the 90 day period as well as the 1st day of the 30 day period. Of course, a decision of the District Court could be appealed with a view toward seeking a change in Kansas law as to the significance of aesthetics alone in regulations of this type.

TO: GLEN E. LYTLE
October 30, 1981
Page 2

The District Court made it clear that the City does have the right to determine the number of days a temporary sign may be used. It is our opinion that the City can lawfully designate the number of days a business may utilize a portable sign -- upon the expiration of such single time period, the portable sign should be removed. The business would then have the option of using a permanent type sign or having no sign.

If we can be of further assistance, please advise.

RESPECTFULLY SUBMITTED,


H. R. KUHN
ASSISTANT CITY ATTORNEY

HRK:mb
cc: John Dekker

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 28.04.139 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO THE LOCATION, HEIGHT, AREA, NUMBER AND TYPE OF SIGNS TO BE PERMITTED BY ZONING DISTRICTS; AND REPEALING THE ORIGINAL SECTION 28.04.139 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

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

Section 28.04.139 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

"28.04.139 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, and shall particularly regulate the size, height and type of sign permitted by the zoning district.

A. GENERAL STANDARDS.

1. Classification of Signs. Signs shall be classified by the superintendent of central inspection in accordance with the following classifications:

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 four feet, six inches above the roof or 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;

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 thirty-two square feet of gross surface area shall be classified as an

off-site sign and regulated accordingly;

m. Sign, Portable. A temporary on-site sign designed in such a manner to be readily movable and not permanently attached to the property; such as, A-frames, Trailer signs, signs placed on vehicles, beacon lights and other similar signs. Any such sign shall not exceed a height of 10 feet above grade.

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 one foot 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 four feet six inches above the roof or parapet;

t. Sign, Temporary. An on-site sign that is limited in the period of time that such sign may remain on a property, either by the limitations of these regulations or the conditions of the permit.

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 when 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 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. 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 do not contain any advertising or printed copy, are not lighted and do not exceed ten percent 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 two hundred feet of any residential district, shall not be illuminated between the hours of eleven p.m. and seven 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 thirty degrees of a line perpendicular to the centerline of the street. A sign shall be considered facing both directions of travel along a street if the angle exceeds the thirty degrees as described above. Exception: A sign located within two hundred fifty 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 thirty degrees 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 centerline of a street at the points where lines are projected perpendicular to the centerline 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;

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 exception 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;

7. Signs authorized as special displays under Section 24.04.240 of this code.

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 shall be determined to be in keeping with the general design of the area and the size shall be limited in height and area dependent upon their location on the property;

3. Identification signs denoting only the name of the building or building complex when consisting of letters less than fifteen inches in height, carved into or securely attached in such a way that they are an architectural detail of the building or entranceway; and provided, further, they are not illuminated apart from the building or entranceway, are not made of reflecting material and do not project more than two inches from the surface to which they are attached;

4. Construction signs with the following limitations:
One sign per street frontage,

Gross surface area per sign - thirty-two square feet in "AA" and "A" districts, one hundred twenty-eight square feet in all other districts,

Sign may include illustration of project under construction;

5. Real estate sign, advertising the sale, rental or lease of the premises on which it is displayed, with the following limitations:

One sign per street frontage per listing, provided that a maximum of four real estate signs be permitted on a zoning lot,

Unlighted only,

Gross surface area per sign, residential zoning districts - eight square feet. All other zoning districts - thirty-two square feet;

6. Project title signs for subdivision identification, with the following limitations:

Time period, two years; however, the superintendent of central inspection may grant extensions every six months until the subdivision is seventy percent developed.

Exclusively for the purpose of advertising the subdivision in which the sign is located,

Unlighted only and neither reflective nor fluorescent,

Permit issued only after the final subdivision plat has been duly recorded.

Located at or near entrances to tract sections under construction,

Not more than two sign structures shall be maintained in any one subdivision less than forty acres in size. For each additional forty acres or major fraction thereof, one additional sign may be erected,

Area, maximum - one hundred twenty-eight square feet for each sign,

Length, maximum - sixteen feet;

7. Nameplate signs with a maximum area of two square feet;

8. Signs, advertising decorations, temporarily displayed during the hereinafter specified special event periods only, provided however, such displays shall not exceed a total time limitation of 30 days for an individual event. Such special events shall be limited to (a) grand openings for new businesses;

(b) licensed going out-of-business sales; (c) open houses in new subdivisions and home shows; and (d) sales in conjunction with nationally recognized holidays.

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 four signs for each street frontage, per zoning lot,

Total area of all signs shall not exceed sixty-four 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 twenty-five 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. Sign Portable, for office and institutional uses, provided however, only one sign shall be permitted on a zoning lot, and the time limitation shall not exceed 30 days. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Any sign permitted by this section shall not exceed 60 square feet in gross surface area.

14. Other signs which the superintendent of central inspection may determine fall within the intent and purpose of this section.

D. SIGNS PERMITTED IN THE "RD", "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 sixteen square feet in area nor exceed twenty 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 thirty-two square feet in area nor exceed thirty 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 thirty-two square feet in area or thirty 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 twenty feet in height or exceed sixty-four 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 subsection K;

2. Illuminated building signs, provided that there shall be no more than three signs for each business for each building elevation having street frontage or fronting onto a parking area with a depth of one hundred fifty feet or more, and shall be limited in total area to twenty-five percent of each building elevation. Signs shall not be more than thirty feet above grade. Building elevations not having street frontage, but facing onto parking or loading areas exceeding fifty feet in depth, may provide identification signs for each place of business having an entrance therefrom; providing such signs shall not exceed fifteen square feet in area nor be more than twelve feet above grade;

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 signs(s) shall not extend beyond a line ten 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 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 subsection (K) (1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet;

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

5. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bulbs shall not be permitted. Any portable sign permitted by this provision shall not remain at a location for any business longer than 90 days. At the end of 90 days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed 60 square feet in gross surface area.

H. SIGNS PERMITTED IN THE "C" COMMERCIAL AND "E" LIGHT INDUSTRIAL DISTRICTS.

1. Illuminated on-site ground or pole signs as permitted by subsection K;

2. Illuminated off-site signs as permitted by subsection L,

3. Illuminated building signs, provided that no individual sign shall exceed six hundred 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 sign, provided, that it shall not project more than twenty 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;

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 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 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 subsection (K) (1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet.

6. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bulbs shall not be permitted. Any portable sign permitted by this provision shall

not remain at a location for any business longer than 90 days. At the end of 90 days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed 60 square feet in gross surface area.

I. SIGNS PERMITTED IN THE "D" CENTRAL BUSINESS DISTRICT.

1. Illuminated on-site ground or pole signs as permitted by subsection K;

2. Illuminated building signs, provided no individual sign shall exceed six hundred 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 sign provided that it shall not project more than thirty feet above the highest point of the structure on which it is located;

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 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 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 subsection (K) (1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet.

5. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the

sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bulbs shall not be permitted. Any portable sign permitted by this provision shall not remain at a location for any business longer than 90 days. At the end of 90 days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed 60 square feet in gross surface area.

J. SIGNS PERMITTED IN THE "F" HEAVY INDUSTRIAL DISTRICT.

1. Illuminated on-site ground or pole signs as permitted by subsection K;
2. Illuminated off-site signs as permitted by subsection L;
3. Illuminated building signs, provided that no individual sign shall exceed six hundred 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 sign, provided that it shall not project more than twenty 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;
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 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 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 subsection (K) (1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet.

6. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bulbs shall not be permitted. Any portable sign permitted by this provision shall not remain at a location for any business longer than 90 days. At the end of 90 days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed 60 square feet in gross surface area.

K. ON-SITE GROUND OR POLE SIGNS AS REFERRED TO IN SUBSECTIONS G, H, I AND J.

1. Number Permitted. The number of ground or pole signs permitted on a zoning lot shall be determined by the linear feet of street frontage of the zoning lot. 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; provided, however, signs permitted by a street frontage must be adjacent to, and face the direction of travel along said street. (Exception: signs located within fifty feet of the intersection of two streets on a corner lot may be placed so that it may face both directions of travel, such as a rotating sign or be erected on an angle. When this occurs, it shall be considered a sign adjacent to each street, and one-half of the sign area shall be charged against the total permitted sign area of each street frontage.) Every zoning lot shall be permitted one ground

or pole sign. Whenever more than one onsite ground or pole sign is permitted, it shall be determined by the required minimum horizontal distance from any adjacent property line and the minimum horizontal distance between onsite ground or pole signs on the zoning lot as set forth in paragraph 6. This will permit two signs on an interior zoning lot of 180 feet or more, and two signs on a corner lot of 165 feet or more. For each additional 150 feet of frontage above these minimums, one additional sign may be erected. In determining lot frontage, one-half the width of an adjoining alley may be considered as frontage.

2. Size Permitted. The size of an on-site sign shall not exceed the maximum permitted square feet of sign area as set forth in the "Table of Areas" of paragraph 4 of this section; provided, however, the total sign area of all on-site ground or pole signs on the zoning lot shall not exceed the total square feet of area long a street frontage as permitted by paragraph 4.

3. Height Limit. No ground or pole sign shall exceed a height of thirty feet, except when the number of permitted signs along a street frontage of the zoning lot, as set forth in paragraph one, is eliminated. For each sign that is eliminated along a street frontage, one sign may be increased five feet in height. The use of this method shall not permit any sign to exceed a height of fifty-five feet.

4. Maximum Area. The maximum permitted area of an individual ground or pole sign shall not exceed the square feet shown in the following table; provided, however, under no circumstance shall the total sign area of all ground or pole signs on a zoning lot exceed the area per lineal foot of street frontage adjacent to said street right-of-way.

(Exception: When only one sign is permitted by the frontage of a zoning lot, it shall be permitted an area of 150 square feet when adjacent to an arterial or expressway; 50 square feet when adjacent to a collector street; or 25 square feet when adjacent to an undesignated street.)

TABLE OF AREAS

MAXIMUM PERMITTED AREAS FOR ON-SITE GROUND OR POLE SIGNS

<u>Type of Street*</u>	<u>Maximum Area of Individual Sign In Square Feet</u>	<u>Total permitted area in sq. ft. of all signs per lineal ft. of street frontage</u>
<u>Undesignated**</u>	<u>50</u>	<u>0.5</u>
<u>Collector</u>	<u>150</u>	<u>1.0</u>
<u>Arterial</u>	<u>600</u>	<u>2.0</u>
<u>Expressway</u>	<u>600</u>	<u>2.0</u>

* As designated on Map 13A of the transportation plan element of the comprehensive plan.

** When an undesignated street is located in an area such 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 only in commercial or industrial districts.

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 fifteen feet, whichever is less. The center line of an alley shall be considered an adjacent property line. When more than one ground or pole sign is permitted on a zoning lot, there shall be maintained a minimum horizontal distance of 150 feet, along the same street frontage from another ground or pole sign on the same zoning lot. This shall apply to all on-site ground or pole signs within 35 feet of the street right-of-way line.

(Exception: The Superintendent of Central Inspection may vary these minimum horizontal distances up to 30% when circumstances related to the physical features of the zoning lot prevent the installation of the sign at the minimum horizontal distances. The reduction of these minimums shall in no way change the number of signs permitted on a zoning lot.

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 linear measurement in feet, along the centerline of the street right-of-way, that is within or adjacent to any commercial or industrial zoning district, provided however, such signs shall only be permitted in the zoning districts as set forth in paragraphs G, H and J of this section of the code. Except in the "C", "E" or "F" zoning districts, no zoning shall be considered for linear measurement unless it is adjacent to an arterial street or expressway.

For purposes of measurement, zoning shall be considered to extend to the centerline of all streets. A designated mile shall be the length of the centerline of a street between mile

section lines, even though the linear measurement may exceed five thousand two hundred eighty feet. Any mile not covered entirely by city boundary shall be treated on a percentage basis. The number of signs allowed shall be in direct proportion to the percentage of the designated mile that lies within the city limits boundary.

There shall be permitted not more than one off-site sign facing a direction of travel, for each five hundred linear feet of street having "C", "E" or "F" zoning adjacent thereto provided however, under no circumstances shall there be erected more than five off-site signs facing a direction of travel in a designated mile in the "E" and "E" zoning districts, and 8 per mile in the "F" zoning district; and provided further, whenever any off-site sign is to be located in the "LC" Light Commercial District the following shall be applicable.

Off-site signs may be permitted in the "LC" Light Commercial District only when a designated mile has at least 1500 linear feet of "LC", "C", "E" or "F" zoning adjacent thereto. When there is at least 3000 linear feet of appropriate zoning adjacent to a designated mile, a second off-site sign may be permitted. When there is at least 4500 linear feet of appropriate zoning adjacent to a designated mile, a third off-site sign may be permitted.

2. Size and Height Permitted. The gross surface area of an off-site sign shall not exceed eight hundred twenty-five square feet, including any extensions. Extensions may not extend more than five and one-half feet above the normal upper rectangular lineage of the face, nor more than two feet beyond any of the other three sides. Maximum rectangular dimensions, excluding extensions, shall be fourteen feet in height by forty-eight feet in length. No off-site sign shall exceed thirty feet in height at the top of the maximum rectangular dimension, which does not include the permitted extensions. Exceptions: Off-site signs located adjacent to an elevated portion of a highway structure may be erected to a height of fourteen feet

above the traffic deck. Off-site signs located within 3 feet of a one story building may be erected at a height that will allow eight feet of clearance between the bottom of the sign and the roof or parapet.

3. Prohibited Locations. No off-site sign shall be erected on a property when any of the following conditions exist.

- a. No off-site sign shall be erected on a zoning lot, of less than one hundred fifty feet of frontage, that has more than two on-site ground or pole signs totaling more than two hundred fifty square feet gross surface area facing a direction of travel that are located within thirty-five feet of the street right-of-way line.
- b. Whenever a zoning lot exceeds 150 feet of frontage, no off-site sign shall be permitted except when the zoning lot does not exceed 50 percent of the number permitted by Section K.
- c. No off-site sign shall be erected that would obscure the view of any on-site sign. This shall be determined by establishing a sight point at the centerline of the street one hundred fifty feet in either direction, then no on-site sign within one hundred fifty feet of the off-site sign shall be obscured from view.
- d. No off-site sign shall be erected within three hundred thirty feet of another off-site sign facing the same direction of travel along the same street.
- e. No off-site sign shall be erected on a zoning lot which does not comply with the minimum lot size of the zoning district.
- f. No off-site sign shall be erected on "LC" zoned property within one hundred fifty feet (measured perpendicular to the sign face) or within seventy-five feet (measured parallel to the sign face) of a residential structure. The perpendicular measurement shall extend forty-five degrees to either side of the perpendicular line.
- g. No off-site sign shall be located on any property in the "LC" Light Commercial zoning district that is not

a part of at least 300 continuous feet (linear measurement) of commercial or industrial zoning.

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 over the roof of any building; provided, however, a pole sign may cantilever over a building not to exceed twenty feet as long as a vertical clearance of 8 feet is provided between the roof and any portion of the sign."

The original of Section 28.04.139 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 _____, 1981.

R. C. Brown, Mayor

ATTEST:

Donald C. Gisick, City Clerk

Approved as to form:

John Dekker, City Attorney

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Skeets Winkler - Human Resources Department (Colvin Center)
Susan Wiley - Human Resources Administrative Support
Marilyn Burke - Human Resources Administrative Support
Lee Acebedo - Rehabilitation Services

Bill Murray
and Lester Arvin

Bill Murray and Lester C. Arvin, representing Kansas Realty and Oil Corporation, requested the abatement of the amount still owed by Defenders Townhouse resulting from a CDBG grant for an exterior fire escape, which must now be removed. Mr. Murray stated that Kansas Realty and Oil had just taken possession of the building yesterday, and if the Commission did not grant full abatement he felt a proration on the basis of possession should be considered.

Discussion was had regarding administrative support services in light of the reduced funding for Human Resources and resultant staff reductions. It was noted that there may have to be reductions made in other areas as well, and possibly additional combining of advisory board functions may be an alternative.

*Commissioner Knight excused for a short time.

Discussion was also had regarding the Kansas Realty and Oil Corporation's request for abatement of the CDBG grant, with Commissioner Knight expressing opposition to abatement, Commissioner Kirk favoring proration, and Commissioner Casado favoring abatement.

The following actions were taken relative to the above requests:

- Motion -- Kirk moved that the City Manager's recommendation of \$15,000 for South
-- carried Riverbank Beautification be approved. Motion carried 4 to 1. Knight - NO.
- Motion -- Knight moved that the Planeview Water Metering Project be held in
-- carried abeyance until later in the meeting. Motion carried 5 to 0.
- Motion -- Brown moved that the City Manager's recommendation of \$135,000 for
-- carried street reconstruction be approved. Motion carried 5 to 0.
- Motion -- Brown moved that the Traffic Signal Equipment Purchase and Installa-
-- carried tion project not be funded. Motion carried 5 to 0.
- Motion -- Brown moved that the Economic Development Feasibility Study project
-- carried not be funded. Motion carried 5 to 0.
- Motion -- Kirk moved that the City Manager's recommendation of \$68,000 for the
-- carried City Commission Meetings Broadcast be approved. Motion carried 3 to 2. Knight,
Brown - NO.
- Motion -- Kirk moved that the Adult Basic Education Program not be funded.
-- carried Motion carried 5 to 0.
- Motion -- Kirk moved that the City Manager's recommendation of \$50,000 for
-- carried Human Resources Board - Administrative Support be approved. Motion carried
4 to 1. Knight - NO.
- Motion -- Kirk moved that the Rehabilitation Services project not be funded.
-- carried Motion carried 4 to 1. Wright - NO.
- Motion -- Kirk moved that the Religious Recreation and Communication Center
-- carried project not be funded. Motion carried 5 to 0.
- Motion -- Casado moved that the Commission abate the balance owing relative to
-- died the CDBG grant for Defenders Townhouse. Motion died for lack of a second.
- Motion -- Kirk moved that the CDBG grant amount be prorated back from the
-- carried \$175,000 figure to the date of possession by Kansas Realty and Oil Corporation,
which was October 19, 1981, reducing it to approximately \$110,000. Motion
carried 3 to 2. Knight, Brown - NO.

The Commission recessed for lunch at 12:30 p.m. and reconvened at 1:31 p.m., with Mayor Brown in the Chair, Commissioners Casado, Kirk, Knight, Wright present.

DR 79-11, AMENDMENT
TO ZONING ORD.

DR 79-11 - PROPOSED AMENDMENT TO ZONING ORDINANCE PERTAINING TO SIGN REGULATIONS, presented.

Presented for consideration is a delineated copy of a proposed amendment to the City of Wichita Zoning Ordinance related to sign regulations as recommended by the Planning Commission.

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The sign regulations presently in effect were adopted by the City Commission in December, 1974. Although several amendments have been made since that date, the proposals presented at this time are the most significant changes to date. The proposed ordinance was first considered by the City Commission on July 14, 1981, and was returned to the Planning Commission with recommendations for amendment.

The Planning Commission held a public hearing on September 10, 1981, and continued the public hearing for two weeks to September 24, 1981, for additional revisions and review. The minutes of both meetings were provided.

The following is a summary of the proposed amendments to the zoning ordinance:

1. Portable Signs
 - a. Provides for a maximum time limit of 30 days that a portable sign can remain on a property before it must be removed for a 30-day period. (This is a reduction from the previous recommendation of 90 days on - 30 days off, and in conformance to CC recommendation of July 14, 1981.)
 - b. Limits an individual business to one portable sign. (This is in conformance to CC action on July 14, 1981, and identical to previous recommendation.)
 - c. Places a 60 square foot limitation on any portable sign permitted by the ordinance. (This is a reduction of 20 square feet from the previous recommendation. This is 10 square feet larger than the CC recommendation of July 14, 1981.)
 - d. Permits the lighting of portable signs in any of the commercial or industrial districts, but without strobe lights or flashing bulbs. (This is contrary to the CC recommendation of July 14, 1981, which was not to permit lighting.)
2. On-Site Ground or Pole Signs
 - a. The distance between on-site ground or pole signs is reduced from 150 feet to 50 feet for the small strip centers (zoning lot of 330 feet or less). (This has been revised from the previous recommendation on July 14, 1981, to reduce the separation from 150 feet to 50 feet on all properties. This is not in agreement with CC recommendation to the MAPC.)
 - b. The gross surface area of on-site ground or pole signs is increased from 450 square feet to 600 square feet adjacent to an arterial or expressway. (This has not been changed from previous recommendation and agreed to by the CC on July 14, 1981.)
 - c. The total amount of on-site ground or pole signs is being amended to base the amount of signage on lineal feet of street frontage. (This has not been changed from the previous recommendation and agreed to by the CC on July 14, 1981.)
 - d. The maximum height of on-site ground or pole signs is being increased from 45 feet to 55 feet. (This is the same recommendation that was sent to the CC on July 14, 1981, and rejected by the CC.)
3. Off-Site Signs
 - a. The maximum area for off-site signs is increased from 600 square feet to 825 square feet which will permit the erection of signs to conform to the national standard for painted bulletins. (This has not been changed from the previous recommendation and agreed to by the CC on July 14, 1981.)
 - b. Permits exceptions to the 30 foot height of off-site signs when adjacent to an elevated highway and also adjacent to one-story buildings. (This is a revision from the recommendation of July 14, 1981, which the CC recommended no change in the existing ordinance.)

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- c. Eliminates the restriction of the location of off-site signs in the "LC" Light Commercial District based on a 70% of a designated mile being properly zoned; and now will permit off-site signs to be located in the "LC" Light Commercial District whenever at least 1,500 feet of "LC", "C", "E" or "F" zoning is adjacent thereto. (This is revised from the recommendation that was denied by the CC on July 14, 1981.)
- d. Reduces the maximum number of permitted off-site signs in a designated mile from 8 to 5. (This has not been changed from the previous recommendation and agreed to by the CC on July 14, 1981.)
- e. Permits an off-site pole sign to be cantilevered over a building not to exceed 20 feet, provided a vertical clearance of 8 feet is maintained above the building. (This has not been changed from the previous recommendation and agreed to by the CC on July 14, 1981.)

Representatives of the Planning Department made the presentation.

Interested parties were advised that the Commission would consider the matter at this time.

Robert Lakin Robert Lakin, Director of Planning, reviewed the proposed amendments to the zoning ordinance and answered questions of the Commission.

Mayor Brown Mayor Brown asked if anyone present wished to be heard on this item.

The following persons spoke in regard to a more liberal ordinance for the portable signs:

- David Bayouth, an independent businessman
- Wayne Brock, a portable sign merchant
- Gary Shively, small businessman
- Gerald Panagrossi, small businessman
- David Wiles, representing Dr. Redbird's Restaurant
- Ken Groszkiel, small businessman
- Marguirite Nicolay, Dairy Queen proprietress
- Jerry Grider, small businessman
- Marie Clark, representing Clark Signs, 4500 S. Broadway
- Terry Bruce businessman on South Broadway

Pat Guinan and Barbara Arvold Pat Guinan, representing Project Beauty, and Barbara Arvold, representing herself, requested that the Commission consider stiffer regulations on the portable signs and asked them to consider the aesthetics of driving down the streets of Wichita. Ms. Guinan spoke in regard to the site and off-site signs requesting even stiffer regulations of those signs.

Russell Ross Russell Ross, Donrey Outdoor Advertising Company, spoke in regard to the proposed changes in the off-site signs.

Bill Campbell Bill Campbell, Campbell Associates, spoke to the Commission in regard to the proposed changes on the on-site ground or pole signs. Considerable discussion was had by the Commission.

Mayor Brown Mayor Brown stated that they would vote on each item individually.

Portable Signs

Motion -- Brown moved that the maximum time limit of 30 days for portables signs be changed to 90 days and be approved that the 90 days remaining on the property and 30-day period off. Motion carried 3 to 2. Kirk, Wright - NO.

Motion -- Brown moved that an individual business be limited to one portable sign. Motion carried 5 to 0.

Motion -- Wright moved that the square footage be reduced to 50 square feet. Motion died for lack of a second.

Motion -- Kirk moved that the square footage be set at 60 square feet. Motion carried 4 to 1. Wright - NO.

Motion -- Brown moved that portable sign lighting in commercial or industrial districts be permitted with the exception of strobe lights or flashing bulbs. Motion carried 4 to 1. Wright - NO.

On-site Ground or Pole Signs

Motion -- Kirk moved that the distance between on-site ground or pole signs remain at 150 feet. Motion carried 3 to 2. Knight, Brown - NO.

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n -- Brown moved that the gross surface area of on-site ground or pole signs adjacent to an arterial or expressway be increased to 600 square feet.
 -- carried Motion carried 5 to 0.

on -- Brown moved that the amount of on-site ground or pole signs be based upon the amount of lineal feet of street frontage. Motion carried 5 to 0.
 -- carried

on -- Kirk moved that the maximum height of on-site ground or pole signs be set at 55 feet. Motion carried 5 to 0.
 -- carried

Off-Site Signs

on -- Wright moved that the maximum area for off-site signs be set at 825 square feet. Motion carried 4 to 1. Kirk - NO.
 -- carried

on -- Brown moved that exceptions to the 30-foot height of off-site signs be permitted when adjacent to an elevated highway or one-story buildings. Motion carried 4 to 1. Wright - NO.
 -- carried

on -- Brown moved that off-site signs be permitted in Light Commercial ("LC") districts when at least 1,500 feet of "LC", "C", "E" or "P" zoning is adjacent thereto. Motion carried 3 to 2. Kirk, Wright - NO.
 -- carried

on -- Kirk moved that the number of off-site signs be limited to 5 in a designated mile. Motion failed 2 to 3. Casado, Knight, Brown - NO.
 -- failed

on -- Brown moved that the number of off-site signs be limited to 8 in a designated mile. Motion carried 3 to 2. Kirk, Wright - NO.
 -- carried

ion -- Kirk moved that off-site pole signs cantilevered over a building be permitted so long as they do not exceed 20 feet and provide 8 feet of vertical clearance above the building. Motion carried 5 to 0.
 -- carried

ert Lakin The Director of Planning informed the Commission that they would need to place the ordinance on first reading and request that it be returned with the amendments for adoption.

ion -- Casado moved that the ordinance be placed on first reading and staff be instructed to return the ordinance with proposed amendments for adoption.
 -- carried Motion carried 5 to 0.

ORDINANCE

An Ordinance amending Section 28.04.139 of the Code of the City of Wichita, Kansas, pertaining to the location, height, area, number and type of signs to be permitted by zoning districts; and repealing the original Section 28.04.139 of the Code of the City of Wichita, Kansas, introduced and under the rules laid over.

The City Commission recessed at 3:06 p.m. and reconvened at 3:16 p.m.

ARING, PLANEVIEW
 WTER BILLS

HEARING ON THE MATTER OF RENDERING, PAYMENT AND DELINQUENT WATER BILLS IN PLANEVIEW, presented.

On January 6, 1981, the City Commission adopted Ordinance No. 36-966 pertaining to rendering, payment and delinquency of water and sewer bills. The ordinance included provisions for:

- 1) Bimonthly billing;
- 2) Electronic meter reading and cash handling;
- 3) Billing of unmetered accounts;
- 4) Charge for new connections.

On June 30, 1981, following complaints by certain Planeview resident homeowners, the City Commission established an Ad Hoc Committee on Water Rates and Policies to review the concerns of the Builders Association and residents and landlords in the Planeview area regarding the new policies and rates. The Committee consisted of one representative from each of the following:

- 1) City Manager's Office;
- 2) Water Department;

Signs

12-THE WICHITA JOURNAL, Oct. 24, 1981

H

Things to see and do around Wichita

The simmering controversy over signs -- in particular those mobile types that can spout on any street in the City at any time, for many a purpose--has again caught the public eye. That is, the City Commission and staff are again agonizing over why to, whether to and how to "control" the use and misuse of these gaudy little units.

Some small businesses claim that these mobile signs are their best forms of advertising, and that without them, the firms could hardly manage to survive.

Lovers and seekers of beauty in all things, on the other hand, are increasingly perturbed by the growing use of the signs. They can't miss seeing them on their way to work, to church, to watch the local sports teams play. Anywhere you go, and anytime, you will see a mobile sign flashing such message as "2 Tacos 99 cents" -- "Huge Discounts up to 47 Percent." -- "Waterbed Sale" -- even "Congrats Charlie 50 yrs."

One can hardly imagine how the economic and social life of the community could function

properly without the use of such easily moved, easily re-messaged, difficult to avoid looking-at, signs of our times.

Yet they are ugly and tasteless. They have no attractive young women smiling, forcing us to the conclusion that they are not art. They have no variety in size, shape, color, pattern, whatever. How many prospective Wichitans come to town and then decide to live in Independence, Tulsa or Salina instead -- because of those signs -- is hard to say.

How much the quality of life in our fair city is lowered by flashing red and yellow signs on wheels is a matter of artistic opinion only.

Surely, there is a solution, and as always, you can depend on your faithful seeker of the truth and the way, The Wichita Journal, to find it. It is really quite simple -- simple-minded some will say venomously -- but even such a really horrendous problems such as this has a solution.

First, we must get some noted artist or critic of art to declare mobile signs as artistic masterpieces -- modern sculptures representing

the strength and passion of our time. We might suggest the chap who designed the Tripodal. Surely, he would appreciate these units if anyone would.

We could then declare them beautiful and attractive and appealing to the eye, and we could relax and enjoy their latent beauty. After all, we have gotten zillions of megathrills of joy out of the Tripodal. Just consider how we will enjoy the future now.

We might also use this time to "modernize" that sculptural masterpiece on the greensward at Century II. We could equip it with an encircling red band of lights, paint it yellow with more flashing lights attached here and there, hang a plaque for changeable messages and our joy would be more than complete. Wichita would then have the only immobile, modern-as-Vegas, electric sculpture between Olney, Ill. and Dead Moose, Utah.

See! Solutions to these problems aren't as tough as you thought!

WVK

9-28-81

Wichita's Endless Sign Controversy

It's hard to say which is more confusing — trying to find something and still drive safely in an area where too many signs compete for attention — or the continuing controversy over revising Wichita's decade-old sign laws.

The City Commission can bring at least part of the controversy to a halt by finally adopting, on Oct. 20, some of the new ordinance amendments worked out in nearly two years of discussion by a special task force and months of Metropolitan Area Planning Commission and City Commission debate.

Changes that would bring the use of portable signs under control ought to be enacted, limiting the time they can be in place, how large they may be, and where they may be located. Without such amendment, the situation threatens to turn some shopping areas into virtual sign jungles.

