

DR 75-12 - Possible Amendment to
Zoning Ordinance - Temporary Signs
& Portable Ground Signs in Com-
mercial and Industrial Districts

ACTION

DATE

COMMITTEE

MAPC App. as revised - 5-8-75

B.C.C./R.C.C. ~~First Vote~~ 5-27-75

BCC Return to MAPC 6-3-75

MAPC App. with amend. 6-26-75
mmt.

BCC App. as revised w. amend. 7. 15. 75
to delete some provisions.

Ordinance published 7-25-75
33-918

from:

date:

admin.	adv. plans	com. dev.	social	graphics
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remarks: *Redtype had + put in City Clerk*
hank

ORDINANCE NO. 33-718

AN ORDINANCE AMENDING SECTIONS 28.04.139 B, and 28.04.139 C.8, OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO THE PLACEMENT AND CONTROL OF TEMPORARY AND PORTABLE SIGNS ON COMMERCIAL AND INDUSTRIAL PROPERTIES; AND THE LIMITATIONS FOR SPECIAL DISPLAYS; AND REPEALING SAID ORIGINAL SECTION 2.04.139 C 8.

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

Section 28.04.139 B of the Code of the City of Wichita, Kansas, shall be amended by adding the following to the list of signs exempt from the provisions of the Code:

- "5. Temporary on-site signs placed in or upon windows of a commercial or industrial building, whether painted or attached.
6. Signs designed as an integral part of vending machines and dispensing equipment; signs which are an integral part of merchandise display racks; and similar merchandise and advertising displays. All such signs included in this exemption shall be located within eight feet of the building and not on public right-of-way, provided, however such signs located on service station properties may also be located on, or immediately adjacent to, the service islands. This provision shall in no way be deemed to permit the display or storage of merchandise, vending machines or equipment not otherwise permitted by the provisions of this Code."

Section 28.04.139 C.8 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"8. Signs, portable and advertising decorations, temporarily displayed during special event periods only, such as grand openings, holidays, carnivals and the like, with a limit of twelve such events and a total time limitation of six weeks within any calendar year for any business or institution."

The original of Section 28.04.139 C.8 of the Code of the City of Wichita, Kansas, is hereby repealed.

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

ADOPTED at Wichita, Kansas, this 22 day of July 1975.

Connie A. Peters, Mayor

ATTEST:

Donald C. Glsick, City Clerk

(SEAL)

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

July 9, 1975

TO Ralph Wulz, City Manager

FROM Robert A. Lakin, Director of Planning

SUBJECT DR 75-12 - Amendment to Zoning Ordinance
Re: Temporary and portable signs

Attached hereto is a delineated copy of an amendment to the zoning ordinance related to temporary and portable signs. Also included are the minutes of the June 26, 1975 Planning Commission meeting.

SUMMARY

This zoning ordinance amendment was recommended by the Planning Commission for adoption at the City Commission meeting of May 27, 1975. Moot votes on two provisions of the ordinance continued the discussion on the amendment to the June 3, 1975 City Commission meeting.

The City Commission concurred with the recommendation of the Planning Commission on the two amendments to Section 28.04.139-B exempting the following signs from the regulations:

1. Temporary on-site window signs for commercial and industrial uses.
2. Signs designed as a part of vending machines and dispensing equipment, and signs on permitted display racks.

At the City Commission meeting of June 3, 1975, the City Commission recommended that Section 28.04.139-C.8 be amended to permit 12 special events per year in lieu of the previously recommended two per year.

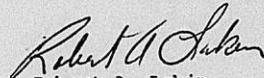
This will permit the use of temporary and portable signs to be used for special events provided that it should not occur more than 12 times per year and with a total time limitation within the year of six weeks. There is no limitation on the number or area of signs for this type of display.

On the amendment to Sections 28.04.139-G, H, I and J, the City Commission did not concur with the previous recommendation of the Planning Commission to permit the continuous use of small portable ground signs (12 square feet in area with a maximum height of 4 feet), on all properties in commercial and industrial zoning districts.

Page 2 - Ralph Wulz
July 9, 1975

RECOMMENDATION

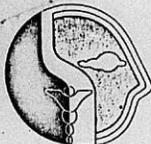
At the Planning Commission meeting of June 26, 1975, the Planning Commission recommended that the ordinance be forwarded to the City Commission with a recommendation for adoption.


Robert A. Lakin
Director of Planning

RAL:GEL:ber

Attachment

cc: John Dekker, Director of Law
Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection



June 26, 1975

Metropolitan Area Planning Commission
City of Wichita
104 South Main
Wichita, Kansas

Dear Commissioner:

The matter of the portable signs on a continuous basis is not only a thorn in the side but appears to be at a stand-off. This should not be true--if the good of the community at large is considered more important than accommodation to a special interest.

The Environmental Resource Advisory Board, consisting of 15 men and 4 women, reiterates its position that streets free of clutter of small portable signs not only gives passers-by a less irritated feeling but gives the community a cleaner more pleasant atmosphere. These two attributes are our community's greatest assets!

The business enterprise most vocal about the issue has many alternatives open to it. We would suggest, as we have before, they could be encouraged to make these temporary signs a legal part of the permanent sign pole rather than remain on the ground.

We hope that with the Environmental Resource Advisory Board speaking for the environment and with a majority of the City Commission in favor of restrictions of this matter, that you will vote for the benefit of all Wichita citizens and against continuous portable signs.

Joan Kamas, Chairperson
Environmental Resource Advisory Board

JK:pp

Wichita-Sedgwick County Department of Community Health
1900 East Ninth Street--Wichita, Kansas 67214 (316)268-8201

EXCERPT FROM PLANNING COMMISSION MINUTES OF JUNE 26, 1975:

18. Case No. DR 75-12 - Amendment to zoning ordinance Re: Temporary and portable ground signs in commercial and industrial districts. Returned by City Commission.

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

Attached hereto is a delineated copy of the ordinance related to temporary and portable signs that was forwarded to the City Commission with a recommendation for adoption by the Planning Commission. This ordinance was considered by the City Commission at their meetings of May 27, 1975 and June 3, 1975. Excerpts from these Commission minutes are included for your information.

The City Commission concurred with the recommendation of the Planning Commission on the amendments to Section 28.04.139.B. excepting certain signs from the regulations.

The City Commission recommended that Section 28.04.139.C.8 be amended to permit 12 special events per year in lieu of the permitted two.

On the amendment to Sections 28.04.139. G, H, I, and J, the City Commission did not concur in the Planning Commission's recommendation, nor did they agree on any amendment to that portion of the ordinance. As you will note by the City Commission minutes, they indicated their disagreement on the continuous use of temporary and portable ground signs.

RECOMMENDATION

Make the necessary changes that are in the best interest of the public and forward a recommendation to the Board of City Commissioners.

BAYOUTH thought this matter was going smoothly before the City Commission when it was considered on May 27, 1975 and June 3, 1975, until two portable sign company operators voiced opposition in that what is proposed would seriously reduce their business. He suggested that if there is any way to separate the portable signs from others, and put them under the ordinance regulating sign companies, it should be done. He thought the matter could never be settled unless the "A" frame signs (portable), utilized by bottlers and major oil companies, is separated from other sign controls.

LYTLE said they are regulated under a more restrictive section of the ordinance, and limited to special events only. He did not think the City Commission's intent was that they be permitted on a continuous basis and was just one of the disagreements. Those appearing in opposition at the City Commission had indicated they could not live under the special display where they would have to fall in order to use their particular type of signs.

HENNESSY suggested the whole matter be forgotten and let the regulations remain as they were as he, personally, was not for the change.

BAYOUTH felt the ordinance as submitted to the City Commission was better than the existing ordinance, and suggested it be returned to the City Commission as previously recommended.

PAT GUINAN, representing Wichitans for Better Signs, referred to a letter which she assumed all the Commissioners had received from the Environmental Resources Advisory Board concerning this matter, and said that it was her understanding that portable signs were not the only problem before the City Commission. She said that as before, her group is concurring with the recommendation to exempt window signs and other signs related to outdoor displays and dispensing equipment. She continued that the City Commission recommendation to increase the special event signs from two to twelve per year would be difficult to enforce. Further, her group is still opposed to any type of portable sign on a continuous basis, and that she had attended a meeting on signs where the portable sign people said they would have no problem.

In response to questions, GUINAN said Wichitans for Better Signs grew from an endeavor on the part of Project Beauty, Inc., which was very active in trying to get a better sign ordinance, and there were other people outside of Project Beauty interested, so Wichitans for Better Signs was formed. Recently it was pointed out that Project Beauty, Inc., because of the type of organization it is, was not eligible to do lobbying, so now it is a united effort on the part of Wichitans for Better Signs.

GRAGG asked if portable signs were charged a fee each time, and LYTLE said they are under the new ordinance, but were not under the old one. GRAGG thought this was unenforceable. LYTLE stated that unless such signs are permitted on a continuous basis, it could be controlled. GRAGG said from his involvement in the last city election, it was apparent that the sign companies and other business people, including realtors, felt the whole sign ordinance was anti business and also were critical of the costs involved so far as having to obtain permits. LYTLE said fees are not a part of this ordinance and that there has been an adjustment of fees and some exemptions from permits.

HENNESSY asked if existing signs were "grandfathered" and LYTLE responded that portable signs are not, but were given 60 days from the date of adoption of the ordinance to be brought into compliance. Existing signs do require a sign maintenance fee once every three years, LYTLE explained, and it was put into the ordinance to insure proper maintenance.

BAYOUTH pointed out again that apparently the recommendations as previously made were acceptable to everyone but the portable sign companies that have the larger trailer type signs.

MOTION: That the Planning Commission recommend that 12 events per year be allowed in lieu of two, but not to exceed an overall time of 6 weeks. Bayouth moved. This motion was not seconded.

GUINAN said her prime concern was the allowance of portable ground signs on a continuous basis. She stated that when a business is allowed 12 special events and small portable signs on a continuous basis, there would be no restriction at all. She said that the Zoning Advisory Committee in its studies, had considered portable signs the greatest offenders.

GOEBEL spoke against allowing "A" frame type signs on a continuous basis, noting specifically that sometimes service stations which operate a rental service also, have such signs. He contended that if the rental operation is a permanent part of the business, then they should follow rules for other types of signs that are permitted in light commercial operations.

BAYOUTH said that beverage companies estimate that 22% of their business is attributable to the "A" frame signs.

HENNESSY asked if the staff had a recommendation. LYTTLE stated that if the special events were increased from two to 12, there should not be the need for the small portable signs on a continuous basis, and would also be more difficult to administer.

MOTION: That the Planning Commission recommend the ordinance to the City Commission as before, except that Section 28.04.139.C.8 be amended to allow 12 events per year. Bayouth moved.

TAYLOR asked what should be done about permitting portable ground signs on a continuous basis, which had been questioned by the City Commission. GOEBEL felt that if it is not cut back and beverage companies can't live with it, then there will be enforcement in some cases and not in others.

GUINAN thought the City Commission was receptive to a part of the recommendations, but that unless "continuous use" is taken out for portable ground signs, that it would be rejected completely.

Goebel seconded the motion and it carried unanimously. Rising was absent.

DELINEATED COPY

Additions underlined
Deletions ~~marked-thru~~

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 28.04.139 B,
28.04.139 C.8, 28.04.139 G, 28.04.139 H,
28.04.139 I and 28.04.139 J of THE CODE OF THE
CITY OF WICHITA, KANSAS PERTAINING TO THE PLACE-
MENT AND CONTROL OF TEMPORARY AND PORTABLE SIGNS
ON COMMERCIAL AND INDUSTRIAL PROPERTIES; AND THE
LIMITATIONS FOR SPECIAL DISPLAYS; AND REPEALING
SAID ORIGINAL SECTION 28.04.139 C 8.

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

Section 28.04.139 B of the Code of the City of Wichita, Kansas,
shall be amended by adding the following to the list of signs
exempt from the provisions of the code:

- "5. Temporary on-site signs placed in or upon windows
of a commercial or industrial building, whether
painted or attached.

6. Signs designed as an integral part of vending
machines and dispensing equipment; signs which
are an integral part of merchandise display racks;
and similar merchandise and advertising displays.
All such signs included in this exemption shall
be located within eight feet of the building and
not on public right-of-way, provided, however,
such signs located on service station properties
may also be located on, or immediately adjacent to,
the service islands. This provision shall in no
way be deemed to permit the display or storage of
merchandise, vending machines or equipment not
otherwise permitted by the provisions of this
Code."

Section 28.04.139 C.8 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

- "8. Signs, portable and advertising decorations, temporarily displayed during special event periods only, such as grand openings, holidays, carnivals and the like, with a limit of ~~two~~ ^{twelve} such events and ~~thirty days~~ a total time limitation of six weeks within any calendar year for any business or institution."

Section 28.04.139 G of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"3. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.
- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

Section 28.04.139 H of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"5. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.

- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

Section 28.04.139 I of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"4. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.
- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

Section 28.04.139 J of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"5. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.
- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

The original of Section 28.04.139 C.8 of the Code of the City of Wichita, Knsas, is hereby repealed.

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

ADOPTED at Wichita, Kansas, this _____ day of _____, 1975.

Connie A. Peters, Mayor

ATTEST:

Donald C. Gisick
City Clerk

(SEAL)

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

262-0611 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

July 10, 1975

To all interested persons:

Attached hereto is a copy of a memo from the Director of Planning to the City Manager transmitting the previously discussed amendment to the zoning ordinance back to the City Commission.

The ordinance is identical to the one previously discussed by the City Commission at their meetings of May 27, 1975 and June 3, 1975 with the exception of the recommended amendment to Section 28.04.139-C-8 to permit 12 events per year.

This ordinance will be placed on the City Commission agenda for July 15, 1975 for their reconsideration. If you have any questions on this matter, please give me a call.

Glen E. Lytle
Special Assistant for Zoning

GEL:rme
Attachment

July 9, 1975

Ralph Wulz, City Manager

Robert A. Lakin, Director of Planning

DR 75-12 - Amendment to Zoning Ordinance
Re: Temporary and portable signs

Attached hereto is a delineated copy of an amendment to the zoning ordinance related to temporary and portable signs. Also included are the minutes of the June 26, 1975 Planning Commission meeting.

SUMMARY

This zoning ordinance amendment was recommended by the Planning Commission for adoption at the City Commission meeting of May 27, 1975. Moot votes on two provisions of the ordinance continued the discussion on the amendment to the June 3, 1975 City Commission meeting.

The City Commission concurred with the recommendation of the Planning Commission on the two amendments to Section 28.04.139-B exempting the following signs from the regulations:

1. Temporary on-site window signs for commercial and industrial uses.
2. Signs designed as a part of vending machines and dispensing equipment, and signs on permitted display racks.

At the City Commission meeting of June 3, 1975, the City Commission recommended that Section 28.04.139-C.8 be amended to permit 12 special events per year in lieu of the previously recommended two per year.

This will permit the use of temporary and portable signs to be used for special events provided that it should not occur more than 12 times per year and with a total time limitation within the year of six weeks. There is no limitation on the number or area of signs for this type of display.

On the amendment to Sections 28.04.139-G, H, I and J, the City Commission did not concur with the previous recommendation of the Planning Commission to permit the continuous use of small portable ground signs (12 square feet in area with a maximum height of 4 feet), on all properties in commercial and industrial zoning districts.

Page 2 - Ralph Wulz
July 9, 1975

RECOMMENDATION

At the Planning Commission meeting of June 26, 1975, the Planning Commission recommended that the ordinance be forwarded to the City Commission with a recommendation for adoption.

Robert A. Lakin
Director of Planning

RAL:GEL:ber

Attachment

cc: John Dekker, Director of Law
Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection

April 10, 1975

TO: Chairman and Members of Metropolitan Area
Planning Commission

FROM: Joan Kamas, Chairman, Environmental Resource
Advisory Board

SUBJECT: SIGN ORDINANCE

On behalf of the Wichita-Sedgwick County Environmental Resource Advisory Board I wish to acknowledge that we welcome the opportunity to serve on your Metropolitan Area Planning Commission Sign Sub-Committee. We hope that this is only the beginning to a long and continued working relationship between the Boards, for we believe that planning will most effectively benefit the Wichita community with on-going environmental evaluation.

I have been unable to take the Sub-committee's proposal before ERAB because the Board has not met, it will do so on April 28. The compromises reached, for the most part, seem reasonable. However, often in an effort to avoid stalemating we sometimes lose sight of the goal. I would, therefore, like to bring to your attention today the following considerations:

1. The objective of the new sign ordinance is to unclutter the community's landscape for the benefits of its citizen's safety and visual "peace of mind", without denying the merchants' right to advertise goods.
2. The proposed allotment for temporary signs would again seem to allow many small lot signs to line our streets.
3. The accommodation is so complex that small businesses would be confused and unable to comprehend it and enforcement would be difficult and costly to those users who must bear the expense.

Hopefully, simpler regulations with fewer numbers of signs could be worked out.

Joan Kamas

Joan Kamas, Chairman
Environmental Resource Advisory Board

JK:pp



June 26, 1975

Metropolitan Area Planning Commission
City of Wichita
104 South Main
Wichita, Kansas

Dear Commissioner:

The matter of the portable signs on a continuous basis is not only a thorn in the side but appears to be at a stand-off. This should not be true--if the good of the community at large is considered more important than accommodation to a special interest.

The Environmental Resource Advisory Board, consisting of 15 men and 4 women, reiterates its position that streets free of clutter of small portable signs not only gives passers-by a less irritated feeling but gives the community a cleaner more pleasant atmosphere. These two attributes are our community's greatest assets!

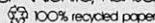
The business enterprise most vocal about the issue has many alternatives open to it. We would suggest, as we have before, they could be encouraged to make these temporary signs a legal part of the permanent sign pole rather than remain on the ground.

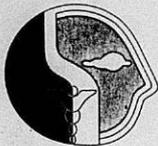
We hope that with the Environmental Resource Advisory Board speaking for the environment and with a majority of the City Commission in favor of restrictions of this matter, that you will vote for the benefit of all Wichita citizens and against continuous portable signs.

Joan Kamas, Chairperson
Environmental Resource Advisory Board

JK:pp

Wichita-Sedgwick County Department of Community Health
1900 East Ninth Street--Wichita, Kansas 67214 (316)268-8201





June 26, 1975

Metropolitan Area Planning Commission
City of Wichita
104 South Main
Wichita, Kansas

Dear Commissioner:

The matter of the portable signs on a continuous basis is not only a thorn in the side but appears to be at a stand-off. This should not be true--if the good of the community at large is considered more important than accommodation to a special interest.

The Environmental Resource Advisory Board, consisting of 15 men and 4 women, reiterates its position that streets free of clutter of small portable signs not only gives passers-by a less irritated feeling but gives the community a cleaner more pleasant atmosphere. These two attributes are our community's greatest assests!