There is the potential for fresh controversy, however, in a new recommendation from the planning commission that would alter zoning laws to allow increased-size billboards to be erected along an additional 67 miles of city streets, where there is some light commercial development. Present ordinance wording limits the use of billboards to 22 miles of arterial streets.

Bringing the spread of trailer-mounted portable signs into more reasonable check but encouraging the proliferation of even larger billboards where none now are permitted hardly seems to be positive progress on the sign front. City Commissioners should be wary of endorsing the latter step, even if it holds the promise of bringing their protracted deliberations to a close for now.

WICHITA-SEDGWICK COUNTY

DATE

October 12, 1981

METROPOLITAN AREA PLANNING DEPARTMENT

TO E. H. Denton, City Manager
FROM Robert A. Lakin, Director of Planning
SUBJECT Subject: DR-79-11 - Possible Amendment to Zoning Ordinance
Re: Sign Regulations

Attached hereto is a delineated copy of a proposed amendment to the City of Wichita Zoning Ordinance related to sign regulations. This amendment is being recommended by the Planning Commission to the City Commission for adoption. Please place this amendment on the City Commission agenda for their consideration on October 20, 1981 at 1:30 p.m.

BACKGROUND:

The sign regulations presently in effect were adopted by the City Commission in December 1974. Although several minor amendments have been made since that date, these proposals are the most significant changes to date. This proposed ordinance was first referred to the City Commission on July 14, 1981 and was returned to the Planning Commission for reconsideration with recommendations for change.

The Planning Commission held a public hearing on September 10, 1981 and continued the public hearing for two weeks to September 24, 1981 for additional revisions and review. Copies of the minutes of both meetings are attached for your information.

SUMMARY:

The following is a summary of the changes in the proposed amendment to the zoning ordinance:

1. Portable Signs
 - a. Provides for a maximum time limit of 30 days that a portable sign can remain on a property before it must be removed for a 30 day period. *(This is a reduction from the previous recommendation of 90 days on - 30 days off, and in conformance to BCC recommendation of 7-14-81).*
 - b. Limits an individual business to one portable sign. *(This is in conformance to BCC action on 7-14-81 and identical to previous recommendation.)*
 - c. Places a 60 square foot limitation on any portable sign permitted by the ordinance. *(This is a reduction of 20 square feet from the previous recommendation. This is 10 square feet larger than the BCC recommendation of 7-14-81.)*

d. Permits the lighting of portable signs in any of the commercial or industrial districts, but without strobe lights or flashing bulbs. *(This is contrary to the BCC recommendation of 7-14-81 which was to not permit lighting.)*

2. On-Site Ground or Pole Signs

a. The distance between on-site ground or poles is reduced from 150 feet to 50 feet for the small strip centers (zoning lot of 330 feet or less). *(This has been revised from the previous recommendation on 7-14-81 to reduce the separation from 150 feet to 50 feet on all properties. This is not in agreement with the BCC recommendation to the MAPC.)*

b. The gross surface area of on-site ground or pole signs is increased from 450 square feet to 600 square feet adjacent to an arterial or expressway. *(This has not been changed from the previous recommendation and agreed to by the BCC on 7-14-81.)*

c. The total amount of on-site ground or pole is being amended to base the amount of signage on lineal feet of street frontage. *(This has not been changed from the previous recommendation and agreed to by the BCC on 7-14-81.)*

d. The maximum height of on-site ground or pole signs is being increased from 45 feet to 55 feet. *(This is the same recommendation that was sent to the BCC on 7-14-81 and was recommended against by the BCC.)*

3. Off-Site Signs

a. The maximum area for off-site signs is increased from 600 square feet to 825 square feet which will permit the erection of signs to conform to the national standard for painted bulletins. *(This has not been changed from the previous recommendation and agreed to by the BCC on 7-14-81.)*

b. Permits exceptions to the 30 foot height of off-site signs when adjacent to an elevated highway and also adjacent to one-story buildings. *(This is a revision from the recommendation of 7-14-81 which the BCC recommended no change in the existing ordinance.)*

c. Eliminates the restriction of the location of off-site signs in the "LC" Light Commercial District based on a 70% of a designated mile being properly zoned; and now will permit off-site signs to be located in the "LC" Light Commercial District whenever at least 1500 feet of "LC", "C", "E" or "F" zoning is adjacent thereto. *(This is revised from the recommendation that was denied by the BCC on 7-14-81.)*

- d. Reduces the maximum number of permitted off-site signs in a designated mile from 8 to 5. *(This has not been changed from the previous recommendation and agreed to by the BCC on 7-14-81.)*
- e. Permits an off-site pole sign to be cantilevered over a building not to exceed 20 feet, provided a vertical clearance of 8 feet is maintained above the building. *(This has not been changed from the previous recommendation and agreed to by the BCC on 7-14-81.)*

RECOMMENDED ACTION:

1. Concur in the recommendation of the Planning Commission and place the ordinance on first reading.
2. Make whatever changes deemed to be in the best interests of the community and place the ordinance on first reading.



Robert A. Lakin, Director of Planning

RAL:GEL:sad

Attachment

cc: Don Anderson, Director of Housing & Economic Development
Robert Feldner, Superintendent of Central Inspection
Members of Ad Hoc Sign Committee
Wichita Board of Realtors, 717 North Emporia, Wichita 67214
Wichita Area Builders Association, 730 North Main, Wichita 67203
Chamber of Commerce, 350 West Douglas, Wichita 67202

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 28.04.139 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO THE LOCATION, HEIGHT, AREA, NUMBER AND TYPE OF SIGNS TO BE PERMITTED BY ZONING DISTRICTS; AND REPEALING THE ORIGINAL SECTION 28.04.139 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

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

Section 28.04.139 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

"28.04.139 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, and shall particularly regulate the size, height and type of sign permitted by the zoning district.

A. GENERAL STANDARDS.

1. Classification of Signs. Signs shall be classified by the superintendent of central inspection in accordance with the following classifications:

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 four feet, six inches above the roof or 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;

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 thirty-two square feet of gross surface area shall be classified as an

off-site sign and regulated accordingly;

m. Sign, Portable. A temporary on-site sign designed in such a manner to be readily movable and not permanently attached to the property; such as, A-frames, Trailer signs, signs placed on vehicles, beacon lights and other similar signs. Any such sign shall not exceed a height of 10 feet above grade.

~~m. ---Sign, Portable---An on-site sign designed in such a manner to be readily movable and not permanently attached to the property.---Any nonpermanent 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 one foot 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 four feet six inches above the roof or parapet;

t. Sign, Temporary. An on-site sign that is limited in the period of time that such sign may remain on a property, either by the limitations of these regulations or the conditions of the permit.

~~t. Sign, Temporary. An on-site sign such as cloth banners, pennants, window signs in business and industrial~~

~~establishments, signs of lightweight 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 when 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 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. 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 do not contain any advertising or printed copy, are not lighted and do not exceed ten percent 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 two hundred feet of any residential district, shall not be illuminated between the hours of eleven p.m. and seven 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 thirty degrees of a line perpendicular to the centerline of the street. A sign shall be considered facing both directions of travel along a street if the angle exceeds the thirty degrees as described above. Exception: A sign located within two hundred fifty 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 thirty degrees 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 centerline of a street at the points where lines are projected perpendicular to the centerline 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;

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 exception 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;

7. Signs authorized as special displays under Section 24.04.240 of this code.

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 shall be determined to be in keeping with the general design of the area and the size shall be limited in height and area dependent upon their location on the property;

3. Identification signs denoting only the name of the building or building complex when consisting of letters less than fifteen inches in height, carved into or securely attached in such a way that they are an architectural detail of the building or entranceway; and provided, further, they are not illuminated apart from the building or entranceway, are not made of reflecting material and do not project more than two inches from the surface to which they are attached;

4. Construction signs with the following limitations:

One sign per street frontage,

Gross surface area per sign - thirty-two square feet in "AA" and "A" districts, one hundred twenty-eight square feet in all other districts,

Sign may include illustration of project under construction;

5. Real estate sign, advertising the sale, rental or lease of the premises on which it is displayed, with the following limitations:

One sign per street frontage per listing, provided that a maximum of four real estate signs be permitted on a zoning lot,

Unlighted only,

Gross surface area per sign, residential zoning districts - eight square feet. All other zoning districts - thirty-two square feet;

6. Project title signs for subdivision identification, with the following limitations:

Time period, two years; however, the superintendent of central inspection may grant extensions every six months until the subdivision is seventy percent developed.

Exclusively for the purpose of advertising the subdivision in which the sign is located,

Unlighted only and neither reflective nor fluorescent,
Permit issued only after the final subdivision plat has
been duly recorded.

Located at or near entrances to tract sections under
construction,

Not more than two sign structures shall be maintained in
any one subdivision less than forty acres in size. For each
additional forty acres or major fraction thereof, one additional
sign may be erected,

Area, maximum - one hundred twenty-eight square feet for
each sign,

Length, maximum - sixteen feet;

7. Nameplate signs with a maximum area of two square feet;

8. Signs, advertising decorations, temporarily displayed
during the hereinafter specified special event periods only,
provided however, such displays shall not exceed a total time
limitation of 30 days for an individual event. Such special
events shall be limited to (a) grand openings for new businesses;
(b) licensed going out-of-business sales; (c) open houses in new
subdivisions and home shows; and (d) sales in conjunction with
nationally recognized holidays.

~~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;~~

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 four signs for each street frontage, per zoning lot,

Total area of all signs shall not exceed sixty-four 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 twenty-five 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. Sign Portable, for office and institutional uses, provided however, only one sign shall be permitted on a zoning lot, and the time limitation shall not exceed 30 days. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Any sign permitted by this section shall not exceed 60 square feet in gross surface area.

14. 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 sixteen square feet in area nor exceed twenty 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 thirty-two square feet in area nor exceed thirty 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 thirty-two square feet in area or thirty 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 twenty feet in height or exceed sixty-four 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 subsection K;

2. Illuminated building signs, provided that there shall be no more than three signs for each business for each building elevation having street frontage or fronting onto a parking area with a depth of one hundred fifty feet or more, and shall be limited in total area to twenty-five percent of each building elevation. Signs shall not be more than thirty feet above grade. Building elevations not having street frontage, but facing onto parking or loading areas exceeding fifty feet in depth, may provide identification signs for each place of business having an entrance therefrom; providing such signs shall not exceed fifteen square feet in area nor be more than twelve feet above grade;

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 signs(s) shall not extend beyond a line ten 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 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 subsection (K) (1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet;

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

5. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bulbs shall not be permitted. Any portable sign permitted by this provision shall not remain at a location for any business longer than 30 days. At the end of 30 days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed 60 square feet in gross surface area.

H. SIGNS PERMITTED IN THE "C" COMMERCIAL AND "E" LIGHT INDUSTRIAL DISTRICTS.

1. Illuminated on-site ground or pole signs as permitted by subsection K;

2. Illuminated off-site signs as permitted by subsection L,

3. Illuminated building signs, provided that no individual sign shall exceed six hundred 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 sign, provided, that it shall not project more than twenty 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;

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 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 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 subsection (K) (1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet.

6. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bulbs shall not be permitted. Any portable sign permitted by this provision shall not remain at a location for any business longer than 30 days. At the end of 30 days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed 60 square feet in gross surface area.

I. SIGNS PERMITTED IN THE "D" CENTRAL BUSINESS DISTRICT.

1. Illuminated on-site ground or pole signs as permitted by subsection K;

2. Illuminated building signs, provided no individual sign shall exceed six hundred 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 sign provided that it shall not project more than thirty feet above the highest point of the structure on which it is located;

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 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 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 subsection (K) (1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet.

5. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bulbs shall not be permitted. Any portable sign permitted by this provision shall not remain at a location for any business longer than 30 days. At the end of 30 days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed 60 square feet in gross surface area.

J. SIGNS PERMITTED IN THE "F" HEAVY INDUSTRIAL DISTRICT.

1. Illuminated on-site ground or pole signs as permitted by subsection K;

2. Illuminated off-site signs as permitted by subsection L;

3. Illuminated building signs, provided that no individual sign shall exceed six hundred 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 sign, provided that it shall not project more than twenty 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;

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 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 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 subsection (K)(1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet.

6. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regula-

tions; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bulbs shall not be permitted. Any portable sign permitted by this provision shall not remain at a location for any business longer than 30 days. At the end of 30 days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed 60 square feet in gross surface area.

K. ON-SITE GROUND OR POLE SIGNS AS REFERRED TO IN SUBSECTIONS G, H, I AND J.

1. Number Permitted. The number of ground or pole signs permitted on a zoning lot shall be determined by the linear feet of street frontage of the zoning lot. 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; provided, however, signs permitted by a street frontage must be adjacent to, and face the direction of travel along said street. (Exception: signs located within fifty feet of the intersection of two streets on a corner lot may be placed so that it may face both directions of travel, such as a rotating sign or be erected on an angle. When this occurs, it shall be considered a sign adjacent to each street, and one-half of the sign area shall be charged against the total permitted sign area of each street frontage.) Every zoning lot shall be permitted one ground or pole sign. Whenever more than one on-site ground or pole sign is permitted, it shall be determined by the required minimum horizontal distance from any adjacent property line and the minimum horizontal distance between on-site ground or pole signs on the zoning lot as set forth in paragraph 6. This will permit two signs on an interior zoning lot of 180 feet or more, and two signs on a corner lot of 165 feet or more. For each additional 150 feet of frontage above these minimums, one additional sign may be erected. In determining lot frontage, one-half the width of an adjoining alley may be considered as

frontage.

(EXCEPTION: Whenever a zoning lot, of less than 330 feet of frontage, contains a greater number of separate lease hold tenants than the number of permitted on-site ground or pole signs as set forth above, the following provisions may apply:

- a. No individual business shall be permitted more than one one-site ground or pole sign, nor in any event, shall the distance between signs be less than 50 feet.
- b. No individual business shall install a sign with a gross surface area greater than that permitted by the "Table of Areas" set forth in paragraph 4 based on that frontage of the building occupied by the lease hold tenant. Whenever the building is more than one story, the frontage shall be divided by the number of floors involved.
- c. Whenever the number of permitted on-site ground or pole signs based on the 50 foot separation requirement does not allow one sign per business, it shall be necessary for tenants to share space on the same pole or base.
- d. Any sign permitted by this exception shall not exceed a height of 30 feet.)

2. Size Permitted. The size of an on-site sign shall not exceed the maximum permitted square feet of sign area as set forth in the "Table of Areas" of paragraph 4 of this section; provided, however, the total sign area of all on-site ground or pole signs on the zoning lot shall not exceed the total square feet of area long a street frontage as permitted by paragraph 4.

← along

3. Height Limit. No ground or pole sign shall exceed a height of thirty feet, except when the number of permitted

signs along a street frontage of the zoning lot, as set forth in paragraph one, is eliminated. For each sign that is eliminated along a street frontage, one sign may be increased five feet in height. The use of this method shall not permit any sign to exceed a height of ~~forty-five~~ fifty-five feet.

4. Maximum Area. The maximum permitted area of an individual ground or pole sign shall not exceed the square feet shown in the following table; provided, however, under no circumstance shall the total sign area of all ground or pole signs on a zoning lot exceed the area per lineal foot of street frontage adjacent to said street right-of-way.

(Exception: When only one sign is permitted by the frontage of a zoning lot, it shall be permitted an area of 150 square feet when adjacent to an arterial or expressway; 50 square feet when adjacent to a collector street; or 25 square feet when adjacent to an undesignated street.)

TABLE OF AREAS

MAXIMUM PERMITTED AREAS FOR ON-SITE GROUND OR POLE SIGNS

<u>Type of Street*</u>	<u>Maximum Area of Individual Sign In Square Feet</u>	<u>Total permitted area in sq. ft. of all signs per lineal ft. of street frontage</u>
<u>Undesignated**</u>	<u>50</u>	<u>0.5</u>
<u>Collector</u>	<u>150</u>	<u>1.0</u>
<u>Arterial</u>	<u>600</u>	<u>2.0</u>
<u>Expressway</u>	<u>600</u>	<u>2.0</u>

* As designated on Map 13A of the transportation plan element of the comprehensive plan.

** When an undesignated street is located in an area such 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 only in commercial or industrial districts.

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 fifteen feet, whichever is less. The center line of an alley shall be considered an adjacent property

line. When more than one ground or pole sign is permitted on a zoning lot, there shall be maintained a minimum horizontal distance of 150 feet, along the same street frontage from another ground or pole sign on the same zoning lot. (See exception in paragraph 1.) This shall apply to all on-site ground or pole signs within 35 feet of the street right-of-way line. (Exception: The Superintendent of Central Inspection may vary these minimum horizontal distances up to 30% when circumstances related to the physical features of the zoning lot prevent the installation of the sign at the minimum horizontal distances. The reduction of these minimums shall in no way change the number of signs permitted on a zoning lot.

K. ON-SITE-GROUND-OR-POLE-SIGNS-AS-REFERRED-TO-IN-SUB-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 two hundred fifty 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 two hundred 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 fifty percent area increase for each sign that is eliminated, with a maximum allowable sign area not to exceed three hundred percent 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 five feet in height and fifty percent in area.

3. Height Limit. No ground or pole sign shall exceed a height of thirty feet, except that when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased five 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 forty five 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 such 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(B) shall be reduced thirty-three percent.

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 fifteen 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 one hundred fifty feet between ground or pole signs along the same street frontage; however, this shall not apply to ground or pole signs that are thirty five feet or more from the street right-of-way line.

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 linear measurement in feet, along the centerline of the street right-of-way, that is within or adjacent to any commercial or industrial zoning district, provided however, such signs shall only be permitted in the zoning districts as set forth in paragraphs G, H and J of this section of the code. Except in the "C", "E" or "F" zoning districts, no zoning shall be considered for linear measurement unless it is adjacent to an arterial street or expressway.

For purposes of measurement, zoning shall be considered to extend to the centerline of all streets. A designated mile shall be the length of the centerline of a street between mile section lines, even though the linear measurement may exceed five thousand two hundred eighty feet. Any mile not covered entirely by city boundary shall be treated on a percentage basis. The number of signs allowed shall be in direct proportion to the percentage of the designated mile that lies within the city limits boundary.

There shall be permitted not more than one off-site sign facing a direction of travel, for each five hundred linear feet of street having "C", "E" or "F" zoning adjacent thereto,

provided however, under no circumstances shall there be erected more than five off-site signs facing a direction of travel in a designated mile; and provided further, whenever any off-site sign is to be located in the "LC" Light Commercial District the following shall be applicable.

Off-site signs may be permitted in the "LC" Light Commercial District only when a designated mile has at least 1500 linear feet of "LC", "C", "E" or "F" zoning adjacent thereto. When there is at least 3000 linear feet of appropriate zoning adjacent to a designated mile, a second off-site sign may be permitted. When there is at least 4500 linear feet of appropriate zoning adjacent to a designated mile, a third off-site sign may be permitted.

2. Size and Height Permitted. The gross surface area of an off-site sign shall not exceed eight hundred twenty-five square feet, including any extensions. Extensions may not extend more than five and one-half feet above the normal upper rectangular lineage of the face, nor more than two feet beyond any of the other three sides. Maximum rectangular dimensions, excluding extensions, shall be fourteen feet in height by forty-eight feet in length. No off-site sign shall exceed thirty feet in height at the top of the maximum rectangular dimension, which does not include the permitted extensions. Exceptions: Off-site signs located adjacent to an elevated portion of a highway structure may be erected to a height of fourteen feet above the traffic deck. Off-site signs located within 3 feet of a one story building may be erected at a height that will allow eight feet of clearance between the bottom of the sign and the roof or parapet.

3. Prohibited Locations. No off-site sign shall be erected on a property when any of the following conditions exist.

a. No off-site sign shall be erected on a zoning lot, of less than one hundred fifty feet of frontage, that has more than two on-site ground or pole signs totaling more than two hundred fifty square feet gross surface area facing a direction of travel

that are located within thirty-five feet of the street right-of-way line.

- b. Whenever a zoning lot exceeds 150 feet of frontage, no off-site sign shall be permitted except when the total number of on-site ground or pole signs on the zoning lot does not exceed 50 percent of the number permitted by Section K.
 - c. No off-site sign shall be erected that would obscure the view of any on-site sign. This shall be determined by establishing a sight point at the centerline of the street one hundred fifty feet in either direction, then no on-site sign within one hundred fifty feet of the off-site sign shall be obscured from view.
 - d. No off-site sign shall be erected within three hundred thirty feet of another off-site sign facing the same direction of travel along the same street.
 - e. No off-site sign shall be erected on a zoning lot which does not comply with the minimum lot size of the zoning district.
 - f. No off-site sign shall be erected on "LC" zoned property within one hundred fifty feet (measured perpendicular to the sign face) or within seventy-five feet (measured parallel to the sign face) of a residential structure. The perpendicular measurement shall extend forty-five degrees to either side of the perpendicular line.
 - g. No off-site sign shall be located on any property in the "LC" Light Commercial zoning district that is not a part of at least 300 continuous feet (linear measurement) of commercial or industrial zoning.
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 over the roof of any building; provided, however, a pole sign may cantilever over a building not to exceed twenty feet as long as a vertical clearance of 8 feet is provided between the roof and any portion of the sign."

17 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 centerline 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 centerline of all streets. -- A designated mile shall be the length of the centerline of a street between mile section lines, even though the lineal measurement may exceed five thousand two hundred eighty feet. -- There shall be permitted not more than one off-site sign facing a direction of travel for each one thousand 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 six hundred sixty 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 "B" 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 six hundred square feet, nor shall it exceed thirty feet in height. -- Exception -- Off-site signs located adjacent to an elevated portion of a highway structure may be erected to a height of forty feet, or fourteen feet above the traffic deck, whichever is less, providing:

- a. No off-site sign shall have a horizontal dimension of greater than forty feet;
- b. No off-site sign shall be located closer than six hundred sixty feet to another off-site sign on the same side of the elevated highway;
- c. There shall be not more than three off-site signs exceeding a height of thirty feet in a designated mile;
- 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 thirty five feet of the street right-of-way line;
- b. No off-site sign shall be erected on a zoning lot that already has more than two hundred square feet of on-site ground or pole signs facing a direction of travel, regardless of the number of signs;
- c. No off-site sign shall be erected on property that would obscure the view of any on-site signs. -- This shall be determined by establishing a sight point at the centerline of the street one hundred fifty feet in either direction, then no on-site sign within one hundred fifty feet of the

~~off-site sign shall be obscured from view;~~

~~d. No off-site sign shall be located closer than three hundred thirty feet to another off-site sign facing the same direction of travel;~~

~~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;~~
- ~~b. There shall be not less than seventy percent of the designated mile located adjacent to "LC", "C", "E" or "P" zoned properties or any combination thereof;~~
- ~~c. There shall not be less than one hundred fifty feet distance from any off-site sign to a residence;~~
- ~~d. No off-site sign shall be located on any property that is not a part of at least three hundred 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 original of Section 28.04.139 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 _____, 1981.

R. C. Brown, Mayor

ATTEST:

Donald C. Gisick, City Clerk

Approved as to form:

John Dekker, City Attorney

EXCERPT FROM PLANNING COMMISSION MINUTES OF SEPTEMBER 24, 1981

6. Case No. DR 79-11 - Possible Amendment to the Zoning Ordinance. Re: Sign Regulations.

LAKIN stated that the Commission had asked staff to make certain changes in the sign ordinance and return it to them. LAKIN pointed out the changes that had been made.

GOEBEL left the meeting.

BAYOUTH said that since the portable signs would be acted upon first, and supposedly he had a conflict of interest, he would abstain and make comments as a private citizen.

DAVID BAYOUTH, 8420 E. Huntington, asked that Lytle review what had finally been agreed to on the signs.

GLEN LYTLE, Special Assistant for Zoning, summarized what the Commission had previously agreed to relative to portable signs.

BAYOUTH agreed that the strobe lights were a problem, but did not believe the flashing lights and the bare bulbs were a problem.

PAT KING, said that she was a local business person that uses portable signs and finds them most effective. She said that if the word "bare" was taken out of the flashing signs it would eliminate all flashing bulbs and it would destroy the effectiveness of the portable signs. She said that today's cost of advertising in this town is astronomical for the small business person. KING pointed out that for the cost of less than one newspaper ad, one could outright buy one of these signs and use it 365 days a year and in essence one would have 365 days of advertising. She said that it was difficult for small businesses to get along in Wichita because it is a rather highly restrictive area towards business. She said that she would hate to see them take the flashing part out of the signs because they are quite effective and they are not a distraction to a business.

MARTENS commented that most everyone on the panel was a businessman, and most of them were small businessmen. He said that at some point someone has to say what is reasonable and what is fair about signs and attempt to draw the line. It was his opinion that the illuminated signs without the flashing lights provides everything that the local small businessman wants. He felt that they needed to find an approach that was reasonable and that both sides could live with. If there were sides in this issue, and he felt a middle ground would be to allow the signs to be illuminated, but not permit the flashing lights.

KING said that she disagreed with Martens.

PAT GUINAN, Project Beauty, stated that Project Beauty has been involved with the sign ordinance for about ten years. She said that portable signs were originally intended to be used in a rather temporary way. With the present recommendation of 30 days on and 30 days off, they can be up for six months out of the year. When they are used to this extent it seems that they should be treated as the other on-site signs, pole signs, and regulated similarly. They should have the same kind of safety regulations and spacing regulations. She felt the signs should be 50 feet from a portable or pole sign, and there should not be a difference in the way the two signs are treated. GUINAN said the reason the question of

lighting was brought up in the first place was for safety and the cords that are in driveways due present a hazard. If someone wanted a sign for their business to be lighted all the time, then it seems appropriate to have a permanent pole sign. Portable signs are very handy for a business just starting up, but if there is a need for a sign to be lighted every night, then the pole signs seems more appropriate. Project Beauty would like to see the same kind of regulations applied to portable signs as there are for permanent pole signs.

MARGARET NICOLAY, operator of the Dairy Queen at 460 South Oliver, stated that she was a working owner, not an absentee one. She said that she had been told that she could not put a reader panel on her pole sign. NICOLAY said that in 1979 her business had dropped to the extent that she had to do something. She chose to remodel, add a seating area, brick the entire building and add a drive-through window, spending \$36,000. Business increased substantially until September 1980, when the left turns onto Oliver were removed. She said that her business dropped 16 percent. She knew that she had to do something. She discussed it with many people, and in October 1980 she determined that the portable sign was her best solution. Since that time she has been running two specials at all times, and the business is up and running ahead of last year. She spoke to the 30 days on and off, mentioning that the days that she takes it off or put a special on the people don't like as well, business goes down. At the present time 20 percent of her business is coming from that sign. She has no other way of presenting the specials to the public that she could afford. She felt that she was giving a service to the public by advertising her specials. She said that she hoped the Commission would remember that these signs are in business areas and they are vital to the survival of small businesses.

NICOLAY said that she understood that with the 30 day off sign, she could not store it on her lot because of zoning, and that she would have to have it removed from her property.

GARDNER asked Lytle if this was so. LYTLE said yes, storage outside a building in the "LC" zoning is not permitted, and Mrs. Nicolay is in the light commercial district.

GUINAN asked why Mrs. Nicolay could not have a reader panel.

LYTLE stated that possibly because the property is all one ownership and basically one zoning lot.

BAYOUTH commented that if a poll was taken of everyone that uses portable signs it does make a great deal of difference in their business. He said that as far as the safety was concerned he has yet to see anyone killed with a portable sign.

HOWARD BOYS, CPO representative on the Ad Hoc Sign Committee, commented that he saw nothing in the sign ordinance that pertained to use of a portable sign where the building already has a sign on the building. He asked if the 60 square foot include the arrow in the sign.

LYTLE said yes, anything that is a part of the sign is included.

MARTENS said that he did not understand Mr. Boys' comments regarding portable signs and businesses that already have signs. He asked what was the relationship.

BOYS said that when the meetings of the Ad Hoc Sign Committee first began, the statement was made that businesses need portable signs only until they get going, thereafter they are expected to buy pole signs. Later on that suggestion was denied.

MOTION: That the Planning Commission recommend to the City Commission that portable signs have a maximum height of 10 feet, a maximum gross surface area of 60 square feet, and permit lighting in commercial and industrial districts but without flashing lights. Martens moved, Cazel seconded and it carried unanimously. Bayouth abstained. Wilson, Hansen and Goebel were absent.

LAKIN stated that at the last meeting the Commission asked the staff to write some proposed language that would allow the smaller strip centers to have the opportunity to have additional on-site ground or pole signs. He said that by inclusion of the language in attachment No. 1 to Section K-1, small strip centers with multiple tenants will be allowed pole signs with a separation of not less than 50 feet whereas the larger properties will be required to maintain a separation of 150 feet between signs. He said also that a maximum height of 30 feet would be maintained on all signs under this provision. The other section that was left unaddressed was that the City Commission recommended maintaining a 45 foot height limitation rather than the 55 foot as previously recommended by the Planning Commission. LAKIN said that he had discussed this with Lytle and with the 55 foot requiring quite a bit of separation between the higher signs, he did not see a major problem with the 55 feet height limitation.

LYTLE stated that this ordinance does increase the number of permitted signs even on larger properties from the existing ordinance. It also increases the maximum size to 600 square feet rather than 450 feet.

EVERETT HALE, Claude Federal Sign Company, stated that he had reviewed the proposal to permit the smaller centers to reduce the distance between pole signs. He stated that this would alleviate some of the major problems with identification for small businesses. Although this would not accommodate every business with an individual sign, it will allow some flexibility that is not now present. HALE indicated that he still felt a need for the 55 foot height limitation and that only in rare instances will a property be large enough to accommodate a sign of that height.

PAT GUINAN, representing Project Beauty, stated that the original purpose of the sign regulations was to eliminate the clutter by allowing fewer signs along the street. However, she is aware of the need for identification by the small businesses and would support the amendment to reduce the distance between pole signs on the smaller strip centers. GUINAN stated that she was opposed to raising the height to 55 feet.

MOTION: That the Planning Commission recommend to the City Commission that the revised language to allow a 50-foot separation be added to Section K-1 and the height be permitted to a 55-foot maximum. Cazel moved, Bayouth seconded and it carried unanimously. Wilson, Hansen and Goebel were absent.

MARTENS stated that he would like to request an agenda change. He said that in the past on Advance Plans the Commission has always felt that items had been brought to them at the last minute, and he was pleased to announce that he had visited with Bill Stockwell and find that item 9 of the agenda (Review of Long Range Planning Activities) was not essential today and it could be deleted in full and discussed at a later time.

MOTION: That item 9 be deleted from the agenda to be brought up at another time.
Martens moved, Cazal seconded and it carried unanimously. Wilson, Hansen and Goebel were absent.

GLEN LYTLE, Special Assistant for Zoning, stated the City Commission had recommended that the height of off-site signs not be increased to 45 feet. The Planning Commission did recommend, at the last meeting, that heights be permitted greater than 30 feet. The request was made primarily to eliminate the offset type poles. The other exception was to allow the off-site signs adjacent to an elevated portion of a highway to be a maximum of 14 feet above the traffic deck. The previous ordinance reads that it be 14 feet above the traffic deck or 40 foot, whichever is less. The outdoor advertising industry has requested that that be changed to 14 feet above traffic deck to accommodate those that might be located adjacent to an elevated portion of a highway that the 40 feet would not accommodate. LYTLE stated that attachment #2 could be used as a method to extend a designated mile by including zoning at the end to permit an off-site sign if the zoning is contiguous and extension of the zoning in the designated mile. He said that after the last meeting he had met with representatives of Donrey outdoor advertising company, and at the last meeting they were requested that off-site signs be permitted in any mile where there is at least 500 feet of light commercial zoning. Comments were made as to whether it would or would not involve the major streets of the entire city. The latest proposal by the outdoor advertising industry is to permit off-site signs in any designated mile that has at least 1500 feet of appropriate zoning. LYTLE referred to the map that shows that there were approximately 22 designated miles that have 70 percent zoning which would include the permission of off-site signs in the light commercial zoning district. There are 69 or 70 new miles that will be included for off-site signs under the latest proposal of 1500 linear feet.

GARDNER asked if community unit plans are presently included in designated areas.

LYTLE said that those areas are considered and included as far as linear measurement is concerned, however, off-site signs are not permitted under the community unit plan.

KEN FRANCISCO, representative of Donrey Outdoor Advertising, stated that they basically supported plan two. Their objective was not necessarily to build more signs, but would like to keep up with their current number of signs.

PAT GUINAN, Project Beauty, stated that sign regulation was a way to upgrade and maintain our community's appearance. The courts have said that outdoor advertising is essentially a use of public thoroughfares rather than a bona fide use of the private property on which they are located. Project Beauty felt that it is not in the public interest to allow billboards on "LC" property, and they have consistently stated that all along. It has only been in the last few years that billboards were allowed at all in "LC" zoning. When they were allowed in "LC" zoning there were very definite restrictions on them. She

said that they strongly urge that this not be changed. They do not want to see billboards in neighborhood areas. They also object to any changes in the height regulations. They would like to see that maintained as it is.

MOTION: That the Planning Commission recommend to the City Commission that attachment number 3 be used as a method for determining the location of off-site signs in the "LC" district, and that the height exceptions be included. Bayouth moved, Cazel seconded and it carried unanimously. Wilson, Hansen and Goebel were absent.

WICHITA-SEDGWICK COUNTY

DATE
September 18, 1981

METROPOLITAN AREA PLANNING DEPARTMENT

TO Wichita-Sedgwick County Metropolitan Area Planning Commission
FROM Glen E. Lytle, Special Assistant for Zoning
SUBJECT DR-79-11 - Possible Amendments to Zoning Ordinance Re: Sign Regulations

Attached hereto is a copy of a delineated ordinance that has been further amended in accordance with the Planning Commission recommendations of September 10, 1981. Also included are 3 separate attachments that will be considered at the Planning Commission meeting of September 24, 1981.

SUMMARY:

The following is a summary of the changes that were recommended or were referred to the staff for revision:

1. Portable Signs:
 - a. Increased the gross surface area from 50 square feet to 60 square feet.
 - b. Allows for the lighting of signs in the commercial or industrial districts. (see pages 11, 12, 13 & 15).
 - c. Placed a maximum height of 10 feet for any portable sign.
2. On-site Ground or Pole Signs:
 - a. By the inclusion of the language in attachment No. 1 to Section K-1, small strip centers with multiple tenants will be allowed signs with a separation of not less than 50 feet, whereas the larger properties will be required to maintain a separation of 150 feet between signs.
 - b. The recommendation of the City Commission was to maintain a 45 foot height limitation rather than the 55 feet as previously recommended by the MAPC. (see page 16)
3. Off-site Signs:
 - a. The City Commission recommended that the height not be increased to 45 feet. The MAPC recommendation to permit heights greater than 30 feet are set forth on page 19. This will allow a height of 14 feet above the traffic deck of an elevated highway, and to allow a sign constructed adjacent to a one-story building to be raised so that the necessary clearance of 8 feet can be provided.

- b. Attachment No. 2 would provide for the erection of a sign in the "LC" Light Commercial District when it is an extension of a designated mile that has 70% or more appropriate zoning.
- c. Attachment No. 3 is an alternate provision to the 70% provision required by the present ordinance. This would permit the erection of an off-site sign in any designated mile that has a minimum of 1500 feet of "LC", "C", "E" or "F" zoning adjacent thereto.

NOTE: A map has been prepared of the City showing the possible locations for off-site signs under the present regulations. It also shows the additional areas in which off-site signs will be permitted by Attachment No. 3.

RECOMMENDATION:

Make any changes in the proposed amendment deemed to be in the best interests of the community and make a recommendation to the Board of City Commissioners for adoption.


Glen E. Lytle
Special Assistant for Zoning

GEL:sad

cc: Robert A. Lakin, Director of Planning
Don Anderson, Director of Housing & Economic Development
Robert Feldner, Superintendent of Central Inspection
Members of Ad Hoc Sign Committee
Wichita Board of Realtors, 717 North Emporia, Wichita 67214
Wichita Area Builders Association, 730 North Main, Wichita 67203
Chamber of Commerce, 350 West Douglas, Wichita 67202
John Lay, 1016 North Waco, Wichita 67203
Everett Hale, 1450 South Mosley, Wichita 67211
Ken Francisco, 3405 North Hydraulic, Wichita 67219

Att. #1

9-16-81

Add to K-1.

(EXCEPTION: Whenever a zoning lot, of less than 330 feet of frontage, contains a greater number of separate lease hold tenants than the number of permitted on-site ground or pole signs as set forth above, the following provisions may apply:

- a. No individual business shall be permitted more than one on-site ground or pole sign, nor in any event, shall the distance between signs be less than 50 feet.
- b. No individual business shall install a sign with a gross surface area greater than that permitted by the "Table of Areas" set forth in paragraph 4 based on that frontage of the building occupied by the lease hold tenant. Whenever the building is more than one story, the frontage shall be divided by the number of floors involved.
- c. Whenever the number of permitted on-site ground or pole signs based on the 50 foot separation requirement does not allow one sign per business, it shall be necessary for tenants to share space on the same pole or base.
- d. Any sign permitted by this exception shall not exceed a height of 30 feet.)

Att. #2

9-16-81

An off-site sign may also be located in the "LC" Light Commercial District when the "LC" zoning is contiguous to the same arterial street and is a continuous extension of the zoning of an adjacent designated mile with 70% appropriate zoning.

Att. # 3

9-16-81

Off-site signs may be permitted in the "LC" Light Commercial District only when a designated mile has at least 1500 linear feet of "LC", "C", "E" or "F" zoning adjacent thereto. When there is at least 3000 linear feet of appropriate zoning, a second off-site sign may be permitted. When there is at least 4500 linear feet of appropriate zoning, a third off-street sign may be permitted.

Revised 9-16-81

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 28.04.139 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO THE LOCATION, HEIGHT, AREA, NUMBER AND TYPE OF SIGNS TO BE PERMITTED BY ZONING DISTRICTS; AND REPEALING THE ORIGINAL SECTION 28.04.139 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

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

Section 28.04.139 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

"28.04.139 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, and shall particularly regulate the size, height and type of sign permitted by the zoning district.

A. GENERAL STANDARDS.

1. Classification of Signs. Signs shall be classified by the superintendent of central inspection in accordance with the following classifications:

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 four feet, six inches above the roof or 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;

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 thirty-two square feet of gross surface area shall be classified as an

off-site sign and regulated accordingly;

m. Sign, Portable. A temporary on-site sign designed in such a manner to be readily movable and not permanently attached to the property; such as, A-frames, Trailer signs, signs placed on vehicles, beacon lights and other similar signs. *Any such sign shall not exceed a height of 10 feet above grade.*

~~m. Sign, Portable. An on-site sign designed in such a manner to be readily movable and not permanently attached to the property. Any nonpermanent 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 one foot 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 four feet six inches above the roof or parapet;

t. Sign, Temporary. An on-site sign that is limited in the period of time that such sign may remain on a property, either by the limitations of these regulations or the conditions of the permit.

~~t. Sign, Temporary. An on-site sign such as cloth banners, pennants, window signs in business and industrial~~

~~establishments, signs of lightweight 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 when 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 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. 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 do not contain any advertising or printed copy, are not lighted and do not exceed ten percent 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 two hundred feet of any residential district, shall not be illuminated between the hours of eleven p.m. and seven 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 thirty degrees of a line perpendicular to the centerline of the street. A sign shall be considered facing both directions of travel along a street if the angle exceeds the thirty degrees as described above. Exception: A sign located within two hundred fifty feet of an intersection of arterials or expressways, or combination thereof, shall be considered facing the lane of traffic it is most directed toward proving the face of the sign is in a plane within thirty degrees 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 centerline of a street at the points where lines are projected perpendicular to the centerline 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;

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 exception 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;

7. Signs authorized as special displays under Section 24.04.240 of this code.

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 shall be determined to be in keeping with the general design of the area and the size shall be limited in height and area dependent upon their location on the property;

3. Identification signs denoting only the name of the building or building complex when consisting of letters less than fifteen inches in height, carved into or securely attached in such a way that they are an architectural detail of the building or entranceway; and provided, further, they are not illuminated apart from the building or entranceway, are not made of reflecting material and do not project more than two inches from the surface to which they are attached;

4. Construction signs with the following limitations:

One sign per street frontage,

Gross surface area per sign - thirty-two square feet in "AA" and "A" districts, one hundred twenty-eight square feet in all other districts,

Sign may include illustration of project under construction;

5. Real estate sign, advertising the sale, rental or lease of the premises on which it is displayed, with the following limitations:

One sign per street frontage per listing, provided that a maximum of four real estate signs be permitted on a zoning lot, Unlighted only,

Gross surface area per sign, residential zoning districts - eight square feet. All other zoning districts - thirty-two square feet;

6. Project title signs for subdivision identification, with the following limitations:

Time period, two years; however, the superintendent of central inspection may grant extensions every six months until the subdivision is seventy percent developed.

Exclusively for the purpose of advertising the subdivision in which the sign is located,

Unlighted only and neither reflective nor fluorescent,
Permit issued only after the final subdivision plat has
been duly recorded.

Located at or near entrances to tract sections under
construction,

Not more than two sign structures shall be maintained in
any one subdivision less than forty acres in size. For each
additional forty acres or major fraction thereof, one additional
sign may be erected,

Area, maximum - one hundred twenty-eight square feet for
each sign,

Length, maximum - sixteen feet;

7. Nameplate signs with a maximum area of two square feet;

8. Signs, advertising decorations, temporarily displayed
during the hereinafter specified special event periods only,
provided however, such displays shall not exceed a total time
limitation of 30 days for an individual event. Such special
events shall be limited to (a) grand openings for new businesses;
(b) licensed going out-of-business sales; (c) open houses in new
subdivisions and home shows; and (d) sales in conjunction with
nationally recognized holidays.

~~8. Signs, portable and advertising decorations, tem-
porarily 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;~~

9. Temporary signs in conjunction with licensed misc-
ellaneous 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 four signs for each street frontage, per
zoning lot,

Total area of all signs shall not exceed sixty-four 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 twenty-five 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. Sign Portable, for office and institutional uses, provided however, only one sign shall be permitted on a zoning lot, and the time limitation shall not exceed 30 days. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Any sign permitted by this section shall not exceed ~~30~~⁶⁰ square feet in gross surface area.

14. 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 sixteen square feet in area nor exceed twenty 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 thirty-two square feet in area nor exceed thirty 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 thirty-two square feet in area or thirty 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 twenty feet in height or exceed sixty-four 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 subsection K;

2. Illuminated building signs, provided that there shall be no more than three signs for each business for each building elevation having street frontage or fronting onto a parking area with a depth of one hundred fifty feet or more, and shall be limited in total area to twenty-five percent of each building elevation. Signs shall not be more than thirty feet above grade. Building elevations not having street frontage, but facing onto parking or loading areas exceeding fifty feet in depth, may provide identification signs for each place of business having an entrance therefrom; providing such signs shall not exceed fifteen square feet in area nor be more than twelve feet above grade;

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 signs(s) shall not extend beyond a line ten 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 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 subsection (K)(1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet;

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

5. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bare bulbs shall not be permitted. Any portable sign permitted by this provision shall not remain at a location for any business longer than ~~90~~³⁰ days. At the end of ~~90~~³⁰ days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed ~~80~~⁶⁰ square feet in gross surface area.

H. SIGNS PERMITTED IN THE "C" COMMERCIAL AND "E" LIGHT INDUSTRIAL DISTRICTS.

1. Illuminated on-site ground or pole signs as permitted by subsection K;

2. Illuminated off-site signs as permitted by subsection L,

3. Illuminated building signs, provided that no individual sign shall exceed six hundred 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 sign, provided, that it shall not project more than twenty 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;

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 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 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 subsection (K)(1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet.

6. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bare bulbs shall not be permitted. Any portable sign permitted by this provision shall not remain at a location for any business longer than ³⁰~~40~~ days. At the end of ³⁰~~40~~ days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed ⁶⁰~~40~~ square feet in gross surface area.

I. SIGNS PERMITTED IN THE "D" CENTRAL BUSINESS DISTRICT.

1. Illuminated on-site ground or pole signs as permitted by subsection K;

2. Illuminated building signs, provided no individual sign shall exceed six hundred 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 sign provided that it shall not project more than thirty feet above the highest point of the structure on which it is located;

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 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 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 subsection (K)(1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet.

5. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bare bulbs shall not be permitted. Any portable sign permitted by this provision shall not remain at a location for any business longer than ~~30~~³⁰ days. At the end of ~~30~~³⁰ days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed ~~30~~⁶⁰ square feet in gross surface area.

J. SIGNS PERMITTED IN THE "F" HEAVY INDUSTRIAL DISTRICT.

1. Illuminated on-site ground or pole signs as permitted by subsection K;
2. Illuminated off-site signs as permitted by subsection L;
3. Illuminated building signs, provided that no individual sign shall exceed six hundred 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 sign, provided that it shall not project more than twenty 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;
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 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 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 subsection (K)(1),
 - d. Any sign permitted by this subsection shall not exceed a height of thirty feet.
6. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regula-

tions; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bare bulbs shall not be permitted. Any portable sign permitted by this provision shall not remain at a location for any business longer than ~~90~~³⁰ days. At the end of ~~90~~³⁰ days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed ~~80~~⁶⁰ square feet in gross surface area.

K. ON-SITE GROUND OR POLE SIGNS AS REFERRED TO IN SUBSECTIONS G, H, I AND J.

1. Number Permitted. The number of ground or pole signs permitted on a zoning lot shall be determined by the linear feet of street frontage of the zoning lot. 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; provided, however, signs permitted by a street frontage must be adjacent to, and face the direction of travel along said street. (Exception: signs located within fifty feet of the intersection of two streets on a corner lot may be placed so that it may face both directions of travel, such as a rotating sign or be erected on an angle. When this occurs, it shall be considered a sign adjacent to each street, and one-half of the sign area shall be charged against the total permitted sign area of each street frontage.) Every zoning lot shall be permitted one ground or pole sign. Whenever more than one on-site ground or pole sign is permitted, it shall be determined by the required minimum horizontal distance from any adjacent property line and the minimum horizontal distance between on-site ground or pole signs on the zoning lot as set forth in paragraph 6. This will permit two signs on an interior zoning lot of ~~80~~¹⁸⁰ feet or more, and two signs on a corner lot of ~~65~~¹⁶⁵ feet or more. For each additional ~~50~~¹⁵⁰ feet of frontage above these minimums, one additional sign may be erected. In determining lot frontage, one-half the width of an adjoining alley may be considered as

frontage. *Insert Att. #1*

2. Size Permitted. The size of an on-site sign shall not exceed the maximum permitted square feet of sign area as set forth in the "Table of Areas" of paragraph 4 of this section; provided, however, the total sign area of all on-site ground or pole signs on the zoning lot shall not exceed the total square feet of area along a street frontage as permitted by paragraph 4.

3. Height Limit. No ground or pole sign shall exceed a height of thirty feet, except when the number of permitted signs along a street frontage of the zoning lot, as set forth in paragraph one, is eliminated. For each sign that is eliminated along a street frontage, one sign may be increased five feet in height. The use of this method shall not permit any sign to exceed a height of ~~forty-five~~ ^{forty-five} feet.

4. Maximum Area. The maximum permitted area of an individual ground or pole sign shall not exceed the square feet shown in the following table; provided, however, under no circumstance shall the total sign area of all ground or pole signs on a zoning lot exceed the area per lineal foot of street frontage adjacent to said street right-of-way.

(Exception: When only one sign is permitted by the frontage of a zoning lot, it shall be permitted an area of 150 square feet when adjacent to an arterial or expressway; 50 square feet when adjacent to a collector street; or 25 square feet when adjacent to an undesignated street.)

TABLE OF AREAS

MAXIMUM PERMITTED AREAS FOR ON-SITE GROUND OR POLE SIGNS

<u>Type of Street*</u>	<u>Maximum Area of Individual Sign In Square Feet</u>	<u>Total permitted area in sq. ft. of all signs per lineal ft. of street frontage</u>
<u>Undesignated**</u>	<u>50</u>	<u>0.5</u>
<u>Collector</u>	<u>150</u>	<u>1.0</u>
<u>Arterial</u>	<u>600</u>	<u>2.0</u>
<u>Expressway</u>	<u>600</u>	<u>2.0</u>

* As designated on Map 13A of the transportation plan element of the comprehensive plan.

** When an undesignated street is located in an area such 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 only in commercial or industrial districts.

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 fifteen feet, whichever is less. The center line of an alley shall be considered an adjacent property line. When more than one ground or pole sign is permitted on a zoning lot, there shall be maintained a minimum horizontal distance of ¹⁵⁰~~fifty~~ feet, along the same street frontage from another ground or pole sign on the same zoning lot. ^(See exception in paragraph 1.) This shall apply to all on-site ground or pole signs within 35 feet of the street right-of-way line. (Exception: The Superintendent of Central Inspection may vary these minimum horizontal distances up to 30% when circumstances related to the physical features of the zoning lot prevent the installation of the sign at the minimum horizontal distances. The reduction of these minimums shall in no way change the number of signs permitted on a zoning lot).

K. ON-SITE-GROUND-OR-POLE-SIGNS-AS-REFERRED-TO-IN-SUB-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 two hundred fifty 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 two hundred 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 fifty percent area increase for each sign that is eliminated, with a maximum allowable sign area not to exceed three hundred percent 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 five feet in height and fifty percent in area.

3. Height Limit. No ground or pole sign shall exceed a height of thirty feet, except that when the number of permitted signs on a zoning lot is reduced, the height of any one

sign may be increased five 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 forty-five 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 such 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(B) shall be reduced thirty-three percent.

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 fifteen 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 one hundred fifty feet between ground or pole signs along the same street frontage; however, this shall not apply to ground or pole signs that are thirty five feet or more from the street right-of-way line.

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 linear measurement in feet, along the centerline of the street right-of-way, that is within or adjacent to any commercial or industrial zoning district, provided however, such signs shall only be permitted in the zoning districts as set forth in paragraphs G, H and J of this section of the code. Except in the "C", "E" or "F" zoning districts, no zoning shall be considered for linear measurement unless it is adjacent to an arterial street or expressway and at least 70% of the designated mile is adjacent to commercial or industrial zoning. For purposes of measurement, zoning shall be considered to extend to the centerline of all streets. A designated mile shall be the length of the centerline of a street between mile

section lines, even though the linear measurement may exceed five thousand two hundred eighty feet. Any mile not covered entirely by city boundary shall be treated on a percentage basis. The number of signs allowed shall be in direct proportion to the percentage of the designated mile that lies within the city limits boundary.

There shall be permitted not more than one off-site sign facing a direction of travel, for each five hundred linear feet of street having authorized zoning adjacent thereto, provided however, under no circumstances shall there be erected more than five off-site signs facing a direction of travel in a designated mile, and provided further, there shall be not more than three off-site signs allowed in the designated mile if one or more are located on property zoned the "IC" Light Commercial District.

2. Size and Height Permitted. The gross surface area of an off-site sign shall not exceed eight hundred twenty-five square feet, including any extensions. Extensions may not extend more than five and one-half feet above the normal upper rectangular lineage of the face, nor more than two feet beyond any of the other three sides. Maximum rectangular dimensions, excluding extensions, shall be fourteen feet in height by forty-eight feet in length. No off-site sign shall exceed ^{thirty} ~~forty-five~~ feet in height at the top of the maximum rectangular dimension, which does not include the permitted extensions. Exceptions: Off-site signs located adjacent to an elevated portion of a highway structure may be erected to a height of fourteen feet above the traffic deck. Off-site signs located within 3 feet of a one story building may be erected at a height that will allow eight feet of clearance between the bottom of the sign and the roof or parapet.

3. Prohibited Locations. No off-site sign shall be erected on a property when any of the following conditions exist.

- a. No off-site sign shall be erected on a zoning lot, of less than one hundred fifty feet of frontage, that has more than two on-site ground or pole signs totaling more than two hundred fifty square feet gross surface area facing a direction of travel that are located within thirty-five feet of the street right-of-way line.

- b. Whenever a zoning lot exceeds 150 feet of frontage, no off-site sign shall be permitted except when the total number of on-site ground or pole signs on the zoning lot does not exceed 50 percent of the number permitted by Section K.
 - c. No off-site sign shall be erected that would obscure the view of any on-site sign. This shall be determined by establishing a sight point at the centerline of the street one hundred fifty feet in either direction, then no on-site sign within one hundred fifty feet of the off-site sign shall be obscured from view.
 - d. No off-site sign shall be erected within three hundred thirty feet of another off-site sign facing the same direction of travel along the same street.
 - e. No off-site sign shall be erected on a zoning lot which does not comply with the minimum lot size of the zoning district.
 - f. No off-site sign shall be erected on "LC" zoned property within one hundred fifty feet (measured perpendicular to the sign face) or within seventy-five feet (measured parallel to the sign face) of a residential structure. The perpendicular measurement shall extend forty-five degrees to either side of the perpendicular line.
 - g. No off-site sign shall be located on any property in the "LC" Light Commercial zoning district that is not a part of at least 300 continuous feet (linear measurement) of commercial or industrial zoning.
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 over the roof of any building; provided, however, a pole sign may cantilever over a building not to exceed twenty feet as long as a vertical clearance of 8 feet is provided between the roof and any portion of the sign."

1. 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 centerline 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 centerline of all streets. A designated mile shall be the length of the centerline of a street between mile section lines, even though the lineal measurement may exceed five thousand two hundred eighty feet. There shall be permitted not more than one off-site sign facing a direction of travel for each one thousand 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 six hundred sixty 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 "C" 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 six hundred square feet, nor shall it exceed thirty feet in height. Exception--Off-site signs located adjacent to an elevated portion of a highway structure may be erected to a height of forty feet, or fourteen feet above the traffic deck, whichever is less, providing:

- a. No off-site sign shall have a horizontal dimension of greater than forty feet;
- b. No off-site sign shall be located closer than six hundred sixty feet to another off-site sign on the same side of the elevated highway;
- c. There shall be not more than three off-site signs exceeding a height of thirty feet in a designated mile;
- 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 thirty five feet of the street right-of-way line;
- b. No off-site sign shall be erected on a zoning lot that already has more than two hundred square feet of on-site ground or pole signs facing a direction of travel, regardless of the number of signs;
- c. No off-site sign shall be erected on property that would obscure the view of any on-site signs. This shall be determined by establishing a sight point at the centerline of the street one hundred fifty feet in either direction, then no on-site sign within one hundred fifty feet of the

~~off-site sign shall be obscured from view;
d. No off-site sign shall be located closer than three hundred thirty feet to another off-site sign facing the same direction of travel;
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 "EC" Light Commercial District: In addition to the above requirements for off-site signs, off-site signs shall be permitted in the "EC" Light Commercial District subject to the following requirements:~~

- ~~a. The zoning lot shall be located adjacent to an arterial street, expressway or freeway;~~
- ~~b. There shall be not less than seventy percent of the designated mile located adjacent to "EC", "C", "E" or "P" zoned properties or any combination thereof;~~
- ~~c. There shall not be less than one hundred fifty feet distance from any off-site sign to a residence;~~
- ~~d. No off-site sign shall be located on any property that is not a part of at least three hundred continuous feet of "EC" 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 original of Section 28.04.139 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 _____, 1981.

R. C. Brown, Mayor

ATTEST:

Donald C. Gisick, City Clerk

Approved as to form:

John Dekker, City Attorney

EXCERPT FROM PLANNING COMMISSION MINUTES OF SEPTEMBER 10, 1981

16. Case No. DR 79-11 - Departmental Review - Possible Amendment to the Zoning Ordinance - Re: Sign Regulations

LAKIN stated that a public hearing had been held earlier and recommendations were sent to the City Commission. There are two parts to the sign ordinance. One, Title 24, the sign code, and the other, that part of Title 28, the zoning ordinance. The City Commission made several comments of recommendations concerning changes.

LOFTON left the meeting.

GLEN E. LYTLE, Special Assistant for Zoning, reviewed the following:

BACKGROUND:

The recommendation to the City Commission on July 14, 1981 was made by the Planning Commission after a public hearing on the changes recommended by the Ad Hoc Committee. The Ad Hoc Sign Committee, chaired by William Goebel, made their recommendations based on public comments and their comprehensive review of the regulations section by section.

As you will note in the City Commission minutes of July 14, 1981, several of the recommendations by the Planning Commission failed to receive a majority approval. This requires the return of the ordinance to the Planning Commission for reconsideration.

SUMMARY:

The following is a summary of the recommendations made by the City Commission categorized by the three types of signs on which changes have been recommended:

1. Portable Signs:

- (a) Recommended that a 30-day limitation be placed on portable signs before removal rather than a 90-day limitation (see pages 11, 12, 13 and 15)
- (b) Recommended that a 50 square foot limitation be established for portable signs rather than the 80 square feet. (see pages 9, 11, 12, 13 and 15)
- (c) Recommended the elimination of the permission for lighted portable signs in the commercial and industrial districts. (see pages 11, 12, 13 and 15).

Comment. The City Commission also suggested that there should be a better way to regulate portable signs, but did not know what that might be. There are several alternatives to the placement of portable signs, which could include a distance requirement from any other signs, permanent or portable. Some cities have regulations prohibiting all portable signs, which might be considered.

2. On-site Ground or Pole Signs:

- (a) Recommended that the distance between on-site ground or pole signs remain at 150 foot distance separation rather than the 50 foot as recommended by the MAPC. (see page 17)

- (b) Recommended that the maximum height of ground or pole signs remain at 45 feet rather than 55 feet as recommended by the MAPC. (see page 16)

3. Off-site Signs:

- (a) Recommended that height of off-site signs not be increased to 45 feet as recommended by the MAPC. (see page 19)
- (b) Recommended that the change to permit off-site signs in the "LC" Light Commercial District without the 70% commercial or industrial zoning of the designated mile be denied. (see page 18)

BAYOUTH said that he would abstain from voting on portable signs, but did wish to speak from the audience.

DAVID BAYOUTH, 8420 E. Huntington, speaking as a private citizen, stated that after some thought he agreed with a lot of things that the City Commission requested as far as portable signs were concerned. He said that they approved the fees and schedule and left the ordinance separate which he did not understand because they work hand-in-hand. BAYOUTH presented some recommendations. He said that the time permitted for portable signs was 90 days in the original recommendation and he would recommend 30 days on and 30 days off as the City Commission recommended, and the rental companies to \$30.00 annual fees per sign, a \$10.00 annual license fee. The signs not in compliance with the City ordinance will be issued 48 hours citation by the City. If the citation is not complied with within the 48 hours, the sign will be impounded with the sign owners paying all costs. The electric signs must be UL approved and should be permitted to be lighted in commercial areas. 11 portable signs would be subject to City inspection every six months to ensure quality appearance and maintenance. The charge for this should be done at the time the permit is issued.

GOEBEL asked if Bayouth was talking about 80 square feet on each side. BAYOUTH said no, one side because the signs are already built.

LAKIN asked if the recommendations include the old language that was in the ordinance on lighting that prohibited the strobe of flashing bulbs.

BAYOUTH said that the strobe lights were out in commercial areas.

CAZEL asked how were the signs inspected now. GARDNER suggested once a year.

PAT GUINAN, representing Project Beauty, stated that Project Beauty had been concerned about portable signs since the beginning of their involvement with the sign ordinance. She said that right now, portable signs seems to be the biggest problem as far as sign clutter, and they also feel there are some safety problems with portable signs blowing over in the wind. She said that if they can not come up with a decent way to regulate portable signs, then she would like to see Wichita as has other cities, ban them altogether. She felt that 30 days on and 30 days off was more acceptable than previous recommendations. GUINAN said that she was a member of the Ad Hoc Committee and the minority of members did not agree to having the signs lighted even in commercial zoning. She felt the reason the City Commission recommended

against having them lighted was because usually they are lighted with cords coming from the buildings and there is usually traffic driving over these cords and that is hard to ensure that these would be safe. If they are going to be in existence she would agree that probably 60 square feet was reasonable. She said that Project Beauty would like to see the signs banned, if not, regulated. They would rather see 30 days on and 90 days off. If there is going to be portable signs up so they are almost permanent signs, then they should have the same regulations as permanent signs as far as spacing and safety.