The business enterprise most vocal about the issue has many alternatives open to it. We would suggest, as we have before, they could be encouraged to make these temporary signs a legal part of the permanent sign pole rather than remain on the ground.

We hope that with the Environmental Resource Advisory Board speaking for the environment and with a majority of the City Commission in favor of restrictions of this matter, that you will vote for the benefit of all Wichita citizens and ag ainst continuous portable signs.

Joan Kamas, Chairperson
Environmental Resource Advisory Board

JK:pp

Wichita-Sedgwick County Department of Community Health
1900 East Ninth Street--Wichita, Kansas 67214 (316)268-8201

 100% recycled paper

COMMISSIONERS PROCEEDINGS

2065

June 3, 1975

AMENDING ORDINANCE FOR TEMPORARY & PORTABLE SIGNS

An ordinance amending the existing zoning ordinance pertaining to temporary and portable signs, presented.

On May 27, 1975, the City Commission had moot votes as follows on certain recommendations of the Planning Commission Ad Hoc Sign Committee:

a. Recommendation: Extend the time limitation for temporary and portable signs for special events from 30 days to six weeks.

(1) Mayor Peters moved that display of such signs be limited to six events with a total time limitation of six weeks. Found moot 2-2 with Mayor Peters and Commissioner Shanahan voting "aye" and Vice Mayor Stevens and Commissioner Casado voting "nay".

(2) Vice Mayor Stevens moved to delete any limitation as the number of events within a six week period. Found moot 2-2 with Vice Mayor Stevens and Commissioner Casado voting "aye" and Mayor Peters and Commissioner Shanahan voting "nay".

b. Recommendation: Permit the use of portable ground signs on commercial and industrial properties on a continuous basis provided they are limited in number, do not exceed 12 square feet in area or four feet in height.

(1) Commissioner Casado moved that size limitation be increased to 18 square feet in area. Found moot 2-2 with Commissioner Casado and Vice Mayor Stevens voting "aye" and Mayor Peters and Commissioner Shanahan voting "nay".

Under the provisions of the City Code, moot questions are automatically carried over to the next meeting of the Commission.

Dave Bayouth

Dave Bayouth, Dave's Crossing, spoke concerning the limitation of events and suggested that 12 special events be permitted to allow one per month but not to exceed a total of 6 weeks in any calendar year. He also felt that the portable signs should be separated in the ordinance.

Al Rosner

Al Rosner, owner of a portable sign company, and Lonnie Hephner, Port Ad of Wichita, spoke in opposition to the recommendation (a) as they contended that it would seriously reduce their business under this ordinance. It was suggested that possibly the portable signs could be retained as nonconforming signs and allow a 15 year amortization to give the businesses time to adapt to the ordinance.

Motion --
carried

Peters moved that Mr. Hephner be granted an additional 2 minutes.
Motion carried 5 to 0.

Jaon Kamas

Joan Kamas, Wichita-Sedgwick County Environmental Resources Advisory Board member, reviewed recommendations of the Board previously furnished the Commission. She stated that on the time limitation, the Board had voted to retain the 30 day limit. She further stated that the portable temporary signs are unsafe, unbecoming and should not be used on a continuous basis.

Director of Planning, pointed out that the intent of the ordinance was to relieve the visual pollution created by the use of temporary signs.

Motion --

Peters moved that the display of such signs be limited to 6 events with a total time limitation of 6 weeks.

COMMISSIONERS PROCEEDINGS

2066

June 3, 1975

Amendment to motion	Stevens moved an amendment to the motion that the events be limited to 12 in number.
-carried	Amendment to the motion carried 3 to 2. Shanahan, Peters, "no".
--- carried -	Mayor Peters original motion as amended, carried 5 to 0.
Mrs. Robert Arvold	Mrs. Robert Arvold, Wichitans for Better Signs, suggested that the ordinance be strengthened and that temporary and portable signs not be used on a continuous basis as they create visual pollution. She suggested that the number of events be limited and permits be required. She also objected to their being located on public property. She stated that a neater and more effective community will improve the economy and benefit everyone where an over abundance of signs frequently accompanies area deterioration..
Don Boyd	Don Boyd, Pepsi Cola Bottling Company, referred to a letter which he had sent to the Commission previously, regarding preference as to temporary signs. He stated that they could live with the 12 square feet area as recommended as most of the portable signs used are 3' x 4' in size.
Comm. Casado	Commissioner Casado stated that he would withdraw his motion which he made last week.
Motion --	Casado moved that the use of portable ground signs be permitted on commercial and industrial properties on a continuous basis, provided they are limited in number and do not exceed 12 square feet in area or four feet in height.
Glen Lytle	Glen Lytle, Special Assistant for Zoning, explained the limitations in the ordinance on the types of signs in any given zone district.
Comm. Stevens Comm. Donnell	Commissioner Stevens withdrew his second to the motion whereupon Commissioner Donnell seconded the motion.
-- failed -	Discussion. Motion failed 4 to 1. Donnell, Shanahan, Stevens, Peters, "no".
Motion -- failed	Casado moved that portable signs be amortized over a 15 year period before coming under the ordinance. Motion failed 3 to 2. Donnell, Shanahan, Peters, "no".
Motion -- failed	Casado moved that the sign ordinance be repealed. Motion failed 3 to 2. Donnell, Shanahan, Peters, "no".
City Attorney	City Attorney stated that this being a zoning ordinance it would have to be returned to the Planning Commission.
Motion -- carried	Donnell moved that the ordinance be returned to the Planning Commission for reconsideration. Motion carried 5 to 0.
Director of Planning	Director of Planning stated that in his view of the discussion and since the recommendation was not approved, he would report to the Planning Commission that no change be made and that small sandwich board type signs were not to be allowed unless he was directed to develop temporary time limits.
Motion -- carried	Peters moved that the Planning Commission be requested to provide a recommendation regarding the extension of time before enforcing this ordinance. Motion carried 5 to 0.
--RECESS--	Commission recessed at 11:00 a.m. and reconvened at 11:20 a.m. *SHANAHAN, ABSENT

COMMISSIONERS PROCEEDINGS

2044

May 27, 1975

**AMENDING ORDINANCE
FOR TEMPORARY &
PORTABLE SIGNS**

An ordinance amending the existing zoning ordinance pertaining to temporary and portable signs, presented.

The proposed ordinance drafted by the MAPC staff at the direction of the Planning Commission's Ad Hoc Sign Committee has been reviewed at public hearing conducted by the Planning Commission on May 8, 1975.

A summary of changes to the sign ordinance is as follows:

- (1) Exempt temporary on-site window signs on commercial and industrial properties from any regulations. Painted and attached signs are included.
- (2) Exempt those signs normally considered as an integral part of vending machines, dispensing equipment and display racks when located within eight feet of the building or when located on the service islands of a service station.
- (3) Extend the time limitation for temporary and portable signs for special events from 30 days to six weeks.
- (4) Permit the use of portable ground signs on commercial and industrial properties on a continuous basis, provided they are limited in number, do not exceed 12 square feet in area or four feet in height.

Recommendation

Planning Commission recommended approval.

Glen Lytle

Glen Lytle, Special Assistant for Zoning, reviewed the proposed changes above and answered questions by the Commission.

Comm. Casado

Commissioner Casado stated that he had received two telephone calls this morning from real estate people expressing dissatisfaction with the ordinance and requesting a two week deferral.

Mr. Lakin

Mr. Lakin stated that the Planning Commission and the real estate people will be conferring further regarding signs and possible further amendments may be forthcoming.

Dave Bayouth

Dave Bayouth, Dave's Crossing, stated that he agreed with most of the changes; however he would recommend that the number of promotion events not be limited except that they cannot exceed six weeks time period.

Mrs. Robert Arvold
Pat Guinan

Mrs. Robert Arvold and Pat Guinan, Wichitans for Better Signs, stated that they object to the indiscreet uses of portable signs and suggested that they be permitted only during special events and also recommended that such special events be limited in number.

Comm. Stevens

Commissioner Stevens noted the number of signs installed by the City and stated that this may be an item which will be taken up for consideration.

Don Boyd

Don Boyd, Pepsi Cola Bottling Co., stated that compromises were reached and he felt the changes were within reason.

Mayor Peters

Mayor Peters suggested that the changes be voted on separately.

Motion --

Casado moved item #1, above, be approved.

Roy Edwards

A brief discussion was had concerning definition of temporary signs and Director of Planning reviewed the definition as contained in the current ordinance.

Roy Edwards, a sign painter, spoke concerning temporary signs and stated that they are a different type of sign and of short duration.

-- carried --

Motion carried 4 to 0.

Motion - carried

Stevens moved item #2, above, be approved. Motion carried 4 to 0.

Motion --

Stevens moved item #3, above, be approved and delete "two such events".

Substitute motion -
moot

Peters moved a substitute motion that #3 be approved with a limit of six such events during the six week period. Motion moot 2 to 2. Shanahan, Stevens, "no".

-- moot --

Original motion moot 2 to 2. Shahanan, Peters, "no". (This matter will be returned next week)

Casado moved that item #4, above, be amended to not exceed 18 square feet and that it be approved as amended. Motion moot 2 to 2. Shanahan, Peters, "no". (This matter will be returned on the agenda next week)

WICHITA-SEDGWICK COUNTY

No. 15

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

June 19, 1975

TO Wichita-Sedgwick County Metropolitan
Area Planning Commission

FROM Glen E. Lytle, Special Assistant for Zoning

SUBJECT DR 75-12 - Amendment to Zoning Ordinance
Re: Temporary and Portable Signs

PC - May 8

Attached hereto is a delineated copy of the ordinance related to temporary and portable signs that was forwarded to the City Commission with a recommendation for adoption by the Planning Commission. This ordinance was considered by the City Commission at their meetings of May 27, 1975 and June 3, 1975. Excerpts from these Commission minutes are included for your information.

The City Commission concurred with the recommendation of the Planning Commission on the amendments to Section 28.04.139.B. exempting certain signs from the regulations.

The City Commission recommended that Section 28.04.139 C.8 be amended to permit 12 special events per year in lieu of the permitted two.

On the amendment to Sections 28.04.139. G, H, I and J, the City Commission did not concur in the Planning Commission's recommendation, nor did they agree on any amendment to that portion of the ordinance. As you will note by the City Commission minutes, they indicated their disagreement on the continuous use of temporary and portable ground signs.

RECOMMENDATION

Make the necessary changes that are in the best interest of the public and forward a recommendation to the Board of City Commissioners.



Glen E. Lytle
Special Assistant for Zoning

GEL:ber
Attachment

cc: Ralph Wulz, City Manager
Ray Bruggeman, Director of Public Works
Robert Feldner, Superintendent of Central Inspection
John Dekker, Director of Law

AMENDING ORDINANCE FOR TEMPORARY & PORTABLE SIGNS

An ordinance amending the existing zoning ordinance pertaining to temporary and portable signs, presented.

The proposed ordinance drafted by the MAPC staff at the direction of the Planning Commission's Ad Hoc Sign Committee has been reviewed at public hearing conducted by the Planning Commission on May 8, 1975.

A summary of changes to the sign ordinance is as follows:

- (1) Exempt temporary on-site window signs on commercial and industrial properties from any regulations. Painted and attached signs are included.
- (2) Exempt those signs normally considered as an integral part of vending machines, dispensing equipment and display racks when located within eight feet of the building or when located on the service islands of a service station.
- (3) Extend the time limitation for temporary and portable signs for special events from 30 days to six weeks.
- (4) Permit the use of portable ground signs on commercial and industrial properties on a continuous basis, provided they are limited in number, do not exceed 12 square feet in area or four feet in height.

Recommendation

Planning Commission recommended approval.

Glen Lytle

Glen Lytle, Special Assistant for Zoning, reviewed the proposed changes above and answered questions by the Commission.

Comm. Casado

Commissioner Casado stated that he had received two telephone calls this morning from real estate people expressing dissatisfaction with the ordinance and requesting a two week deferral.

Mr. Lakin

Mr. Lakin stated that the Planning Commission and the real estate people will be conferring further regarding signs and possible further amendments may be forthcoming.

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Dave Bayouth, Dave's Crossing, stated that he agreed with most of the changes, however he would recommend that the number of promotion events not be limited except that they cannot exceed six weeks time period.

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Pat Guinan

Mrs. Robert Arvold and Pat Guinan, Wichtans for Better Signs, stated that they object to the indiscreet uses of portable signs and suggested that they be permitted only during special events and also recommended that such special events be limited in number.

Comm. Stevens

Commissioner Stevens noted the number of signs installed by the City and stated that this may be an item which will be taken up for consideration.

Don Boyd

Don Boyd, Pepsi Cola Bottling Co., stated that compromises were reached and he felt the changes were within reason.

Mayor Peters

Mayor Peters suggested that the changes be voted on separately.

Motion --

Casado moved item #1, above, be approved.

A brief discussion was had concerning definition of temporary signs and Director of Planning reviewed the definition as contained in the current ordinance.

Roy Edwards

Roy Edwards, a sign painter, spoke concerning temporary signs and stated that they are a different type of sign and of short duration.

-- carried --

Motion carried 4 to 0.

Motion - carried

Stevens moved item #2, above, be approved. Motion carried 4 to 0.

Motion --

Stevens moved item #3, above, be approved and delete "two such events"

Substitute motion - moot

Peters moved a substitute motion that #3 be approved with a limit of six such events during the six week period. Motion moot 2 to 2. Shanahan, Stevens, "no".

-- moot --

Original motion moot 2 to 2. Shahahan, Peters, "no". (This matter will be returned next week)

Casado moved that item #4, above, be amended to not exceed 18 square feet and that it be approved as amended. Motion moot 2 to 2. Shanahan, Peters, "no". (This matter will be returned on the agenda next week)

June 3, 1975

AMENDING ORDINANCE
FOR TEMPORARY &
PORTABLE SIGNS

An ordinance amending the existing zoning ordinance pertaining to temporary and portable signs, presented.

On May 27, 1975, the City Commission had moot votes as follows on certain recommendations of the Planning Commission Ad Hoc Sign Committee:

a. Recommendation: Extend the time limitation for temporary and portable signs for special events from 30 days to six weeks.

(1) Mayor Peters moved that display of such signs be limited to six events with a total time limitation of six weeks. Found moot 2-2 with Mayor Peters and Commissioner Shanahan voting "aye" and Vice Mayor Stevens and Commissioner Casado voting "nay".

(2) Vice Mayor Stevens moved to delete any limitation as the number of events within a six week period. Found moot 2-2 with Vice Mayor Stevens and Commissioner Casado voting "aye" and Mayor Peters and Commissioner Shanahan voting "nay".

b. Recommendation: Permit the use of portable ground signs on commercial and industrial properties on a continuous basis provided they are limited in number, do not exceed 12 square feet in area or four feet in height.

(1) Commissioner Casado moved that size limitation be increased to 18 square feet in area. Found moot 2-2 with Commissioner Casado and Vice Mayor Stevens voting "aye" and Mayor Peters and Commissioner Shanahan voting "nay".

Under the provisions of the City Code, moot questions are automatically carried over to the next meeting of the Commission.

Dave Bayouth

Dave Bayouth, Dave's Crossing, spoke concerning the limitation of events and suggested that 12 special events be permitted to allow one per month but not to exceed a total of 6 weeks in any calendar year. He also felt that the portable signs should be separated in the ordinance.

Al Rosner

Al Rosner, owner of a portable sign company, and Lonnie Hephner, Portland of Wichita, spoke in opposition to the recommendation (a) as they contended that it would seriously reduce their business under this ordinance. It was suggested that possibly the portable signs could be retained as nonconforming signs and allow a 15 year amortization to give the businesses time to adapt to the ordinance.

Motion --
carried

Peters moved that Mr. Hephner be granted an additional 2 minutes. Motion carried 5 to 0.

Joan Kamas

Joan Kamas, Wichita-Sedgwick County Environmental Resources Advisory Board member, reviewed recommendations of the Board previously furnished the Commission. She stated that on the time limitation, the Board had voted to retain the 30 day limit. She further stated that the portable temporary signs are unsafe, unbecoming and should not be used on a continuous basis.

Director of Planning, pointed out that the intent of the ordinance was to relieve the visual pollution created by the use of temporary signs.

Motion --

Peters moved that the display of such signs be limited to 6 events with a total time limitation of 6 weeks.

June 3, 1975

Amendment to motion - Stevens moved an amendment to the motion that the events be limited to 12 in number.

-carried Amendment to the motion carried 3 to 2. Shanahan, Peters, "no".

--- carried --- Mayor Peters original motion as amended, carried 5 to 0.

Mrs. Robert Arvold Mrs. Robert Arvold, Wichtans for Better Signs, suggested that the ordinance be strengthened and that temporary and portable signs not be used on a continuous basis as they create visual pollution. She suggested that the number of events be limited and permits be required. She also objected to their being located on public property. She stated that a neater and more effective community will improve the economy and benefit everyone where an over abundance of signs frequently accompanies area deterioration..

Don Boyd Don Boyd, Pepsi Cola Bottling Company, referred to a letter which he had sent to the Commission previously, regarding preference as to temporary signs. He stated that they could live with the 12 square feet area as recommended as most of the portable signs used are 3' x 4' in size.

Comm. Casado Commissioner Casado stated that he would withdraw his motion which he made last week.

Motion -- Casado moved that the use of portable ground signs be permitted on commercial and industrial properties on a continuous basis, provided they are limited in number and do not exceed 12 square feet in area or four feet in height.

Glen Lytle Glen Lytle, Special Assistant for Zoning, explained the limitations in the ordinance on the types of signs in any given zone district.

Comm. Stevens Commissioner Stevens withdrew his second to the motion whereupon
Comm. Donnell Commissioner Donnell seconded the motion.

Discussion.

-- failed - Motion failed 4 to 1. Donnell, Shanahan, Stevens, Peters, "no".

Motion -- Casado moved that portable signs be amortized over a 15 year period before coming under the ordinance. Motion failed 3 to 2. Donnell, Shanahan, Peters, "no".

Motion -- Casado moved that the sign ordinance be repealed. Motion failed 3 to 2.
failed Donnell, Shanahan, Peters, "no".

City Attorney City Attorney stated that this being a zoning ordinance it would have to be returned to the Planning Commission.

Motion -- Donnell moved that the ordinance be returned to the Planning Commission
carried for reconsideration. Motion carried 5 to 0.

Director of Planning Director of Planning stated that in his view of the discussion and since the recommendation was not approved, he would report to the Planning Commission that no change be made and that small sandwich board type signs were not to be allowed unless he was directed to develop temporary time limits.

Motion -- Peters moved that the Planning Commission be requested to provide a
carried recommendation regarding the extension of time before enforcing this ordinance. Motion carried 5 to 0.