LONNIE HEPHNER, Port-Ad Company, 2740 Laura, did agree that the signs were getting out of hand. He said that he had several problems, and one is the 50 square foot recommendation. Their large yellow signs are 60 square feet which means that he would have to cut three inches off around the perimeter to comply with this ordinance which he felt would be foolish. He said that 60 feet was a standard board size that these signs are built by. He had no problem with dropping from 80 feet. He said that 60 square feet is the largest sign in the City that was being used on a permanent basis. He pointed out that they all have storage lots where they store their signs. Once a year when the fee comes due they pay for how many signs they have and is relatively simple to do. He felt the once a year inspection was good. He figured that they have paid the City an average of 34 dollars a sign for an entire year. He pointed out that there were 40 to 50 percent of the signs not being used. At the peak period, then all of the signs would go out, so they have a lot of dead time on the signs. He felt the 50 dollar fee was excessive especially in view of the fact that they are proposing to cut their time down 50 percent that they can have their signs out. The present setup has no time limitation whatsoever, which is one of the problems with the present ordinance. He said that he would not object to a 30 day on and 30 day off sign. He felt that a \$30 fee for the license for the year privately owned or company sign would be logical. This would eliminate the junky signs. HEPHNER said that there has been some question about the safety of the tall portable signs. He felt limiting the height of the portable sign would be justified.

EVERETT HALE, Claude Federal Sign Company, read from a prepared statement, stating that his company does not have portable signs. He said that he has had serious concerns regarding portable signs since the late sixties. At that time his company rejected franchised rights for both Kansas and Oklahoma from the leading portable sign company in the industry at the time. They rejected the franchise knowing full well that it could be very lucrative. Their main concern was the visual clutter that it would cause as well as the safety of portable signs. This offer occurred at the time when the present ordinance was being reviewed, and at the time when Lady Bird Johnson's Beautification Act was inspiring local beautification groups. Their support of portable signs seemed inconsistent with the times as well as the ends of all concerned with finding a new sign ordinance to improve the visual environment. He said that he had several pictures showing what happens to signs during one storm recently around mid-July. The winds did not exceed gusts of 50 miles per hour, yet the damage to one of the signs was very impressive. HALE passed the pictures to the Commissioners. He continued that their permanent signs were designed for 30 pounds per square foot or of wind pressures of 100 to 120 miles per hour. One of the people representing the portable sign industry at a recent City Commission meeting stated that they had added another three

feet to the base of their signs so that they would be safe. He said that he does all of his company's engineering and it was his opinion that the signs would not be safe with wind pressures up to 100 miles per hour. A sign 6 x 10 was discussed as a minimum desirable size. If this sign was allowed at a height of four feet to the bottom it could develop 151,200 pounds of pressure at the base. HALE said that this number in itself probably does not mean much, but consider it in relation to the two collapsed skywalks at the Hyatt Regency Hotel stated to be a total weight of 144,000 pounds. He said that if they had portable signs he felt they should be designed for 30 pounds per square foot wind pressure and should comply with the same standards as for permanent signs. He also felt the sign ordinance should be rigidly enforced. Many portable signs are placed on the parking. The portable sign industry states that they can not control what the customers do once the sign is delivered. HALE said that he did not agree. Once a sign is impounded by the City because of improper placement, the portable sign companies would soon add something to their agreement to hold the customer liable. He also mentioned vandalism of the signs.

GARDNER asked if the permanent signs that have the vacuum form plastic surface areas meet that design standard.

HALE replied that the plastic faces can be put where they would withstand a 100 miles an hour wind.

BAYOUTH commented that he was not against the permanent pole signs until this point. If the customer complies with what Mr. Hale was stating, the portable sign people would have to go out and get post hole diggers and make them permanent. He pointed out that the 50 miles an hour wind blew down everything that was not nailed down. BAYOUTH said that people don't need signs or anything. It is what you don't need that counts. They have to sell products.

HEPHNER stated that Hale was totally off base and felt that this should be put in perspective. A sign weighing as much as Hale suggested could not be placed on a building. The building could not hold it.

HALE said that he would be glad to discuss his figures with Mr. Hephner.

LAKIN said that if he had his choice he would say that portable signs should not be in the community for a number of reasons. The primary reason was the aesthetic appearance of the community. The second reason was visibility. The enforcement problem is a major reason. LAKIN said that if the Commission proceeds, as it did before, in recommending these as the committee has recommended, staff would support the 60 square foot. He felt that the suggestion made by Mr. Hephner was certainly one that should be incorporated to set the signs a maximum height, thereby setting a proportion and shape of the sign also. He said that he was concerned about the lighting. The strobe lighting should continue to be prohibited.

MOTION: That the Planning Commission recommend to the City Commission that portable signs be permitted to remain 30 days on the premises and 30 days off; and that portable signs be limited to one portable sign per individual business; that a 60 square foot limitation be placed on any portable sign permitted by the ordinance; and that lighting of portable signs be eliminated.
Hansen moved.

GOEBEL said that he took exception to eliminating the lighting of signs because some businesses are open at night.

BAYOUTH stated that he did not see the difference in a lighted portable sign or a permanent sign that is lit. He could see not lighting the signs in residential areas, but in commercial areas some of the businesses are open until 9:00 p.m.

MARTENS said that he would offer a second to Mrs. Hansen's motion if she would eliminate the lighting portion, and discuss it later.

CAZEL suggested that the motion be amended to include lighting in commercial and industrial districts only.

AMENDED MOTION: That the Planning Commission recommend to the City Commission that portable signs be permitted to remain 30 days on the premises and 30 days off; that portable signs be limited to one portable sign per individual business; and that a 60 square foot limitation be placed on any portable sign permitted by the ordinance. Hansen moved, Martens seconded and it carried unanimously. Bayouth abstained.

BAYOUTH recommended that the fees discussion be reopened with prices at \$30 annual permit fee, and \$10 location fee; and that privately owned signs fall under and be policed exactly the same as any other portable sign.

GARDNER said that he would recommend that a recommended reduction permit fee which reasonably reflects the reduced exposure time under the proposed ordinance and would concur in recommending the annual \$30 permit fee per sign plus a \$10 annual licensing fee for signs.

BAYOUTH wanted to clarify the location fee.

LYTLE stated that there was a \$50 annual fee for signs as recommended by the City Commission. There was no location fee. If an individual wanted to put a sign out, then there is a \$10 fee for each time the sign is placed on the property with a 30-day maximum.

MARTENS said that he was not a supporter of the flashing lights. He felt they were unnecessary even though they are eye-catching.

MOTION: That the Planning Commission recommend to the City Commission that the flashing lights on the signs be eliminated, but do allow for the interior illumination of the message in the commercial and industrial areas. Martens moved, Cazal seconded.

BAYOUTH commented that to eliminate the flashing lights were no problem. They could be rewired around and the arrow remain.

VOTE ON THE MOTION: It carried with a vote of 8 in favor (Martens, Cazal, Chisholm, Goebel, Jones, Lofton, Gardner and Wilson) and 1 opposed (Hansen). Bayouth abstained.

LYTLE stated that the recommendation made to the City Commission on July 14, the City Commission disagreed with two of the recommendations on on-site signs. One was the 50 foot separation between on-site ground and pole signs and recommended that 150 foot distance separation be maintained. Two, they did not recommend the increase in height from 45 to 55 feet.

BAYOUTH stressed to deny any small businessman a sign was wrong even though it is clutter.

JOHN LAY, George Lay Signs, stated that of the different provisions that were brought up on the changes to the ordinance this was the only one he felt that did not get a fair treatment from the City Commission. As far as increasing height and footage, he did not feel that what they have is that hard to live with. LAY commented on the 150 foot distance. He felt that if they could get anywhere under a 150 feet would be a great improvement.

GARDNER asked that the fact the allowance is tied to the size of a zoning lot ignores the number of users on a zoning lot.

LAY said that as it stands now, signs have to be spaced 150 feet apart and to get the second sign there needs to be 250 feet of frontage.

BAYOUTH felt that there should be one sign per business except on the corner where there is additional frontage.

BILL CAMPBELL, Campbell & Associates, representative of on-site sign industry, stated that he was disappointed that they did not get more understanding from the Commission on the 50 foot spacing. He felt the reason they didn't get more consideration was frankly they did not understand the code or the need or even the zoning. He said that somewhere along the line the City Commission has to be educated to where they understand the problem that the sign companies are dealing with, internal and external. CAMPBELL pointed out that the small businessman was hurting and he has to have advertising. He said that he hoped that this Commission could present this to the City Commission in a way that they could understand that the sign people do not want signs every 50 feet all over town.

PAT GUINAN, Project Beauty, said that their primary concerns are in the area of portable signs and billboards because she felt at this time, on-site signs are being very well handled. They do have some concerns with the two changes. The present ordinance will permit on some large tracts of land, if the number of signs is reduced, they can now go at 45 feet and she would prefer to see them remain that way. As far as decreasing the amount of spacing between signs she did understand that there was a problem with the small strip centers and a problem that needs to be solved, but just saying that it was alright to have signs every 50 feet just goes too far. There should be a way to address that particular problem. The intent of the ordinance was to encourage the small strips to have just one multiple sign.

Considerable discussion pursued on size of signs allowed for small businesses.

MOTION: That this item be deferred for two weeks and that Glen Lytle be requested to explore other avenues in regard to distance between on-site ground or pole signs. Hansen moved, Martens seconded.

GARDNER asked that Lytle explore the ability to reflect some kind of lease hold interest.

BAYOUTH asked Mr. Hale if there was such a thing as standard size signs in the industry.

HALE said yes, basically a 4 x 6 or 4 x 8 are considered standard signs. He felt that a solution was very close and that Gardner's suggestion was an excellent one, but if you recognize a lease holder and then impose the 50-foot between signs, then you would have one pole with three signs on it. He suggested three signs on a single pole and limit them to two square foot for each foot of the frontage they have on the building. All of the signs would be much smaller than the 150 square foot limit. He felt that this would be a solution for the small centers. The new centers are not a problem. HALE further commented that Mr. Campbell had said the square foot area went from a 150 to 300 square feet. That is not true. By the elimination of signs, the maximum is 600 square feet as compared to 450 feet. This was agreed to by the City Commission. He felt that the height limitation was reasonable.

VOTE ON THE MOTION: It carried
unanimously. Lofton was absent.

LYTLE stated that the provisions for the off-site signs the City Commission disagreed with the previous recommendation on two items. He said that a representative from the Donrey Company had talked to him about some particular changes in the off-site sign heights. The representative recommended that they be permitted to erect a sign to a height of 14 feet above the traffic deck no matter how high, rather than the regulation of a limit of 40 feet maximum.

GUINAN stated that Project Beauty was very much opposed to any further changes permitting additional heights for billboards. A few years ago billboards were only allowed up to a height of 30 feet. That was changed to allow them up to 45 feet under certain conditions. She said that they very strongly opposed to going any higher under any conditions of 45 feet except in those very restrictive conditions which was next to an elevated highway. Project Beauty has consistently opposed billboards in light commercial zoning. They are now allowed there under certain restrictions, and they certainly do not want to see those restrictions removed.

KEN FRANCISCO, Lease Manager for Donrey Outdoor Advertising, stated that he had proposed amendments to the two items the City Commission rejected. He said that he had visited with each Commissioner and presented the amendments to them and asked for their permission to try to get them into the ordinance as it comes back for their consideration, and all Commissioners agreed for the go-ahead. If he could get them approved by this Commission, they would consider them. They thought the changes were reasonable. FRANCISCO said that the City Commissioners rejected allowing the signs to go to 45 feet in height and they have accepted that, but that did propose two problems for them. One was under the present ordinance they are allowed, when built next to an elevated highway, to go to a height of 40 feet or 14 feet above the traffic deck, and they have three words "whichever is less". That has been interpreted that 40 feet is less than 14 feet above the deck. All that they are asking for is the language "whichever is less" be removed. The second exception that FRANCISCO was asking for is that the Commission

approve a change in the ordinance that would let part of the sign go over a building. The City Commission approved that, but the face of the sign is about 13 feet plus the pole going up, and he was asking that when they build next to a building, an exception be given to the 30 foot height to permit an 8 foot clearance from the roof to the bottom of the sign. Part of the ordinance that the Commission did approve, permits a sign to cantilever over the roof, but it must have 8 foot of clearance. They find that provision will not help them without an exception to the 30 foot height limitation.

FRANCISCO stated that the City Commission recommended against letting the sign companies make a change in the light commercial district. He said that he did not think, after talking to all of the Commissioners, that they completely understood what they were asking for. He said that the problem he had as a lease holder with the 70 percent, is having to go to Planning and pull out the slides and then trying to figure out how much footage they actually have. He mentioned that they did not want to build on the side streets. The street has to have traffic or it is not any good to them.

LAKIN commented that when this item goes back to the City Commission that they do understand that what the sign companies are essentially doing is increasing by 10X, or better, the potential for billboards. He said that when they are talking about 300 feet of commercial, they are talking about every mile line road and opening it up for billboards in every mile of the City of Wichita.

FRANCISCO responded that 70 percent of the business people that he approaches about leasing a sign will not lease to him. He said that he looked at clutter too. Their sign has to have visibility or no one will buy them. Economics is also a factor.

MARTENS asked what would be the problem are signs are allowed to be 14 feet above the traffic deck.

LYTLE stated that one of the best views in town was to drive into downtown Wichita from the east and look at the skyline.

GARDNER assumed that there was a factor of economics involved and when you go a certain distance up there is a substantial wind loading problems, and to some degree economics dictate where the signs are located.

MOTION: That the Planning Commission approve the concept as stated by Mr. Francisco. Bayouth moved, Cazal seconded and it carried unanimously. Lofton was absent.

There was some discussion regarding the 70 percent designated mile.

MOTION: That the 70 percent rule be kept in effect. Martens moved, Hansen seconded.

GARDNER asked if it was possible that there could be another mechanism for some latitude or factor injected to change the designated mile definition.

MOTION: That the staff consider a different concept for limitation of off-site signs and return it in two weeks. Bayouth moved, Cazal seconded and it carried unanimously. Lofton was absent.

WICHITA-SEDGWICK COUNTY

DATE
September 2, 1981

METROPOLITAN AREA PLANNING DEPARTMENT

TO Wichita Sedgwick County Metropolitan Area Planning Commission
FROM Glen E. Lytle, Special Assistant for Zoning
SUBJECT DR-79-11 - Possible Amendments to Zoning Ordinance
Re: Sign Regulations

Attached hereto is a copy of the delineated ordinance that has been returned by the City Commission for reconsideration by the Planning Commission. This will be placed on your Planning Commission Agenda for the meeting of September 10, 1981.

The attached ordinance has been further delineated to include the recommendations made by the City Commission at their meeting of July 14, 1981. A copy of an excerpt of the City Commission meeting of that date is also attached for your information.

BACKGROUND:

The recommendation to the City Commission on July 14, 1981 was made by the Planning Commission after a public hearing on the changes recommended by the Ad Hoc Sign Committee. The Ad Hoc Sign Committee, chaired by William Goebel, made their recommendations based on public comments and their comprehensive review of the regulations section by section.

As you will note in the City Commission minutes of July 14, 1981, several of the recommendations by the Planning Commission failed to receive a majority approval. This requires the return of the ordinance to the Planning Commission for reconsideration.

SUMMARY:

The following is a summary of the recommendations made by the City Commission categorized by the three types of signs on which changes have been recommended:

1. Portable Signs:
 - (a) Recommended that a 30 day limitation be placed on portable signs before removal rather than a 90-day limitation. (see pages 11, 12, 13 & 15)
 - (b) Recommended that a 50 square foot limitation be established for portable signs rather than the 80 square feet. (see pages 9, 11, 12, 13 & 15).

- (c) Recommended the elimination of the permission for lighted portable signs in the commercial and industrial districts. (see pages 11, 12, 13 & 15).

Comment: The City Commission also suggested that there should be a better way to regulate portable signs, but did not know what that might be. There are several alternatives to the placement of portable signs, which could include a distance requirement from any other signs, permanent or portable. Some cities have regulations prohibiting all portable signs, which might be considered.

2. On-site Ground or Pole Signs:

- (a) Recommended that the distance between on-site ground or pole signs remain at 150 foot distance separation rather than the 50 foot as recommended by the MAPC. (see page 17)
- (b) Recommended that the maximum height of ground or pole signs remain at 45 feet rather than 55 feet as recommended by the MAPC. (see page 16)

3. Off-site Signs:

- (a) Recommended that height of off-site signs not be increased to 45 feet as recommended by the MAPC. (see page 19)
- (b) Recommended that the change to permit off-site signs in the "LC" Light Commercial District without the 70% commercial or industrial zoning of the designated mile be denied. (see page 18)

RECOMMENDATION:

Make any changes in the proposed amendment deemed to be in the best interests of the community and make a recommendation to the Board of City Commissioners for adoption.

Glen E. Lytle
Special Assistant for Zoning

GEL:sad

cc: Robert A. Lakin, Director of Planning
Don Anderson, Director of Housing & Economic Development
Robert Feldner, Superintendent of Central Inspection
Members of Ad Hoc Sign Committee
Wichita Board of Realtors, 717 North Emporia, Wichita 67214
Wichita Area Builders Association, 730 North Main, Wichita 67203
Chamber of Commerce, 350 West Douglas, Wichita 67202
John Lay, 1016 North Waco, Wichita 67203
Everett Hale, 1450 South Mosley, Wichita 67211
Ken Francisco, 3405 North Hydraulic, Wichita 67219

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Substitute
Motion --

Brown moved a second substitute motion that LHA present any other alternatives that they have; furnish a list of units now existing, the amount of bonds outstanding and their maturity, how much the payments are, and whether the units can be sold; that they present a plan to withdraw from the housing program in Wichita; and that this item be deferred for three weeks.

-- carried

Brown's Substitute Motion carried 5 to 0.

SIGNS

The City Commission recessed for lunch at 12:25 p.m. and reconvened at 1:33 p.m. with Mayor Brown in the Chair. Commissioners Casado, Kirk, Knight and Wright, present.

Comm. Wright

Commissioner Wright pointed out an error in the zoning ordinance portion of the agenda. The corrections have been made below.

AMENDMENTS TO SIGN
REGULATIONS

PROPOSED AMENDMENTS TO THE REGULATIONS PERTAINING TO SIGNS IN THE CITY OF WICHITA, presented.

The sign regulations currently in effect were adopted by the City Commission in December 1974. The proposed amendments presented for consideration were prepared as the result of a review by an Ad Hoc Sign Committee appointed by the City Commission in 1979. The Sign Committee was composed of 12 citizens to include representation as follows:

- 1) Licensed sign hanger
- 2) Outdoor sign company
- 3) Portable sign company
- 4) Small independent business
- 5) Major corporate business
- 6) American Institute of Architects
- 7) Citizen Participation Organization
- 8) Environmental Resources Advisory Board
- 9) Project Beauty
- 10) Wichita Board of Realtors
- 11) Metropolitan Area Planning Commission
- 12) Metropolitan Area Planning Commission

The Committee, chaired by William Goebel, MAPC, conducted a public hearing on the proposed amendments. Six persons appeared and spoke -- one (1) person in opposition to the sign maintenance program and five (5) in opposition to the time limitation on portable signs.

The following is a summary of proposed amendments to Title 24 as recommended by the Ad Hoc Sign Committee. Also outlined are the significant proposed amendments to the zoning ordinance as recommended by the Planning Commission:

Title 24

1. Elimination of the required five-year sign maintenance program and accompanying fees.
2. Amends the expiration of a sign permit from 90 days to 180 days unless work is commenced.
3. Amends the permit fees for temporary signs.
4. Permits additional panels to be attached to nonconforming pole signs, provided the permitted gross surface area is not exceeded.

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5. Permits the impounding of temporary and portable signs placed in violation of the regulation.
6. Eliminates the reference to Fire Zone No. 1 which has been deleted from the building code.
7. Eliminates the restriction of off-site signs adjacent to an elevated highway.
8. Reduces the distance an off-site sign may be located from the Arkansas Rivers from 660 feet to 330 feet.

Zoning Ordinance

1. Portable Signs

- a. Provides for longer time for temporary and portable signs, but places maximum 90-day limit that portable sign may remain before it must be removed for 30 days.
- b. Limits individual business to one portable sign.
- c. Places 80 square feet limitation on any portable sign permitted by the ordinance.
- d. Permits lighting of portable signs in the commercial and industrial districts.

2. On-Site Ground and Pole Signs

- a. The distance between on-site ground or pole signs is reduced from 150 feet to 50 feet.
- b. The gross surface area of on-site ground or pole signs is increased from 450 square feet to 600 adjacent to an arterial or expressway.
- c. The total amount of on-site ground or pole signs is based on the lineal feet of street frontage, and with the new 50 foot separation requirement should alleviate the sign problems for individual businesses in the strip centers.

3. Off-Site Signs

- a. Increased maximum area for off-site signs from 600 square feet to 825 square feet to permit erection of signs to conform to national standard for painted bulletins.
- b. Increased height of off-site signs from 30 feet to 45 feet.
- c. Eliminates location restrictions of off-site signs in the "LC" Light Commercial District based on 70% of a designated mile being properly zoned; substitutes that whenever any sign in a designated mile is located in "LC", the number permitted shall not exceed three (3).
- d. Reduces maximum number of permitted off-site signs from eight (8) to five (5) in a designated mile.
- e. Permits an off-site pole sign to be cantilevered over a building not to exceed 20 feet, provided a vertical clearance of eight (8) feet is maintained above the building.

Representatives of the Ad Hoc Sign Committee and administrative staff were available to review the proposed amendments and answer questions.

Lytle Glen Lytle, Zoning Planner, presented the zoning ordinance and answered questions of the Commission.

Feldner Bob Feldner, Superintendent of Central Inspection, presented the Title 24 ordinance and answered questions of the Commission.

Brown Mayor Brown asked if anyone wished to speak on this item.

The following individuals spoke in favor of the Commission approving the proposed ordinance changes:

Bill Campbell, Campbell Associates
Dave Bayouth, private citizen for small business

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on -- Casado moved that the recommended change from 450 to 600 feet be
-- carried approved. Motion carried 3 to 2. Knight, Wright - "NO".

on -- Wright moved, in regard to 2c, the total amount of on-site ground or
-- carried pole signs, be approved as recommended. Motion carried 4 to 1. Knight - "NO".

Lytle Glen Lytle informed the Commission that there was a item in the
ordinance in regard to the height of signs that was not spelled out in the
Agenda. The ordinance recommended increasing the height from 45 feet to
55 feet.

on -- Casado moved that the increase of height of the sign from 45 feet
-- failed to 55 feet be approved. Motion failed 2 to 3. Kirk, Knight, Wright - "NO".

on -- Wright moved, in regard to Item 3a, that the recommendation be approved
-- carried as recommended. Motion carried 4 to 1. Kirk - "NO".

on -- Wright moved, in regards to Item 2b, increasing the height, that the
-- carried recommendation not be approved. Motion carried 3 to 2. Casado, Brown - "NO".

ion -- Wright moved, in regard to Item 3c, the recommendation not be approved
-- carried by the City Commission. Motion carried 3 to 2. Casado, Brown - "NO".

ion -- Wright moved, in regard to Item 3d, the recommendation be approved.
-- carried Motion carried 5 to 0.

ion -- Wright moved, in regard to Item 3e, the recommendation not be
-- carried approved. Motion failed 2 to 3. Casado, Kirk, Brown - "NO".

The Commission recessed at 3:57 p.m. and reconvened at 4:09 p.m.

CITY CLERK'S AGENDA

CITY CLERK'S AGENDA

Mayor Brown announced that the City Clerk's Agenda would be
considered as a consensus agenda and Items 14, 17, 20, 25, 26 and 35 were
withheld.

ion -- Brown moved that the City Clerk's Agenda, except Items 14, 17, 20,
-- carried 25, 26 and 35, be approved in accordance with the recommended action shown
therein. Motion carried 5 to 0.

Items 14, 17, 20, 25, 26 and 35 were momentarily withheld and
questions of the Commission were answered by the City Manager and City Attorney
and action was taken as shown with the items.

Later in the meeting the City Commission reconsidered item 39(d) of
the City Clerk's Agenda.

ion -- Brown moved that Item 39(d) of the City Clerk's Agenda be reconsidered.
-- carried Motion carried 5 to 0.

Mayor Brown stated that Commissioners Kirk and Knight requested that
their "NO" vote be recorded on A80-18 Step 2 annexation ordinance on first
reading.

ion -- Brown moved that the ordinance be placed on first reading. Motion
-- carried carried 3 to 2. Kirk, Knight - "NO".

BOARD OF BIDS AND CONTRACTS

The City Manager reported that at 10:00 a.m., Friday, July 10, 1981,
pursuant to advertisements published, bids were received, publicly opened, read
aloud, and tabulated by the Board of Bids and Contracts on the following:

ENGINEERING DIVISION - SEWERS & PAVING as per specifications

SWS #225

Storm Water Sewer No. 225 (north of 13th Street North and west of
Webb Road)
(Ref: Bid analysis report attached to Bd of Bids Minutes 7/10/81)

W. B. Carter Construction Company, Inc. - \$35,975.00

The Board of Bids and Contracts recommended that the contract be
awarded as outlined above, subject to check, same being the lowest and best
bid and within the Engineer's construction estimate. Brown moved that the
contract be awarded as outlined above, subject to check, same being the lowest
and best bid within the Engineer's construction estimate, and the Mayor be
authorized to sign the contract for the City of Wichita. Motion carried 5 to 0.

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 28.04.139 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO THE LOCATION, HEIGHT, AREA, NUMBER AND TYPE OF SIGNS TO BE PERMITTED BY ZONING DISTRICTS; AND REPEALING THE ORIGINAL SECTION 28.04.139 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

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

Section 28.04.139 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

"28.04.139 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, and shall particularly regulate the size, height and type of sign permitted by the zoning district.

A. GENERAL STANDARDS.

1. Classification of Signs. Signs shall be classified by the superintendent of central inspection in accordance with the following classifications:

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 attached to, painted onto a wall, erected upon or above the roof of a building or structure, the height of which shall not exceed four feet, six inches above the roof or 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;

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 thirty-two square feet of gross surface area shall be classified as an

off-site sign and regulated accordingly;

m. Sign, Portable. A temporary on-site sign designed in such a manner to be readily movable and not permanently attached to the property; such as, A-frames, Trailer signs, signs placed on vehicles, beacon lights and other similar signs.

~~m. Sign-Portable. An on-site sign designed in such a manner to be readily movable and not permanently attached to the property. Any nonpermanent 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 one foot 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 four feet six inches above the roof or parapet;

t. Sign, Temporary. An on-site sign that is limited in the period of time that such sign may remain on a property, either by the limitations of these regulations or the conditions of the permit.

~~t. Sign-Temporary-- An on-site sign such as cloth banners, pennants, window signs in business and industrial~~

~~establishments, signs of lightweight cardboard, airberne,
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 when 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 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. 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 do not contain any advertising or printed copy, are not lighted and do not exceed ten percent 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 two hundred feet of any residential district, shall not be illuminated between the hours of eleven p.m. and seven 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 thirty degrees of a line perpendicular to the centerline of the street. A sign shall be considered facing both directions of travel along a street if the angle exceeds the thirty degrees as described above. Exception: A sign located within two hundred fifty 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 thirty degrees 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 centerline of a street at the points where lines are projected perpendicular to the centerline 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;

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 exception 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;

7. Signs authorized as special displays under Section 24.04.240 of this code.

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 shall be determined to be in keeping with the general design of the area and the size shall be limited in height and area dependent upon their location on the property;

3. Identification signs denoting only the name of the building or building complex when consisting of letters less than fifteen inches in height, carved into or securely attached in such a way that they are an architectural detail of the building or entranceway; and provided, further, they are not illuminated apart from the building or entranceway, are not made of reflecting material and do not project more than two inches from the surface to which they are attached;

4. Construction signs with the following limitations:

One sign per street frontage,

Gross surface area per sign - thirty-two square feet in "AA" and "A" districts, one hundred twenty-eight square feet in all other districts,

Sign may include illustration of project under construction;

5. Real estate sign, advertising the sale, rental or lease of the premises on which it is displayed, with the following limitations:

One sign per street frontage per listing, provided that a maximum of four real estate signs be permitted on a zoning lot,

Unlighted only,

Gross surface area per sign, residential zoning districts - eight square feet. All other zoning districts - thirty-two square feet;

6. Project title signs for subdivision identification, with the following limitations:

Time period, two years; however, the superintendent of central inspection may grant extensions every six months until the subdivision is seventy percent developed.

Exclusively for the purpose of advertising the subdivision in which the sign is located,

Unlighted only and neither reflective nor fluorescent,
Permit issued only after the final subdivision plat has
been duly recorded.

Located at or near entrances to tract sections under
construction,

Not more than two sign structures shall be maintained in
any one subdivision less than forty acres in size. For each
additional forty acres or major fraction thereof, one additional
sign may be erected,

Area, maximum - one hundred twenty-eight square feet for
each sign,

Length, maximum - sixteen feet;

7. Naneplate signs with a maximum area of two square feet;

8. Signs, advertising decorations, temporarily displayed
during the hereinafter specified special event periods only,
provided however, such displays shall not exceed a total time
limitation of 30 days for an individual event. Such special
events shall be limited to (a) grand openings for new businesses;
(b) licensed going out-of-business sales; (c) open houses in new
subdivisions and home shows; and (d) sales in conjunction with
nationally recognized holidays.

~~8- Signs, portable and advertising decorations, tem-
perariiy 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;~~

9. Temporary signs in conjunction with licensed misc-
ellaneous 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 four signs for each street frontage, per
zoning lot,

Total area of all signs shall not exceed sixty-four 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 twenty-five 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. Sign Portable, for office and institutional uses, provided however, only one sign shall be permitted on a zoning lot, and the time limitation shall not exceed 30 days. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Any sign permitted by this section shall not exceed ⁵⁰~~60~~ square feet in gross surface area.

14. 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 sixteen square feet in area nor exceed twenty 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 thirty-two square feet in area nor exceed thirty 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 thirty-two square feet in area or thirty 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 twenty feet in height or exceed sixty-four 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 subsection K;

2. Illuminated building signs, provided that there shall be no more than three signs for each business for each building elevation having street frontage or fronting onto a parking area with a depth of one hundred fifty feet or more, and shall be limited in total area to twenty-five percent of each building elevation. Signs shall not be more than thirty feet above grade. Building elevations not having street frontage, but facing onto parking or loading areas exceeding fifty feet in depth, may provide identification signs for each place of business having an entrance therefrom; providing such signs shall not exceed fifteen square feet in area nor be more than twelve feet above grade;

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 signs(s) shall not extend beyond a line ten 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 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 subsection (K) (1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet;

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

5. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. ~~Each sign may be illuminated, however, strobe lights, or flashing bare bulbs shall not be permitted.~~ Any portable sign permitted by this provision shall not remain at a location for any business longer than ~~30~~³⁰ days. At the end of ~~30~~³⁰ days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed ~~60~~⁵⁰ square feet in gross surface area.

H. SIGNS PERMITTED IN THE "C" COMMERCIAL AND "E" LIGHT INDUSTRIAL DISTRICTS.

1. Illuminated on-site ground or pole signs as permitted by subsection K;

2. Illuminated off-site signs as permitted by subsection L,

3. Illuminated building signs, provided that no individual sign shall exceed six hundred 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 sign, provided, that it shall not project more than twenty 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;

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 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 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 subsection (K)(1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet.

6. Sign, portable, provided however, only one sign shall permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. ~~Such signs may be illuminated, however, strobe lights, or flashing bare bulbs shall not be permitted.~~ Any portable sign permitted by this provision shall not remain at a location for any business longer than ~~30~~ ³⁰ days. At the end of ~~30~~ ³⁰ days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed ~~60~~ ⁵⁰ square feet in gross surface area.

I. SIGNS PERMITTED IN THE "D" CENTRAL BUSINESS DISTRICT.

1. Illuminated on-site ground or pole signs as permitted by subsection K;

2. Illuminated building signs, provided no individual sign shall exceed six hundred 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 sign provided that it shall not project more than thirty feet above the highest point of the structure on which it is located;

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 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 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 subsection (K)(1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet.

5. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. ~~Such signs may be illuminated, however, strobe lights, or flashing bare bulbs shall not be permitted.~~ Any portable sign permitted by this provision shall not remain at a location for any business longer than ~~30~~³⁰ days. At the end of ~~30~~³⁰ days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed ~~40~~⁵⁰ square feet in gross surface area.

J. SIGNS PERMITTED IN THE "F" HEAVY INDUSTRIAL DISTRICT.

1. Illuminated on-site ground or pole signs as permitted by subsection K;
2. Illuminated off-site signs as permitted by subsection L;
3. Illuminated building signs, provided that no individual sign shall exceed six hundred 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 sign, provided that it shall not project more than twenty 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;
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 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 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 subsection (K)(1),
 - d. Any sign permitted by this subsection shall not exceed a height of thirty feet.
6. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regula-

tions; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. ~~Such signs may be illuminated; however, strobe lights, or flashing bare bulbs shall not be permitted.~~ Any portable sign permitted by this provision shall not remain at a location for any business longer than ~~30~~³⁰ days. At the end of ~~30~~³⁰ days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed ~~30~~⁵⁰ square feet in gross surface area.

K. ON-SITE GROUND OR POLE SIGNS AS REFERRED TO IN SUBSECTIONS G, H, I AND J.

1. Number Permitted. The number of ground or pole signs permitted on a zoning lot shall be determined by the linear feet of street frontage of the zoning lot. 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; provided, however, signs permitted by a street frontage must be adjacent to, and face the direction of travel along said street. (Exception: signs located within fifty feet of the intersection of two streets on a corner lot may be placed so that it may face both directions of travel, such as a rotating sign or be erected on an angle. When this occurs, it shall be considered a sign adjacent to each street, and one-half of the sign area shall be charged against the total permitted sign area of each street frontage.) Every zoning lot shall be permitted one ground or pole sign. Whenever more than one on-site ground or pole sign is permitted, it shall be determined by the required minimum horizontal distance between on-site ground or pole signs on the zoning lot as set forth in paragraph 6. This will permit two signs on an interior zoning lot of ~~50~~¹⁸⁰ feet or more, and two signs on a corner lot of ~~65~~¹⁶⁵ feet or more. For each additional ~~50~~¹⁵⁰ feet of frontage above these minimums, one additional sign may be erected. In determining lot frontage, one-half the width of an adjoining alley may be considered as

frontage.

2. Size Permitted. The size of an on-site sign shall not exceed the maximum permitted square feet of sign area as set forth in the "Table of Areas" of paragraph 4 of this section; provided, however, the total sign area of all on-site ground or pole signs on the zoning lot shall not exceed the total square feet of area along a street frontage as permitted by paragraph 4.

3. Height Limit. No ground or pole sign shall exceed a height of thirty feet, except when the number of permitted signs along a street frontage of the zoning lot, as set forth in paragraph one, is eliminated. For each sign that is eliminated along a street frontage, one sign may be increased five feet in height. The use of this method shall not permit any sign to exceed a height of ~~fifty-five~~ ^{forty-five} feet.

4. Maximum Area. The maximum permitted area of an individual ground or pole sign shall not exceed the square feet shown in the following table; provided, however, under no circumstance shall the total sign area of all ground or pole signs on a zoning lot exceed the area per lineal foot of street frontage adjacent to said street right-of-way.

(Exception: When only one sign is permitted by the frontage of a zoning lot, it shall be permitted an area of 150 square feet when adjacent to an arterial or expressway; 50 square feet when adjacent to a collector street; or 25 square feet when adjacent to an undesignated street.)

TABLE OF AREAS

MAXIMUM PERMITTED AREAS FOR ON-SITE GROUND OR POLE SIGNS

<u>Type of Street*</u>	<u>Maximum Area of Individual Sign In Square Feet</u>	<u>Total permitted area in sq. ft. of all signs per lineal ft. of street frontage</u>
<u>Undesignated**</u>	<u>50</u>	<u>0.5</u>
<u>Collector</u>	<u>150</u>	<u>1.0</u>
<u>Arterial</u>	<u>600</u>	<u>2.0</u>
<u>Expressway</u>	<u>600</u>	<u>2.0</u>

* As designated on Map 13A of the transportation plan element of the comprehensive plan.

** When an undesignated street is located in an area such 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 only in commercial or industrial districts.

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 fifteen feet, whichever is less. The center line of an alley shall be considered an adjacent property line. When more than one ground or pole sign is permitted on a zoning lot, there shall be maintained a minimum horizontal distance of ¹⁵⁰~~fifty~~ feet, along the same zoning lot. This shall apply to all on-site ground or pole signs within 35 feet of the street right-of-way line. (Exception: The Superintendent of Central Inspection may vary these minimum horizontal distances up to 30% when circumstances related to the physical features of the zoning lot prevent the installation of the sign at the minimum horizontal distances. The reduction of these minimums shall in no way change the number of signs permitted on a zoning lot).

K. ON-SITE-GROUND-OR-POLE-SIGNS-AS-REFERRED-TO-IN-SUB-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-two-hundred-fifty-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-two-hundred 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-fifty-percent-area-increase-for-each-sign-that-is-eliminated, with-a-maximum-allowable-sign-area-not-to-exceed three-hundred-percent-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-five-feet-in-height-and-fifty-percent-in area.

3. Height-Limit. No-ground-or-pole-sign-shall-exceed-a height-of-thirty-feet, except-that-when-the-number-of-permitted-signs-on-a-zoning-lot-is-reduced, the-height-of-any-one

sign may be increased five 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 forty five 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 such 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 thirty-three percent.

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 fifteen 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 one hundred fifty feet between ground or pole signs along the same street frontage; however, this shall not apply to ground or pole signs that are thirty five feet or more from the street right-of-way line.

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 linear measurement in feet, along the centerline of the street right-of-way, that is within or adjacent to any commercial or industrial zoning district, provided however, such signs shall only be permitted in the zoning districts as set forth in paragraphs G, H and J of this section of the code. Except in the "C", "E" or "F" zoning districts, no zoning shall be considered for linear measurement unless it is adjacent to an arterial street or expressway and at least 70% of the designated mile is adjacent to commercial or industrial zoning. For purposes of measurement, zoning shall be considered to extend to the centerline of all streets. A designated mile shall be the length of the centerline of a street between mile

section lines, even though the linear measurement may exceed five thousand two hundred eighty feet. Any mile not covered entirely by city boundary shall be treated on a percentage basis. The number of signs allowed shall be in direct proportion to the percentage of the designated mile that lies within the city limits boundary.

There shall be permitted not more than one off-site sign facing a direction of travel, for each five hundred linear feet of street having authorized zoning adjacent thereto, provided however, under no circumstances shall there be erected more than five off-site signs facing a direction of travel in a designated mile; and provided further, there shall be not more than three off-site signs allowed in the designated mile if one or more are located on property zoned the "IC" Light Commercial District.

2. Size and Height Permitted. The gross surface area of an off-site sign shall not exceed eight hundred twenty-five square feet, including any extensions. Extensions may not extend more than five and one-half feet above the normal upper rectangular lineage of the face, nor more than two feet beyond any of the other three sides. Maximum rectangular dimensions, excluding extensions, shall be fourteen feet in height by forty-eight feet in length. No off-site sign shall exceed ~~forty-five~~^{thirty} feet in height at the top of the maximum rectangular dimension, which does not include the permitted extensions. Exception: Off-site signs located adjacent to an elevated portion of a highway structure may be erected to a height of forty feet, or fourteen feet above the traffic deck, whichever is less.

3. Prohibited Locations. No off-site sign shall be erected on a property when any of the following conditions exist.

- a. No off-site sign shall be erected on a zoning lot, of less than one hundred fifty feet of frontage, that has more than two on-site ground or pole signs totaling more than two hundred fifty square feet gross surface area facing a direction of travel that are located within thirty-five feet of the street right-of-way line.

- b. Whenever a zoning lot exceeds 150 feet of frontage, no off-site sign shall be permitted except when the total number of on-site ground or pole signs on the zoning lot does not exceed 50 percent of the number permitted by Section K.
 - c. No off-site sign shall be erected that would obscure the view of any on-site sign. This shall be determined by establishing a sight point at the centerline of the street one hundred fifty feet in either direction, then no on-site sign within one hundred fifty feet of the off-site sign shall be obscured from view.
 - d. No off-site sign shall be erected within three hundred thirty feet of another off-site sign facing the same direction of travel along the same street.
 - e. No off-site sign shall be erected on a zoning lot which does not comply with the minimum lot size of the zoning district.
 - f. No off-site sign shall be erected on "LC" zoned property within one hundred fifty feet (measured perpendicular to the sign face) or within seventy-five feet (measured parallel to the sign face) of a residential structure. The perpendicular measurement shall extend forty-five degrees to either side of the perpendicular line.
 - g. No off-site sign shall be located on any property in the "LC" Light Commercial zoning district that is not a part of at least 300 continuous feet (linear measurement) of commercial or industrial zoning.
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 over the roof of any building; provided, however, a pole sign may cantilever over a building not to exceed twenty feet as long as a vertical clearance of 8 feet is provided between the roof and any portion of the sign."

b- 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 centerline 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 centerline of all streets. A designated mile shall be the length of the centerline of a street between mile section lines, even though the lineal measurement may exceed five thousand two hundred eighty feet. There shall be permitted not more than one off-site sign facing a direction of travel for each one thousand 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 six hundred sixty 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 "E" 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 six hundred square feet, nor shall it exceed thirty feet in height. Exception: Off-site signs located adjacent to an elevated portion of a highway structure may be erected to a height of forty feet, or fourteen feet above the traffic deck, whichever is less, providing:

- a- No off-site sign shall have a horizontal dimension of greater than forty feet;
- b- No off-site sign shall be located closer than six hundred sixty feet to another off-site sign on the same side of the elevated highway;
- c- There shall be not more than three off-site signs exceeding a height of thirty feet in a designated mile;
- 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 thirty five feet of the street right-of-way line;
- b- No off-site sign shall be erected on a zoning lot that already has more than two hundred square feet of on-site ground or pole signs facing a direction of travel, regardless of the number of signs;
- c- No off-site sign shall be erected on property that would obscure the view of any on-site signs. This shall be determined by establishing a sight point at the centerline of the street one hundred fifty feet in either direction, then no on-site sign within one hundred fifty feet of the

~~off-site sign shall be obscured from view;
d. No off-site sign shall be located closer than three
direction of travel;
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;~~
 - b. ~~There shall be not less than seventy percent of
the designated mile located adjacent to "LC", "C",
"B" or "P" zoned properties or any combination thereof;~~
 - c. ~~There shall not be less than one hundred fifty feet
distance from any off-site sign to a residence;~~
 - d. ~~No off-site sign shall be located on any property that
is not a part of at least three hundred 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 original of Section 28.04.139 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 _____,
1981.

R. C. Brown, Mayor

ATTEST:

Donald C. Gisick, City Clerk

Approved as to form:

John Dekker, City Attorney

WICHITA-SEDGWICK COUNTY

DATE

June 24, 1981

METROPOLITAN AREA PLANNING DEPARTMENT

TO E. H. Denton, City Manager
FROM Robert A. Lakin, Director of Planning
SUBJECT Subject: DR-79-11 - Possible Amendment to Zoning Ordinance
Re: Sign Regulations

Attached hereto is a delineated copy of a proposed amendment to the City of Wichita Zoning Ordinance related to sign regulations. This amendment is being recommended by the Planning Commission to the City Commission for adoption. Please place this amendment on the City Commission agenda for their consideration on July 14, 1981 at 1:30 p.m.

BACKGROUND:

The sign regulations presently in effect were adopted by the City Commission in December 1974. Although several minor amendments have been made since that date, these proposals are the most significant changes to date. These amendments have been prepared as the result of several months of review by an Ad Hoc Sign Committee that was appointed by the City Commission in 1979.

This committee was composed of 12 citizens and included representatives from the following business facets of the sign industry and other civic organizations: licensed sign hanger, outdoor sign company, portable sign company, small independent business, major corporate business, American Institute of Architects, Citizen Participation Organization, Environmental Resources Advisory Board, Project Beauty, Wichita Board of Realtors and the Metropolitan Area Planning Commission.

This committee held a public hearing to receive any comments or complaints about the regulations. Only six people appeared to be heard. One person spoke in opposition to the sign maintenance program and 5 spoke in opposition to the time limitation on portable signs.

The committee, chaired by William Goebel, reviewed the problems identified by the public, and also reviewed all of the sign regulations section by section. The committee addressed what appeared to be three major problems of the regulations. One being the time limitations on portable signs; secondly the problems related to the separation requirement and the permitted number of on-site ground or pole signs; and thirdly, the height, area and location of off-site signs.

The Planning Commission held a public hearing on this ordinance on May 21, 1981. An excerpt from the minutes of that meeting are attached for your information. The only change made by the Planning Commission

of the Ad Hoc Committee recommendations was to place an 80 square feet gross surface area on any portable sign permitted by the regulations.

SUMMARY:


The following is a summary of the significant changes that are included in the proposed amendment to the zoning ordinance:

1. PORTABLE SIGNS
 - a. Provides for a longer period of time for temporary and portable signs, but places a maximum time limit of 90 days that a portable sign can remain on a property before it must be removed for a 30 day period.
 - b. Limits any individual business to one portable sign.
 - c. Places an 80 square feet limitation on any portable sign permitted by the ordinance.
 - d. Permits the lighting of portable signs in the commercial and industrial districts.
2. ON-SITE GROUND and POLE SIGNS
 - a. The distance between on-site ground or pole signs is reduced from 150 feet to 50 feet.
 - b. The gross surface area of on-site ground or pole signs is increased from 450 square feet to 600 square feet adjacent to an arterial or expressway.
 - c. The total amount of on-site ground or pole signs is based on the lineal feet of street frontage, and with the new 50 foot separation requirement should alleviate the sign problems for individual businesses in the strip centers.
3. OFF-SITE SIGNS
 - a. The maximum area for off-site signs is increased from 600 square feet to 825 square feet which will permit the erection of signs to conform to the national standard for painted bulletins.
 - b. Increases the height of off-site signs from 30 feet to 45 feet.
 - c. Eliminates the restriction of the location of off-site signs in the "LC" Light Commercial District based on a 70% of a designated mile being properly zoned; and substitutes that whenever any sign in a designated mile is located in the "LC" district, the number permitted shall not exceed 3.

- d. Reduces the maximum number of permitted off-site signs from 8 to 5 in a designated mile.
- e. Permits an off-site pole sign to be cantilevered over a building not to exceed 20 feet, provided a vertical clearance of 8 feet is maintained above the building.

RECOMMENDED ACTION:

- 1. Concur in the recommendation of the Planning Commission and place the ordinance on first reading.
- 2. Return the amendment to the Planning Commission for reconsideration. The City Commission states the following reasons for such reconsideration.


Robert A. Lakin, Director of Planning

RAL:GEL:sad

Attach.

cc: Don Anderson, Director of Housing & Economic Development
Robert Feldner, Superintendent of Central Inspection
Members of Ad Hoc Sign Committee
Wichita Board of Realtors, 717 North Emporia 67214
Wichita Area Builders Association, 730 North Main 67203
Chamber of Commerce, 350 West Douglas 67202

EXCERPT FROM PLANNING COMMISSION MINUTES OF MAY 21, 1981

11. DR 79-11 - Departmental Review - Possible Amendment to the zoning ordinance - Re: Sign Regulations

HENNESSY asked if it was possible (if it was not discussed separately) to vote on it in separate areas.

LAKIN stated that this was advertised as an amendment to the ordinance and if the motions are made recommending certain sections as separate motions, then they could be voted on separately.

LAKIN said that he had just handed out a letter addressed to the Chairman, and he would like them to know that generally this was a result of the Committee's effort. It does not necessarily indicate the support of the staff in terms of the ordinance because he believed the efforts had probably gone too far in the liberalization of the ordinance.

BAYOUTH mentioned that he had someone in his family that owned stock in a portable sign business, and he would abstain on that portion of the proposed amendment. He said that he did serve on this Ad Hoc Committee and the previous Ad Hoc Committee. He felt that he should be part of the discussion even though he would not vote on the portable sign portion of the amendment.

SHOOK left the meeting.

GLEN LYTLE, Special Assistant for Zoning, reviewed the following material with the Planning Commission related to background of the committee, background of the regulations and a summary of the committee's recommended changes in the ordinance.

BACKGROUND

The sign regulations of the City of Wichita, presently in effect, were adopted by the City Commission in December 1974. This was the first significant change in the regulations since 1946 and was prepared at the request of the City Commission.

After the adoption of the regulations in 1974, there have been several amendments adopted that have alleviated some of the problems. However, in 1979, the City Commission appointed an Ad Hoc Sign Committee to review the regulations. This Committee consisted of 12 members and included representatives from the following business, industry and organizations: licensed sign hanger, outdoor sign company, portable sign company, small independent business, major corporate business, American Institute of Architects, Citizen Participation Organization, Environmental Resources Advisory Board, Project Beauty, Board of Realtors and the Metropolitan Area Planning Commission.

This committee held a public hearing to receive any comments or complaints about the regulations. Only six people appeared to be heard. One person spoke in opposition to the sign maintenance program and five spoke in opposition to the time limitation on portable signs.

The committee reviewed the problems addressed by the public and also reviewed the sign regulations section by section. These possible amendments have been prepared by the Ad Hoc Sign Committee that was chaired by William J. Goebel, a representative of the Planning Commission.

SUMMARY:

The following is a summary of the significant changes that have been recommended by the committee and are included in the proposed amendment to the zoning ordinance:

1. Provides for a longer period of time for temporary and portable signs, but places a maximum time limit of 90 days that a portable sign can remain on a property before it must be removed for a 30 day period.
2. Limits any individual business to one portable sign.
3. The distance between on-site ground or pole signs is reduced from 150 feet to 50 feet.
4. The gross surface area of on-site ground or pole signs is increased from 450 square feet to 600 square feet adjacent to an arterial or expressway.
5. The total amount of on-site ground or pole signs is based on the lineal feet of street frontage, and with the new 50 foot separation requirement should alleviate the sign problems for individual businesses in the strip centers.
6. The maximum area for off-site signs is increased from 600 square feet to 825 square feet which will permit the erection of signs to conform to the national standard for painted bulletins.
7. Increases the height of off-site signs from 30 feet to 45 feet.
8. Eliminates the restriction of the location of off-site signs in the "LC" Light Commercial District based on a 70% of a designated mile being properly zoned; and substitutes that whenever any sign in a designated mile is located in the "LC" district, the number permitted shall not exceed 3.
9. Reduces the maximum number of permitted off-site signs from 8 to 5 in a designated mile.
10. Permits an off-site pole sign to be cantilevered over a building not to exceed 20 feet, provided a vertical clearance of 8 feet is maintained above the building.

In addition to the amendments to the zoning ordinance, the committee has also recommended amendments to Title 24, that pertains mainly to administration of the sign regulations. Those amendments will be forwarded to the City Commission for their consideration at the same time as these amendments to the zoning ordinance.

RECOMMENDATION:

Make any changes in the proposed amendment deemed to be in the best interests of the community and make a recommendation to the Board of City Commissioners for adoption.

LYTLE mentioned that nine of the CPO Councils recommended that various sections of amendments concerning the portable signs should not be enacted. He said that seven of the ten Councils recommended that the 90 day limit for portable signs be reduced. Five Councils recommended that the maximum size of portable signs be limited between 50 and 80 square feet.

LYTLE said that as far as on-site ground and pole signs were concerned, eight Councils made recommendations. Of the Councils that agreed, five agreed that the allowable maximum area not be increased from 450 to 600 square feet in area, and five of the Councils recommended that a sign maintenance program not be eliminated.

LYTLE said that on off-site signs, four Councils of the eight making recommendations, recommended that off-site signs not be permitted adjacent to elevated highways. Four Councils recommended that the maximum size of the off-site signs not be increased from 600 to 825 square feet. Five of the eight Councils recommended that the maximum height not be changed from 30 to 45 feet.

LEO GOSELAND, member of the Ad Hoc Committee, stated that this committee was put together in an attempt to draw some compromises and to come up with an ordinance that would relieve some of the inequities of the previous ordinance, and try to work out a situation where they had something that was workable, giving something to all sides. This took a year and half of time. He recommended that the Commission take a very hard look at the proposals and pass along the recommendations in full on to the City Commission.

BAYOUTH commented that one of the biggest problems the committee had with onsite signs was to provide the small businessman in strip centers to have his name just like everybody else on a sign. He said that there had been an enforcement problem with the old code. He felt the compromise would handle this situation without creating more hardships for small businesses.

GARDNER asked Mr. Goseland if he felt the composition of the Ad Hoc Sign Committee was a fairly broad base and represented a wide constituency of viewpoints within the City.

GOSELAND said that he felt they did just by the list of areas that the people were chosen from. He felt that they had input from just about any area that had any concern.

BAYOUTH stated that the last time the Ad Hoc Committee was set up and reviewed and the old ordinance was revised, it was designed to eliminate and clean up the abandoned signs in the City of Wichita.

BILL CAMPBELL, Campbell & Associates, representing the sign industry, stated that he had been involved with the sign changes and codes for 10 years, and it had been a long hard fight. He said the thing that brought about the Ad Hoc Committee was the fact that there were a lot of inequities in the code and the small businessman was the one that was being penalized. He said that they went to the City Commission to ask that the Ad Hoc Committee be formed to try to resolve some of the problems that they felt they had. CAMPBELL said that the Sign Industry gets more calls than probably the City does about sign violations.

The meeting was interrupted by the fire alarm. MARTENS did not return to the meeting.

RUSSELL ROSS, member of the Ad Hoc Committee representing the Outdoor Advertising Industry, discussed the ordinance change of increasing the maximum area of off-site signs, and said the primary reason for that is that they had very little national business because of the 600 square foot limitation. There is a national standard for the kind of signs that the proposal will accommodate. The national advertisers will not come to Wichita because the City's sign boards do not accommodate them.

ROSS commented on the item of the ordinance that increases the height of off-site signs. He said that the language in the current ordinance was very difficult to understand and causes a lot of confusion. He said that they now have made it quite simple to understand. There has been very little gain as far as height is concerned along elevated highways.

ROSS said that in item 8 of the memorandum they have reduced the number of allowable structures in a mile from 5 to 3 in the "LC" District in an effort to get rid of all of the language that caused so much difficulty.

ROSS said that in item 9 they voluntarily reduced the number of signs in heavy industrial from 8 to 5 in a mile. He said that they were in agreement with everybody else that considered that too many signs cluttered.

ROSS said that in item 10 the eight foot clearance from a building was put in the ordinance deliberately in the event the fireman need to get to the top of the building.

EVERETT HALE, Claude Federal Sign Company, said that he was not a member of this Ad Hoc Committee, however, he did represent the sign industry in their original attempt to get a liveable ordinance in the early seventies. He said that their biggest problems with signs arises from the strip centers where if a center is owned by one person and have a dozen businesses or more, if there is one sign up, it is the only one they could have. HALE felt that was discriminatory to the new people coming in or to the people that are already in and find that there is an existing sign. HALE said that speaking to the issue of taller signs, the aesthetics could be improved if there was more room to try and design good looking signs. The small signs are the problems. He mentioned that it was not the large signs that cause the clutter. HALE pointed out that signs were the only way to reach the public on an economically feasible basis for the small businessman.

PAT GUINAN, member of the Ad Hoc Sign Committee, stated that she had been attending sign meetings for ten years. She said that she had been a representative for various organizations and today she wanted to speak for Project Beauty and Wichitans for better signs. Project Beauty recognizes that signs are necessary, however, the consumer public also has the right not to be offended by signs that are too numerous, too large and too high. The purpose of signs is to give information and when the amount of signage is overloaded, the purpose is defeated. GUINAN went through the list of items of the ordinance that her group was opposed to. One being many more billboards in the community in "LC" zoning, and increasing the height of signs. She said that Project Beauty would essentially like not to see billboards in the "LC" District or at least not to change the ordinance. GUINAN said that one thing that is not mentioned in item 4, in addition to the increase in area, there is also an increase in height. They do not object to the 45 foot height, but felt that the 55 feet proposed is really too high. On item 3, when the distance is reduced between onsite signs from 150 to 50 feet, it is essentially taking away all limitation on the number of pole signs, and they object. She said that many people would agree that the number of portable signs is offensive. If portable signs cannot be limited to a greater extent, then Project Beauty would like to see portable signs banned entirely. Another option would be to consider portable signs in the same vein as onsite signs.

JONES was excused from the meeting.

MOTION: That Pat Guinan be allowed three additional minutes to finish her presentation. Gardner moved, Bayouth seconded and it carried unanimously. Lofton, Shook, Martens and Jones were absent.

GUINAN stated that another possibility would be to control and regulate portable signs the same way that onsite signs are regulated. She said that Project Beauty recognizes the need for every business to be identified by a sign, but do feel the number of signs, the size of signs can, and should, be regulated.

GARDNER said that he sensed some dissatisfaction with the Ad Hoc Committee, and asked, in all due respect and recognizing that they were appointed by the City Commission, if this was a reflection on the City Commission's judgment.

GUINAN said that she did not know who picked the members of the Ad Hoc Committee, but knew a couple of the members of the committee did not attend. Had the committee been better attended by all, it might have helped round out the recommendations and realizes it was a combination of circumstances. She felt that it was such a biased committee that frankly its recommendations should not be paid attention to, and there should be a new committee appointed, and she would be glad to see none of the present people serving on that committee, but perhaps called in for their opinions.

BAYOUTH commented that he thought that he was a citizen of the same Wichita, and did not know how Guinan would want the composition of the Committee. He felt that he would have a better chance if Joe Doe was picked out of the audience, and felt that he would understand more and sympathize more with the people who pay the bills in the City of Wichita, that makes it happen, and that is the business community. Without the business community nothing succeeds.

GARDNER commented that his question was based on the fact that we function in a semi-democracy where occasionally a majority of opinion prevails and not always is the minority able to be fully expressed. He felt that his question as to whether or not the composition of the committee was pleasing was not so much the question as whether or not the City Commissioners who established and designated the members were in error in their judgment. He said that in all due respect to Project Beauty with the intentions that have been expressed, which he felt were noble and desirable, he too occasionally felt that there was a lapse of association between the ideal and what was real and had hoped that this would be a reasonable compromise.

GUINAN said that she resented the implication that Project Beauty was anti-business, and they oppose signs. They happen to have some different viewpoints from some people on what is effective signage.

HOWARD BOYS, 3415 E. Skinner, a member of the Ad Hoc Committee, requested 15 minutes of speaking time.

MOTION: That Mr. Boys be extended 15 minutes speaking time. Bayouth moved, Cazel seconded and it carried with a vote of 4 in favor (Bayouth, Cazel, Hansen and Goebel), and 2 opposed (Hennessy and Gardner). Lofton, Shook, Jones and Martens were absent.

BOYS stated that 10 of the 15 CPO Councils have met to date, and one Council recommended approval of all of the items in the proposal. He said that there are consistent objections to the amendments, and to a certain degree it would not be proper for the Planning Commission to take a formal action to make a recommendation to the City Commission on the amendments. He said that it was obvious that the sign industry controlled the Ad Hoc Committee. He felt that this should be sent back to the City Commission and suggest that the Committee be dissolved completely and start over again. He felt that there should be an equal number of business and ex-officio people not interested in signs, to compose the committee. Any vote should be based on the input from the experts from the outside and it should not be based on what it was going to be put in their pockets.

GOEBEL commented that the portable signs remain the way the ordinance reads today. He said that he did not like them sitting out in front of businesses obstructing the view of traffic, etc., but it was a court order that the signs could not be limited to the number of events.

KEN GROTEWIEL, 611 West 12th Street, speaking for CPO Council Area "I", stated that the onsite ground signs, pole signs and billboard, the philosophy seems to be "bigger and more is better", and the Council could not see any rhyme or reason for that. They felt it contributed to urban blight and were eyesores. They felt that the bigger signs could only be afforded by bigger businesses and discriminates against small businesses. If the ordinance is left as is then every one is competing along with the same rules. GROTEWIEL said that the Council endorsed the portable signs with three exceptions. They felt that the 128 square feet was too large, but somewhere in the 90 square feet would be more appropriate. The 60 day permit with the 30 day break was good.

BAYOUTH commented that the small business was one of the reasons for the increase in sign height. If they were all placed in a row all the same height, then no one could see the signs.

HANSEN said that she had been listening a good deal about the concern and healthy viable business economy in Wichita. She said that she was very aware that when businesses in this community are having trouble attracting the people to fill jobs that are in Wichita, they are frequently reminded that people don't want to come to Wichita. For some reason or other there is a perceived attitude that we are a "cowtown" and that we do not care about the quality of life, and that our priorities are not the kind that would make somebody want to settle in Wichita. She felt it was time that some serious thought be given to the long range quality of life. This entire thrust is to increase the signage and clutter in Wichita and will reduce the opportunity to be seen. She said that increasing the size and number of signs will not really be that beneficial to small businesses in the long run. HANSEN said that she strongly oppose the whole thrust of the amendments and certainly approve of the one that suggests that the off-site signs be a standard size. She also liked item 9 that reduces the number from 8 to 5, but did feel that they were headed in the wrong direction and Wichita would not be the better for it nor the small business community themselves.