--RECESS-- Commission recessed at 11:00 a.m. and reconvened at 11:20 a.m.

*SHANAHAN, ABSENT

DELINEATED COPY

Additions underlined
Deletions ~~marked-thru~~

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 28.04.139 B,
28.04.139 C.8, 28.04.139 G, 28.04.139 H,
28.04.139 I and 28.04.139 J of THE CODE OF THE
CITY OF WICHITA, KANSAS PERTAINING TO THE PLACE-
MENT AND CONTROL OF TEMPORARY AND PORTABLE SIGNS
ON COMMERCIAL AND INDUSTRIAL PROPERTIES; AND THE
LIMITATIONS FOR SPECIAL DISPLAYS; AND REPEALING
SAID ORIGINAL SECTION 28.04.139 C 8.

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

Section 28.04.139 B of the Code of the City of Wichita, Kansas,
shall be amended by adding the following to the list of signs
exempt from the provisions of the code:

- "5. Temporary on-site signs placed in or upon windows
of a commercial or industrial building, whether
painted or attached.

6. Signs designed as an integral part of vending
machines and dispensing equipment; signs which
are an integral part of merchandise display racks;
and similar merchandise and advertising displays.
All such signs included in this exemption shall
be located within eight feet of the building and
not on public right-of-way, provided, however,
such signs located on service station properties
may also be located on, or immediately adjacent to,
the service islands. This provision shall in no
way be deemed to permit the display or storage of
merchandise, vending machines or equipment not
otherwise permitted by the provisions of this
Code."

Section 28.04.139 C.8 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

- "8. Signs, portable and advertising decorations, temporarily displayed during special event periods only, such as grand openings, holidays, carnivals and the like, with a limit of ^{twelve}~~two~~ such events and a total time limitation of ^{thirty-days}~~six weeks~~ within any calendar year for any business or institution."

Section 28.04.139 G of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"3. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.
- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

Section 28.04.139 H of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"5. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.

- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

Section 28.04.139 I of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"4. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.

- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

Section 28.04.139 J of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"5. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.

- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

The original of Section 28.04.139 C.8 of the Code of the City of Wichita, Kansas, is hereby repealed.

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

ADOPTED at Wichita, Kansas, this _____ day of _____, 1975.

Connie A. Peters, Mayor

ATTEST:

Donald C. Gisick
City Clerk

(SEAL)

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

262-0611 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

June 18, 1975

TO ALL INTERESTED PERSONS:

Attached hereto is a delineated copy of an amendment to the zoning ordinance related to the use of temporary and portable signs. This ordinance was forwarded to the Board of City Commissioners, with a recommendation for adoption by the Planning Commission, and was considered at their meeting of May 27 and June 3, 1975.

The following is a summary of changes that would result in the adoption of the ordinance:

1. Exempt temporary on-site window signs on commercial and industrial properties from any regulations. This will permit the use of temporary signs in or upon windows, without restriction as to time and will not require any permits.
2. Exempt those signs normally considered as an integral part of vending machines, dispensing equipment and display racks when located within eight feet of the building, or when located on the service islands of a service station. This would exempt the signs such as decals on gasoline pumps, signs or decals on product display racks designed as an integral part of such displays, and similar incidental signs normally associated with permitted displays outside of an enclosed building.
3. Permit the use of temporary and portable signs for two special events per year and extend the total time limitation from 30 days to six weeks.
4. Permit the use of portable ground signs on commercial and industrial properties on a continuous basis, provided they are limited in number, do not exceed 12 square feet in area or 4 feet in height.

WICHITA—SEDCWICK COUNTY

June 18, 1975

Page 2

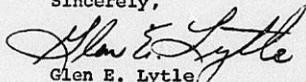
The City Commission concurred in the recommendation of the Planning Commission on items 1 and 2 which is the amendment to Section 28.04.139B of the ordinance.

On item number 3, the amendment to Section 28.04.139 C.8, the City Commission recommended an amendment to change the number of permitted special events within any calendar year from 2 to 12.

On the amendment to Sections 28.04.139 G, H, I and J (item number 4) the City Commission did not concur in the Planning Commission's recommendation.

Since the City Commission did not concur in the recommendation of the Planning Commission, it is necessary to return the ordinance to the M.A.P.C. for reconsideration. This ordinance will be reconsidered by the Planning Commission at their meeting of June 26, 1975. This meeting will be held in Room 401, City Building Annex, 104 South Main, with the meeting to begin at 1:30 p.m. If you wish to be heard on this matter, you are invited to attend this meeting.

Sincerely,



Glen E. Lytle
Special Assistant for Zoning

GEL:rme

cc: attached list.

COMMISSIONERS PROCEEDINGS

2044

May 27, 1975

AMENDING ORDINANCE
FOR TEMPORARY &
PORTABLE SIGNS

An ordinance amending the existing zoning ordinance pertaining to temporary and portable signs, presented.

The proposed ordinance drafted by the MAPC staff at the direction of the Planning Commission's Ad Hoc Sign Committee has been reviewed at public hearing conducted by the Planning Commission on May 8, 1975.

A summary of changes to the sign ordinance is as follows:

- (1) Exempt temporary on-site window signs on commercial and industrial properties from any regulations. Painted and attached signs are included.
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- (4) Permit the use of portable ground signs on commercial and industrial properties on a continuous basis, provided they are limited in number, do not exceed 12 square feet in area or four feet in height.

Recommendation

Planning Commission recommended approval.

Glen Lytle

Glen Lytle, Special Assistant for Zoning, reviewed the proposed changes above and answered questions by the Commission.

Comm. Casado

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Commissioner Stevens noted the number of signs installed by the City and stated that this may be an item which will be taken up for consideration.

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Mayor Peters

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Motion --

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A brief discussion was had concerning definition of temporary signs and Director of Planning reviewed the definition as contained in the current ordinance.

Roy Edwards

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-- carried --

Motion carried 4 to 0.

Motion - carried

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Motion --

Stevens moved item #3, above, be approved and delete "two such events"

Substitute motion -
moot

Peters moved a substitute motion that #3 be approved with a limit of six such events during the six week period. Motion moot 2 to 2. Shanahan, Stevens, "no".

-- moot --

Original motion moot 2 to 2. Shahahan, Peters, "no". (This matter will be returned next week)

Casado moved that item #4, above, be amended to not exceed 18 square feet and that it be approved as amended. Motion moot 2 to 2. Shanahan, Peters, "no". (This matter will be returned on the agenda next week)

June 3, 1975

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FOR TEMPORARY &
PORTABLE SIGNS

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(1) Mayor Peters moved that display of such signs be limited to six events with a total time limitation of six weeks. Found moot 3-2 with Mayor Peters and Commissioner Shanahan voting "aye" and Vice Mayor Stevens and Commissioner Casado voting "nay".

(2) Vice Mayor Stevens moved to delete any limitation as the number of events within a six week period. Found moot 2-2 with Vice Mayor Stevens and Commissioner Casado voting "aye" and Mayor Peters and Commissioner Shanahan voting "nay".

b. Recommendation: Permit the use of portable ground signs on commercial and industrial properties on a continuous basis provided they are limited in number, do not exceed 12 square feet in area or four feet in height.

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Motion --
carried

Peters moved that Mr. Hephner be granted an additional 2 minutes. Motion carried 5 to 0.

Joan Kamas

Joan Kamas, Wichita-Sedgwick County Environmental Resources Advisory Board member, reviewed recommendations of the Board previously furnished the Commission. She stated that on the time limitation, the Board had voted to retain the 30 day limit. She further stated that the portable temporary signs are unsafe, unbecoming and should not be used on a continuous basis.

Motion --

Director of Planning, pointed out that the intent of the ordinance was to relieve the visual pollution created by the use of temporary signs.

Peters moved that the display of such signs be limited to 6 events with a total time limitation of 6 weeks.

June 3, 1975

Amendment to motion - Stevens moved an amendment to the motion that the events be limited to 12 in number.

-carried - Amendment to the motion carried 3 to 2. Shanahan, Peters, "no".

-- carried - Mayor Peters original motion as amended, carried 5 to 0.

Mrs. Robert Arvold Mrs. Robert Arvold, Wichtans for Better Signs, suggested that the ordinance be strengthened and that temporary and portable signs not be used on a continuous basis as they create visual pollution. She suggested that the number of events be limited and permits be required. She also objected to their being located on public property. She stated that a neater and more effective community will improve the economy and benefit everyone where an over abundance of signs frequently accompanies area deterioration.

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Comm. Casado Commissioner Casado stated that he would withdraw his motion which he made last week.

Motion -- Casado moved that the use of portable ground signs be permitted on commercial and industrial properties on a continuous basis, provided they are limited in number and do not exceed 12 square feet in area or four feet in height.

Glen Lytle Glen Lytle, Special Assistant for Zoning, explained the limitations in the ordinance on the types of signs in any given zone district.

Comm. Stevens Commissioner Stevens withdrew his second to the motion whereupon
Comm. Donnell Commissioner Donnell seconded the motion.

-- failed - Discussion.

Motion -- Motion failed 4 to 1. Donnell, Shanahan, Stevens, Peters, "no".
failed

Motion -- Casado moved that portable signs be amortized over a 15 year period
failed before coming under the ordinance. Motion failed 3 to 2. Donnell, Shanahan, Peters, "no".

Motion -- Casado moved that the sign ordinance be repealed. Motion failed 3 to 2.
failed Donnell, Shanahan, Peters, "no".

City Attorney City Attorney stated that this being a zoning ordinance it would have to be returned to the Planning Commission.

Motion -- Donnell moved that the ordinance be returned to the Planning Commission
carried for reconsideration. Motion carried 5 to 0.

Director of Planning Director of Planning stated that in his view of the discussion and since the recommendation was not approved, he would report to the Planning Commission that no change be made and that small sandwich board type signs were not to be allowed unless he was directed to develop temporary time limits.

Motion -- Peters moved that the Planning Commission be requested to provide a
carried recommendation regarding the extension of time before enforcing this ordinance. Motion carried 5 to 0.

--RECESS-- Commission recessed at 11:00 a.m. and reconvened at 11:20 a.m.

*SHANAHAN, ABSENT

WICHITA-SEDGWICK COUNTY

15

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

June 19, 1975

TO Wichita-Sedgwick County Metropolitan
Area Planning Commission

FROM Glen E. Lytle, Special Assistant for Zoning

SUBJECT DR 75-12 - Amendment to Zoning Ordinance
Re: Temporary and Portable Signs

Attached hereto is a delineated copy of the ordinance related to temporary and portable signs that was forwarded to the City Commission with a recommendation for adoption by the Planning Commission. This ordinance was considered by the City Commission at their meetings of May 27, 1975 and June 3, 1975. Excerpts from these Commission minutes are included for your information.

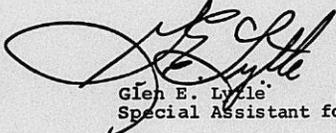
The City Commission concurred with the recommendation of the Planning Commission on the amendments to Section 28.04.139.B. exempting certain signs from the regulations.

The City Commission recommended that Section 28.04.139 C.8 be amended to permit 12 special events per year in lieu of the permitted two.

On the amendment to Sections 28.04.139. G, H, I and J, the City Commission did not concur in the Planning Commission's recommendation, nor did they agree on any amendment to that portion of the ordinance. As you will note by the City Commission minutes, they indicated their disagreement on the continuous use of temporary and portable ground signs.

RECOMMENDATION

Make the necessary change that are in the best interest of the public and forward a recommendation to the Board of City Commissioners.



Glen E. Lytle
Special Assistant for Zoning

GEL:ber
Attachment

cc: Ralph Wulz, City Manager
Ray Bruggeman, Director of Public Works
Robert Feldner, Superintendent of Central Inspection
John Dekker, Director of Law

COMMISSIONERS PROCEEDINGS

2044

May 27, 1975

AMENDING ORDINANCE
FOR TEMPORARY &
PORTABLE SIGNS

An ordinance amending the existing zoning ordinance pertaining to temporary and portable signs, presented.

The proposed ordinance drafted by the MAPC staff at the direction of the Planning Commission's Ad Hoc Sign Committee has been reviewed at public hearing conducted by the Planning Commission on May 8, 1975.

A summary of changes to the sign ordinance is as follows:

- (1) Exempt temporary on-site window signs on commercial and industrial properties from any regulations. Painted and attached signs are included.
- (2) Exempt those signs normally considered as an integral part of vending machines, dispensing equipment and display racks when located within eight feet of the building or when located on the service islands of a service station.
- (3) Extend the time limitation for temporary and portable signs for special events from 30 days to six weeks.
- (4) Permit the use of portable ground signs on commercial and industrial properties on a continuous basis, provided they are limited in number, do not exceed 12 square feet in area or four feet in height.

Recommendation

Planning Commission recommended approval.

Glen Lytle

Glen Lytle, Special Assistant for Zoning, reviewed the proposed changes above and answered questions by the Commission.

Comm. Casado

Commissioner Casado stated that he had received two telephone calls this morning from real estate people expressing dissatisfaction with the ordinance and requesting a two week deferral.

Mr. Lakin

Mr. Lakin stated that the Planning Commission and the real estate people will be conferring further regarding signs and possible further amendments may be forthcoming.

Dave Bayouth

Dave Bayouth, Dave's Crossing, stated that he agreed with most of the changes, however he would recommend that the number of promotion events not be limited except that they cannot exceed six weeks time period.

Mrs. Robert Arvold
Pat Guinan

Mrs. Robert Arvold and Pat Guinan, Wichitans for Better Signs, stated that they object to the indiscreet uses of portable signs and suggested that they be permitted only during special events and also recommended that such special events be limited in number.

Comm. Stevens

Commissioner Stevens noted the number of signs installed by the City and stated that this may be an item which will be taken up for consideration.

Don Boyd

Don Boyd, Pepsi Cola Bottling Co., stated that compromises were reached and he felt the changes were within reason.

Mayor Peters

Mayor Peters suggested that the changes be voted on separately.

Motion --

Casado moved item #1, above, be approved.

Roy Edwards

A brief discussion was had concerning definition of temporary signs and Director of Planning reviewed the definition as contained in the current ordinance.

Roy Edwards, a sign painter, spoke concerning temporary signs and stated that they are a different type of sign and of short duration.

-- carried --

Motion carried 4 to 0.

Motion - carried

Stevens moved item #2, above, be approved. Motion carried 4 to 0.

Motion --

Stevens moved item #3, above, be approved and delete "two such events"

Substitute motion -
moot

Peters moved a substitute motion that #3 be approved with a limit of six such events during the six week period. Motion moot 2 to 2. Shanahan, Stevens, "no".

-- moot --

Original motion moot 2 to 2. Shabahan, Peters, "no". (This matter will be returned next week)

Casado moved that item #4, above, be amended to not exceed 18 square feet and that it be approved as amended. Motion moot 2 to 2. Shanahan, Peters, "no". (This matter will be returned on the agenda next week)

June 3, 1975

AMENDMENT ORDINANCE
FOR TEMPORARY &
PORTABLE SIGNS

An ordinance amending the existing zoning ordinance pertaining to temporary and portable signs, presented.

On May 27, 1975, the City Commission had moot votes as follows on certain recommendations of the Planning Commission Ad Hoc Sign Committee:

a. Recommendation: Extend the time limitation for temporary and portable signs for special events from 30 days to six weeks.

(1) Mayor Peters moved that display of such signs be limited to six events with a total time limitation of six weeks. Found moot 2-2 with Mayor Peters and Commissioner Shanahan voting "aye" and Vice Mayor Stevens and Commissioner Casado voting "nay".

(2) Vice Mayor Stevens moved to delete any limitation as the number of events within a six week period. Found moot 2-2 with Vice Mayor Stevens and Commissioner Casado voting "aye" and Mayor Peters and Commissioner Shanahan voting "nay".

b. Recommendation: Permit the use of portable ground signs on commercial and industrial properties on a continuous basis provided they are limited in number, do not exceed 12 square feet in area or four feet in height.

(1) Commissioner Casado moved that size limitation be increased to 18 square feet in area. Found moot 2-2 with Commissioner Casado and Vice Mayor Stevens voting "aye" and Mayor Peters and Commissioner Shanahan voting "nay".

Under the provisions of the City Code, moot questions are automatically carried over to the next meeting of the Commission.

Dave Bayouth

Dave Bayouth, Dave's Crossing, spoke concerning the limitation of events and suggested that 12 special events be permitted to allow one per month but not to exceed a total of 6 weeks in any calendar year. He also felt that the portable signs should be separated in the ordinance.

Al Rosner

Al Rosner, owner of a portable sign company, and Lonnie Hephner, Port Ad of Wichita, spoke in opposition to the recommendation (a) as they contended that it would seriously reduce their business under this ordinance. It was suggested that possibly the portable signs could be retained as nonconforming signs and allow a 15 year amortization to give the businesses time to adapt to the ordinance.

Motion --
carried

Peters moved that Mr. Hephner be granted an additional 2 minutes. Motion carried 5 to 0.

Joan Kamas

Joan Kamas, Wichita-Sedgewick County Environmental Resources Advisory Board member, reviewed recommendations of the Board previously furnished the Commission. She stated that on the time limitation, the Board had voted to retain the 30 day limit. She further stated that the portable temporary signs are unsafe, unbecoming and should not be used on a continuous basis.

Director of Planning, pointed out that the intent of the ordinance was to relieve the visual pollution created by the use of temporary signs.

Motion --

Peters moved that the display of such signs be limited to 6 events with a total time limitation of 6 weeks.

June 3, 1975

Amendment to motion - Stevens moved an amendment to the motion that the events be limited to 12 in number.

-carried

Amendment to the motion carried 3 to 2. Shanahan, Peters, "no".

--- carried ---

Mayor Peters original motion as amended, carried 5 to 0.

Mrs. Robert Arvold

Mrs. Robert Arvold, Wichitans for Better Signs, suggested that the ordinance be strengthened and that temporary and portable signs not be used on a continuous basis as they create visual pollution. She suggested that the number of events be limited and permits be required. She also objected to their being located on public property. She stated that a neater and more effective community will improve the economy and benefit everyone where an over abundance of signs frequently accompanies area deterioration.

Don Boyd

Don Boyd, Pepsi Cola Bottling Company, referred to a letter which he had sent to the Commission previously, regarding preference as to temporary signs. He stated that they could live with the 12 square feet area as recommended as most of the portable signs used are 3' x 4' in size.

Comm. Casado

Commissioner Casado stated that he would withdraw his motion which he made last week.

Motion --

Casado moved that the use of portable ground signs be permitted on commercial and industrial properties on a continuous basis, provided they are limited in number and do not exceed 12 square feet in area or four feet in height.