WAYNE BROCK, Brock Advertising Company, stated that they do deal in portable signs. He said that his signs are not something that they are ashamed of. It is a portable sign. It is not something that they pull up, drop off of the car and leave with a half of message left on. He said that he wanted to give the Commission his support.

MOTION: That the Planning Commission recommend that the City Commission approve and adopt the amendments to the zoning ordinance regarding sign regulations enumerating items 3 through 10 and summarized in the memorandum which the Planning Commission perceive to address all but portable signs. Gardner moved, Goebel seconded and it carried with a vote of 5 in favor (Gardner, Goebel, Hennessy, Bayouth and Cazal), and 1 opposed (Hansen). Lofton, Shook, Martens and Jones were absent.

BAYOUTH speaking as a private citizen, stated that he agreed with the people who spoke today, that the signs were too big. He felt that the signs should be limited to 80 square feet and should be the limitation on portable signs as far as size. He felt that all persons using portable signs should be under the same regulations as the portable sign people are today, and would like to add that requirement in the permits and regulations. He felt that Central Inspection should have the right to inspect the signs.

MOTION: That the Planning Commission recommend to the City Commission that items 1 and 2 as summarized in the memorandum and pertaining to portable signs be adopted with the specific limitation that portable signs not exceed 80 square feet in area; and retain the provision of one sign per business. Gardner moved, Goebel seconded and it carried with a vote of 4 in favor (Gardner, Goebel, Cazal, and Hennessy), and 1 opposed (Hansen). Bayouth abstained. Lofton, Shook, Martens and Jones were absent.

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 28.04.139 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO THE LOCATION, HEIGHT, AREA, NUMBER AND TYPE OF SIGNS TO BE PERMITTED BY ZONING DISTRICTS; AND REPEALING THE ORIGINAL SECTION 28.04.139 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

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

Section 28.04.139 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

"28.04.139 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, and shall particularly regulate the size, height and type of sign permitted by the zoning district.

A. GENERAL STANDARDS.

1. Classification of Signs. Signs shall be classified by the superintendent of central inspection in accordance with the following classifications:

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 four feet, six inches above the roof or 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;

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 thirty-two square feet of gross surface area shall be classified as an

off-site sign and regulated accordingly;

m. Sign, Portable. A temporary on-site sign designed in such a manner to be readily movable and not permanently attached to the property; such as, A-frames, Trailer signs, signs placed on vehicles, beacon lights and other similar signs.

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 one foot 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 four feet six inches above the roof or parapet;

t. Sign, Temporary. An on-site sign that is limited in the period of time that such sign may remain on a property, either by the limitations of these regulations or the conditions of the permit.

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 when 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 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. 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 do not contain any advertising or printed copy, are not lighted and do not exceed ten percent 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 two hundred feet of any residential district, shall not be illuminated between the hours of eleven p.m. and seven 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 thirty degrees of a line perpendicular to the centerline of the street. A sign shall be considered facing both directions of travel along a street if the angle exceeds the thirty degrees as described above. Exception: A sign located within two hundred fifty 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 thirty degrees 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 centerline of a street at the points where lines are projected perpendicular to the centerline 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;

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 exception 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;

7. Signs authorized as special displays under Section 24.04.240 of this code.

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 shall be determined to be in keeping with the general design of the area and the size shall be limited in height and area dependent upon their location on the property;

3. Identification signs denoting only the name of the building or building complex when consisting of letters less than fifteen inches in height, carved into or securely attached in such a way that they are an architectural detail of the building or entranceway; and provided, further, they are not illuminated apart from the building or entranceway, are not made of reflecting material and do not project more than two inches from the surface to which they are attached;

4. Construction signs with the following limitations:
One sign per street frontage,
Gross surface area per sign - thirty-two square feet in "AA" and "A" districts, one hundred twenty-eight square feet in all other districts,
Sign may include illustration of project under construction;

5. Real estate sign, advertising the sale, rental or lease of the premises on which it is displayed, with the following limitations:

One sign per street frontage per listing, provided that a maximum of four real estate signs be permitted on a zoning lot,
Unlighted only,

Gross surface area per sign, residential zoning districts - eight square feet. All other zoning districts - thirty-two square feet;

6. Project title signs for subdivision identification, with the following limitations:

Time period, two years; however, the superintendent of central inspection may grant extensions every six months until the subdivision is seventy percent developed.

Exclusively for the purpose of advertising the subdivision in which the sign is located,

Unlighted only and neither reflective nor fluorescent,
Permit issued only after the final subdivision plat has been duly recorded.

Located at or near entrances to tract sections under construction,

Not more than two sign structures shall be maintained in any one subdivision less than forty acres in size. For each additional forty acres or major fraction thereof, one additional sign may be erected,

Area, maximum - one hundred twenty-eight square feet for each sign,

Length, maximum - sixteen feet;

7. Nameplate signs with a maximum area of two square feet;

8. Signs, advertising decorations, temporarily displayed during the hereinafter specified special event periods only, provided however, such displays shall not exceed a total time limitation of 30 days for an individual event. Such special events shall be limited to (a) grand openings for new businesses; (b) licensed going out-of-business sales; (c) open houses in new subdivisions and home shows; and (d) sales in conjunction with nationally recognized holidays.

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 four signs for each street frontage, per zoning lot,

Total area of all signs shall not exceed sixty-four 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 twenty-five 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. Sign Portable, for office and institutional uses, provided however, only one sign shall be permitted on a zoning lot, and the time limitation shall not exceed 30 days. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Any sign permitted by this section shall not exceed 80 square feet in gross surface area.

14. 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 sixteen square feet in area nor exceed twenty 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 thirty-two square feet in area nor exceed thirty 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 thirty-two square feet in area or thirty 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 twenty feet in height or exceed sixty-

four 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 subsection K;

2. Illuminated building signs, provided that there shall be no more than three signs for each business for each building elevation having street frontage or fronting onto a parking area with a depth of one hundred fifty feet or more, and shall be limited in total area to twenty-five percent of each building elevation. Signs shall not be more than thirty feet above grade. Building elevations not having street frontage, but facing onto parking or loading areas exceeding fifty feet in depth, may provide identification signs for each place of business having an entrance therefrom; providing such signs shall not exceed fifteen square feet in area nor be more than twelve feet above grade;

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 signs(s) shall not extend beyond a line ten 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 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 subsection (K) (1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet;

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

5. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bare bulbs shall not be permitted. Any portable sign permitted by this provision shall not remain at a location for any business longer than 90 days. At the end of 90 days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed 80 square feet in gross surface area.

H. SIGNS PERMITTED IN THE "C" COMMERCIAL AND "E" LIGHT INDUSTRIAL DISTRICTS.

1. Illuminated on-site ground or pole signs as permitted by subsection K;

2. Illuminated off-site signs as permitted by subsection L,

3. Illuminated building signs, provided that no individual sign shall exceed six hundred 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 sign, provided, that it shall not project more than twenty 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;

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 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 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 subsection (K)(1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet.

6. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bare bulbs shall not be permitted. Any portable sign permitted by this provision shall not remain at a location for any business longer than 90 days. At the end of 90 days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed 80 square feet in gross surface area.

1. SIGNS PERMITTED IN THE "D" CENTRAL BUSINESS DISTRICT.

1. Illuminated on-site ground or pole signs as permitted by subsection K;

2. Illuminated building signs, provided no individual sign shall exceed six hundred 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 sign provided that it shall not project more than thirty feet above the highest point of the structure on which it is located;

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 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 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 subsection (K) (1),

d. Any sign permitted by this subsection shall not exceed a height of thirty feet.

5. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bare bulbs shall not be permitted. Any portable sign permitted by this provision shall not remain at a location for any business longer than 90 days. At the end of 90 days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed 80 square feet in gross surface area.

J. SIGNS PERMITTED IN THE "F" HEAVY INDUSTRIAL DISTRICT.

1. Illuminated on-site ground or pole signs as permitted by subsection K;
2. Illuminated off-site signs as permitted by subsection L;
3. Illuminated building signs, provided that no individual sign shall exceed six hundred 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 sign, provided that it shall not project more than twenty 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;
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 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 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 subsection (K)(1),
 - d. Any sign permitted by this subsection shall not exceed a height of thirty feet.

6. Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bare bulbs shall not be permitted. Any portable sign permitted by this provision shall not remain at a location for any business longer than 90 days. At the end of 90 days the sign must be removed for at least 30 days before a new permit may be secured. Any sign permitted by this section shall not exceed 80 square feet in gross surface area.

K. ON-SITE GROUND OR POLE SIGNS AS REFERRED TO IN SUBSECTIONS G, H, I AND J.

i. Number Permitted. The number of ground or pole signs permitted on a zoning lot shall be determined by the linear feet of street frontage of the zoning lot. 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; provided, however, signs permitted by a street frontage must be adjacent to, and face the direction of travel along said street. (Exception: signs located within fifty feet of the intersection of two streets on a corner lot may be placed so that it may face both directions of travel, such as a rotating sign or be erected on an angle. When this occurs, it shall be considered a sign adjacent to each street, and one-half of the sign area shall be charged against the total permitted sign area of each street frontage.) Every zoning lot shall be permitted one ground or pole sign. Whenever more than one on-site ground or pole sign is permitted, it shall be determined by the required minimum horizontal distance from any adjacent property line and the minimum horizontal distance between on-site ground or pole signs on the zoning lot as set forth in paragraph 6. This will permit

two signs on an interior zoning lot of 80 feet or more, and two signs on a corner lot of 65 feet or more. For each additional 50 feet of frontage above these minimums, one additional sign may be erected. In determining lot frontage, one-half the width of an adjoining alley may be considered as frontage.

2. Size Permitted. The size of an on-site sign shall not exceed the maximum permitted square feet of sign area as set forth in the "Table of Areas" of paragraph 4 of this section; provided, however, the total sign area of all on-site ground or pole signs on the zoning lot shall not exceed the total square feet of area along a street frontage as permitted by paragraph 4.

3. Height Limit. No ground or pole sign shall exceed a height of thirty feet, except when the number of permitted signs along a street frontage of the zoning lot, as set forth in paragraph one, is eliminated. For each sign that is eliminated along a street frontage, one sign may be increased five feet in height. The use of this method shall not permit any sign to exceed a height of fifty-five feet.

4. Maximum Area. The maximum permitted area of an individual ground or pole sign shall not exceed the square feet shown in the following table; provided, however, under no circumstance shall the total sign area of all ground or pole signs on a zoning lot exceed the area per lineal foot of street frontage adjacent to said street right-of-way.

(Exception: When only one sign is permitted by the frontage of a zoning lot, it shall be permitted an area of 150 square feet when adjacent to an arterial or expressway; 50 square feet when adjacent to a collector street; or 25 square feet when adjacent to an undesignated street.)

TABLE OF AREAS

MAXIMUM PERMITTED AREAS FOR ON-SITE GROUND OR POLE SIGNS

Type of Street*	Maximum Area of Individual Sign In Square Feet	Total permitted area in sq. ft. of all signs per lineal ft. of street frontage
Undesignated**		
Undesignated**	50	0.5
Collector	150	1.0
Arterial	600	2.0
Expressway	600	2.0

* As designated on Map 13A of the transportation plan element of the comprehensive plan.

** When an undesignated street is located in an area such 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 only in commercial or industrial districts.

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 fifteen feet, whichever is less. The center line of an alley shall be considered an adjacent property line. When more than one ground or pole sign is permitted on a zoning lot, there shall be maintained a minimum horizontal distance of fifty feet, along the same street frontage from another ground or pole sign on the same zoning lot. This shall apply to all on-site ground or pole signs within 35 feet of the street right-of-way line. (Exception: The Superintendent of Central Inspection may vary these minimum horizontal distances up to 30% when circumstances related to the physical features of the zoning lot prevent the installation of the sign at the minimum horizontal distances. The reduction of these minimums shall in no way change the number of signs permitted on a zoning lot).

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 linear measurement in feet, along the center-

line of the street right-of-way, that is within or adjacent to any commercial or industrial zoning district, provided however, such signs shall only be permitted in the zoning districts as set forth in paragraphs G, H and J of this section of the code. Except in the "C", "E" or "F" zoning districts, no zoning shall be considered for linear measurement unless it is adjacent to an arterial street or expressway.

For purposes of measurement, zoning shall be considered to extend to the centerline of all streets. A designated mile shall be the length of the centerline of a street between mile section lines, even though the linear measurement may exceed five thousand two hundred eighty feet. Any mile not covered entirely by city boundary shall be treated on a percentage basis. The number of signs allowed shall be in direct proportion to the percentage of the designated mile that lies within the city limits boundary.

There shall be permitted not more than one off-site sign facing a direction of travel, for each five hundred linear feet of street having authorized zoning adjacent thereto, provided however, under no circumstances shall there be erected more than five off-site signs facing a direction of travel in a designated mile; and provided further, there shall be not more than three off-site signs allowed in the designated mile if one or more are located on property zoned the "LC" Light Commercial District.

2. Size and Height Permitted. The gross surface area of an off-site sign shall not exceed eight hundred twenty-five square feet, including any extensions. Extensions may not extend more than five and one-half feet above the normal upper rectangular lineage of the face, nor more than two feet beyond any of the other three sides. Maximum rectangular dimensions, excluding extensions, shall be fourteen feet in height by forty-eight feet in length. No off-site sign shall exceed forty-five feet in height at the top of the maximum rectangular dimension, which does not include the permitted extensions.

3. Prohibited Locations. No off-site sign shall be erected on a property when any of the following conditions exist.

- a. No off-site sign shall be erected on a zoning lot, of less than one hundred fifty feet of frontage, that has more than two on-site ground or pole signs totaling more than two hundred fifty square feet gross surface area facing a direction of travel that are located within thirty-five feet of the street right-of-way line.
- b. Whenever a zoning lot exceeds 150 feet of frontage, no off-site sign shall be permitted except when the total number of on-site ground or pole signs on the zoning lot does not exceed 50 percent of the number permitted by Section K.
- c. No off-site sign shall be erected that would obscure the view of any on-site sign. This shall be determined by establishing a sight point at the centerline of the street one hundred fifty feet in either direction, then no on-site sign within one hundred fifty feet of the off-site sign shall be obscured from view.
- d. No off-site sign shall be erected within three hundred thirty feet of another off-site sign facing the same direction of travel along the same street.
- e. No off-site sign shall be erected on a zoning lot which does not comply with the minimum lot size of the zoning district.
- f. No off-site sign shall be erected on "LC" zoned property within one hundred fifty feet (measured perpendicular to the sign face) or within seventy-five feet (measured parallel to the sign face) of a residential structure. The perpendicular measurement shall extend forty-five degrees to either side of the perpendicular line.
- g. No off-site sign shall be located on any property in the "LC" Light Commercial zoning district that is not a part of at least 300 continuous feet (linear measurement) of commercial or industrial zoning.

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 over the roof of any building; provided, however, a pole sign may cantilever over a building not to exceed twenty feet as long as a vertical clearance of 8 feet is provided between the roof and any portion of the sign."

The original of Section 28.04.139 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.

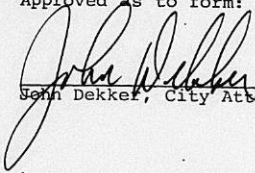
ADOPTED at Wichita, Kansas this _____ day of _____, 1981.

R. C. Brown, Mayor

ATTEST:

Donald C. Gisick, City Clerk

Approved as to form:



John Dekker, City Attorney

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

May 1, 1981

TO Wichita-Sedgwick County Metropolitan Area Planning Commission
FROM Glen E. Lytle, Special Assistant for Zoning
SUBJECT DR-79-11 - Possible Amendments to Zoning Ordinance Re: Sign Regulations

Attached is a delineated copy of amendments to the zoning ordinance related to sign regulations that has been advertised for public hearing for your meeting of May 21, 1981.

BACKGROUND

The sign regulations of the City of Wichita, presently in effect, were adopted by the City Commission in December 1974. This was the first significant change in the regulations since 1946 and was prepared at the request of the City Commission.

After the adoption of the regulations in 1974, there have been several amendments adopted that have alleviated some of the problems. However, in 1979, the City Commission appointed an Ad Hoc Sign Committee to review the regulations. This Committee consisted of 12 members and included representatives from the following business, industry and organizations: licensed sign hanger, outdoor sign company, portable sign company, small independent business, major corporate business, American Institute of Architects, Citizen Participation Organization, Environmental Resources Advisory Board, Project Beauty, Board of Realtors and the Metropolitan Area Planning Commission.

This committee held a public hearing to receive any comments or complaints about the regulations. Only six people appeared to be heard. One person spoke in opposition to the sign maintenance program and 5 spoke in opposition to the time limitation on portable signs.

The committee reviewed the problems addressed by the public and also reviewed the sign regulations section by section. These possible amendments have been prepared by the Ad Hoc Sign Committee that was chaired by William Goebel, a representative of the Planning Commission.

SUMMARY:

The following is a summary of the significant changes that have been recommended by the committee and are included in the proposed amendment to the zoning ordinance:

1. Provides for a longer period of time for temporary and portable signs, but places a maximum time limit of 90 days that a portable sign can remain on a property before it must be removed for a 30 day period.
2. Limits any individual business to one portable sign.

3. The distance between on-site ground or pole signs is reduced from 150 feet to 50 feet.
4. The gross surface area of on-site ground or pole signs is increased from 450 square feet to 600 square feet adjacent to an arterial or expressway.
5. The total amount of on-site ground or pole signs is based on the lineal feet of street frontage, and with the new 50 foot separation requirement should alleviate the sign problems for individual businesses in the strip centers.
6. The maximum area for off-site signs is increased from 600 square feet to 825 square feet which will permit the erection of signs to conform to the national standard for painted bulletins.
7. Increases the height of off-site signs from 30 feet to 45 feet.
8. Eliminates the restriction of the location of off-site signs in the "LC" Light Commercial District based on a 70% of a designated mile being properly zoned; and substitutes that whenever any sign in a designated mile is located in the "LC" district, the number permitted shall not exceed 3.
9. Reduces the maximum number of permitted off-site signs from 8 to 5 in a designated mile.
10. Permits an off-site pole sign to be cantilevered over a building not to exceed 20 feet, provided a vertical clearance of 8 feet is maintained above the building.

In addition to the amendments to the zoning ordinance, the committee has also recommended amendments to Title 24, that pertains mainly to administration of the sign regulations. Those amendments will be forwarded to the City Commission for their consideration at the same time as these amendments to the zoning ordinance.

RECOMMENDATION:

Make any changes in the proposed amendment deemed to be in the best interests of the community and make a recommendation to the Board of City Commissioners for adoption.



Glen E. Lytle
Special Assistant for Zoning

GEL:sad

cc: Robert A. Lakin, Director of Planning
Don Anderson, Director of Housing & Economic Development
Robert Feldner, Superintendent of Central Inspection

Members of Ad Hoc Sign Committee
Wichita Board of Realtors, 717 North Emporia 67214
Wichita Area Builders Association, 730 North Main 67203
Chamber of Commerce, 350 West Douglas 67202

Additions - underlined
Deletions - ~~marked thru~~
4-21-81

DR-79-11

Possible Amendment to the
City of Wichita Zoning Ordinance Scheduled for
Public Hearing before the MAPC - Thursday, May 21, 1981

Recommended that Section 28.04.139-A-1-(m) and (t) shall be amended to read as follows:

"m. Sign, Portable. A temporary on-site sign designed in such a manner to be readily movable and not permanently attached to the property; such as, A-frames, Trailer signs, signs placed on vehicles, beacon lights and other similar signs."

~~Mr. Sign, Portable. An on-site sign designed in such a manner to be readily movable and not permanently attached to the property. Any nonpermanent sign not classed as a temporary sign shall be deemed to be a portable sign.~~

"t. Sign, Temporary. An on-site sign that is limited in the period of time that such sign may remain on a property, either by the limitations of these regulations or the conditions of the permit."

~~t. Sign, Temporary. An on-site sign such as cloth banners, pennants, window signs in business and industrial establishments, signs of lightweight cardboard, airborne, plastic or paper materials intended to be displayed for a short period of time.~~

Recommended that Section 28.04.139 C-8 shall be amended to read as follows:

"8. Signs, advertising decorations, temporarily displayed during the hereinafter specified special event periods only, provided however, such displays shall not exceed a total time

limitation of 30 days for an individual event. Such special events shall be limited to (a) grand openings for new businesses; (b) licensed going out-of-business sales; (c) open houses in new subdivisions and home shows; and (d) sales in conjunction with nationally recognized holidays."

~~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;~~

Recommended that the following shall be added to Section 28.04.139 C:

"14. Sign Portable, for office and institutional uses, provided however, only one sign shall be permitted on a zoning lot, and the time limitation shall not exceed 30 days. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches."

Recommended that Sections 28.04.139 G, H, I and J shall be amended by adding the following:

"Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign

and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bare bulbs shall not be permitted. Any portable sign permitted by this provision shall not remain at a location for any business longer than 90 days. At the end of 90 days the sign must be removed for at least 30 days before a new permit may be secured."

Recommended that Section 28.04.139 K shall be amended to read as follows:

K. On-site Ground or Pole Signs as Referred to in Subsections G, H, I and J.

1. Number Permitted. The number of ground or pole signs permitted on a zoning lot shall be determined by the linear feet of street frontage of the zoning lot. 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; provided, however, signs permitted by a street frontage must be adjacent to, and face the direction of travel along said street. (Exception: signs located within fifty feet of the intersection of two streets on a corner lot may be placed so that it may face both directions of travel, such as a rotating sign or be erected on an angle. When this occurs, it shall be considered a sign adjacent to each street, and one-half of the sign area shall be charged against the total permitted sign area of each street

frontage.) Every zoning lot shall be permitted one ground or pole sign. Whenever more than one on-site ground or pole sign is permitted, it shall be determined by the required minimum horizontal distance from any adjacent property line and the minimum horizontal distance between on-site ground or pole signs on the zoning lot as set forth in paragraph 6. This will permit two signs on an interior zoning lot of 80 feet or more, and two signs on a corner lot of 65 feet or more. For each additional 50 feet of frontage above these minimums, one additional sign may be erected. In determining lot frontage, one-half the width of an adjoining alley may be considered as frontage.

2. Size Permitted. The size of an on-site sign shall not exceed the maximum permitted square feet of sign area as set forth in the "Table of Areas" of paragraph 4 of this section; provided, however, the total sign area of all on-site ground or pole signs on the zoning lot shall not exceed the total square feet of area along a street frontage as permitted by paragraph 4.

3. Height Limit. No ground or pole sign shall exceed a height of thirty feet, except when the number of permitted signs along a street frontage of the zoning lot, as set forth in paragraph one, is eliminated. For each sign that is eliminated along a street frontage, one sign may be increased five feet in height. The use of this method shall not permit any sign to exceed a height of fifty-five feet.

4. Maximum Area. The maximum permitted area of an individual ground or pole sign shall not exceed the square feet shown in the following table; provided, however, under no circumstance shall the total sign area of all ground or pole signs on a zoning lot exceed the area per lineal foot of street frontage adjacent to said street right-of-way.

(Exception: When only one sign is permitted by the frontage of a zoning lot, it shall be permitted an area of 150 square feet when adjacent to an arterial or expressway; 50 square feet when adjacent to a collector street; or 25 square feet when adjacent to an undesignated street.)

TABLE OF AREAS
Maximum Permitted Areas for On-site Ground or Pole Signs

<u>Type of Street*</u>	<u>Maximum Area of Individual Sign In Square Feet</u>	<u>Total permitted area in sq. ft. of all signs per lineal ft. of street frontage</u>
<u>Undesignated **</u>	<u>50</u>	<u>0.5</u>
<u>Collector</u>	<u>150</u>	<u>1.0</u>
<u>Arterial</u>	<u>600</u>	<u>2.0</u>
<u>Expressway</u>	<u>600</u>	<u>2.0</u>

* As designated on Map 13A of the transportation plan element of the comprehensive plan.

**When an undesignated street is located in an area such 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 only in commercial or industrial districts.

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 fifteen feet, whichever is less. The center line of an alley shall be considered an adjacent property line. When more than one ground or pole sign is permitted on a zoning lot, there shall be maintained a minimum horizontal distance of fifty feet, along the same street frontage, from another ground or pole sign on the same zoning lot. This shall apply to all on-site ground or pole signs within 35 feet of the street right-of-way line. (Exception: The Superintendent of Central Inspection may vary these minimum horizontal distances up to 30% when circumstances related to the physical features of the zoning lot prevent the installation of the sign at the minimum horizontal distances. The reduction of these minimums shall in no way change the number of signs permitted on a zoning lot.)

**K7 ON-SITE-GROUND-OR-POLE-SIGNS-AS-REFERRED-TO-IN-SUBSECTIONS
G7-H7-I-and-J7**

17 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-two-hundred-fifty-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-two-hundred-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-fifty-percent-area-increase-for-each-sign-that-is-eliminated, with a-maximum-allowable-sign-area-not-to-exceed-three-hundred percent-of-the-area-permitted-by-the-table-of-areas-in paragraph-47

27 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 five feet in height and fifty percent in area.

3: Height Limit: No ground or pole sign shall exceed a height of thirty feet, except that when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased five 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 forty-five 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 such 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(B) shall be reduced thirty-three percent.

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 fifteen 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 one hundred fifty feet between ground or pole signs along the same street frontage; however, this shall not apply to ground or pole signs that are thirty-five feet or more from the street right-of-way line.

Recommended that Section 28.04.139 L shall 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 linear measurement in feet, along the centerline of the street right-of-way, that is within or adjacent to any commercial or industrial zoning district, provided however, such signs shall only be permitted in the zoning districts as set forth in paragraphs G, H and J of this section of the code. Except in the "C", "E" or "F" zoning districts, no zoning shall be considered for linear measurement unless it is adjacent to an arterial street or expressway.

For purposes of measurement, zoning shall be considered to extend to the centerline of all streets. A designated mile shall be the length of the centerline of a street between mile section lines, even though the linear measurement may exceed five thousand two hundred eighty feet. Any mile not covered entirely by city boundary shall be treated on a percentage basis. The number of signs allowed shall be in direct proportion to the percentage of the designated mile that lies within the city limits boundary.

There shall be permitted not more than one off-site sign

facing a direction of travel, for each five hundred linear feet of street having authorized zoning adjacent thereto, provided however, under no circumstances shall there be erected more than five off-site signs facing a direction of travel in a designated mile; and provided further, there shall be not more than three off-site signs allowed in the designated mile if one or more are located on property zoned the "LC" Light Commercial District.

2. Size and Height permitted. The gross surface area of an off-site sign shall not exceed eight hundred twenty-five square feet, including any extensions. Extensions may not extend more than five and one-half feet above the normal upper rectangular lineage of the face, nor more than two feet beyond any of the other three sides. Maximum rectangular dimensions, excluding extensions, shall be fourteen feet in height by forty-eight feet in length. No off-site sign shall exceed forty-five feet in height at the top of the maximum rectangular dimension, which does not include the permitted extensions.

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

a. No off-site sign shall be erected on a zoning lot, of less than one hundred fifty feet of frontage, that has more than two on-site ground or pole signs totaling more than two hundred fifty square feet gross surface area facing a direction of travel

that are located within thirty-five feet of the street right-of-way line.

- b. Whenever a zoning lot exceeds 150 feet of frontage, no off-site sign shall be permitted except when the total number of on-site ground or pole signs on the zoning lot does not exceed 50 percent of the number permitted by Section K.
- c. No off-site sign shall be erected that would obscure the view of any on-site sign. This shall be determined by establishing a sight point at the centerline of the street one hundred fifty feet in either direction, then no on-site sign within one hundred fifty feet of the off-site sign shall be obscured from view.
- d. No off-site sign shall be erected within three hundred thirty feet of another off-site sign facing the same direction of travel along the same street.
- e. No off-site sign shall be erected on a zoning lot which does not comply with the minimum lot size of the zoning district.
- f. No off-site sign shall be erected on "LC" zoned property within one hundred fifty feet (measured perpendicular to the sign face) or within seventy-five feet (measured parallel to the sign face) of a residential structure.

The perpendicular measurement shall extend forty-five degrees to either side of the perpendicular line.

g. No off-site sign shall be located on any property in the "LC" Light Commercial zoning district that is not a part of at least 300 continuous feet (linear measurement) of commercial or industrial zoning.

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 over the roof of any building; provided, however, a pole sign may cantilever over a building not to exceed twenty feet as long as a vertical clearance of 8 feet is provided between the roof and any portion of the sign.

b. 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 centerline 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 centerline of all streets. A designated mile shall be the length of the centerline of a street between mile section lines, even though the lineal measurement may exceed five thousand two hundred eighty feet. There shall be permitted not more than one off-site sign facing a direction of travel for each one thousand lineal feet or major fraction thereof, of street having "C" Commercial or "P" Light Industrial properties adjacent thereto. There shall be permitted not more than one off-site sign facing a direction of travel for each six hundred sixty lineal feet, or major fraction thereof, of street having "P" heavy industrial properties adjacent thereto. Whenever any

portion-of-the-street-has-both-"C"-or-"E"-and-the-"P"
zoning-districts-adjacent-thereto, the-permitted-number
shall-be-based-on-the-"P"-zoning-district.

The-number-of-off-site-signs-permitted-in-the-"IC"
High-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-"H"
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-six-hundred-square-feet,
nor-shall-it-exceed-thirty-feet-in-height.--Exception--Off-
site-signs-located-adjacent-to-an-elevated-portion-of-a-high-
way-structure-may-be-erected-to-a-height-of-forty-feet, or
fourteen-feet-above-the-traffic-deck, whichever-is-less,
providing:

a. No-off-site-sign-shall-have-a-horizontal-dimension
of-greater-than-forty-feet;

b. No-off-site-sign-shall-be-located-closer-than-six
hundred-sixty-feet-to-another-off-site-sign-on-the-same-side
of-the-elevated-highway;

c. There-shall-be-not-more-than-three-off-site-signs
exceeding-a-height-of-thirty-feet-in-a-designated-mile;

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
thirty-five-feet-of-the-street-right-of-way-line;

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

c. No-off-site-sign-shall-be-erected-on-property-that-would
obscure-the-view-of-any-on-site-signs.--This-shall-be-determined
by-establishing-a-sight-point-at-the-centerline-of-the-street-one
hundred-fifty-feet-in-either-direction, then-no-on-site-sign-with-
in-one-hundred-fifty-feet-of-the-off-site-sign-shall-be-obscured
from-view;

d. No-off-site-sign-shall-be-located-closer-than-three
hundred-thirty-feet-to-another-off-site-sign-facing-the-same

direction-of-travel:

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;

b. There shall be not less than seventy percent of the designated mile located adjacent to "LC", "C", "B" or "P" zoned properties or any combination thereof;

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

d. No off-site sign shall be located on any property that is not a part of at least three hundred 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.