Glen Lytle

Glen Lytle, Special Assistant for Zoning, explained the limitations in the ordinance on the types of signs in any given zone district.

Comm. Stevens

Commissioner Stevens withdrew his second to the motion whereupon

Comm. Donnell

Commissioner Donnell seconded the motion.

Discussion.

-- failed -

Motion failed 4 to 1. Donnell, Shanahan, Stevens, Peters, "no".

Motion --

Casado moved that portable signs be amortized over a 15 year period before coming under the ordinance. Motion failed 3 to 2. Donnell, Shanahan, Peters, "no".

failed

Motion --

Casado moved that the sign ordinance be repealed. Motion failed 3 to 2. Donnell, Shanahan, Peters, "no".

failed

City Attorney

City Attorney stated that this being a zoning ordinance it would have to be returned to the Planning Commission.

Motion --

Donnell moved that the ordinance be returned to the Planning Commission for reconsideration. Motion carried 5 to 0.

carried

Director of Planning

Director of Planning stated that in his view of the discussion and since the recommendation was not approved, he would report to the Planning Commission that no change be made and that small sandwich board type signs were not to be allowed unless he was directed to develop temporary time limits.

Motion --

Peters moved that the Planning Commission be requested to provide a recommendation regarding the extension of time before enforcing this ordinance. Motion carried 5 to 0.

carried

--RECESS--

Commission recessed at 11:00 a.m. and reconvened at 11:20 a.m.

*SHANAHAN, ABSENT

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

May 22, 1975

TO Ralph Wulz, City Manager
FROM Robert A. Lakin, Director of Planning

SUBJECT DR 75-12 - Amendment to Zoning Ordinance -
Re: Temporary and Portable Signs

As requested by the Board of City Commissioners at their meeting of April 1, 1975, a recommendation on changes to the ordinance regulating temporary and portable signs should be returned to the City Commission in 60 days.

BACKGROUND

The MAPC reorganized the Ad Hoc Sign Committee and included the representatives from the public as suggested by the Board of City Commissioners. The Committee consisted of ten members and was chaired by Michael Gragert, Planning Commissioner. Other members included Dave Bayouth and Dwight Hopper of the MAPC; Kenneth Stewart and Paul Elliott of the Zoning Advisory Committee; Everett Hale of the Kansas State Sign Association; Joan Kamas of the Environmental Resources Advisory Board; Don Boyd of the Bottlers Association; and Pat Guinan and Barbara Arnold of Wichitans for Better Signs.

The Committee met on two different occasions to give consideration to the problem areas related to temporary and portable signs that had been presented to the City Commission and the MAPC. The recommendations of the Ad Hoc Sign Committee were presented to the MAPC at their meeting of April 10, 1975. The MAPC instructed the staff to advertise for public hearing the amendments as proposed.

A public hearing on the proposed amendments was held on May 8, 1975 by the MAPC and a copy of the minutes is attached for your information.

SUMMARY

The following is a summary of the changes that will be permitted by the amendments:

1. Exempt temporary on-site window signs on commercial and industrial properties from any regulations. This will permit the use of temporary signs in or upon windows, without restriction as to time and will not require any permits.

Page 2 - Ralph Wulz, City Manager
May 22, 1975

2. Exempt those signs normally considered as an integral part of vending machines, dispensing equipment and display racks when located within eight feet of the building, or when located on the service islands of a service station. This would exempt the signs such as decals on gasoline pumps, signs or decals on product display racks designed as an integral part of such displays, and similar incidental signs normally associated with permitted displays outside of an enclosed building.
3. Extend the time limitation for temporary and portable signs for special events from 30 days to six weeks. This will provide for special temporary displays and identification for grand openings and special events.
4. Permit the use of portable ground signs on commercial and industrial properties on a continuous basis, provided they are limited in number, do not exceed 12 square feet in area or 4 feet in height.

RECOMMENDATION

It is recommended by the MAPC that these amendments be adopted by the City Commission.

Robert A. Lakin
Robert A. Lakin
Director of Planning

RAL:GEL:ber

cc: Ray Bruggeman, Director of Public Works
John Dekker, Director of Law
Robert Feldner, Superintendent of Central Inspection

WICHITA -- SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

262-0611 -- AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

May 20, 1975

TO ALL INTERESTED PERSONS:

Attached hereto is a copy of an amendment to the zoning ordinance that is being forwarded to the Board of City Commissioners for their consideration. This will be on the agenda of their meeting of Tuesday, May 27, 1975.

This amendment was prepared by the Ad Hoc Sign Committee at the request of the City Commission, and is being recommended for adoption by the Planning Commission. The amendment includes the following changes in the code:

1. Exempt temporary on-site window signs on commercial and industrial properties from the regulations.
2. Exempt those signs normally considered as an integral part of vending machines, dispensing equipment and merchandise display racks when located within eight feet of the main use or on service islands at service stations.
3. Extend the time limitation for temporary and portable signs for special events, such as grand openings, from 30 days to six weeks.
4. Permit the use of portable ground signs in the commercial and industrial districts on a continuous basis subject to the number, height and area limitations.

Copies of this amendment are being furnished to all who have expressed an interest in the meetings to date. If you wish to make any comments on this matter, you are invited to appear at the City Commission meeting.

Glen E. Lytle
Special Assistant for Zoning

EXCERPT FROM PLANNING COMMISSION MINUTES OF MAY 8, 1975:

15. DR 75-12 - Public hearing for consideration of an amendment to the City zoning ordinance Re: Temporary signs and portable ground signs in commercial and industrial districts.

LAKIN reviewed the following staff report which had been provided the Commissioners prior to the meeting:

Attached hereto is a copy of the possible amendments to the City of Wichita zoning ordinance that have been advertised for public hearing at your meeting of May 8, 1975.

These possible amendments were prepared at your direction at the meeting of April 10, 1975, after discussion of the report by the Ad Hoc Sign Committee on temporary and portable signs.

The possible amendments, as drafted for your consideration, will provide the following changes to the existing ordinance:

1. Exempt temporary on-site window signs on commercial and industrial properties from the regulations.
2. Exempt those signs normally considered as an integral part of vending machines, dispensing equipment and merchandise display racks, when located within eight feet of the main structure or located on service islands at filling stations.
3. Extend the time limitation for temporary and portable signs for special events, such as grand openings, from 30 days to six weeks.
4. Permit the use of portable ground signs in the commercial and industrial districts on a continuous basis subject to the number, height and area limitations.

Copies of the attached have been furnished to the Wichita Board of Realtors, Wichita Association of Home Builders, Kansas State Sign Association, Environmental Resources Advisory Board, Wichitans for Better Signs, Wichita Independent Business Association, Kansas Petroleum Council, a representative of the soft drink bottlers in Wichita, and other interested individuals who have appeared at the City Commission, Ad Hoc Sign Committee and the Planning Commission meetings during the discussions on this subject.

Amendments related to the reduction of fees for temporary and portable signs, which are not a part of the zoning ordinance, will be considered later by the City Commission.

Recommendation

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

Amendments proposed are as follows:

Section 28.04.139 B of the Code of the City of Wichita, Kansas shall be amended by adding the following to the list of signs exempt from the provisions of the code:

5. Temporary on-site signs placed in or upon windows of a commercial or industrial building, whether painted or attached.
6. Signs designed as an integral part of vending machines and dispensing equipment; signs which are an integral part of merchandise display racks; and similar merchandise and advertising displays. All such signs included in this exemption shall be located within eight feet of the building and not on public right-of-way, provided, however, such signs located on service station properties may also be located on, or immediately adjacent to, the service islands. This provision shall in no way be deemed to permit the display or storage of merchandise, vending machines or equipment not otherwise permitted by the provisions of this code.

Section 28.04.139 C.8 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

8. Signs, portable and advertising decorations, temporarily displayed during special event periods only, such as grand openings, holidays, carnivals and the like, with a limit of two such events and a total time limitation of 90 days six weeks within any calendar year for any business or institution.

Sections 28.04.139 G, H, I, and J. of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided however, for each additional 200 feet of frontage the number may be increased by one.
- b. No sign shall exceed a height of three feet, or a gross surface area of twelve square feet.

LAKIN reported that there were many different opinions expressed in the discussion by the Special Sign Committee. For the record, he said he was concerned about the number of ground signs and "sandwich boards" now being proposed.

GRAGERT said he thought with respect to 8.a., that the Committee had established that one sign would be permitted whenever street frontage is 150 to 250 feet. LYTLE explained that was the proposal at the Planning Commission meeting, but in later deliberations, it was set as 250 feet, which is the same number of portable signs as on-site ground or pole signs permitted. In the discussion, it was to allow service stations on 150 feet to have two such signs, and a frontage up to 449 feet could have three, and for each additional 200 feet of frontage, another portable sign would be permitted.

With respect to 5.6., GRAGERT thought it was decided to limit service station signs to the first service island away from the building. LYTLE said it would be ridiculous to say they are permitted on the first and not the second, and the purpose was to exempt all such signs on pump islands. They are still required to be 12 1/2 feet from public right-of-way.

BAYOUTH objected to paragraph b. under Section 28.04.139, which limits portable ground signs to a height of 3 feet or a gross surface area of twelve square feet, and said that such signs are manufactured only at a height of four feet, and this is the only objection that the oil and bottling companies have to what is being proposed.

GRAGERT said he understood Mr. Boyd, representing the bottling industry, was to submit some type of evidence in this respect.

CHAIRMAN KAMEN said he had received a copy of a letter from the president of the Wichita Board of Realtors to the Mayor concerning the sign ordinance, and after a study of the ordinance by a Committee of the Realtors association, they have made the following results available for consideration:

- 1) Recommend that no permits or fees be required for 4 Ft. x 8 ft. signs advertising property for sale or for lease, however, we would favor requiring each sign to stay in position for a maximum time of 180 days, then down 30 days, then back up, etc. This provision would eliminate the unsightly or deteriorated signs that have been in forever.
- 2) Recommend a variance committee of representatives of interested parties, i.e., the sign industry, a businessman, a real estate developer, planning department, central inspection, environmental groups with authority to authorize variance to existing ordinance in the cases of hardship.
- 3) Recommend support for the proposals authorized by the Kansas State Sign Association as amendments to the existing ordinance.
- 4) Recommend that until the difficulties of the current sign ordinance can be worked out that we operate under the old ordinance.

- 5) Recommend that upon passage of the new ordinance that administration guidelines and rules be established by the Commission and given to the Department of Central Inspection to eliminate misunderstandings and individual misinterpretations of what the ordinance means.

BAYOUTH brought up again the desire to have portable signs allowed 4 feet in height because the manufacturers make them that size and it would be a hardship for merchants if they are not permitted.

LYTLE pointed out that there is a provision in the sign ordinance which limits the height of ground signs to 3 feet in height when located within 25 feet of a driveway approach and to allow signs exceeding this height on a temporary basis makes it more difficult to administer. He said an attempt was made to simplify the regulations, and establish a height that would not interfere with a driver's vision and also to make the policing of sign locations easier.

GRAGERT agreed with Lytle's comments and also stated that at one of the hearings, Mr. Boyd, representing the bottling companies, had said they could "live with" a 3-foot sign rather than 4 foot. In this respect, he pointed out that there could be a sign on a pop rack for display purposes.

ROY EDWARDS, 3327 Jeanette, a sign painter, said there are many ways to make a 4-foot sign without creating visual obstacles.

BAYOUTH spoke again about allowing 4-foot portable signs, and if they are 10 to 20 feet away from a driveway, they could not create a traffic hazard, and he was much opposed to having them limited to 3 feet.

JOAN KAMAS, on behalf of the Environmental Resources Advisory Board, said that Board favored the first two proposed changes as shown in the staff report, but as to the third suggested change, they asked that the time limit for portable or temporary signs in connection with special events be 30 days rather than being extended to six weeks as proposed. KAMAS said her group did not favor the use of portable ground signs in the commercial and industrial districts on a continuous basis as set out as proposed amendment 4. in the staff report.

KAMAS said that the constant erosion of the present ordinance and efforts to accommodate individual people or businesses, make the ordinance so complex it is not possible to properly enforce. She said the Advisory Board recommended that the staff pursue the adjustment of fees which seems to be unfair, but that if the ordinance is to continue to be made more and more complex, the fees may have to be increased just to offset any additional staff needed for administering the regulations.

Gardenhire was excused from the meeting.

KAMAS reiterated the opposition to the continued use of ground signs as it would seem to be directly against the purpose of the change in the ordinance to begin with, which was to help eliminate the environmental clutter which has existed in the past. In further discussion, KAMAS pointed out that there are other types of signs which can be utilized. BAYOUTH said that many special events are for longer than 30 days, which is why six weeks is proposed.

PAT GUINAN, speaking on behalf of the Wichitans for Better Signs organization, referred to the provisions for the proposed ordinance amendment as shown previously in these minutes, and said that, while they are not opposing paragraph 5. and 6. as proposed in Section 2.04.139 B, they do accommodate a business man's special request. She offered no objection to portable signs on a temporary basis for six weeks, but said they would have liked a 30 day limitation better.

GUINAN said they were objecting strongly to the allowing of portable signs on a continuous basis, and that the Zoning Advisory Committee which originally drew up a revision of the sign ordinance had felt that portable signs were the greatest offender. She continued to point out that under the old ordinance there was an enforcement problem which will be continued, because such signs are frequently found on public right-of-way and it is a problem to control their location, even though limited in number as proposed in paragraph a. in Sections 28.04.139 G, H, I, and J. GUINAN said they felt the only acceptable way to have portable signs is for special events and that they are opposed to their use on a continuous basis, and that there are still many methods of having signs, either on buildings or poles. She said it was her understanding that the use of portable signs has been discussed with some of the major oil companies and they do not have a problem. She continued that it is not in the public interest to have continuous use of portable signs, either for industries or the taxpayers. GUINAN referred to the many meetings and work which was done in an effort to eliminate sign clutter and asked that the Commission not recommend continuous use of portable signs.

HENNESSY was excused from the meeting.

The matter of just how many citizens are represented by the Wichitans for Better Signs group was raised, and GUINAN said that while there aren't too many taking an active role, they do have the signatures of 300 people who would like to see a stronger sign ordinance, and she has talked to many other people who would like to see better sign control. She felt they represented a large segment of the community even though not everyone is organized.

BAYOUTH did not feel that 300 or even 3,000 people in a city this size should rewrite the sign ordinance pertaining to business or industry.

GUINAN countered that the good of the general public as well as individuals must be considered and have a bearing on the result, and she felt that the present ordinance, possibly with some changes, does take both factions into consideration.

BAYOUTH stated that there are many small operators who cannot afford fancy signs and have to rely on portable signs to make a living, and that what is eye pollution and what is not depends on the individual opinion of people.

GUINAN stated again that they concur with paragraphs 5. and 6. and do not oppose 8. as shown in the proposed ordinance changes, but the matter of portable signs on a continuous basis is certainly not in the public interest and she did not feel that it would hinder a business all that much to limit the length of use of such signs, in view of other types of signs which could be utilized.

GRAGERT thought it was immaterial whether Ms. Guinan represented 300 or 3,000 citizens and commented that the realtors have presented their own personal views the same as other businesses, which is why the Ad Hoc Committee was formed to consider the overall problem of the use of signs by various businesses or industries. HOPPER said he considered it very important that the Commission know what group is represented by a speaker. GRAGERT agreed that all input offered should be heard and considered as that is one of the purposes and responsibilities of the Commission.

MOTION: That the Planning Commission accept the proposed ordinance changes as submitted by the staff, and recommend such to the City Commission. Gragert moved and Taylor seconded.

AMENDMENT TO MOTION: That paragraph b. as proposed in Sections 28.04.139 G, H, I, and J. of the Code of the City of Wichita, be amended to read "No sign shall exceed a height of four feet, or a gross surface area of twelve square feet," and that in all other respects the original motion stand. Bayouth moved and Hopper seconded.

VOTE ON AMENDMENT: Carried by a vote of 6 in favor (Bayouth, Hopper, Savina, Rising, Kamen, and Goebel) and 2 opposed (Gragert and Taylor). Gardenhire and Hennessy were absent.

VOTE ON ORIGINAL MOTION AS AMENDED. Carried unanimously. Gardenhire and Hennessy were absent.

DELINEATED COPY

Additions underlined
Deletions marked-thru

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 28.04.139 B,
28.04.139 C.8, 28.04.139 G, 28.04.139 H,
28.04.139 I and 28.04.139 J of THE CODE OF THE
CITY OF WICHITA, KANSAS PERTAINING TO THE PLACE-
MENT AND CONTROL OF TEMPORARY AND PORTABLE SIGNS
ON COMMERCIAL AND INDUSTRIAL PROPERTIES; AND THE
LIMITATIONS FOR SPECIAL DISPLAYS; AND REPEALING
SAID ORIGINAL SECTION 28.04.139 C 8.

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

Section 28.04.139 B of the Code of the City of Wichita, Kansas,
shall be amended by adding the following to the list of signs
exempt from the provisions of the code:

- "5. Temporary on-site signs placed in or upon windows
of a commercial or industrial building, whether
painted or attached.
6. Signs designed as an integral part of vending
machines and dispensing equipment; signs which
are an integral part of merchandise display racks;
and similar merchandise and advertising displays.
All such signs included in this exemption shall
be located within eight feet of the building and
not on public right-of-way, provided, however,
such signs located on service station properties
may also be located on, or immediately adjacent to,
the service islands. This provision shall in no
way be deemed to permit the display or storage of
merchandise, vending machines or equipment not
otherwise permitted by the provisions of this
Code."

Section 28.04.139 C.8 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

- "8. Signs, portable and advertising decorations, temporarily displayed during special event periods only, such as grand openings, holidays, carnivals and the like, with a limit of two such events and a total time limitation of ~~thirty-days~~ six weeks within any calendar year for any business or institution."

Section 28.04.139 G of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"3. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.
- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

Section 28.04.139 H of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"5. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.

- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

Section 28.04.139 I of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"4. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.
- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

Section 28.04.139 J of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"5. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.
- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

The original of Section 28.04.139 C.8 of the Code of the City of Wichita, Knsas, is hereby repealed.

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

ADOPTED at Wichita, Kansas, this _____ day of _____, 1975.

Connie A. Peters, Mayor

ATTEST:

Donald C. Gisick
City Clerk

(SEAL)

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

July 9, 1975

TO Ralph Wulz, City Manager
FROM Robert A. Lakin, Director of Planning
SUBJECT DR 75-12 - Amendment to Zoning Ordinance
Re: Temporary and portable signs

Attached hereto is a delineated copy of an amendment to the zoning ordinance related to temporary and portable signs. Also included are the minutes of the June 26, 1975 Planning Commission meeting.

SUMMARY

This zoning ordinance amendment was recommended by the Planning Commission for adoption at the City Commission meeting of May 27, 1975. Moot votes on two provisions of the ordinance continued the discussion on the amendment to the June 3, 1975 City Commission meeting.

The City Commission concurred with the recommendation of the Planning Commission on the two amendments to Section 28.04.139-B exempting the following signs from the regulations:

1. Temporary on-site window signs for commercial and industrial uses.
2. Signs designed as a part of vending machines and dispensing equipment, and signs on permitted display racks.

At the City Commission meeting of June 3, 1975, the City Commission recommended that Section 28.04.139-C.8 be amended to permit 12 special events per year in lieu of the previously recommended two per year.

This will permit the use of temporary and portable signs to be used for special events provided that it should not occur more than 12 times per year and with a total time limitation within the year of six weeks. There is no limitation on the number or area of signs for this type of display.

On the amendment to Sections 28.04.139-G, H, I and J, the City Commission did not concur with the previous recommendation of the Planning Commission to permit the continuous use of small portable ground signs (12 square feet in area with a maximum height of 4 feet), on all properties in commercial and industrial zoning districts.

Page 2 - Ralph Wulz
July 9, 1975

RECOMMENDATION

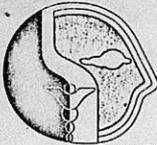
At the Planning Commission meeting of June 26, 1975, the Planning Commission recommended that the ordinance be forwarded to the City Commission with a recommendation for adoption.


Robert A. Lakin
Director of Planning

RAL:GEL:ber

Attachment

cc: John Dekker, Director of Law
Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection



June 26, 1975

Metropolitan Area Planning Commission
City of Wichita
104 South Main
Wichita, Kansas

Dear Commissioner:

The matter of the portable signs on a continuous basis is not only a thorn in the side but appears to be at a stand-off. This should not be true--if the good of the community at large is considered more important than accommodation to a special interest.

The Environmental Resource Advisory Board, consisting of 15 men and 4 women, reiterates its position that streets free of clutter of small portable signs not only gives passers-by a less irritated feeling but gives the community a cleaner more pleasant atmosphere. These two attributes are our community's greatest assets!

The business enterprise most vocal about the issue has many alternatives open to it. We would suggest, as we have before, they could be encouraged to make these temporary signs a legal part of the permanent sign pole rather than remain on the ground.

We hope that with the Environmental Resource Advisory Board speaking for the environment and with a majority of the City Commission in favor of restrictions of this matter, that you will vote for the benefit of all Wichita citizens and against continuous portable signs.

Joan Kamas, Chairperson
Environmental Resource Advisory Board

JK:pp

Wichita-Sedgwick County Department of Community Health
1900 East Ninth Street--Wichita, Kansas 67214 (316)268-8201

EXCERPT FROM PLANNING COMMISSION MINUTES OF JUNE 26, 1975:

18. Case No. DR 75-12 - Amendment to zoning ordinance Re: Temporary and portable ground signs in commercial and industrial districts. Returned by City Commission.

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

Attached hereto is a delineated copy of the ordinance related to temporary and portable signs that was forwarded to the City Commission with a recommendation for adoption by the Planning Commission. This ordinance was considered by the City Commission at their meetings of May 27, 1975 and June 3, 1975. Excerpts from these Commission minutes are included for your information.

The City Commission concurred with the recommendation of the Planning Commission on the amendments to Section 28.04.139.B. excepting certain signs from the regulations.

The City Commission recommended that Section 28.04.139.C.8 be amended to permit 12 special events per year in lieu of the permitted two.

On the amendment to Sections 28.04.139. G, H, I, and J, the City Commission did not concur in the Planning Commission's recommendation, nor did they agree on any amendment to that portion of the ordinance. As you will note by the City Commission minutes, they indicated their disagreement on the continuous use of temporary and portable ground signs.

RECOMMENDATION

Make the necessary changes that are in the best interest of the public and forward a recommendation to the Board of City Commissioners.

BAYOUTH thought this matter was going smoothly before the City Commission when it was considered on May 27, 1975 and June 3, 1975, until two portable sign company operators voiced opposition in that what is proposed would seriously reduce their business. He suggested that if there is any way to separate the portable signs from others, and put them under the ordinance regulating sign companies, it should be done. He thought the matter could never be settled unless the "A" frame signs (portable), utilized by bottlers and major oil companies, is separated from other sign controls.

LYTLE said they are regulated under a more restrictive section of the ordinance, and limited to special events only. He did not think the City Commission's intent was that they be permitted on a continuous basis and was just one of the disagreements. Those appearing in opposition at the City Commission had indicated they could not live under the special display where they would have to fall in order to use their particular type of signs.

HENNESSY suggested the whole matter be forgotten and let the regulations remain as they were as he, personally, was not for the change.

BAYOUTH felt the ordinance as submitted to the City Commission was better than the existing ordinance, and suggested it be returned to the City Commission as previously recommended.

PAT GUINAN, representing Wichitans for Better Signs, referred to a letter which she assumed all the Commissioners had received from the Environmental Resources Advisory Board concerning this matter, and said that it was her understanding that portable signs were not the only problem before the City Commission. She said that as before, her group is concurring with the recommendation to exempt window signs and other signs related to outdoor displays and dispensing equipment. She continued that the City Commission recommendation to increase the special event signs from two to twelve per year would be difficult to enforce. Further, her group is still opposed to any type of portable sign on a continuous basis, and that she had attended a meeting on signs where the portable sign people said they would have no problem.

In response to questions, GUINAN said Wichitans for Better Signs grew from an endeavor on the part of Project Beauty, Inc., which was very active in trying to get a better sign ordinance, and there were other people outside of Project Beauty interested, so Wichitans for Better Signs was formed. Recently it was pointed out that Project Beauty, Inc., because of the type of organization it is, was not eligible to do lobbying, so now it is a united effort on the part of Wichitans for Better Signs.

GRAGG asked if portable signs were charged a fee each time, and LYTLE said they are under the new ordinance, but were not under the old one. GRAGG thought this was unenforceable. LYTLE stated that unless such signs are permitted on a continuous basis, it could be controlled. GRAGG said from his involvement in the last city election, it was apparent that the sign companies and other business people, including realtors, felt the whole sign ordinance was anti business and also were critical of the costs involved so far as having to obtain permits. LYTLE said fees are not a part of this ordinance and that there has been an adjustment of fees and some exemptions from permits.

HENNESSY asked if existing signs were "grandfathered" and LYTLE responded that portable signs are not, but were given 60 days from the date of adoption of the ordinance to be brought into compliance. Existing signs do require a sign maintenance fee once every three years, LYTLE explained, and it was put into the ordinance to insure proper maintenance.

BAYOUTH pointed out again that apparently the recommendations as previously made were acceptable to everyone but the portable sign companies that have the larger trailer type signs.

MOTION: That the Planning Commission recommend that 12 events per year be allowed in lieu of two, but not to exceed an overall time of 6 weeks. Bayouth moved. This motion was not seconded.

QUINAN said her prime concern was the allowance of portable ground signs on a continuous basis. She stated that when a business is allowed 12 special events and small portable signs on a continuous basis, there would be no restriction at all. She said that the Zoning Advisory Committee in its studies, had considered portable signs the greatest offenders.

GOEBEL spoke against allowing "A" frame type signs on a continuous basis, noting specifically that sometimes service stations which operate a rental service also, have such signs. He contended that if the rental operation is a permanent part of the business, then they should follow rules for other types of signs that are permitted in light commercial operations.

BAYOUTH said that beverage companies estimate that 22% of their business is attributable to the "A" frame signs.

HENNESSY asked if the staff had a recommendation. LYTLE stated that if the special events were increased from two to 12, there should not be the need for the small portable signs on a continuous basis, and would also be more difficult to administer.

MOTION: That the Planning Commission recommend the ordinance to the City Commission as before, except that Section 28.04.139.C.8 be amended to allow 12 events per year. Bayouth moved.

TAYLOR asked what should be done about permitting portable ground signs on a continuous basis, which had been questioned by the City Commission. GOEBEL felt that if it is not cut back and beverage companies can't live with it, then there will be enforcement in some cases and not in others.

QUINAN thought the City Commission was receptive to a part of the recommendations, but that unless "continuous use" is taken out for portable ground signs, that it would be rejected completely.

Goebel seconded the motion and it carried unanimously. Rising was absent.

DELINEATED COPY

Additions underlined
Deletions marked-thru

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 28.04.139 B,
28.04.139 C.8, 28.04.139 G, 28.04.139 H,
28.04.139 I and 28.04.139 J of THE CODE OF THE
CITY OF WICHITA, KANSAS PERTAINING TO THE PLACE-
MENT AND CONTROL OF TEMPORARY AND PORTABLE SIGNS
ON COMMERCIAL AND INDUSTRIAL PROPERTIES; AND THE
LIMITATIONS FOR SPECIAL DISPLAYS; AND REPEALING
SAID ORIGINAL SECTION 28.04.139 C 8.

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

Section 28.04.139 B of the Code of the City of Wichita, Kansas,
shall be amended by adding the following to the list of signs
exempt from the provisions of the code:

- "5. Temporary on-site signs placed in or upon windows
of a commercial or industrial building, whether
painted or attached.
6. Signs designed as an integral part of vending
machines and dispensing equipment; signs which
are an integral part of merchandise display racks;
and similar merchandise and advertising displays.
All such signs included in this exemption shall
be located within eight feet of the building and
not on public right-of-way, provided, however,
such signs located on service station properties
may also be located on, or immediately adjacent to,
the service islands. This provision shall in no
way be deemed to permit the display or storage of
merchandise, vending machines or equipment not
otherwise permitted by the provisions of this
Code."

Section 28.04.139 C.8 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

- "8. Signs, portable and advertising decorations, temporarily displayed during special event periods only, such as grand openings, holidays, carnivals and the like, with a limit of ~~two~~ ^{twelve} such events and ~~thirty-days~~ a total time limitation of six weeks within any calendar year for any business or institution."

Section 28.04.139 G of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"3. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.
- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

Section 28.04.139 H of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"5. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.

- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

Section 28.04.139 I of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"4. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.
- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

Section 28.04.139 J of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"5. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.
- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

The original of Section 28.04.139 C.8 of the Code of the City of Wichita, Kansas, is hereby repealed.

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

ADOPTED at Wichita, Kansas, this _____ day of _____, 1975.

Connie A. Peters, Mayor

ATTEST:

Donald C. Gisick
City Clerk

(SEAL)

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

262-0611 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

July 10, 1975

To all interested persons:

Attached hereto is a copy of a memo from the Director of Planning to the City Manager transmitting the previously discussed amendment to the zoning ordinance back to the City Commission.

The ordinance is identical to the one previously discussed by the City Commission at their meetings of May 27, 1975 and June 3, 1975 with the exception of the recommended amendment to Section 28.04.139-C-8 to permit 12 events per year.

This ordinance will be placed on the City Commission agenda for July 15, 1975 for their reconsideration. If you have any questions on this matter, please give me a call.

Glen E. Lytle
Special Assistant for Zoning

GEL:rme
Attachment

CC:

Tim Hurley, Exec Dir
Wich Assn. of Home Builders
730 N. Main 67203

Wes Galyon
Wich Bd of Realtors
626 N. Broadway 67214

Everett Hale
Kans. St. Design Assn
139 Cleveland 67214

Pat Linnam
135 N. Pershing 67208

Barbara Arnold
660 N. Armour 67206

Lon Boyd
Pepsi Cola Bottling Co
301 McClean Blvd. N.W. 67203

Joan Kamas
13619 Elmwood 67218

Paul Elliott
701 So. Edgemore 67218

Kenneth Stewart
1030 1st Natl Bank Bldg 67202

Dwight Hoyer
1455 So Wash. 67211

Fred Sawaya
7-Up Bottling
2900 So. Hydraulic 67216

Clyde Williams
Coca-Cola Bottling
3001 E. Harry 67211

Lonnie Hepsher
737 So. Washington 67211

Raymond Edwards
3327 Jeanette 67204

Roy L. Frost
Kans. Petrol Council
200 E. 1st 67202

Dave Bayouth
1555 So. Oliver 67218

Craig Mann
151 N. Broadway 67202

Al Rosner
438 N. Rowlett 67208

RE: AGENDA ITEM NO.

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

June 19, 1975

TO Wichita-Sedgwick County Metropolitan
Area Planning Commission

FROM Glen E. Lytle, Special Assistant for Zoning

SUBJECT DR 75-12 - Amendment to Zoning Ordinance
Re: Temporary and Portable Signs

Attached hereto is a delineated copy of the ordinance related to temporary and portable signs that was forwarded to the City Commission with a recommendation for adoption by the Planning Commission. This ordinance was considered by the City Commission at their meetings of May 27, 1975 and June 3, 1975. Excerpts from these Commission minutes are included for your information.

The City Commission concurred with the recommendation of the Planning Commission on the amendments to Section 28.04.139.B. exempting certain signs from the regulations.

The City Commission recommended that Section 28.04.139 C.8 be amended to permit 12 special events per year in lieu of the permitted two.

On the amendment to Sections 28.04.139. G, H, I and J, the City Commission did not concur in the Planning Commission's recommendation, nor did they agree on any amendment to that portion of the ordinance. As you will note by the City Commission minutes, they indicated their disagreement on the continuous use of temporary and portable ground signs.

RECOMMENDATION

Make the necessary changes that are in the best interest of the public and forward a recommendation to the Board of City Commissioners.



Glen E. Lytle
Special Assistant for Zoning

GEL:ber
Attachment

cc: Ralph Wulz, City Manager
Ray Bruggeman, Director of Public Works
Robert Feldner, Superintendent of Central Inspection
John Dekker, Director of Law

June 19, 1975

Wichita-Sedgwick County Metropolitan
Area Planning Commission

Glen E. Lytle, Special Assistant for Zoning

DR 75-12 - Amendment to Zoning Ordinance
Re: Temporary and Portable Signs

Attached hereto is a delineated copy of the ordinance related to temporary and portable signs that was forwarded to the City Commission with a recommendation for adoption by the Planning Commission. This ordinance was considered by the City Commission at their meetings of May 27, 1975 and June 3, 1975. Excerpts from these Commission minutes are included for your information.

The City Commission concurred with the recommendation of the Planning Commission on the amendments to Section 28.04.139.B. exempting certain signs from the regulations.

The City Commission recommended that Section 28.04.139 C.8 be amended to permit 12 special events per year in lieu of the permitted two.

On the amendment to Sections 28.04.139. G, H, I and J, the City Commission did not concur in the Planning Commission's recommendation, nor did they agree on any amendment to that portion of the ordinance. As you will note by the City Commission minutes, they indicated their disagreement on the continuous use of temporary and portable ground signs.

RECOMMENDATION

Make the necessary change that are in the best interest of the public and forward a recommendation to the Board of City Commissioners.

Glen E. Lytle
Special Assistant for Zoning

GEL:ber
Attachment

cc: Ralph Wulz, City Manager
Ray Bruggeman, Director of Public Works
Robert Feldner, Superintendent of Central Inspection
John Dekker, Director of Law

Copies mailed to
Jim Hurley, Executive Director
Wichita Assn. of Home Builders
730 N. Main 67203

Wes Galyon
Wichita Board of Realtors
626 N. Broadway 67214

Everett Hale
Kansas State Sign Assn.
139 Cleveland 67214

Pat Guinan
135 N. Pershing 67208

Barbara Arkold *ARKOLD*
660 N. Armour 67206

Don Boyd
Pepsi Cola Bottling Co.
301 McLean Blvd., N.W. 67203

Joan Kamas
3619 Elmwood 67218

Paul Elliott
701 S. Edgemoor 67218

Kenneth Stewart
1030 1st Nat'l Bank Bldg. 67202

Dwight Hopper
1455 S. Washington 67211

Fred Sawaya
7-Up Bottling
2900 S. Hydraulic 67216

Clyde Williams
Coca Cola
3001 E. Harry 67211

Lonnie Hephner
737 S. Washington 67211

Raymond Edwards
3327 Jeanette 67204

Roy L. Frost
200 E. 1st 67202

Dave Bayouth
1555 S. Oliver 67218

Michael Gragert
615 R. H. Garvey Bldg.
300 W. Douglas 67202

Craig Mann
151 N. Broadway
67202

Al Rosner
3821 W. 11TH
67203

returned

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

262-0611 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

June 18, 1975

TO ALL INTERESTED PERSONS:

Attached hereto is a delineated copy of an amendment to the zoning ordinance related to the use of temporary and portable signs. This ordinance was forwarded to the Board of City Commissioners, with a recommendation for adoption by the Planning Commission, and was considered at their meeting of May 27 and June 3, 1975.

The following is a summary of changes that would result in the adoption of the ordinance:

1. Exempt temporary on-site window signs on commercial and industrial properties from any regulations. This will permit the use of temporary signs in or upon windows, without restriction as to time and will not require any permits.
2. Exempt those signs normally considered as an integral part of vending machines, dispensing equipment and display racks when located within eight feet of the building, or when located on the service islands of a service station. This would exempt the signs such as decals on gasoline pumps, signs or decals on product display racks designed as an integral part of such displays, and similar incidental signs normally associated with permitted displays outside of an enclosed building.
3. Permit the use of temporary and portable signs for two special events per year and extend the total time limitation from 30 days to six weeks.
4. Permit the use of portable ground signs on commercial and industrial properties on a continuous basis, provided they are limited in number, do not exceed 12 square feet in area or 4 feet in height.

WICHITA—SEDGWICK COUNTY

June 18, 1975

Page 2

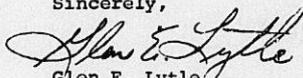
The City Commission concurred in the recommendation of the Planning Commission on items 1 and 2 which is the amendment to Section 28.04.139B of the ordinance.

On item number 3, the amendment to Section 28.04.139 C.8, the City Commission recommended an amendment to change the number of permitted special events within any calendar year from 2 to 12.

On the amendment to Sections 28.04.139 G, H, I and J (item number 4) the City Commission did not concur in the Planning Commission's recommendation.

Since the City Commission did not concur in the recommendation of the Planning Commission, it is necessary to return the ordinance to the M.A.P.C. for reconsideration. This ordinance will be reconsidered by the Planning Commission at their meeting of June 26, 1975. This meeting will be held in Room 401, City Building Annex, 104 South Main, with the meeting to begin at 1:30 p.m. If you wish to be heard on this matter, you are invited to attend this meeting.

Sincerely,



Glen E. Lytle
Special Assistant for Zoning

GEL:rme

cc: attached list.

DELINEATED COPY

Additions underlined
Deletions marked-thru

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 28.04.139 B,
28.04.139 C.8, 28.04.139 G, 28.04.139 H,
28.04.139 I and 28.04.139 J of THE CODE OF THE
CITY OF WICHITA, KANSAS PERTAINING TO THE PLACE-
MENT AND CONTROL OF TEMPORARY AND PORTABLE SIGNS
ON COMMERCIAL AND INDUSTRIAL PROPERTIES; AND THE
LIMITATIONS FOR SPECIAL DISPLAYS; AND REPEALING
SAID ORIGINAL SECTION 28.04.139 C 8.