660 North Armour
Wichita, Kansas
May 20, 1981

Mr. John Hennessey, Chairman
Metropolitan Area Planning Commission
Wichita, Kansas

Dear Mr. Hennessey,

Signs have long been a thorn in my side.

Looking at Wichita as I drive my appointed rounds is becoming more and more frustrating. Signs already cover the area in front of, above and alongside businesses. Now you are about to amend the sign ordinance to increase the number, size and height. What next?

Have you ever tried to read all those signs while driving in heavy traffic?

I personally do not patronize any shop having a portable sign in front of it.

I work very hard trying to make Wichita a better place to live and enjoy. Could you possibly make it a better place to look at?

Sincerely,



Barbara M. Arvold

P.S. We do meet a payroll of about 45 employees at two different locations in Wichita.

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE May 21, 1981

RECEIVED

MAY 21 1981

METROPOLITAN PLANNING

ROUTE

TO Robert Lakin, Director of Planning

FROM Stan Scott, Administrative Aide III

SUBJECT DR 79-11 POSSIBLE AMENDMENT
TO THE ZONING ORDINANCE -
RE: SIGN REGULATIONS

During the week of May 18th to 21st, CPO Neighborhood Councils are considering the proposed amendments to Titles 24 and 28 of the City's Zoning Ordinance concerning sign regulations. Due to scheduling, only 10 of the 15 CPO Neighborhood Councils have considered the proposed amendments to date.

Of those Councils considering the amendment, one Council, Area "G", recommended approval of all the proposed amendments. Below you will find a summary of CPO Council recommendations and comments on the proposed amendments relating to portable signs, on-site ground or pole signs, and off-site signs.

Please provide the Councils' recommendations to the MAPC when the proposed amendments are considered on May 21st.

PORTABLE SIGNS

Ten CPO Neighborhood Councils have made recommendations dealing with portable signs.

Nine of 10 Councils recommended that various sections of the amendments concerning portable signs not be enacted as proposed.

(A, B, C, E, F, H, I, L, N)

One of 10 Councils recommended that the sign amendments be enacted as proposed.

(G)

Seven Councils recommended that the 90 day limit be reduced.

(B, C, F, H, I, L, N)

Five Councils recommended a 30 day time limit (C, F, H, I, N),
4 with a 30 day removal period (F, H, I, N), and
1 with a 60 day removal period (C).

One Council recommended a 60 day time limit with a 30 day removal period (L).

One Council recommended a 7 day time limit with a 60 day removal period (B).

Five Councils recommended that a maximum size between 50 and 80 square feet provision for portable signs be included in the ordinance (B, H, I, L, N).

Robert Lakin, Director of Planning
SUB: Possible Amendment to the Zoning Ordinance
May 21, 1981 - Page 2

One Council recommended a maximum height of 7 feet (I).

Two Councils recommended specific provisions limiting the use of portable signs in residential areas be no more than 3 days (B, I).

One Council recommended reducing the separation between portable signs from 50 to 25 feet for office, institutional and business uses (A).

One Council recommended a provision to allow electrical lines where vehicular traffic is permitted if adequately protected (N).

One Council supported a provision for revoking the license to have a portable sign (H).

ON-SITE GROUND OR POLE SIGNS

Eight CPO Neighborhood Councils made recommendations dealing with on-site signs.

Seven of 8 Councils recommended that all or part of those amendments concerning on-site signs not be enacted as proposed (A, B, E, F, H, L, N).

One of 8 Councils recommended that sign amendments be enacted as proposed (G).

Three Councils recommended that the separation between on-site signs not be reduced from 150 to 50 feet (B, L, N).

Five Councils recommended that the maximum area allowed not be increased from 450 to 600 square feet (A, B, H, L, N).

Three Councils recommended that the maximum allowed height not be increased (B, L, N).

Three Councils recommended that permits for additional panels on non-conforming pole signs not be allowed (B, L, N).

Three Councils recommended that the permit expiration not be extended from 90 to 180 days (H, L, N). Two supported change (B, G).

Five Councils recommended that the sign maintenance program not be eliminated (B, E, F, L, N).

OFF-SITE SIGNS

Eight CPO Neighborhood Councils made recommendations dealing with off-site signs.

Seven of 8 Councils recommended that all or part of those amendments concerning off-site signs not be enacted as proposed (A, B, E, F, H, L, N).

One of 8 Councils recommend that those amendments dealing with off-site signs be enacted as proposed (G).

Four Councils recommended that off-site signs not be permitted adjacent to elevated highways (A, N, B, L). Two Councils supported the change (G, H).

Robert Lakin, Director of Planning
SUB: Possible Amendment to the Zoning Ordinance
May 21, 1981 - Page 3


Seven Councils recommended that the distance an off-site sign may be located remain 660 feet from the Arkansas River (A, B, E, F, H, L, N). One Council supported change (G).

Four Councils recommended that the maximum size of an off-site sign not be increased from 600 to 825 square feet (B, H, L, N). One Council supported the change (G).

Five Councils recommended that the maximum height of sign not be changed from 30 to 45 feet (A, B, H, L, N). One Council supported the change (G).

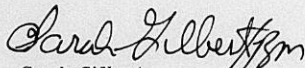
Three Councils recommended no change in the allowed number of off-site signs in a designated mile (H, N, L). Two Councils supported the change (B, G).

Three Councils recommended no changes in the regulations concerning cantilevered signs (B, H, L). Two Councils supported the change (G, N).


Stan Scott
Administrative Aide III

SS:ml
cc: Glen Lytle, Special Assistant for Zoning
Joe Donnelly, Housing Code Administrator

Noted:


Sarah Gilbert
CP Coordinator

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

May 1, 1981

RE: AGENDA ITEM NO. 11

TO Wichita-Sedgwick County Metropolitan Area Planning Commission

FROM Glen E. Lytle, Special Assistant for Zoning

SUBJECT DR-79-11 - Possible Amendments to Zoning Ordinance Re: Sign Regulations

Attached is a delineated copy of amendments to the zoning ordinance related to sign regulations that has been advertised for public hearing for your meeting of May 21, 1981.

BACKGROUND

The sign regulations of the City of Wichita, presently in effect, were adopted by the City Commission in December 1974. This was the first significant change in the regulations since 1946 and was prepared at the request of the City Commission.

After the adoption of the regulations in 1974, there have been several amendments adopted that have alleviated some of the problems. However, in 1979, the City Commission appointed an Ad Hoc Sign Committee to review the regulations. This Committee consisted of 12 members and included representatives from the following business, industry and organizations: licensed sign hanger, outdoor sign company, portable sign company, small independent business, major corporate business, American Institute of Architects, Citizen Participation Organization, Environmental Resources Advisory Board, Project Beauty, Board of Realtors and the Metropolitan Area Planning Commission.

This committee held a public hearing to receive any comments or complaints about the regulations. Only six people appeared to be heard. One person spoke in opposition to the sign maintenance program and 5 spoke in opposition to the time limitation on portable signs.

The committee reviewed the problems addressed by the public and also reviewed the sign regulations section by section. These possible amendments have been prepared by the Ad Hoc Sign Committee that was chaired by William Goebel, a representative of the Planning Commission.

SUMMARY:

The following is a summary of the significant changes that have been recommended by the committee and are included in the proposed amendment to the zoning ordinance:

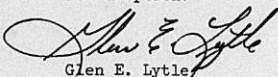
1. Provides for a longer period of time for temporary and portable signs, but places a maximum time limit of 90 days that a portable sign can remain on a property before it must be removed for a 30 day period.
2. Limits any individual business to one portable sign.

3. The distance between on-site ground or pole signs is reduced from 150 feet to 50 feet.
4. The gross surface area of on-site ground or pole signs is increased from 450 square feet to 600 square feet adjacent to an arterial or expressway.
5. The total amount of on-site ground or pole signs is based on the lineal feet of street frontage, and with the new 50 foot separation requirement should alleviate the sign problems for individual businesses in the strip centers.
6. The maximum area for off-site signs is increased from 600 square feet to 825 square feet which will permit the erection of signs to conform to the national standard for painted bulletins.
7. Increases the height of off-site signs from 30 feet to 45 feet.
8. Eliminates the restriction of the location of off-site signs in the "LC" Light Commercial District based on a 70% of a designated mile being properly zoned; and substitutes that whenever any sign in a designated mile is located in the "LC" district, the number permitted shall not exceed 3.
9. Reduces the maximum number of permitted off-site signs from 8 to 5 in a designated mile.
10. Permits an off-site pole sign to be cantilevered over a building not to exceed 20 feet, provided a vertical clearance of 8 feet is maintained above the building.

In addition to the amendments to the zoning ordinance, the committee has also recommended amendments to Title 24, that pertains mainly to administration of the sign regulations. Those amendments will be forwarded to the City Commission for their consideration at the same time as these amendments to the zoning ordinance.

RECOMMENDATION:

Make any changes in the proposed amendment deemed to be in the best interests of the community and make a recommendation to the Board of City Commissioners for adoption.


Glen E. Lytle
Special Assistant for Zoning

GEL:sad

cc: Robert A. Lakin, Director of Planning
Don Anderson, Director of Housing & Economic Development
Robert Feldner, Superintendent of Central Inspection

Members of Ad Hoc Sign Committee
Wichita Board of Realtors, 717 North Emporia 67214
Wichita Area Builders Association, 730 North Main 67203
Chamber of Commerce, 350 West Douglas 67202

Additions - underlined
Deletions - ~~marked thru~~
4-21-81

DR-79-11

Possible Amendment to the
City of Wichita Zoning Ordinance Scheduled for
Public Hearing before the MAPC - Thursday, May 21, 1981

Recommended that Section 28.04.139-A-1-(m) and (t) shall be amended to read as follows:

"m. Sign, Portable. A temporary on-site sign designed in such a manner to be readily movable and not permanently attached to the property; such as, A-frames, Trailer signs, signs placed on vehicles, beacon lights and other similar signs."

~~m. Sign-Portable. An on-site sign designed in such a manner to be readily movable and not permanently attached to the property. Any nonpermanent sign not classed as a temporary sign shall be deemed to be a portable sign.~~

"t. Sign, Temporary. An on-site sign that is limited in the period of time that such sign may remain on a property, either by the limitations of these regulations or the conditions of the permit."

~~t. Sign-Temporary. An on-site sign such as cloth banners, pennants, window signs in business and industrial establishments, signs of lightweight cardboard, airborne, plastic or paper materials intended to be displayed for a short period of time.~~

Recommended that Section 28.04.139 C-8 shall be amended to read as follows:

"8. Signs, advertising decorations, temporarily displayed during the hereinafter specified special event periods only, provided however, such displays shall not exceed a total time

limitation of 30 days for an individual event. Such special events shall be limited to (a) grand openings for new businesses; (b) licensed going out-of-business sales; (c) open houses in new subdivisions and home shows; and (d) sales in conjunction with nationally recognized holidays."

~~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;~~

Recommended that the following shall be added to Section 28.04.139 C:

"14. Sign Portable, for office and institutional uses, provided however, only one sign shall be permitted on a zoning lot, and the time limitation shall not exceed 30 days. Any such sign shall not be located closer than 50 feet to another portable sign and shall be located in accordance with all other applicable regulations including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches."

Recommended that Sections 28.04.139 G, H, I and J shall be amended by adding the following:

"Sign, portable, provided however, only one sign shall be permitted for an individual business. Any such sign shall not be located closer than 50 feet to another portable sign

and shall be located in accordance with all other applicable regulations; including, but not limited to, the location of the sign in relation to the street right-of-way line and the distance from driveway approaches. Such signs may be illuminated; however, strobe lights, or flashing bare bulbs shall not be permitted. Any portable sign permitted by this provision shall not remain at a location for any business longer than 90 days. At the end of 90 days the sign must be removed for at least 30 days before a new permit may be secured."

Recommended that Section 28.04.139 K shall be amended to read as follows:

K. On-site Ground or Pole Signs as Referred to in Subsections G, H, I and J.

1. Number Permitted. The number of ground or pole signs permitted on a zoning lot shall be determined by the linear feet of street frontage of the zoning lot. 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; provided, however, signs permitted by a street frontage must be adjacent to, and face the direction of travel along said street. (Exception: signs located within fifty feet of the intersection of two streets on a corner lot may be placed so that it may face both directions of travel, such as a rotating sign or be erected on an angle. When this occurs, it shall be considered a sign adjacent to each street, and one-half of the sign area shall be charged against the total permitted sign area of each street

frontage.) Every zoning lot shall be permitted one ground or pole sign. Whenever more than one on-site ground or pole sign is permitted, it shall be determined by the required minimum horizontal distance from any adjacent property line and the minimum horizontal distance between on-site ground or pole signs on the zoning lot as set forth in paragraph 6. This will permit two signs on an interior zoning lot of 80 feet or more, and two signs on a corner lot of 65 feet or more. For each additional 50 feet of frontage above these minimums, one additional sign may be erected. In determining lot frontage, one-half the width of an adjoining alley may be considered as frontage.

2. Size Permitted. The size of an on-site sign shall not exceed the maximum permitted square feet of sign area as set forth in the "Table of Areas" of paragraph 4 of this section; provided, however, the total sign area of all on-site ground or pole signs on the zoning lot shall not exceed the total square feet of area along a street frontage as permitted by paragraph 4.

3. Height Limit. No ground or pole sign shall exceed a height of thirty feet, except when the number of permitted signs along a street frontage of the zoning lot, as set forth in paragraph one, is eliminated. For each sign that is eliminated along a street frontage, one sign may be increased five feet in height. The use of this method shall not permit any sign to exceed a height of fifty-five feet.

4. Maximum Area. The maximum permitted area of an individual ground or pole sign shall not exceed the square feet shown in the following table; provided, however, under no circumstance shall the total sign area of all ground or pole signs on a zoning lot exceed the area per lineal foot of street frontage adjacent to said street right-of-way.

(Exception: When only one sign is permitted by the frontage of a zoning lot, it shall be permitted an area of 150 square feet when adjacent to an arterial or expressway; 50 square feet when adjacent to a collector street; or 25 square feet when adjacent to an undesignated street.)

TABLE OF AREAS
Maximum Permitted Areas for On-site Ground or Pole Signs

<u>Type of Street*</u>	<u>Maximum Area of Individual Sign In Square Feet</u>	<u>Total permitted area in sq. ft. of all signs per lineal ft. of street frontage</u>
<u>Undesignated **</u>	<u>50</u>	<u>0.5</u>
<u>Collector</u>	<u>150</u>	<u>1.0</u>
<u>Arterial</u>	<u>600</u>	<u>2.0</u>
<u>Expressway</u>	<u>600</u>	<u>2.0</u>

* As designated on Map 13A of the transportation plan element of the comprehensive plan.

**When an undesignated street is located in an area such 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 only in commercial or industrial districts.

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 fifteen feet, whichever is less. The center line of an alley shall be considered an adjacent property line. When more than one ground or pole sign is permitted on a zoning lot, there shall be maintained a minimum horizontal distance of fifty feet, along the same street frontage, from another ground or pole sign on the same zoning lot. This shall apply to all on-site ground or pole signs within 35 feet of the street right-of-way line. (Exception: The Superintendent of Central Inspection may vary these minimum horizontal distances up to 30% when circumstances related to the physical features of the zoning lot prevent the installation of the sign at the minimum horizontal distances. The reduction of these minimums shall in no way change the number of signs permitted on a zoning lot.)

K: ON-SITE-GROUND-OR-POLE-SIGNS-AS-REFERRED-TO-IN-SUBSECTIONS G7-H7-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-two-hundred-fifty-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-two-hundred-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-fifty-percent-area-increase-for-each-sign-that-is-eliminated, with a-maximum-allowable-sign-area-not-to-exceed-three-hundred percent-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 five feet in height and fifty percent in area.

3. Height Limit. No ground or pole sign shall exceed a height of thirty feet, except that when the number of permitted signs on a zoning lot is reduced, the height of any one sign may be increased five 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 forty five 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 such 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 thirty three percent.

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 fifteen 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 one hundred fifty feet between ground or pole signs along the same street frontage; however, this shall not apply to ground or pole signs that are thirty five feet or more from the street right-of-way line.

Recommended that Section 28.04.139 L shall 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 linear measurement in feet, along the centerline of the street right-of-way, that is within or adjacent to any commercial or industrial zoning district, provided however, such signs shall only be permitted in the zoning districts as set forth in paragraphs G, H and J of this section of the code. Except in the "C", "E" or "F" zoning districts, no zoning shall be considered for linear measurement unless it is adjacent to an arterial street or expressway.

For purposes of measurement, zoning shall be considered to extend to the centerline of all streets. A designated mile shall be the length of the centerline of a street between mile section lines, even though the linear measurement may exceed five thousand two hundred eighty feet. Any mile not covered entirely by city boundary shall be treated on a percentage basis. The number of signs allowed shall be in direct proportion to the percentage of the designated mile that lies within the city limits boundary.

There shall be permitted not more than one off-site sign

facing a direction of travel, for each five hundred linear feet of street having authorized zoning adjacent thereto, provided however, under no circumstances shall there be erected more than five off-site signs facing a direction of travel in a designated mile; and provided further, there shall be not more than three off-site signs allowed in the designated mile if one or more are located on property zoned the "LC" Light Commercial District.

2. Size and Height permitted. The gross surface area of an off-site sign shall not exceed eight hundred twenty-five square feet, including any extensions. Extensions may not extend more than five and one-half feet above the normal upper rectangular lineage of the face, nor more than two feet beyond any of the other three sides. Maximum rectangular dimensions, excluding extensions, shall be fourteen feet in height by forty-eight feet in length. No off-site sign shall exceed forty-five feet in height at the top of the maximum rectangular dimension, which does not include the permitted extensions.

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

a. No off-site sign shall be erected on a zoning lot, of less than one hundred fifty feet of frontage, that has more than two on-site ground or pole signs totaling more than two hundred fifty square feet gross surface area facing a direction of travel

that are located within thirty-five feet of the street right-of-way line.

- b. Whenever a zoning lot exceeds 150 feet of frontage, no off-site sign shall be permitted except when the total number of on-site ground or pole signs on the zoning lot does not exceed 50 percent of the number permitted by Section K.
- c. No off-site sign shall be erected that would obscure the view of any on-site sign. This shall be determined by establishing a sight point at the centerline of the street one hundred fifty feet in either direction, then no on-site sign within one hundred fifty feet of the off-site sign shall be obscured from view.
- d. No off-site sign shall be erected within three hundred thirty feet of another off-site sign facing the same direction of travel along the same street.
- e. No off-site sign shall be erected on a zoning lot which does not comply with the minimum lot size of the zoning district.
- f. No off-site sign shall be erected on "IC" zoned property within one hundred fifty feet (measured perpendicular to the sign face) or within seventy-five feet (measured parallel to the sign face) of a residential structure.

The perpendicular measurement shall extend forty-five degrees to either side of the perpendicular line.

g. No off-site sign shall be located on any property in the "LC" Light Commercial zoning district that is not a part of at least 300 continuous feet (linear measurement) of commercial or industrial zoning.

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 over the roof of any building; provided, however, a pole sign may cantilever over a building not to exceed twenty feet as long as a vertical clearance of 8 feet is provided between the roof and any portion of the sign.

5. 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 centerline 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 centerline of all streets. A designated mile shall be the length of the centerline of a street between mile section lines, even though the lineal measurement may exceed five thousand two hundred eighty feet. There shall be permitted not more than one off-site sign facing a direction of travel for each one thousand 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 six hundred sixty 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 "E" 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 six hundred square feet, nor shall it exceed thirty feet in height. Exception: Off-site signs located adjacent to an elevated portion of a highway structure may be erected to a height of forty feet, or fourteen feet above the traffic deck, whichever is less, providing:

a. No off-site sign shall have a horizontal dimension of greater than forty feet.

b. No off-site sign shall be located closer than six hundred sixty feet to another off-site sign on the same side of the elevated highway.

c. There shall be not more than three off-site signs exceeding a height of thirty feet in a designated mile.

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 thirty-five feet of the street right-of-way line.

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

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

d. No off-site sign shall be located closer than three hundred thirty feet to another off-site sign facing the same

direction-of-travel;

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;

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

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

d. No off-site sign shall be located on any property that is not a part of at least three hundred 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.

WICHITA-SEDGWICK COUNTY

DATE
May 4, 1981

METROPOLITAN AREA PLANNING DEPARTMENT

TO Stan Scott, CPO Administrative Aide
FROM Glen E. Lytle, Special Assistant for Zoning
SUBJECT DR-79-11 - Sign Code Amendments

Attached hereto is a delineated copy of a possible amendment to the zoning ordinance related to signs. This is that portion of the recommendations, for changes in the sign regulations, that is being recommended by the Ad Hoc Sign Committee which is a part of the zoning ordinance. These amendments have been advertised for public hearing before the Planning Commission on Thursday May 21, 1981.

Included in these amendments are the changes in the permission for portable signs that you requested to be notified when available. The changes are significant from the old regulations but far stricter than has been enforced over the past two years which has been no limitation at all.

I have also attached a copy of the amendments to Title 24 that have been recommended by the Committee. This ordinance will be forwarded to the City Commission for their consideration at the same time the Planning Commission's recommendation on the zoning ordinance amendments are provided. This will probably be 26 days after May 21, which would be June 16, 1981.

If you have any questions, give me a call.



Glen E. Lytle

GEL:sad

Attachments

Public Hearing on Signs
City Commission Room, City Hall
November 15, 1979 7:00P.M.

There were approximately 20 persons in attendance.

Chairman Goebel stated the purpose of this hearing was for input in consideration of change of Title 18, zoning portion of the Sign Code. He read key portions of the changes of Title 24, Sign Code, that the City Commissioners previously directed revised.

Six persons wished to be heard. One spoke in opposition of the Sign Maintenance Program. Chairman Goebel outlined that this program would not be continued beyond December 31, 1980, after all signs have been inspected. Five spoke in opposition to the 42 limit on placement of temporary, portable signs.

Chairman Goebel thanked those in attendance and expressed his disappointment that more interested persons did not attend.

The next Ad Hoc Committee on Signs Meeting will be held Monday, November 26, 1979, at 11:00 A.M. in the Board Room, 1st Floor, City Hall.

Ad Hoc Sign Committee Meeting

November 14, 1979 11:30 A.M.

Members Present: Bates (Sub. for Hepner), Bayouth, Boys, Campbell, Horst (Sub. for Lincoln), Goebel, Goseland, Greer, Guinan, McIntyre, Ross. Rev. George Boone, Ex Officio Member.

Members Absent: Dowdy

Staff: Feldner, Donnelly, Central Inspection; Lytle, Planning

A motion was made by boys, seconded by Goseland to request of the Commission a sixty day extension of time for this committee to complete public hearings and make its recommendations. After discussion, motion carried unanimously.

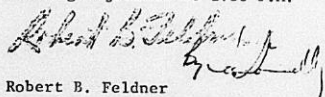
Review of Title 28 portion of the Sign Code continued with Sections 28.04 139 C8 to 23.04 139 Lg (End) by Lytle and discussed by members and staff.

Comments were made of Section 28.04 139 CIO relating to Political Signs. Bayouth noted that he felt lots in the Commercial and Industrial Zoning Districts should be exempt from the number and total square footage requirements. Discussion followed, both pro and con.

Particular note was made of Section 28.04 139 K1 "Number and Size Permitted". Bayouth, Goseland and others noted that some business in small strip centers have been denied pole signs under this section. Campbell noted that sign companies had difficulty in producing displays for these centers that gave their customers the exposure they wished and still were in compliance with this section. Several locations were discussed as examples.

Chairman Goebel stated the next meeting would be scheduled after the Public Hearing of November 15, 1979.

Meeting adjourned at 1:30 P.M.


Robert B. Feldner
Superintendent of Central Inspection

Hoc Sign Committee Meeting

November 7, 1979

Members Present: Bates (sub. for Mephner) Bayouth, Boys, Campbell, Goebel, Goseland, Greer, McIntyre, Ross

Members Absent: Dowdy, Guinan, Lincoln

Staff: Feldner, Donnelly C.I.D., Lytle, Planning.

Introduction of members and staff.

Bob Feldner, Superintendent of Central Inspection, outlined the purpose of the committee as stated in the Commission Resolution of May 22, 1979. It was noted that the committee was established for a period of six months and will need to be extended for a period of time to accomplish its charge.

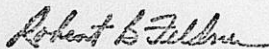
An election of officers was held. Mr. Dave Bayouth nominated Bill Goebel, Chairman, seconded by Russ Ross. Elected by acclamation. Carl Bates nominated Leo Goseland, Vice Chairman, seconded by Howard Boys. Elected also by acclamation.

Chairman Goebel stated he felt meetings should be held as often as necessary to complete a recommendation to the Commission as soon as possible. It was the feeling of the members that a public hearing for citizen input be held as soon as possible. This meeting is scheduled for Thursday, November 15, 1979, at 7:00 P.M. in the City Commission Room. Mr. Boys stated that the News Media be advised, including coverage at the Press Conference of November 8, 1979. Chairman Goebel agreed to attend.

The Committee started an item by item review of the zoning portion of the Sign Code. Sections 28.04.139 through 28.04.139 C8 were read by Glen Lytle, Planning Department and comments noted. Particular note was made of the temporary sign 42 day limit provided in the current ordinance. This will again be discussed after the public hearing November 15.

The next committee meeting will be held Wednesday, November 14, 1979, at 11:30 A.M. in the Planning Conference Room, 10th Floor, City Hall.

Meeting adjourned 4:35 P.M.



Robert B. Feldner
Superintendent of Central Inspection

THE CITY OF WICHITA

JB



DEPARTMENT OF PUBLIC WORKS
CENTRAL INSPECTION DIVISION
CITY HALL - SEVENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

October 30, 1979

MEMBERS AD HOC SIGN COMMITTEE:
OTHERS WHOM IT MAY CONCERN:

The initial meeting of this committee will be held ~~Thursday~~ ^{Wednesday}, November 7, 1979, at 2:00 P.M. in the Board Room, 1st Floor, City Hall.

Enclosed, for your reference is a copy of the Current Sign Code, a copy of provisions that the City Commission voted to approve, (these provisions are now being prepared by the Law Department for final adoption) and a current list of committee members.

Should additional information be needed, please advise.

Joseph R. Donnelly
Joseph R. Donnelly
Housing Code Administrator

JRD:bg

RECEIVED
NOV - 6 1979
METROPOLITAN PLANNING
ROUTE

SUPERINTENDENT OF CENTRAL INSPECTION 268-4460
BUILDING CODE ENGINEER 268-4468
PLAN EXAMINATION 268-4477

HOUSING 268-4481
ZONING 268-4479
SIGNS 268-4475

BUILDING & CONSTRUCTION 268-4461
PLUMBING & MECHANICAL 268-4476
ELECTRICAL & ELEVATOR 268-4471

AD HOC SIGN COMMITTEE MEMBERS

October 29, 1979

Bill Campbell	3736 Salina, 67204	838-3163	License Sign Hanger
Russ Ross	1000 South Woodlawn, 67218		Outdoor Billboard Sign Industry
Lonnie Hephner	2740 Laura, 67216	265-0554	Temporary Sign Industry
Mildred Lincoln	930 South Hillside, 67211	683-7481	Project Beauty
Pat Guinan	135 North Pershing, 67208	682-6306	Environmental Resource Advisory Board
Howard Boys	3415 East Skinner, 67218	682-9535	Citizen Participation Organization
John Greer	8325 East Harry, 67218		American Institute of Architects
<i>V. Chairman</i> Leo Goseland	426 St. James, 67206	686-6438	Business (small/independent) Business (major/corporate)
J. A. Dowdy	8719 Arthur Circle, 67207		
Vern McIntyre	1808 South Edgemoor 67218	685-8941	Board of Realtors
David Bayouth	1555 S. Oliver, 67218	685-0295	Metropolitan Area Planning Commission
<i>Chairman -</i> Bill Gobel	325 S. West, 67213	942-2221	Metropolitan Area Planning Commission

WICHITA-SEDGWICK COUNTY

J. Lytle
September 14, 1979

METROPOLITAN AREA PLANNING DEPARTMENT

TO Don Anderson, Director of Housing and Economic Development
TO Robert A. Lakin, Director of Planning
FROM Ad Hoc Sign Committee
SUBJECT

The Metropolitan Area Planning Commission has designated Bill Goebel as a replacement for Mary Ellen Barrier on the Ad Hoc Sign Committee. Previous appointment of Dave Bayouth remains unchanged. Please advise of time and place of committee meetings. Mail for these Committee members may be sent to us for redistribution to them, or directly to them. The addresses are: Bill Goebel, Star Lumber Company, 325 South West Street, telephone 942-2221; and Dave Bayouth, Dave's TV & Appliance, 1555 South Oliver, telephone 685-0295.

RAL
Robert A. Lakin

Director of Planning

COPY

RAL:rme

cc: Robert Feldner, Superintendent of Central Inspection
✓ Jack H. Galbraith, Chief Planner
Glen E. Lytle, Special Assistant for Zoning

THE CITY OF WICHITA
OFFICE OF CITY MANAGER

DATE June 29, 1979



TO Robert Feldner, Superintendent of Central Inspection


FROM Ray Trail, Executive Assistant to the City Manager

SUBJECT Ad Hoc Committee on Signs

On June 26, 1979, the City Commission reviewed requests that a representative of the Board of Zoning Appeals and the Inter-Faith Ministries be added to the Ad Hoc Committee on Signs. The Commission determined not to add any new members to the Committee, but requested that the two groups be placed on the list for notification of any Committee meetings and be provided with any draft recommendations in order that they may provide their input into the Committee deliberations.

The Inter-Faith Ministries has suggested Reverend Harold Gentzler, First Salem United Church of Christ as their representative. You should contact Jack Galbraith to ascertain whether the Board of Zoning Appeals has designated any representative.

Please accept responsibility for follow-up on the Commission's action.


Ray Trail
Executive Assistant
to the City Manager

RT/pd

cc: Joe Donnelly, Housing Code Administrator
Jack Galbraith, Chief Planner, Current Plans
Gail Williams, CPO Administrative Aide

June 12, 1979

Robert Feldner, Superintendent of Central Inspection

Robert A. Lakin, Director of Planning

Ad Hoc Sign Committee

The Metropolitan Area Planning Commission has selected Mary Ellen Barrier and David Bayouth as the Planning Commission representatives for the Ad Hoc Sign Committee.

Robert A. Lakin
Director of Planning

RAL:eme

May 24, 1979

Metropolitan Area Planning Commission

Robert A. Lakin, Director of Planning

Ad Hoc Committee on Signs

The City Commission has been asked to review the contents of Title 24 and Title 28 (technical and zoning) insofar as it concerns signs. The City Manager responded to their request as to how to study the matter by recommending that the Ad Hoc Committee be composed of ten citizens, representative of the sign business and design related fields.

When the City Commission considered this matter, I suggested that two additional people be included and that they be Planning Commission members selected by the Planning Commission. I felt this was important that if you were going to be asked to amend the zoning ordinance, that representatives from the MAPC be involved in the development of those recommendations.

This information is submitted to you for your information. At your next meeting, I will have an agenda item for you to make the selection as to which members will represent the Commission.

Robert A. Lakin
Director of Planning

RAL:rne
Attachments (2)

cc: Don E. Anderson, Director of Economic Development
Ray Trail, Executive Secretary
Jack H. Galbraith, Chief Planner

THE CITY OF WICHITA

OFFICE OF CITY MANAGER

DATE May 23, 1979

TO Robert Feldner, Superintendent of Central Inspection

FROM Ray Trail, Executive Assistant to the City Manager

SUBJECT Ad Hoc Committee on ~~Planning~~



On May 22, 1979, the City Commission adopted the resolution establishing the captioned committee with the addition of two members from the Planning Commission. I gave you the original copy of the resolution for amending in line with the Commission's action.

Please correct the resolution to reflect the City Commission's action and return the original copy to the City Clerk's Office for the official file with distribution of the copies to the appropriate persons.

You should also contact each of the organizations to be represented on the committee and secure their nominees. At such time as you have all nominees, please forward a list to this office in order that we can place the names before the City Commission for formal appointment.

Ray Trail
Executive Assistant
to the City Manager

RT/pd

cc: Robert A. Lakin, Director of Planning ✓
Don E. Anderson, Director of Housing and Economic Development

THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE May 14, 1979

TO E. H. Denton, City Manager

FROM Robert B. Feldner, Superintendent of Central Inspection

SUBJECT Proposed Ad Hoc
Committee on Signs

Re: Memo from Deputy City Manager to
Director of Housing and Economic Development
on above subject and dated May 9, 1979

Attached hereto are nine copies of a proposed resolution establishing an Ad Hoc Committee on signs. The copies are submitted for the agenda of May 22, 1979, as requested. The original copy of the resolution has been submitted to the Director of Law for approval as to form.

If further information or clarification is desired, it will be expeditiously supplied upon request.

Robert B. Feldner
Robert B. Feldner
Superintendent of Central Inspection

RBF:manl

Attachment

Approved:

Don E. Anderson
Don E. Anderson
Director of Economic Development

5/22/79 BCC
agp
+ 2 MAPC members
agpt by chris



RESOLUTION

A RESOLUTION OF THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WICHITA, KANSAS, ESTABLISHING AN AD HOC COMMITTEE ON SIGNS COMPRISED OF REPRESENTATIVES OF THE SIGN INDUSTRY, BUSINESS COMMUNITY, ENVIRONMENTAL ORGANIZATIONS AND CITIZEN PARTICIPATION ORGANIZATIONS TO SERVE AS AN ADVISORY COMMITTEE IN REVIEWING AND FORMULATING RECOMMENDATIONS ON THE SIGN REGULATIONS OF THE CITY OF WICHITA, KANSAS.

WHEREAS, The Board of City Commissioners of the City of Wichita, Kansas, on May 8, 1979, authorized the establishment of an Ad Hoc Committee on Signs; and

WHEREAS, the Board of City Commissioners has received comment that improvements in the sign regulations of the City of Wichita, Kansas, may be possible;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WICHITA, KANSAS:

Section 1. An Ad Hoc Committee on Signs is hereby established to serve for a period of six months from the effective date of this resolution. The membership of the Ad Hoc Committee on Signs shall be appointed by the Board of City Commissioners and consist of ten members, one each solicited from the following list of nominees:

1. Licensed Sign Hanger
2. Outdoor (Billboard) Sign Industry
3. Temporary/Portable Sign Industry
4. Project Beauty
5. Environmental Resources Advisory Board
6. Citizen Participation Organization
7. American Institute of Architects
8. Business (small/independent)
9. Business (major/corporate)
10. Wichita Metropolitan Area Board of Realtors

Any vacancy which may transpire on the Ad Hoc Committee shall be filled by appointment of the Board of City Commissioners.

Section 2. The responsibilities of the Ad Hoc Committee shall be to review and make recommendations on the sign regulations of the Code

of the City of Wichita, Kansas.

Section 3. The Ad Hoc Committee shall receive support through the Department of Housing and Economic Development staff for the purpose of maintaining records, minutes and pursuing administrative matters, with technical assistance to be provided by the Metropolitan Area Planning Department upon request. As deemed necessary, the Ad Hoc Committee may request advise and input from any city department.

Section 4. The Ad Hoc Committee shall meet on a regular basis to discharge their responsibilities, and shall report, as deemed appropriate, its findings to the Board of City Commissioners. The Ad Hoc Committee shall consolidate all findings and recommendations into a final report, which will be forwarded concurrently to the Board of City Commissioners and the Metropolitan Area Planning Commission for formal consideration.

Section 5. This resolution shall be published one time in the official City paper and shall be in full force and effect after its adoption by the City Commission and after said publication.

APPROVED by the Board of City Commissioners this _____
day of _____, 1979.

Mayor

ATTEST:

City Clerk

JUDICIAL DECISIONS

24/11

the agency. However, the validity of a zoning ordinance might be tested in an action for declaratory relief. The court remanded the case for a determination of whether the plaintiff's land had been spot zoned.

Viso v. State of California, Court of Appeal, California [intermediate court], Decided April 5, 1979, 154 Cal.Rptr. 580

31 ZD 389 SIGNS CALIFORNIA

The city passed an on-premises sign ordinance establishing requirements for the nature and structure of signs, payment of building permit fees, a biennial "existing use fee," and the abatement of nonconforming signs within two years. The ordinance was subsequently amended, making the biennial fee a "one-time sign inventory fee" and extending the amortization period. The plaintiffs, sign owners, brought suit seeking to have the statute declared unconstitutional on several grounds. The first challenge was that the inventory fee was a tax for revenue. The court held that the tax was a valid exercise of the police power and regulatory in nature because the fee approximated as closely as reasonably possible the cost of regulating the sign users. The fee schedule, which set a graded fee structure, was reasonable because the fee included the cost of inspecting and inventorying the signs and administering and enforcing the ordinance.

The plaintiffs also contended that, because the inventorying had been done prior to the passage of the amendment, the fee was a revenue tax measure. The court rejected this reasoning because the amendment was a continuation and reenactment of the first ordinance. The plaintiffs also contended that the fee would have a "chilling effect" on their right to free speech. The court disagreed, maintaining that the city had the right to regulate reasonably the time, place, and manner of speech to further significant governmental interests. The interest of the government in reimbursing itself for regulatory costs in administering the act was not a chill on free speech. The plaintiffs also contended the 100 percent penalty fee on delinquent inventory fees was unreasonable. The court held that it was reasonable because the cost of collecting delinquent fees far exceeded the fees themselves. Finally, the plaintiffs contended that they were denied equal protection because the fees were not imposed on those who had illegal signs or signs on structures used exclusively for religious purposes. The court rejected this argument as well, on the ground that the city could impose license fees at differing rates upon different classes because the classification was reasonable. The court also held that the amortization scheme providing that nonconforming signs could remain in existence for seven years, with a possibility of a three-year extension, was reasonable.

United Business Commission v. City of San Diego,

Court of Appeal, California [intermediate court], Decided March 28, 1979, 154 Cal.Rptr. 263

31 ZD 390 STANDING COLORADO

The plaintiff, a city that owned property adjacent to the land rezoned by the county, brought an action claiming that the county, in rezoning land from mineral conservation and agricultural to planned unit development, acted arbitrarily and capriciously. The court addressed the issue of whether the city had standing to sue. Because the city owned land adjacent to and in the vicinity of the rezoned property, it was affected by the rezoning and had standing. Even though the city's property was outside the zoning authority's jurisdiction, it still had standing because "no reasonable basis exists for limiting those considerations to the boundaries of the zoning authority."

City of Thornton v. Board of County Commissioners, Colorado Court of Appeals [intermediate court], Decided January 18, 1979, 595 P.2d 264

31 ZD 391 MOBILE HOMES FLORIDA

Because there was a shortage of rental units at mobile home parks and park owners and managers had been imposing exorbitant rental and service charges, the Florida legislature passed an emergency act creating a commission within the Department of Business Regulation to regulate rental increases in mobile home parks. The plaintiffs, mobile home park owners, brought suit asking that the statute be declared unconstitutional because it unlawfully delegated legislative powers to an administrative body.

The court, citing *Askew v. Cross Key Waterways*, ___ So.2d ___, 31 ZD 54 (1978), held that the delegation was unlawful. The Florida constitution specifically provides for the separation of powers between the three branches of government. The task the rent control legislation was designed to accomplish—balancing the interests of the park owners and tenants—is a legislative one. The commission, however, was given no adequate standards by the legislature to use in balancing these interests. The law authorized the commission to make ad hoc legislative decisions but set forth no guidelines on how the courts should review the commission's decisions. The court stated that the statute violated due process because it was open-ended and exceeded the permissible scope of state authority. It was enacted in response to an emergency situation, but there was no provision for determining when that emergency ended.

Department of Business Regulation v. National Manufactured Housing Federation, Inc., Supreme Court of Florida [highest court], Decided April 26, 1979, 370 So.2d 1132

THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE April 19, 1979



TO The Honorable Board of City Commissioners
E. H. Denton, City Manager
FROM Robert B. Feldner, Superintendent of Central Inspection

SUBJECT Title 24:
Sign Code of the City

This correspondence results from a number of meetings, conducted periodically from June, 1978, to the present, in which the provisions of Title 24 (Billboards and Signs) of the Code of the City of Wichita were reviewed. It should be noted that Section 28.04.139 of the City's Zoning Ordinance comprises approximately one-half of the sign regulations (pertaining to allowable signs and placement in zoning districts, number, etc.). Due to time constraints associated with the workload of both the Metropolitan Area Planning Commission and MAPD staff, these regulations were reserved for review at a later date.

Background

The current sign code was adopted by the Board of City Commissioners in December, 1975. The regulations contained therein were formulated by an ad hoc committee created for that purpose by the City Commission. That committee was comprised of members of the Metropolitan Area Planning Commission as well as representatives of the sign industry and local business and environmental organizations.

Section 24.04.020 of the Code of the City of Wichita states the purpose of the sign regulations as follows: "The purpose of the sign regulations set forth in this chapter 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 as set forth in the zoning ordinance of the city; and to promote the public health, safety and general welfare."

Very generally, the ordinance as adopted can be considered in three sections, a brief synopsis of which follows:

New Signs

New regulations were created, or in some instances reaffirmed, which address the size, types and number of allowable signs per zoning classification. As a general rule, administrative and inspection procedures are contained in Title 24 of the Code of the City of Wichita, and site restrictions are a provision of the Zoning Ordinance, located in Section 28.04.139 of that document. All new signs are erected in accordance with these provisions.

Existing Sign Maintenance

The ordinance mandates that all existing signs in the city be properly maintained.

It also requires that every existing sign be inspected once in each five year period to insure proper maintenance, with that inspection cost being covered by the issuance of a permit. Maintenance inspections were initiated in 1975, shortly after the adoption of the ordinance. Over eighty per cent of the signs located within the city have been inspected, and it is anticipated the initial 5-year inspection cycle will conclude on schedule.

Temporary and Portable Signs

These provisions regulate the maintenance and location of temporary and portable signage. They also place restrictions on the amount of usage as follows: "...a limit of twelve such events and a total time limitation of six weeks within any calendar year for any business or institution," (excerpted from Section 28.04.139 C. 3).

This completes the brief overview of the sign code. Statistically, the sign ordinance has been successful in fulfilling the stated purpose. In the period from January 1, 1976, through March 31, 1979, 13,065 new and existing permanent signs have been inspected and permitted. Additionally, in the last 12 months (January, 1978, through March, 1979), actions by this division have resulted in the removal of 4,409 permanent and temporary signs improperly/illegally placed on private property as well as 13,716 signs placed on public property.

Code Review Committees

In mid-May, 1978, a number of locally licensed sign businesses, commonly referred to as sign hangers, requested a meeting with Central Inspection staff. That meeting was conducted June 1, with the sign hangers stating that after two years of experience with the code, some refinement or revision to code, policy and procedure appeared to be advantageous. They also presented a list of recommendations which had been prepared by the Kansas State Sign Association. It was decided that a series of periodic meetings, with those recommendations as a focal point, would be the best format for consideration. Thus, a sign hanger committee was created which was comprised of the following members.

Bill Weber	-	George Lay Sign Co.
John Knost	-	Storer Sign Co.
Lonnie Hephner	-	Porta-Ad
Larry Boggs	-	Boggs Sign Co.
Gary Dunn	-	Ed Dunn & Sons, Inc.
Everett Hale	-	Claude Neon
Bill Campbell	-	Claude Neon
Ken Francisco	-	Donrey Outdoor

Approximately one month after the sign hanger committee's review had begun, Mr. Mike Seltzer, representing the North Wichita Business's Association, appeared before the Board of City Commissioners and expressed the association's concern regarding the sign code. It was agreed that Mr. Seltzer would create a diversified committee of "business" oriented individuals and a similar (to the sign hanger committee) set of meetings be initiated. Central Inspection was assigned the responsibility for coordinating the meetings, providing assistance as desired, and combining all recommendations into a report for City Manager and City Commission consideration. That consolidated report, including specific recommendation from each committee or organization, follows in a subsequent section of this correspondence.

The Business Review Committee's composition was as follows:

Rev. Gene M. Tromble	-	Wichita Council of Churches
Howard T. Oliphant	-	Kansas Music Co.
Ray Baker	-	Pizza Hut
George H. Ledermann	-	Citizen-at-Large
Mike Seltzer	-	North Wichita Business Association

It should be noted that the Environmental Resources Advisory Board and Project Beauty were contacted regarding these meetings due to their prior interest and involvement in the sign code. Both organizations indicated they were very interested, and would prefer to review the recommendations and provide comments after each committee's formulation. Throughout the course of review, this procedure was followed.

Recommendations on the Sign Ordinance

All recommendations made by any of the review organizations were presented to each of the other organizations for their comment or recommendation. In the following report, each section of City Code is referenced, followed by a brief synopsis or narrative of that section's provisions. This is followed by the original recommendation (where pertinent) of the Kansas State Sign Association. The recommendations of the Sign Hanger Committee, Business Review Committee, Environmental Resources Advisory Board, Project Beauty and staff follow. In the few instances where alternate or opposing recommendations appear, these are listed first, in consecutive order.

It is suggested that each of the referenced sections and specific recommendations be acted upon individually.

(1.) Section 24.04.030 Applicability 24.04.030(a) (4)

This section basically states that all signs within the city must comply with the code, except those specifically exempted. Line (4), pertinent to windows, states that only window displays and temporary signs (such as paper signs in grocery stores) are exempt from the provisions of the sign code.

Kansas State Sign Association Recommendation: Delete requirements and fees entirely for window signs (interior and exterior), as the code constitutes invasion of privacy. Fees are exorbitant, many times exceeding the actual cost involved in window advertising.

Staff Recommendation: Clarify the provisions on permanent interior window signs to state that to be classified as an interior window sign it must be parallel to the window and within 12 inches of the surface of the glass. Also that painted window sign fees be changed to a total permit cost of \$10, and that all window signs as defined above be subject to the same limitations as wall signs (25% of the area). Exempting window signs would destroy the equity with other types of signs, particularly wall signs.

Sign Hanger Committee Recommendation: Unanimously support Kansas State Sign Association recommendation.

Business Committee Recommendation: Unanimously concur with the staff recommendation.

Environmental Advisory Board Recommendation: Concur with staff recommendation with no specific comment on the proposed permit cost of \$10.

Project Beauty Recommendation: Concur with the staff recommendation. It should be noted this provision pertains only to permanent window signs; temporary window signs have no requirement at this time.

(2.) Section 24.04.030(b) (2)

This section states that all signs listed must comply with the provisions of the sign code, but they are exempt from permits and permit fees. Line (2) exempts political signs "not more than five feet in height".

Kansas State Sign Association Recommendation: That political signs be allowed a limit of 8 foot height, instead of the current 5 foot limit, without permit. This will allow the use of standard construction materials.

Staff Recommendation: Maintain the present 5 foot limit, due to the impact on neighborhoods where such signs could be placed.

Sign Hanger Committee Recommendation: Unanimously concur with Kansas State Sign Association recommendation.

Business Committee Recommendation: Unanimously concur with staff recommendation.

Environmental Advisory Board Recommendation: Concur with staff recommendation.

Project Beauty Recommendation: Concur with staff recommendation.

(3.) Section 24.04.030 (Recommended Addition)

Business Committee Recommendation: Existing signs on church premises be exempted from periodic sign maintenance inspection fees, unanimously.

Sign Hanger Committee Recommendation: Unanimously concur.

Staff Recommendation: Concur

Environmental Advisory Board Recommendation: Concur

Project Beauty Recommendation: Concur

(4.) Section 24.04.050 & 24.04.050(c)

States that a sign maintenance inspection must be made once each five years and that the sign owner is required to pay an inspection fee.

Business Committee Recommendation: (Unanimous) Permanent signs maintained under contract to a licensed and bonded sign hanger in the City of Wichita, shall not be subject to the periodic sign maintenance inspection permit fees when evidence of that contract is submitted to the Superintendent of Central Inspection.

Staff Recommendation: Concur

Sign Hanger Committee Recommendation: Unanimously concur.

Environmental Advisory Board Recommendation: Concur

Project Beauty Recommendation: Concur

(5.) Section 24.04.050 (c)

As previously stated, this section mandates sign maintenance inspections on every sign once each five years and the payment of inspection fees.

Kansas State Sign Association Recommendation: At the time a periodic sign maintenance inspection is made, inspector should personally contact owner or manager of establishment to explain sign condition and get inspection form signed. City should assume responsibility if liability should occur after inspection.

Signs on lease maintenance contracts be exempt from inspection and fees.

General feeling is to delete sign inspections and fees, as inspectors are not qualified to make such inspections and fees are exorbitant.

Business Committee Recommendation: Remove all code requirements for periodic sign maintenance inspection and permits from the code after completion of the first 5 year cycle, December 31, 1980. Enforcement after that time to be on complaint/observation basis, unanimously.

Staff Recommendation: Concur with Business Committee recommendation.

Sign Hanger Committee Recommendation: Unanimously concur with Business Committee recommendation.

Environmental Advisory Board Recommendation: Concur with the Business Committee recommendation - Based upon the assumption and in the hope that the City's future commitment to enforcement will continue.

Project Beauty Recommendation: Concur with the Business Committee recommendation. Agree that enforcement can be adequate on a complaint/observation basis after 1980. Project Beauty urges that the commitment to enforcement be maintained.

(6.) Section 24.04.060(c)

States that work authorized by a permanent sign permit must be commenced within ninety days or the permit becomes void.

Kansas State Sign Association Recommendation: Permit validity of 90 days is not sufficient. Recommend minimum time of 6 months with time extension as approved by the Superintendent of Central Inspection.

Staff Recommendation: Concur

Sign Hanger Committee Recommendation: Unanimously concur.

Business Committee Recommendation: Unanimously concur.

Environmental Advisory Board Recommendation: Concur

Project Beauty Recommendation: Concur

(7.) Section 24.04.070(d) (2)

"Permanent signs for which a permit has been issued eighteen months or less prior to a period sign maintenance inspection of a premise shall not be used in calculating the periodic sign maintenance inspection permit fee".

Business Committee Recommendation: This provision has outlived its usefulness in reference to the 18 months. Should be revised to reflect exemption after December 31, 1975, unanimously.

Kansas State Sign Association Recommendation: Concur

Staff Recommendation: Concur

Sign Hanger Committee Recommendation: Unanimously concur.

Environmental Advisory Board Recommendation: Concur with the Business Committee recommendation.

Project Beauty Recommendation: Concur

(8.) Section 24.04.070(d) (3)

"Failing to secure a periodic maintenance inspection permit within thirty days after notification by the Superintendent of Central Inspection, the fee shall be twice the amount specified..."

Kansas State Sign Association Recommendation: Delete the provision.

Business Committee Recommendation: The double fee provision be retained throughout the first five year sign maintenance inspection cycle, and then be deleted in entirety with all other periodic sign maintenance inspection fee provisions. Amend immediately to reflect 60 day limit.

Sign Hanger Committee Recommendation: Concur with the Business Committee recommendation unanimously.

Staff Recommendation: Concur with the Business Committee recommendation unanimously.

Environmental Advisory Board Recommendation: Concur with the Business Committee recommendation. No specific comment as to fees.

Project Beauty Recommendation: Concur with the Business Committee. No comment on fees.

(9.) Section 24.04.100

"No alteration...shall be made to any nonconforming sign unless such sign is brought into conformance with all applicable regulations..."

Kansas State Sign Association Recommendation: The ordinance should be amended to reflect that nonconforming poles with multiple signs should be allowed to alter or add to in a conforming manner without affecting the status of the sign.

Staff Recommendation: Concur with the Kansas State Sign Association recommendation.

Sign Hanger Committee Recommendation: Unanimously concur.

Business Committee Recommendation: Unanimously concur.

Environmental Advisory Board Recommendation: The Board does not concur with the proposed change and recommends that the existing ordinance be retained. The proposed amendments allow for an additional conforming sign to be placed upon a pole that contains a nonconforming sign. The current ordinance allows no alteration to a nonconforming sign and if such an alteration is to occur the sign must be modified to conform to the ordinance. The Board feels the use of nonconforming signs should be discouraged and to allow a conforming sign to be placed on the same pole would serve as no encouragement to the owner of the pole to bring his sign into conformance prior to the 1990 deadline.

Project Beauty Recommendation: Do not concur. Recommend that the ordinance remain as is. When the sign is changed, it should be made conforming. Other types of signage may still be utilized by the applicant at his/her option.

(10.) Section 24.04.110(b)

On-site ground or pole signs may be erected, altered, expanded, relocated or reconstructed only when such work is associated with the removal or reduction of the number and area of nonconforming signs.

Kansas State Sign Association Recommendation: Expansion of a single owner, nonconforming sign should be allowed, if the sign is not rendered "more nonconforming".

Staff Recommendation: The code should remain as is, no better time exists to bring a nonconforming sign into compliance than when it is being changed.

Sign Hanger Committee Recommendation: Unanimously support Kansas State Sign Association recommendation.

Business Committee Recommendation: Unanimously concurred with the staff recommendation.

Environmental Advisory Board Recommendation: Concur with staff recommendation.

Project Beauty Recommendation: Concur with staff recommendation.

(11.) Section 24.04.220(f) & (g)

States that no sign made of combustible material can be erected in Fire Zone I (generally the core area) and sets standards pertinent to the installation.

Kansas State Sign Association Recommendation: Plastic lettering or panels affixed to buildings should be allowed in Fire Zone I.

Staff Recommendation: Concur that wood or plastic be installed if no hazard is created as approved by the Superintendent of Central Inspection.

Sign Hanger Committee Recommendation: Unanimously concur with Kansas State Sign Association and Staff recommendation.

Business Committee Recommendation: Unanimously concur with the staff recommendation.

Environmental Advisory Board Recommendation: Concur with staff recommendation.

Project Beauty Recommendation: No comment

(12.) Section 24.04.220(1)

Requires that the name of the owner and the permit number be affixed to each permanent sign.

Staff Recommendation: The records system maintained on permanent signs has been designed and is functioning as a replacement to the need for this provision. The new system is less time consuming and less expensive for both the city staff and the business community. It is recommended that this provision be deleted.

Kansas State Sign Association Recommendation: Concur

Sign Hanger Committee Recommendation: Unanimously concur.

Business Committee Recommendation: Unanimously concur with the staff recommendation.

Environment Advisory Board Recommendation: No recommendations as this concerns an internal administrative problem.

Project Beauty Recommendation: No comment

(13.) Proposed New Section I

Business Committee Recommendation: Include reinspection fee provisions, at \$10 per inspection, as a provision of the sign code (unanimously).

Sign Hanger Committee Recommendation: Concur unanimously.

Staff Recommendation: Concur

Environmental Advisory Board Recommendation: Concur with the recommendation which imposes a reinspection fee for those recalcitrant permit holders who fail to correct violations. No comment on the \$10 amount that is proposed as the fee.

Project Beauty Recommendation: Concur. No comment on fee.

(14.) Proposed New Section II

Business Committee Recommendation: The Board of City Commissioners consider authorization of condemnation funds to insure the timely removal of dangerous and abandoned signs, (unanimously).

Title 24:
Sign Code of the City
Page 9

Sign Hanger Committee Recommendation: Concur unanimously.

Staff Recommendation: Concur

Environmental Advisory Board Recommendation: Concur

Project Beauty Recommendation: Concur

(15.) Proposed New Section III

Staff Recommendation: Add provision that temporary signs placed on private property in violation may be impounded by the Superintendent of Central Inspection, 72 hours after notice of violation has been given. Such sign may be recovered by the owner under the provisions of 24.04.205.

Sign Hanger Committee Recommendation: Support the staff recommendation, by a majority vote.

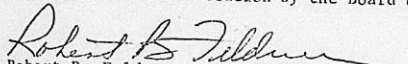
Business Committee Recommendation: Unanimously concurred with the staff recommendation.

Environmental Advisory Board Recommendation: Concur with staff recommendation.


Project Beauty Recommendation: Concur

This concludes the report and recommendations of the review committees and organizations. If further information or clarification is desired on any point, it will be expeditiously supplied.

In order to facilitate notification of interested individuals, this matter has been scheduled for consideration by the Board of City Commissioners at 1:30 P.M., May 8, 1979.


Robert B. Feldner
Superintendent of Central Inspection

Approval:


Don E. Anderson
Director of Housing and Economic Development

RBF:bg

cc: Robert Lakin, Planning Department
Project Beauty
Environmental Resources Board
Kansas State Sign Association
Sign Hanger Committee
Business Sign Review Committee

to Lytle

THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE March 20, 1979

TO John Dekker, Director of Law

FROM Robert B. Feldner, Superintendent of Central Inspection

SUBJECT Enforcement of Title 24:
Temporary/Portable Signs

Enforcement of regulations pertaining to temporary and portable signs is becoming extremely difficult, due to the recent decision rendered in Municipal Court. One company in particular, Porta-Ad Inc., has taken the position that the decision overturned all of the City's power of enforcement on this type signage. Thus, their signs are being placed without benefit of permit and in violation of both Titles 24 and 23 of the Code of the City of Wichita, Kansas. Central Inspection Division's file contains 86 specific instances of violations at this time.

The assignment of an attorney to pursue this matter is requested. It is further suggested that once an attorney has been assigned and becomes familiar with the problem, a joint meeting be conducted with the Law representative, Planning Department and Central Inspection. Such a meeting would insure continuity in the prior legal case and anticipated future action. In the prior litigation, Mr. Hub Kuhn represented the City.

Thank you in advance for your time and expeditious attention.

Robert B. Feldner

Robert B. Feldner
Superintendent of Central Inspection

RBF:bg

Approval:

Don E. Anderson

Don E. Anderson
Director of Housing and Economic Development

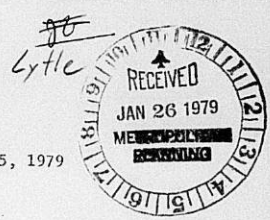
cc: Robert Lakin
Planning Department



THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE January 25, 1979



TO John Dekker, City Attorney

FROM Robert B. Feldner, Superintendent of Central Inspection

SUBJECT Portable Sign Regulations

On Friday, January 19, 1979, a Municipal Court judge invalidated City Code Sections 24.04.230(f) and 28.04.139 C.8. by ruling them unconstitutional. It is Central Inspection Division's understanding that a meeting was conducted Wednesday, January 24, 1979, with the attorney representing the City, Mr. Hub Kuhn; the Director of Planning, Mr. Lakin; and the Special Assistant on Zoning, Mr. Lytle, in attendance, and the decision was made that an appeal would be filed.


This correspondence is predicated upon questions regarding operational and enforcement procedures while the matter is under litigation.

City Code Section 24.04.050(b) requires that the temporary or portable sign owner obtain a permit. Section 24.04.060(b) states that the Superintendent of Central Inspection shall issue a permit for a sign when application has been made and the sign complies with all applicable regulations (underlining not a part of code).

Further, City Code Section 24.04.070(b)(1) (pertaining to temporary sign permit fees) states, "For temporary signs, portable signs and advertising decorations permitted by subsection C(8) of Section 28.04.139 of this code, a temporary sign permit fee of five dollars shall be paid for the first special event period, with an additional temporary sign permit fee of two dollars for each additional special event within any calendar year." Does the fact that 28.04.139 C(8) has been found unconstitutional mean that temporary signs, portable signs and advertising decorations are illegal in the City of Wichita? If not, do we continue to issue permits for temporary and portable signs, but not with the time limitations? The majority of Section 24.04.230, pertaining to temporary signs, was not ruled upon. Can we legally issue permits for temporary signs, but not portable?

If portable signs can still be utilized in the City, whether under permit or not, are all the other regulations pertaining to size, location, etc., still in effect and enforceable?

Our daily responsibility in permit issuance and enforcement mandates that the operational procedures be changed to coincide with the code. Thus, an immediate answer to the questions contained herein, as well as any guidance and direction you may desire to provide, would be appreciated.


Robert B. Feldner
Superintendent of Central Inspection

RBF:nm1

Approved:

Don E. Anderson, Director
Dept. of Economic Development

Lytle

THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE January 25, 1979



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FROM Robert B. Feldner, Superintendent of Central Inspection

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Superintendent of Central Inspection
RBF:mm1

Approved:
Don E. Anderson
Don E. Anderson, Director
Dept. of Economic Development