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

Section 28.04.139 B of the Code of the City of Wichita, Kansas,
shall be amended by adding the following to the list of signs
exempt from the provisions of the code:

- "5. Temporary on-site signs placed in or upon windows
of a commercial or industrial building, whether
painted or attached.

6. Signs designed as an integral part of vending
machines and dispensing equipment; signs which
are an integral part of merchandise display racks;
and similar merchandise and advertising displays.
All such signs included in this exemption shall
be located within eight feet of the building and
not on public right-of-way, provided, however,
such signs located on service station properties
may also be located on, or immediately adjacent to,
the service islands. This provision shall in no
way be deemed to permit the display or storage of
merchandise, vending machines or equipment not
otherwise permitted by the provisions of this
Code."

Section 28.04.139 C.8 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"8. Signs, portable and advertising decorations, temporarily displayed during special event periods only, such as grand openings, holidays, carnivals and the like, with a limit of two such events and a total time limitation of ~~six weeks~~ ^{thirty-days} within any calendar year for any business or institution."

Section 28.04.139 G of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"3. Portable ground signs subject to the following limitations:

a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.

b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

Section 28.04.139 H of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"5. Portable ground signs subject to the following limitations:

a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.

- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

Section 28.04.139 I of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"4. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.

- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

Section 28.04.139 J of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"5. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.

- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

The original of Section 28.04.139 C.8 of the Code of the City of Wichita, Kansas, is hereby repealed.

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

ADOPTED at Wichita, Kansas, this _____ day of _____, 1975.

Connie A. Peters, Mayor

ATTEST:

5

Donald C. Gisick
City Clerk

(SEAL)

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

May 22, 1975

TO Ralph Wulz, City Manager
FROM Robert A. Lakin, Director of Planning

SUBJECT DR 75-12 - Amendment to Zoning Ordinance -
Re: Temporary and Portable Signs

As requested by the Board of City Commissioners at their meeting of April 1, 1975, a recommendation on changes to the ordinance regulating temporary and portable signs should be returned to the City Commission in 60 days.

BACKGROUND

The MAPC reorganized the Ad Hoc Sign Committee and included the representatives from the public as suggested by the Board of City Commissioners. The Committee consisted of ten members and was chaired by Michael Gragert, Planning Commissioner. Other members included Dave Bayouth and Dwight Hopper of the MAPC; Kenneth Stewart and Paul Elliott of the Zoning Advisory Committee; Everett Hale of the Kansas State Sign Association; Joan Kamas of the Environmental Resources Advisory Board; Don Boyd of the Bottlers Association; and Pat Guinan and Barbara Arnold of Wichitans for Better Signs.

The Committee met on two different occasions to give consideration to the problem areas related to temporary and portable signs that had been presented to the City Commission and the MAPC. The recommendations of the Ad Hoc Sign Committee were presented to the MAPC at their meeting of April 10, 1975. The MAPC instructed the staff to advertise for public hearing the amendments as proposed.

A public hearing on the proposed amendments was held on May 8, 1975 by the MAPC and a copy of the minutes is attached for your information.

SUMMARY

The following is a summary of the changes that will be permitted by the amendments:

1. Exempt temporary on-site window signs on commercial and industrial properties from any regulations. This will permit the use of temporary signs in or upon windows, without restriction as to time and will not require any permits.

Page 2 - Ralph Wulz, City Manager
May 22, 1975

2. Exempt those signs normally considered as an integral part of vending machines, dispensing equipment and display racks when located within eight feet of the building, or when located on the service islands of a service station. This would exempt the signs such as decals on gasoline pumps, signs or decals on product display racks designed as an integral part of such displays, and similar incidental signs normally associated with permitted displays outside of an enclosed building.
3. Extend the time limitation for temporary and portable signs for special events from 30 days to six weeks. This will provide for special temporary displays and identification for grand openings and special events.
4. Permit the use of portable ground signs on commercial and industrial properties on a continuous basis, provided they are limited in number, do not exceed 12 square feet in area or 4 feet in height.

RECOMMENDATION

It is recommended by the MAPC that these amendments be adopted by the City Commission.

Robert A. Lakin

Robert A. Lakin
Director of Planning

RAL:GEL:ber

cc: Ray Bruggeman, Director of Public Works
John Dekker, Director of Law
Robert Feldner, Superintendent of Central Inspection

EXCERPT FROM PLANNING COMMISSION MINUTES OF MAY 8, 1975:

15. DR 75-12 - Public hearing for consideration of an amendment to the City zoning ordinance Re: Temporary signs and portable ground signs in commercial and industrial districts.

LAKIN reviewed the following staff report which had been provided the Commissioners prior to the meeting:

Attached hereto is a copy of the possible amendments to the City of Wichita zoning ordinance that have been advertised for public hearing at your meeting of May 8, 1975.

These possible amendments were prepared at your direction at the meeting of April 10, 1975, after discussion of the report by the Ad Hoc Sign Committee on temporary and portable signs.

The possible amendments, as drafted for your consideration, will provide the following changes to the existing ordinance:

1. Exempt temporary on-site window signs on commercial and industrial properties from the regulations.
2. Exempt those signs normally considered as an integral part of vending machines, dispensing equipment and merchandise display racks, when located within eight feet of the main structure or located on service islands at filling stations.
3. Extend the time limitation for temporary and portable signs for special events, such as grand openings, from 30 days to six weeks.
4. Permit the use of portable ground signs in the commercial and industrial districts on a continuous basis subject to the number, height and area limitations.

Copies of the attached have been furnished to the Wichita Board of Realtors, Wichita Association of Home Builders, Kansas State Sign Association, Environmental Resources Advisory Board, Wichitans for Better Signs, Wichita Independent Business Association, Kansas Petroleum Council, a representative of the soft drink bottlers in Wichita, and other interested individuals who have appeared at the City Commission, Ad Hoc Sign Committee and the Planning Commission meetings during the discussions on this subject.

Amendments related to the reduction of fees for temporary and portable signs, which are not a part of the zoning ordinance, will be considered later by the City Commission.

Recommendation

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

Amendments proposed are as follows:

Section 28.04.139 B of the Code of the City of Wichita, Kansas shall be amended by adding the following to the list of signs exempt from the provisions of the code:

5. Temporary on-site signs placed in or upon windows of a commercial or industrial building, whether painted or attached.
6. Signs designed as an integral part of vending machines and dispensing equipment; signs which are an integral part of merchandise display racks; and similar merchandise and advertising displays. All such signs included in this exemption shall be located within eight feet of the building and not on public right-of-way, provided, however, such signs located on service station properties may also be located on, or immediately adjacent to, the service islands. This provision shall in no way be deemed to permit the display or storage of merchandise, vending machines or equipment not otherwise permitted by the provisions of this code.

Section 28.04.139 C.8 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

8. Signs, portable and advertising decorations, temporarily displayed during special event periods only, such as grand openings, holidays, carnivals and the like, with a limit of two such events and a total time limitation of 30-days six weeks within any calendar year for any business or institution.

Sections 28.04.139 G, H, I, and J. of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided however, for each additional 200 feet of frontage the number may be increased by one.
- b. No sign shall exceed a height of three feet, or a gross surface area of twelve square feet.

LAKIN reported that there were many different opinions expressed in the discussion by the Special Sign Committee. For the record, he said he was concerned about the number of ground signs and "sandwich boards" now being proposed.

GRAGERT said he thought with respect to 8.a., that the Committee had established that one sign would be permitted whenever street frontage is 150 to 250 feet. LYTTLE explained that was the proposal at the Planning Commission meeting, but in later deliberations, it was set as 250 feet, which is the same number of portable signs as on-site ground or pole signs permitted. In the discussion, it was to allow service stations on 150 feet to have two such signs, and a frontage up to 449 feet could have three, and for each additional 200 feet of frontage, another portable sign would be permitted.

With respect to 5.6., GRAGERT thought it was decided to limit service station signs to the first service island away from the building. LYTTLE said it would be ridiculous to say they are permitted on the first and not the second, and the purpose was to exempt all such signs on pump islands. They are still required to be 12 1/2 feet from public right-of-way.

BAYOUTH objected to paragraph b. under Section 28.04.139, which limits portable ground signs to a height of 3 feet or a gross surface area of twelve square feet, and said that such signs are manufactured only at a height of four feet, and this is the only objection that the oil and bottling companies have to what is being proposed.

GRAGERT said he understood Mr. Boyd, representing the bottling industry, was to submit some type of evidence in this respect.

CHAIRMAN KAMEN said he had received a copy of a letter from the president of the Wichita Board of Realtors to the Mayor concerning the sign ordinance, and after a study of the ordinance by a Committee of the Realtors association, they have made the following results available for consideration:

- 1) Recommend that no permits or fees be required for 4 Ft. x 8 ft. signs advertising property for sale or for lease, however, we would favor requiring each sign to stay in position for a maximum time of 180 days, then down 30 days, then back up, etc. This provision would eliminate the unsightly or deteriorated signs that have been in forever.
- 2) Recommend a variance committee of representatives of interested parties, i.e., the sign industry, a businessman, a real estate developer, planning department, central inspection, environmental groups with authority to authorize variance to existing ordinance in the cases of hardship.
- 3) Recommend support for the proposals authorized by the Kansas State Sign Association as amendments to the existing ordinance.
- 4) Recommend that until the difficulties of the current sign ordinance can be worked out that we operate under the old ordinance.

- 5) Recommend that upon passage of the new ordinance that administration guidelines and rules be established by the Commission and given to the Department of Central Inspection to eliminate misunderstandings and individual misinterpretations of what the ordinance means.

BAYOUTH brought up again the desire to have portable signs allowed 4 feet in height because the manufacturers make them that size and it would be a hardship for merchants if they are not permitted.

LYTLE pointed out that there is a provision in the sign ordinance which limits the height of ground signs to 3 feet in height when located within 25 feet of a driveway approach and to allow signs exceeding this height on a temporary basis makes it more difficult to administer. He said an attempt was made to simplify the regulations, and establish a height that would not interfere with a driver's vision and also to make the policing of sign locations easier.

GRAGERT agreed with Lytle's comments and also stated that at one of the hearings, Mr. Boyd, representing the bottling companies, had said they could "live with" a 3-foot sign rather than 4 foot. In this respect, he pointed out that there could be a sign on a pop rack for display purposes.

ROY EDWARDS, 3327 Jeanette, a sign painter, said there are many ways to make a 4-foot sign without creating visual obstacles.

BAYOUTH spoke again about allowing 4-foot portable signs, and if they are 10 to 20 feet away from a driveway, they could not create a traffic hazard, and he was much opposed to having them limited to 3 feet.

JOAN KAMAS, on behalf of the Environmental Resources Advisory Board, said that Board favored the first two proposed changes as shown in the staff report, but as to the third suggested change, they asked that the time limit for portable or temporary signs in connection with special events be 30 days rather than being extended to six weeks as proposed. KAMAS said her group did not favor the use of portable ground signs in the commercial and industrial districts on a continuous basis as set out as proposed amendment 4. in the staff report.

KAMAS said that the constant erosion of the present ordinance and efforts to accommodate individual people or businesses, make the ordinance so complex it is not possible to properly enforce. She said the Advisory Board recommended that the staff pursue the adjustment of fees which seems to be unfair, but that if the ordinance is to continue to be made more and more complex, the fees may have to be increased just to offset any additional staff needed for administering the regulations.

Gardenhire was excused from the meeting.

KAMAS reiterated the opposition to the continued use of ground signs as it would seem to be directly against the purpose of the change in the ordinance to begin with, which was to help eliminate the environmental clutter which has existed in the past. In further discussion, KAMAS pointed out that there are other types of signs which can be utilized. BAYOUTH said that many special events are for longer than 30 days, which is why six weeks is proposed.

PAT GUINAN, speaking on behalf of the Wichitans for Better Signs organization, referred to the provisions for the proposed ordinance amendment as shown previously in these minutes, and said that, while they are not opposing paragraph 5. and 6. as proposed in Section 2.04.139 B, they do accommodate a business man's special request. She offered no objection to portable signs on a temporary basis for six weeks, but said they would have liked a 30 day limitation better.

GUINAN said they were objecting strongly to the allowing of portable signs on a continuous basis, and that the Zoning Advisory Committee which originally drew up a revision of the sign ordinance had felt that portable signs were the greatest offender. She continued to point out that under the old ordinance there was an enforcement problem which will be continued, because such signs are frequently found on public right-of-way and it is a problem to control their location, even though limited in number as proposed in paragraph a. in Sections 28.04.139 G, H, I, and J. GUINAN said they felt the only acceptable way to have portable signs is for special events and that they are opposed to their use on a continuous basis, and that there are still many methods of having signs, either on buildings or poles. She said it was her understanding that the use of portable signs has been discussed with some of the major oil companies and they do not have a problem. She continued that it is not in the public interest to have continuous use of portable signs, either for industries or the taxpayers. GUINAN referred to the many meetings and work which was done in an effort to eliminate sign clutter and asked that the Commission not recommend continuous use of portable signs.

HENNESSY was excused from the meeting.

The matter of just how many citizens are represented by the Wichitans for Better Signs group was raised, and GUINAN said that while there aren't too many taking an active role, they do have the signatures of 300 people who would like to see a stronger sign ordinance, and she has talked to many other people who would like to see better sign control. She felt they represented a large segment of the community even though not everyone is organized.

BAYOUTH did not feel that 300 or even 3,000 people in a city this size should rewrite the sign ordinance pertaining to business or industry.

GUINAN countered that the good of the general public as well as individuals must be considered and have a bearing on the result, and she felt that the present ordinance, possibly with some changes, does take both factions into consideration.

BAYOUTH stated that there are many small operators who cannot afford fancy signs and have to rely on portable signs to make a living, and that what is eye pollution and what is not depends on the individual opinion of people.

GUINAN stated again that they concur with paragraphs 5. and 6. and do not oppose 8. as shown in the proposed ordinance changes, but the matter of portable signs on a continuous basis is certainly not in the public interest and she did not feel that it would hinder a business all that much to limit the length of use of such signs, in view of other types of signs which could be utilized.

GRAGERT thought it was immaterial whether Ms. Guinan represented 300 or 3,000 citizens and commented that the realtors have presented their own personal views the same as other businesses, which is why the Ad Hoc Committee was formed to consider the overall problem of the use of signs by various businesses or industries. HOPPER said he considered it very important that the Commission know what group is represented by a speaker. GRAGERT agreed that all input offered should be heard and considered as that is one of the purposes and responsibilities of the Commission.

MOTION: That the Planning Commission accept the proposed ordinance changes as submitted by the staff, and recommend such to the City Commission. Gragert moved and Taylor seconded.

AMENDMENT TO MOTION: That paragraph b. as proposed in Sections 28.04.139 G, H, I, and J. of the Code of the City of Wichita, be amended to read "No sign shall exceed a height of four feet, or a gross surface area of twelve square feet," and that in all other respects the original motion stand. Bayouth moved and Hopper seconded.

VOTE ON AMENDMENT: Carried by a vote of 6 in favor (Bayouth, Hopper, Savina, Rising, Kamen, and Goebel) and 2 opposed (Gragert and Taylor). Gardenhire and Hennessy were absent.

VOTE ON ORIGINAL MOTION AS AMENDED. Carried unanimously. Gardenhire and Hennessy were absent.

DELINEATED COPY

Additions underlined
Deletions ~~marked thru~~

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 28.04.139 B,
28.04.139 C.8, 28.04.139 G, 28.04.139 H,
28.04.139 I and 28.04.139 J of THE CODE OF THE
CITY OF WICHITA, KANSAS PERTAINING TO THE PLACE-
MENT AND CONTROL OF TEMPORARY AND PORTABLE SIGNS
ON COMMERCIAL AND INDUSTRIAL PROPERTIES; AND THE
LIMITATIONS FOR SPECIAL DISPLAYS; AND REPEALING
SAID ORIGINAL SECTION 28.04.139 C 8.

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

Section 28.04.139 B of the Code of the City of Wichita, Kansas,
shall be amended by adding the following to the list of signs
exempt from the provisions of the code:

- "5. Temporary on-site signs placed in or upon windows
of a commercial or industrial building, whether
painted or attached.
6. Signs designed as an integral part of vending
machines and dispensing equipment; signs which
are an integral part of merchandise display racks;
and similar merchandise and advertising displays.
All such signs included in this exemption shall
be located within eight feet of the building and
not on public right-of-way, provided, however,
such signs located on service station properties
may also be located on, or immediately adjacent to,
the service islands. This provision shall in no
way be deemed to permit the display or storage of
merchandise, vending machines or equipment not
otherwise permitted by the provisions of this
Code."

Section 28.04.139 C.8 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

- "8. Signs, portable and advertising decorations, temporarily displayed during special event periods only, such as grand openings, holidays, carnivals and the like, with a limit of two such events and a total time limitation of ^{thirty-days} six weeks within any calendar year for any business or institution."

Section 28.04.139 G of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"3. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.
- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

Section 28.04.139 H of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"5. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.

- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

Section 28.04.139 I of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"4. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.
- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

Section 28.04.139 J of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

"5. Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided, however, for each additional 200 feet of frontage the number may be increased by one.
- b. No sign shall exceed a height of four feet, or a gross surface area of twelve square feet."

The original of Section 28.04.139 C.8 of the Code of the City of Wichita, Knsas, is hereby repealed.

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

ADOPTED at Wichita, Kansas, this _____ day of _____, 1975.

Connie A. Peters, Mayor

ATTEST:

Donald C. Gisick
City Clerk

(SEAL)

May 22, 1975

Ralph Wulz, City Manager

Robert A. Lakin, Director of Planning

DR 75-12 - Amendment to Zoning Ordinance -
Re: Temporary and Portable Signs

As requested by the Board of City Commissioners at their meeting of April 1, 1975, a recommendation on changes to the ordinance regulating temporary and portable signs should be returned to the City Commission in 60 days.

BACKGROUND

The MAPC reorganized the Ad Hoc Sign Committee and included the representatives from the public as suggested by the Board of City Commissioners. The Committee consisted of ten members and was chaired by Michael Gragert, Planning Commissioner. Other members included Dave Bayouth and Dwight Hopper of the MAPC; Kenneth Stewart and Paul Elliott of the Zoning Advisory Committee; Everett Hale of the Kansas State Sign Association; Joan Kamas of the Environmental Resources Advisory Board; Don Boyd of the Bottlers Association; and Pat Guinan and Barbara Arnold of Wichitans for Better Signs.

The Committee met on two different occasions to give consideration to the problem areas related to temporary and portable signs that had been presented to the City Commission and the MAPC. The recommendations of the Ad Hoc Sign Committee were presented to the MAPC at their meeting of April 10, 1975. The MAPC instructed the staff to advertise for public hearing the amendments as proposed.

A public hearing on the proposed amendments was held on May 8, 1975 by the MAPC and a copy of the minutes is attached for your information.

SUMMARY

The following is a summary of the changes that will be permitted by the amendments:

1. Exempt temporary on-site window signs on commercial and industrial properties from any regulations. This will permit the use of temporary signs in or upon windows, without restriction as to time and will not require any permits.

Page 2 - Ralph W. Witz, City Manager
May 22, 1975

2. Exempt those signs normally considered as an integral part of vending machines, dispensing equipment and display racks when located within eight feet of the building, or when located on the service islands of a service station. This would exempt the signs such as decals on gasoline pumps, signs or decals on product display racks designed as an integral part of such displays, and similar incidental signs normally associated with permitted displays outside of an enclosed building.
3. Extend the time limitation for temporary and portable signs for special events from 30 days to six weeks. This will provide for special temporary displays and identification for grand openings and special events.
4. Permit the use of portable ground signs on commercial and industrial properties on a continuous basis, provided they are limited in number, do not exceed 12 square feet in area or 4 feet in height.

RECOMMENDATION

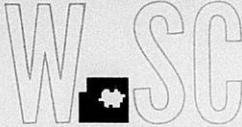
It is recommended by the MAPC that these amendments be adopted by the City Commission.

Robert A. Lakin
Director of Planning

RAL:GEL:ber

cc: Ray Bruggeman, Director of Public Works
John Dekker, Director of Law
Robert Feldner, Superintendent of Central Inspection

WICHITA—SEDCWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

262-0611 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

May 20, 1975

TO ALL INTERESTED PERSONS:

Attached hereto is a copy of an amendment to the zoning ordinance that is being forwarded to the Board of City Commissioners for their consideration. This will be on the agenda of their meeting of Tuesday, May 27, 1975.

This amendment was prepared by the Ad Hoc Sign Committee at the request of the City Commission, and is being recommended for adoption by the Planning Commission. The amendment includes the following changes in the code:

1. Exempt temporary on-site window signs on commercial and industrial properties from the regulations.
2. Exempt those signs normally considered as an integral part of vending machines, dispensing equipment and merchandise display racks when located within eight feet of the main use or on service islands at service stations.
3. Extend the time limitation for temporary and portable signs for special events, such as grand openings, from 30 days to six weeks.
4. Permit the use of portable ground signs in the commercial and industrial districts on a continuous basis subject to the number, height and area limitations.

Copies of this amendment are being furnished to all who have expressed an interest in the meetings to date. If you wish to make any comments on this matter, you are invited to appear at the City Commission meeting.

Glen E. Lytle
Special Assistant for Zoning

May 20, 1975

TO ALL INTERESTED PERSONS:

Attached hereto is a copy of an amendment to the zoning ordinance that is being forwarded to the Board of City Commissioners for their consideration. This will be on the agenda of their meeting of Tuesday, May 27, 1975.

This amendment was prepared by the Ad Hoc Sign Committee at the request of the City Commission, and is being recommended for adoption by the Planning Commission. The amendment includes the following changes in the code:

1. Exempt temporary on-site window signs on commercial and industrial properties from the regulations.
2. Exempt those signs normally considered as an integral part of vending machines, dispensing equipment and merchandise display racks when located within eight feet of the main use or on service islands at service stations.
3. Extend the time limitation for temporary and portable signs for special events, such as grand openings, from 30 days to six weeks.
4. Permit the use of portable ground signs in the commercial and industrial districts on a continuous basis subject to the number, height and area limitations.

Copies of this amendment are being furnished to all who have expressed an interest in the meetings to date. If you wish to make any comments on this matter, you are invited to appear at the City Commission meeting.

Glen E. Lytle
Special Assistant for Zoning

cc: attached list.

Tim Hurley, Executive Director
Wichita Assn. of Home Builders
730 N. Main 67203

Wes Galyon
Wichita Board of Realtors
626 N. Broadway 67214

Everett Hale
Kansas State Sign Assn.
139 Cleveland 67214

Pat Guinan
135 N. Pershing 67208

Barbara Arnold
660 N. Armour 67206

Don Boyd
Pepsi Cola Bottling Co.
301 McLean Blvd., N.W. 67203

Joan Kamas
3619 Elmwood 67218

Paul Elliott
701 S. Edgemoor 67218

Kenneth Stewart
1030 1st Nat'l Bank Bldg. 67202

Dwight Hopper
1455 S. Washington 67211

Fred Sawaya
7-Up Bottling
2900 S. Hydraulic 67216

Clyde Williams
Coca Cola
3001 E. Harry 67211

Lonnie Hephner
737 S. Washington 67211

Raymond Edwards
3327 Jeanette 67204

Roy L. Frost
200 E. 1st 67202

Dave Bayouth
1555 S. Oliver 67218

Michael Gragert
615 R. H. Garvey Bldg.
300 W. Douglas 67202

May 15, 1975

Robert B. Feldner, Superintendent of Central Inspection

Glen E. Lytle, Special Assistant for Zoning

Amendments to Sign Ordinance - Title 24

Attached hereto is a copy of proposed amendments to the zoning ordinance related to the use of temporary and portable signs. This will be forwarded to the Board of City Commissioners in ordinance form with a recommendation by the MAPC that they be adopted.

Also attached are possible amendments to the sign ordinance that have been discussed by the Ad Hoc Sign Committee and also at the public hearing that you attended yesterday. As you will note, I have indicated in red on your copy two points of concern expressed in the meeting held in the Planning Commission Room yesterday.

Mr. Lakin has indicated that the fees should be determined on the basis that they should only cover the cost of administration of the provisions of the ordinance, and not a revenue producing fee. We therefore feel that these revisions should be handled by your Department as are other regulatory ordinances.

I am attaching a copy of a list of persons and organizations that should be furnished copies of any information that will be forwarded to the City Commission for their consideration. We will be forwarding the amendment to the zoning ordinance to the City Commission for their consideration on May 27, 1975. I would assume you will want to have your ordinance ready on the same date for discussion purposes to accommodate the public.

Glen E. Lytle
Special Assistant for Zoning

GEL:ber

Attachments

cc: Ray Bruggeman, Director of Public Works
Robert A. Lakin, Director of Planning
John Dekker, Director of Law

Tim Hurley, Executive Director
Wichita Assn. of Home Builders
730 N. Main 67203

Wes Galyon
Wichita Board of Realtors
626 N. Broadway 67214

Everett Hale
Kansas State Sign Assn.
139 Cleveland 67214

Pat Guinan
135 N. Pershing 67208

Barbara Arnold
660 N. Armour 67206

Don Boyd
Pepsi Cola Bottling Co.
301 McLean Blvd., N.W. 67203

Joan Kamas
3619 Elmwood 67218

Paul Elliott
701 S. Edgemoor 67218

Kenneth Stewart
1030 1st Nat'l Bank Bldg. 67202

Dwight Hopper
1455 S. Washington 67211

Fred Sawaya
7-Up Bottling
2900 S. Hydraulic 67216

Clyde Williams
Coca Cola
3001 E. Harry 67211

Lonnie Hephner
737 S. Washington 67211

Raymond Edwards
3327 Jeanette 67204

Roy L. Frost
200 E. 1st 67202

Dave Bayouth
1555 S. Oliver 67218

Michael Gragert
615 R. H. Garvey Bldg.
300 W. Douglas 67202

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

May 9, 1975

TO All Interested Persons
FROM Glen E. Lytle, Special Assistant for Zoning
SUBJECT Amendments to ordinances - Re:
Temporary and Portable Signs

Attached hereto is a copy of the proposed amendments to the zoning ordinance that were considered by the MAPC at their meeting of May 8, 1975. As you will note, one change was made by the MAPC from the original draft, which will permit a height of 4 feet for the portable ground signs.

This will be forwarded to the Board of City Commissioners for their consideration for adoption at their meeting of May 27, 1975.

I have also attached a copy of some possible amendments to the sign ordinance (Title 24 of the Code), that will be discussed by the staff and any interested persons. These amendments pertain to administration of the regulations not included in the zoning ordinance, such as permits, fees, etc.

If you have any interest or wish to make comments on these items, or other sections related to the administration of the Codes, you are welcome to attend this meeting in the Planning Commission Room, 4th Floor, City Building Annex, 104 South Main. This meeting will be held on Wednesday, May 14, 1975, and will begin promptly at 3:00 p.m., and we anticipate that it will be concluded by 5:00 p.m.

After discussion of these proposals, we will prepare the ordinance revisions to be forwarded to the City Commission for consideration on May 27, 1975.


Glen E. Lytle
Special Assistant for Zoning

GEL:ber

Attachment

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

May 9, 1975

TO All Interested Persons
FROM Glen E. Lytle, Special Assistant for Zoning
SUBJECT Amendments to ordinances - Re:
Temporary and Portable Signs

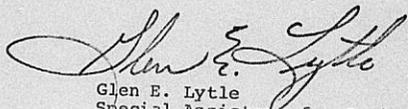
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After discussion of these proposals, we will prepare the ordinance revisions to be forwarded to the City Commission for consideration on May 27, 1975.


Glen E. Lytle
Special Assistant for Zoning

GEL:ber

Attachment

April 16, 1975

POSSIBLE AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF WICHITA, KANSAS, REVISING SECTION 28.04.139 RELATING TO THE PLACEMENT AND CONTROL OF TEMPORARY SIGNS ON COMMERCIAL AND INDUSTRIAL PROPERTIES, AND TO THE TIME LIMITATION FOR THE USE OF SPECIAL DISPLAYS FOR GRAND OPENINGS AND SPECIAL EVENTS.

Section 28.04.139-B of the Code of the City of Wichita, Kansas, shall be amended by adding the following to the list of signs exempt from the provisions of the code:

5. Temporary on-site signs placed in or upon windows of a commercial or industrial building, whether painted or attached.
6. Signs designed as an integral part of vending machines and dispensing equipment; signs which are an integral part of merchandise display racks; and similar merchandise and advertising displays. All such signs included in this exemption shall be located within eight feet of the building and not on public right-of-way, provided however, such signs located on service station properties may also be located on, or immediately adjacent to, the service islands. This provision shall in no way be deemed to permit the display or storage of merchandise, vending machines or equipment not otherwise permitted by the provisions of this code.

Section 28.04.139-C.8 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

8. Signs, portable and advertising decorations, temporarily displayed during special event periods only, such as grand openings, holidays, carnivals and the like, with a limit of two such events and a total time limitation of ~~30-days~~ six weeks within any calendar year for any business or institution.

Sections 28.04.139 G, H, and J. of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided however, for each additional 200 feet of frontage the number may be increased by one.
- b. No sign shall exceed a height of ^{four} ~~three~~ feet, or a gross surface area of twelve square feet.

* As amended by the MAPC on 5-8-75

5-8-75

POSSIBLE AMENDMENTS TO THE SIGN ORDINANCE
OF THE CITY OF WICHITA, KANSAS, RELATING
TO THE PLACEMENT AND CONTROL OF TEMPORARY
SIGNS, THE REQUIREMENT OF PERMITS, AND
THE REVISION OF THE PERMIT FEES FOR ALL
SIGNS.

Section 24.04.030(b) shall be amended by adding the following:

- (6) Directional on-site signs, not exceeding two square feet.
- (7) Identification and nameplate signs, not exceeding two square feet that are painted or attached to the windows, doors or walls of a building.

Section 24.04.070 shall be amended to read as follows:

24.04.070. Permit fees. The fees prescribed herein must be paid to the City of Wichita for each sign for which a permit is required and shall be paid before any such permit is issued.

(a) Initial Sign and Use Permit Fee.

- (1) For each sign that is erected, installed, affixed, relocated, created by painting, or reconstructed, the initial sign and use permit fee shall be \$10.00 (TEN DOLLARS) plus \$2.00 (TWO DOLLARS) per each 10 square feet in gross surface area of the sign area or major fraction thereof.
- (2) For each existing sign that is altered to increase the area or height of the sign, an initial sign and use permit fee of \$10.00 (TEN DOLLARS) plus \$2.00 (TWO DOLLARS) per each 10 square feet of increase in gross surface area of the sign area increase or major fraction thereof. Credit toward the payment of this fee may be any unused portion of the existing sign use permit.
- (3) For each sign that is erected, installed, affixed, altered, relocated, created by painting, or reconstructed, without first obtaining an initial sign and use permit, the fee shall be twice the amount specified above.

(b) Existing Sign Use Permit Fee.

- (1) For each existing sign for which a sign use permit is required a sign use permit fee of \$12.00 (TWELVE DOLLARS) shall be paid for any sign not exceeding 150 square feet in gross surface area and for any sign exceeding 150

square feet in gross surface area the permit fee shall be \$15.00 (FIFTEEN DOLLARS).

When the application for an existing sign use permit is accompanied by a certificate of inspection by a licensed and bonded sign hanger, the permit fee stated above shall be reduced to one-half the amount.

- (2) Failing to secure a sign use permit within 30 days after notification by the Superintendent of Central Inspection, the fee shall be twice the amount specified above.

(c) Temporary Sign Permit Fee.

- (1) For temporary signs and displays for which a permit is required, a temporary sign permit fee of ~~\$8.00 (EIGHT DOLLARS)~~ \$2.00 (TWO DOLLARS) for the first 75 square feet of sign area plus ~~\$2.00 (TWO DOLLARS)~~ \$1.00 (ONE DOLLAR) for each additional 100 square feet of sign and display area or major fraction thereof, plus \$1.00 (ONE DOLLAR) for each 30 day period the permit is issued therefore. (For the purpose of calculating the permit fee when more than one sign, display, pennant, or streamers etc. are to be used, the areas of the signs shall be actual, and the area of pennants, streamers and other wind type signs shall be estimated at one square foot for each lineal foot of such display).
- (2) For temporary signs and displays placed on a property without the permit as required, the fee shall be twice the amount specified above.

(d) Double Fee.

The payment of a double fee for failing to obtain the appropriate permit prior to the erecting, placing, installing, creating by painting, affixing, reconstructing or altering a sign shall not relieve any person from complying with other provisions of this ordinance or from the penalties prescribed herein.

Section 24.04.200(h) shall be amended to read as follows:

- (h) No ground sign exceeding a height of three feet, permanent or temporary, shall be located closer than 25 feet to a driveway approach unless it is placed six feet from the public right-of-way.

Section 24.04.230(e) shall be amended to read as follows:

- (e) All temporary signs of rigid construction exceeding 72 square feet, and all temporary signs on private structures over any public right-of-way shall be erected, affixed or placed by a licensed and bonded sign hanger.

May 9, 1975

All Interested Persons

Glen E. Lytle, Special Assistant for Zoning

Amendments to ordinances - Re:
Temporary and Portable Signs

Attached hereto is a copy of the proposed amendments to the zoning ordinance that were considered by the MAPC at their meeting of May 8, 1975. As you will note, one change was made by the MAPC from the original draft, which will permit a height of 4 feet for the portable ground signs.

This will be forwarded to the Board of City Commissioners for their consideration for adoption at their meeting of May 27, 1975.

I have also attached a copy of some possible amendments to the sign ordinance (Title 24 of the Code), that will be discussed by the staff and any interested persons. These amendments pertain to administration of the regulations not included in the zoning ordinance, such as permits, fees, etc.

If you have any interest or wish to make comments on these items, or other sections related to the administration of the Codes, you are welcome to attend this meeting in the Planning Commission Room, 4th Floor, City Building Annex, 104 South Main. This meeting will be held on Wednesday, May 14, 1975, and will begin promptly at 3:00 p.m., and we anticipate that it will be concluded by 5:00 p.m.

After discussion of these proposals, we will prepare the ordinance revisions to be forwarded to the City Commission for consideration on May 27, 1975.

Glen E. Lytle
Special Assistant for Zoning

GEL:ber

Attachment

cc: Feldner

cc: see list in file



NATIONAL ASSOCIATION OF REALTORS®

Wichita Board of REALTORS
626 N. Broadway, Wichita, Kansas 67214
Telephone (316) 263-3167

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May 8, 1975

Mrs. Connie A. Peters, Mayor
City of Wichita
City Building
204 S. Main
Wichita, Kansas 67202

Dear Mayor Peters:

The City Planning Committee of the Wichita Board of REALTORS®, Inc. has been in the process of studying the existing Sign Ordinance and offers the following study results for consideration.

- 1) Recommend that no permits or fees be required for 4 Ft. x 8 Ft. signs advertising property for sale or for lease, however, we would favor requiring each sign to stay in position for a maximum time of 180 days, then down 30 days, then back up, etc. This provision would eliminate the unsightly or deteriorated signs that have been in forever.
- 2) Recommend a variance committee of representatives of interested parties, i.e. the sign industry, a business man, a real estate developer, planning department, central inspection, environmental groups with authority to authorize variance to existing ordinance in the cases of hardship.
- 3) Recommend support for the proposals authored by the Kansas State Sign Association as amendments to the existing ordinance.
- 4) Recommend that until the difficulties of the current Sign Ordinance can be worked out that we operate under the old ordinance.
- 5) Recommend that upon passage of the new ordinance that administration guidelines and rules be established by the commission and given to the Department of Central Inspection to eliminate misunderstandings and individual misinterpretations of what the ordinance means.

REALTOR®—is a registered mark which identifies a professional in real estate who subscribes to a strict Code of Ethics as a member of the NATIONAL ASSOCIATION OF REALTORS.

Mrs. Connie A. Peters, Mayor
May 8, 1975
Page Two

Your consideration in this matter would be appreciated.

Respectfully submitted:


James A. Maguire
President

JAM:kw

cc: Commissioner Tony Casado
Commissioner James Donnell
Commissioner Glenn J. Shanahan
Commissioner John Stevens
Mr. Robert Lakin
Mr. Jack Galbreth
Mr. Bob Feldner



CLAUDE NEON FEDERAL CO. S. W. / P. O. BOX 11163 / 139 CLEVELAND / WICHITA, KANSAS 67202

April 11, 1975

Mr. Robert Lakin
Metropolitan Area Planning Comm.
104 South Main
Wichita, Kansas 67202

Dear Mr. Lakin:

This is to advise that as the representative of the Kansas State Sign Association, I am hereby making application for amendments to the existing Sign and Zoning Ordinance approved December 13, 1974.

At the present time the City Commission has appointed an ad hoc committee of ten people to look into amendments to the existing ordinance. I am a member of that committee, and in the meetings to date we have considered only changes regarding temporary signs. However, in that the Metropolitan Area Planning Commission is now considering amendments to the existing ordinance and will be advertising for public hearings, we feel that this would be the time to consider other changes that we feel are necessary to the best interests of the business people here in Wichita.

During the many meetings that eventually led up to the ordinance being proposed to the City Commission, which was ultimately adopted, it was my understanding in discussions with the MAPC that if we found areas of the ordinance we could not live with they would be open for discussion. The following items have become problems and we feel the need for amendments.

One of the items would be that the Building Inspection Department have a complete understanding of the ordinance and the amendments thereto so that not only the sign companies and planning department, but also they would have a mutual understanding. At the present time, even though we were present at all meetings discussing the current ordinance, we are very seldom in agreement with the Building Inspection Department and nearly always in agreement with the Planning Department.

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Mr. Robert Lakin
Metropolitan Area Planning Comm.
April 11, 1975
Page 2

Item 1. At the present time, wing boards, which have been erected at many service stations, are being counted in determining the total area of ground signs allowable. While we feel the basic ordinance limiting square foot areas allowed for ground signs is in the best interest of the public, we can not agree that these wing boards should be counted.

First of all they are decorative, and as there are many service stations abutting residential areas the wing boards tend to serve as a screen, and in our opinion enhance the appearance of the station and the surrounding area. The only limitation we would recommend is that the sign areas on these wing boards be limited to 25% of the total area and that they further be limited to the side facing the station area.

Item 2. One of the areas creating many problems is the set-back of ground signs from adjoining property and driveways. Many times the only possible location for setting a sign will end up in the middle of a driveway or other area needed for parking, etc. There was no reason, in our opinion, to change the old ordinance which simply stated the sign must set back from the adjacent property in an amount equal to the projection of the sign. In the new ordinance, while there is no projection over public property, we would recommend that the sign set back from the adjoining property a distance equal to the length of the sign with no further restrictions.

Item 3. This item is in regard to all signs. The old ordinance allowed signs to project above the parapet wall at an accepted distance of 2' above the parapet wall. At the present time the Inspection Department has determined there shall be no projection above parapet walls. It is our opinion that as long as the sign

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Mr. Robert Lakin
Metropolitan Area Planning Comm.
April 11, 1975
Page 3

is installed in a structurally safe manner without any structural members showing, the projection of 2' should continue to be allowed. We feel this is quite reasonable in that the ordinance reads you can install signs in nearly all areas 4'6" above the roof line.

Item 4. The limitation as to the number of signs on a single piece of property is in our opinion a reasonable attempt to regulate the number of signs; however, some of the intent has been lost in that it is our opinion that the signs to be counted would be signs mounted out at the property line of a given piece of property. However, this is not the interpretation of the Building Inspection Department. We would recommend that signs not be counted when installed on poles within 10' of the building, especially in areas where they meet all set-back requirements of the new ordinance.

Item 5. One of the other problem areas that has become a real problem, and we feel is discriminatory, is in small shopping areas having a frontage of 150' or less where one building has been vacated and some of the other tenants have existing displays. The new tenant is then limited to signs on the building only or he must bear the expense of remodeling a sign that belongs to some one else, provided the other tenant would even agree to it. Again, we think the intent of the ordinance is good, and we would not like to see pressure brought to bear by either the rental agencies for the centers or the developers themselves which would result in this portion of the ordinance proper being thrown out. We feel that there is much merit to limiting the number of signs; however, we feel under certain circumstances there would be reason for granting variance. The procedure now would be to apply to the Board of Zoning Appeals, which is a lengthy process with a minimum investment of \$50.00, for which you have no guarantee, and in that most small new businesses already have their share of problems, and if they are unable to use on-premise advertising, which is probably

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Mr. Robert Lakin
Metropolitan Area Planning Comm.
April 11, 1975
Page 4

the least expensive advertising they can buy, they may well be out of business before the Board of Zoning Appeals agrees to do something for them. We are, therefore, recommending that a variance board be set up with the authority to grant a variance on the spot, consisting of one member from the Planning Department, one member from Wichita For Better Signs, one member from the sign industry, one real estate man, and one of the business men.

Item 6. One of the items that is not clarified in the new ordinance covers store front remodeling. Many sign manufacturers are working in this area because we have the design and engineering departments to completely remodel older buildings, not only furnishing signs but also completely up-dating the store front. There is a need for this type of service in that most of the architects are not interested because of the small fee involved, and no one really wants to coordinate all of the different trades involved in remodeling store fronts. Again, we would want clarification so that only sign limitations be considered in the square footage limitation and all architectural features be considered under the building permit.

Item 7. We previously recommended that for better looking signs all pole supported signs be installed eliminating any guy wires and poles necessary for the side guys. It is true that there would be a slight additional cost to furnish structural supports eliminating guy wires; however, the finished appearance would more than justify the added cost.

Item 8. At the present time, the maximum height of a display is limited to 45'. This can only be adjusted through the elimination of other displays. However, we had previously discussed with MAPC the possibilities of allowing increases in height for landscaping at the base of the display. In nearly all cases our art

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Mr. Robert Lakin
Metropolitan Area Planning Comm.
April 11, 1975
Page 5

department suggests landscaping on any ground mounted display; however, we sell less than 1% because of the added cost to the customer, and unless there is an incentive for him to do so, he simply will save the money. Therefore, as we are really interested in a better visual environment, we would recommend that they be allowed 2" of additional height for each square foot of landscaping with a maximum gain of 10' above the normal height. This would make the total height limitation 55' with landscaping.

We feel all of the above changes are in the best interests of the public and our industry, and would strongly recommend adoption for presentation to the City Commission.

Very truly yours,

Everett S. Hale
Executive Director
Kansas State Sign Association

EFH:cw

WICHITA, KANSAS
(316) 264-7318

OKLAHOMA CITY
(405) 235-6438

April 30, 1975

Wichita-Sedgwick County Metropolitan
Area Planning Commission
Glen E. Lytle, Special Assistant for Zoning

DR 75-12 - Possible Amendment to the Zoning Ordinance -
Re: Temporary and portable signs.

Attached hereto is a copy of the possible amendments to the City of Wichita zoning ordinance that has been advertised for public hearing at your meeting of May 8, 1975.

These possible amendments were prepared at your direction at the meeting of April 10, 1975 after discussion of the report by the Ad Hoc Sign Committee on temporary and portable signs.

The possible amendments, as drafted for your consideration, will provide the following changes to the existing ordinance:

1. Exempt temporary on-site window signs on commercial and industrial properties from the regulations.
2. Exempt those signs normally considered as an integral part of vending machines, dispensing equipment and merchandise display racks, when located within eight feet of the main structure or located on service islands at filling stations.
3. Extend the time limitation for temporary and portable signs for special events, such as grand openings, from 30 days to six weeks.
4. Permit the use of portable ground signs in the commercial and industrial districts on a continuous basis subject to the number, height and area limitations.

Copies of the attached have been furnished to the Wichita Board of Realtors, Wichita Association of Home Builders, Kansas State Sign Association, Environmental Resources Advisory Board, Wichitans for Better Signs, Wichita Independent Business Association, Kansas Petroleum Council, a representative of the soft drink bottlers in Wichita, and other interest individuals who have appeared at the City Commission, Ad Hoc Sign Committee and the Planning Commission meetings during the discussions on this subject.

DR 75-12
April 30, 1975
Page 2

Amendments related to the reduction of fees for temporary and portable signs, which are not a part of the zoning ordinance, will be considered later by the City Commission.

Recommendation

It is recommended that the planning commission make the changes deemed necessary after the public hearing and forward the recommendation to the Board of City Commissions for their consideration.

Glen E. Lytle
Special Assistant for Zoning

GEL:rme
Attachment

April 16, 1975

POSSIBLE AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF WICHITA, KANSAS, REVISING SECTION 28.04.139 RELATING TO THE PLACEMENT AND CONTROL OF TEMPORARY SIGNS ON COMMERCIAL AND INDUSTRIAL PROPERTIES, AND TO THE TIME LIMITATION FOR THE USE OF SPECIAL DISPLAYS FOR GRAND OPENINGS AND SPECIAL EVENTS.

Section 28.04.139-B of the Code of the City of Wichita, Kansas, shall be amended by adding the following to the list of signs exempt from the provisions of the code:

5. Temporary on-site signs placed in or upon windows of a commercial or industrial building, whether painted or attached.
6. Signs designed as an integral part of vending machines and dispensing equipment; signs which are an integral part of merchandise display racks; and similar merchandise and advertising displays. All such signs included in this exemption shall be located within eight feet of the building and not on public right-of-way, provided however, such signs located on service station properties may also be located on, or immediately adjacent to, the service islands. This provision shall in no way be deemed to permit the display or storage of merchandise, vending machines or equipment not otherwise permitted by the provisions of this code.

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Sections 28.04.139 G, H, and J. of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided however, for each additional 200 feet of frontage the number may be increased by one.
- b. No sign shall exceed a height of three feet, or a gross surface area of twelve square feet.

April 29, 1975

TO ALL INTERESTED PERSONS

Glen E. Lytle, Special Assistant for Zoning

Possible amendments to the zoning ordinance -
Re: Use of temporary and portable signs.

Attached hereto is a copy of some possible amendments to the City of Wichita zoning ordinance. Consideration of these amendments by the Wichita-Sedgwick County Metropolitan Area Planning Commission will be at their next meeting of May 8, 1975. The Planning Commission meetings are held in Room 401, 4th Floor, City Building Annex, 104 South Main, Wichita, Kansas. The meeting will begin at 1:30 p.m., however discussion on this item will be near the end of the agenda after the subdivision and zoning items have been considered.

These possible amendments were prepared at the direction of the Planning Commission after receiving a report from the Ad Hoc Sign Committee. This committee was directed, by the Board of City Commissioners, to review the recently adopted sign regulations effecting the use of temporary and portable signs.

The amendments, as drafted for consideration by the Planning Commission, will provide the following changes to the existing ordinance:

1. Exempt temporary on-site window signs on commercial and industrial properties from the regulations.
2. Exempt those signs normally considered as an integral part of vending machines, dispensing equipment and merchandise display racks when located within eight feet of the main use or on service islands at service stations.
3. Extend the time limitation for temporary and portable signs for special events, such as grand openings, from 30 days to six weeks.
4. Permit the use of portable ground signs in the commercial and industrial districts on a continuous basis subject to the number, height and area limitations.

Several amendments to the Sign Ordinance, Title 24, are being prepared at the direction of the Ad Hoc Sign Committee. These include an adjustment in permit fees, particularly in a reduction

April 29, 1975
Page 2

in the minimum fee for temporary signs. These amendments will not be a part of the discussion by the Planning Commission, but will be considered by the City Commission at a later date.

Glen E. Lytle
Special Assistant for Zoning

GEL:rme
Attachment

cc: See Attached List

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

April 29, 1975

TO TO ALL INTERESTED PERSONS
FROM Glen E. Lytle, Special Assistant for Zoning
SUBJECT Possible amendments to the zoning ordinance -
Re: Use of temporary and portable signs.

Attached hereto is a copy of some possible amendments to the City of Wichita zoning ordinance. Consideration of these amendments by the Wichita-Sedgwick County Metropolitan Area Planning Commission will be at their next meeting of May 8, 1975. The Planning Commission meetings are held in Room 401, 4th Floor, City Building Annex, 104 South Main, Wichita, Kansas. The meeting will begin at 1:30 p.m., however discussion on this item will be near the end of the agenda after the subdivision and zoning items have been considered.

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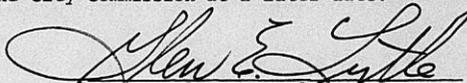
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April 29, 1975
Page 2

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Glen E. Lytle
Special Assistant for Zoning

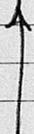
GEL:rme
Attachment

SENT COPIES TO:

CC: TIM HURLEY, EXEC DIR.

W.A.H.B. 730 N. MAIN. 67244⁰³

~~LEE GALLON~~ WES GALYON
WICHITA BOARD OF REALTORS
626 N. BROADWAY 67214



EVERETT HALE, KS. ST. SIAM. ASSN.
139 CLEVELAND 67214

WICHITA INDEPENDENT BUSINESS ASSN.
UNION NATIONAL BLDG. 67202

Sent letter of May 9, 1975 abk

PAT GUINAN
135 N. PERSHING 67208

BARBARA ARVOLD
660 N. ARMOUR 67206

DON BOYD
PEPSI COLA BOTTLING CO.
301 MCLEAN BLDG. N.W. 67203

PAUL ELLIOTT
701 So. EDGEWOOD 67218

KENNETH STEWART, ATTY.
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737 So. Wash. 67211

Raymond L. Edwards
3327 Jeanette 67204

ROY L. FROST
KANS. PETRO. COUNCIL
200 E. 1ST 67202

DAVE BAYOUTH
1555 S. OLIVER 67218

HOPPER
GRABERT

() Published in The Daily Record on April 16, 1975

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on Thursday, May 8, 1975, the Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 401 City Building Annex, 104 South Main Street, Wichita, Kansas, at 1:30 p.m. will consider the following change to Title 28, the Code of the City of Wichita, Kansas:

Amend Section 28.04.139 of the Zoning Ordinance as follows: (1) exempt temporary window signs on commercial and industrial buildings from the regulations; (2) extend the limitation for the use of special displays for grand openings and special events from 30 days to six weeks within a calendar year; and (3) permit the use of on-site portable ground signs on a continuous basis on commercial and industrial properties, provided such signs shall be limited in height, area and number.

Copies of the proposed amendment are available upon request from the Wichita-Sedgwick County Metropolitan Area Planning Department.

The proposed amendment will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission, and all persons interested in said matter will be heard at this time concerning their views and wishes, and any protest against any of the provisions of the proposed changes of the zoning ordinance will be considered by the Commission as by law provided.

WITNESS my hand and seal this 14th day of April, 1975.

Robert A. Lakin, Secretary
Wichita-Sedgwick County Metro-
politan Area Planning Commission

(SEAL)

April 16, 1975

POSSIBLE AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF WICHITA, KANSAS, REVISING SECTION 28.04.139 RELATING TO THE PLACEMENT AND CONTROL OF TEMPORARY SIGNS ON COMMERCIAL AND INDUSTRIAL PROPERTIES, AND TO THE TIME LIMITATION FOR THE USE OF SPECIAL DISPLAYS FOR GRAND OPENINGS AND SPECIAL EVENTS.

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Sections 28.04.139 G, H, and J. of the Code of the City of Wichita, Kansas, shall be amended by adding the following:

Portable ground signs subject to the following limitations:

- a. Each zoning lot shall be permitted one sign per street frontage. Whenever a street frontage is 150 feet to 449 feet, the number shall not exceed two. Whenever the street frontage is 450 feet or more, the permitted number shall be three, provided however, for each additional 200 feet of frontage the number may be increased by one.
- b. No sign shall exceed a height of three feet, or a gross surface area of twelve square feet.

April 10, 1975

TO: Chairman and Members of Metropolitan Area
Planning Commission

FROM: Joan Kamas, Chairman, Environmental Resource
Advisory Board

SUBJECT: SIGN ORDINANCE

On behalf of the Wichita-Sedgwick County Environmental Resource Advisory Board I wish to acknowledge that we welcome the opportunity to serve on your Metropolitan Area Planning Commission Sign Sub-Committee. We hope that this is only the beginning to a long and continued working relationship between the Boards, for we believe that planning will most effectively benefit the Wichita community with on-going environmental evaluation.

I have been unable to take the Sub-committee's proposal before ERAB because the Board has not met, it will do so on April 28. The compromises reached, for the most part, seem reasonable. However, often in an effort to avoid stalemating we sometimes lose sight of the goal. I would, therefore, like to bring to your attention today the following considerations:

1. The objective of the new sign ordinance is to unclutter the community's landscape for the benefits of its citizen's safety and visual "peace of mind", without denying the merchants' right to advertise goods.
2. The proposed allotment for temporary signs would again seem to allow many small lot signs to line our streets.
3. The accommodation is so complex that small businesses would be confused and unable to comprehend it and enforcement would be difficult and costly to those users who must bear the expense.

Hopefully, simpler regulations with fewer numbers of signs could be worked out.

Joan Kamas

Joan Kamas, Chairman
Environmental Resource Advisory Board

JK:pp

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

April 10, 1975

TO Wichita-Sedgwick County Metropolitan
Area Planning Commission
FROM Robert A. Lakin, Director of Planning

SUBJECT Report of Ad Hoc Sign Committee

The Ad Hoc Sign Committee, chaired by Michael Gragert, held their first meeting on Friday, April 4, 1975 and a second meeting on Monday, April 7, 1975. All members of the committee were present at both meetings with the exception of Mr. Kenneth Stewart who was unable to attend. In addition to the eight members appointed by the Planning Commission chairman, Harlan Kamen, two representatives of the organization "Wichitans for Better Signs" were included at the request of the Board of City Commissioners.

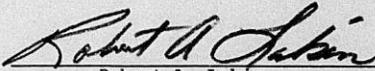
Consideration was given to the problem areas related to the sign regulations that were recently presented to the City Commission and the MAPC, particularly those related to temporary and portable signs. The following is a summary of the recommended changes in the ordinances:

1. Exempt from permits and fees all temporary window signs, whether painted on or attached to windows of commercial and industrial buildings.
2. Exempt from the regulations signs designed as an integral part of vending machines and signs which are a part of merchandise display racks when; such vending machines and display racks are located within eight feet of the building and not on public property; however when located on a service station property, such machines or displays may be located no closer to public right-of-way than the first service island.
3. Exempt from the requirements the need for cloth like temporary signs exceeding 72 square feet to be placed by a licensed sign hanger.
4. Permit the use of ground signs adjacent to and within 25 feet of a driveway approach, provided such signs shall not exceed three feet in height.
5. Make the necessary adjustment in permit fees to eliminate excessive charges, particularly as it relates to temporary signs.

MAPC
April 10, 1975
Page 2

6. Amend the ordinance to permit the use of portable ground signs on a continuous basis in all commercial and industrial districts, with the following limitations:
 - (a) signs shall not exceed a height of 3 feet or 12 square feet in area.
 - (b) each zoning lot may have two portable ground signs per street frontage, however on any zoning lot having street frontage exceeding 250 feet, the number of portable ground signs shall not exceed the permitted number of permanent ground or pole signs for the zoning lot.
7. Amend the provision limiting the use of special signs and displays for grand openings, etc. from a maximum of 30 days to six weeks within any calendar year.

In order to make the changes that are related to the zoning ordinance, it will be necessary to establish a date and advertise a notice of public hearing for consideration of these amendments.


Robert A. Lakin
Director of Planning

RAL:GEL:rme

WICHITA-SEDGWICK COUNTY

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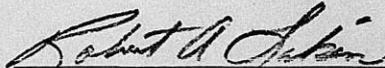
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