

CITY COMMISSION WORK SESSION

City Hall Commission Chambers

Monday, November 16, 2009

6:00 p.m.

MEETING #4784

CALL TO ORDER

ROLL CALL

1. Discussion of Portable Signs, Mobile Signs, and Temporary Banners

ADJOURNMENT

City of Dodge City

Memorandum

To: City Manager
Assistant City Manager
City Commissioners
From: Dennis Veatch
Date: November 10, 2009
Subject: Portable signs, Mobile Signs,
Temporary Banners
Agenda Item: Work Session

Recommendation: No recommendation at this time

Background: Prior to the year 2000 the City did not have regulations pertaining to portable, mobile and temporary signs. All signs were considered permanent in the 1976 Zoning Regulations. We were receiving a lot of complaints from the public and business's concerning the number of temporary signs being used, the location of some signs being placed in public right-of-way, blocking line of site at driveway locations and the general condition of signs after they have been up for some time.

Prior to adopting the 2000 Zoning Regulations we scheduled a work session with the City Commission. Staff presented photographs taken of areas we were most concerned with and provided suggestions on how we can improve our standards. We also compared regulations from other communities in our area to see how they addressed the issues. The City Commission determined that we did need to address these concerns and adopted regulations that would restrict the number, type, placement and time that these signs could be utilized. We held several work meetings with the Dodge City Zoning Board to discuss overall revisions to the zoning regulations. New sign regulations were incorporated into the proposed document. The Zoning Board held a public meeting and recommended adoption of the 2000 Dodge City Zoning Ordinance. The City Commission approved the new Zoning Ordinance and it was published in March of 2000.

City staff sent out public announcements and sent letters to all business informing them of the new regulations pertaining to portable, mobile and temporary signs. Staff has continued to enforce these regulations throughout the past 10 years but have never had to issue a citation. Most people will comply with the regulations once they have been notified of any violation.

Justification: We understand why businesses want and need signs, but when all businesses are competing with each other, then it becomes the City's responsibility to set limits and create consistency.

Financial Considerations: No financial considerations at this time.

Purpose/Mission: To provide minimum standards to safeguard life, health, property and welfare, and enhance the appearance and economic value of Dodge City's environment.

Legal Consideration: None

Attachments: Article VI.8 Portable Signs, Mobile Signs, Temporary Signs and Sign permit fees from various Kansas communities.

other bulbs not creating glare distracting to motorists or nearby residential areas shall be permitted.

Flood and display lighting shall also be shielded so as to prevent direct view of the light source to a residence or residential district and/or vehicles approaching on a public right-of-way from any direction.

VI.6 Prohibited Signs

Unless otherwise permitted, the following signs are prohibited:

- A. Signs advertising an activity, business, product or service no longer conducted on the premises upon which the sign is located.

Signs which, because of their location, nature, color, shape, or message would tend to be confused with, or obstruct the view of, traffic and emergency signals or signs.

Signs which display copy of an immoral or indecent nature. The Board of Zoning Appeals shall resolve any questions pertaining to this provision, applying local community standards.

Roof signs, projecting above a roof or parapet.

Signs attached to trees, utility poles, fences, and/or traffic signals.

Signs installed within a public right-of-way.

VI.7 Nonconforming Signs

All nonconforming signs in all zoning districts shall comply with the following:

No nonconforming sign shall have any changes made in the message displayed on the sign unless the sign is specifically designed for periodic change of message.

- B. No nonconforming sign shall be structurally altered so as to change the shape, size, type or design of the sign, nor shall any nonconforming sign be relocated, unless such move shall create a conforming situation.

No nonconforming sign or sign structure shall be allowed to remain after the activity, business, or use to which it relates has been discontinued.

VI.8 Portable Signs, Mobile Signs, Temporary Banners

Portable signs, mobile signs, temporary signs, and banners are all regulated under this section. For convenience they are all described herein as portable signage. Portable signage may be permitted for short periods of time in order to advertise special events. Such portable signage shall comply with the following:

Portable signage shall be limited to one sign, thirty-six square feet in area, per zoning lot. Lot widths greater than one hundred feet may have additional signage as if each one hundred foot increment (or portion thereof) were a separate zoning lot.

- B. Portable signage may be displayed on a non-residential zoning lot (or residential zoning lot with legitimate non-residential special exception or nonconforming use) for no longer than sixty days, and for no more than twelve occasions within any twelve month period (or any combination of signs or dates, the total time frame shall not exceed sixty days and twelve occasions within any twelve month period).

Cube shaped portable signage (limited to 40"w x 40"d x 54"h and two per zoning lot) may be displayed on commercial/industrial zoned property in addition to any other permitted signage. They shall be installed off city rights-of-way, easements, vehicular parking and maneuvering areas, and not within sight vision triangles.

Signage with fabric, plastic, or similar semi-durable materials (not paper or cardboard) installed

within permanent framed areas on exterior building walls shall be considered wall signage and not portable signage.

Portable signage, unlighted, may be permitted on a residential zoning lot for a non-commercial message for no longer than seventy-two hours within any twelve month period.

Portable signage shall comply with all other applicable provisions of this Article.

With City Commission approval, recognized events such as festivals sponsored by business associations or the City may place portable signage in or above the public rights-of-way.

Portable signage shall have no vested nonconforming rights.

VI.9 Murals, Wall Paintings

Murals or wall paintings may be permitted in addition to regulated signs. They must be artistic in nature and not display any commercial message. To be permitted they must be approved by an appropriate neighborhood, business or historical organization, or the planning commission if no other such organization has jurisdiction.

VI.10 Sign Maintenance.

All signage within the City of Dodge City (including permitted and non-conforming signs) shall be maintained in good repair. Failure to adequately maintain signs shall be a violation of this Ordinance. In addition to other remedies available, the city shall have the right to repair or remove violating signs and sign structures.

ARTICLE VII

SOIL EROSION AND SEDIMENT CONTROL

VII.1 Purpose and Findings

Erosion and resultant sedimentation problems are caused from wind, rainfall, and runoff over unprotected soil. Intense rainfalls, long slopes, steep slopes, and lack of adequate vegetative cover increase erosion. These conditions are in part caused by or aggravated by improper construction, grading, or excavation which results in removal of natural ground cover without taking appropriate steps to control erosion and sedimentation problems.

It is hereby determined that unnecessary soil erosion and sedimentation necessitates costly repairs and maintenance of storm sewers, gutters, and other public works, increases the risks of flooding, reduces the clarity of public water, increases the costs of property maintenance for neighboring properties, and reduces the attractiveness and safety of water-oriented recreation facilities. The public health, safety, and welfare require regulation of land development and construction activities to avoid unnecessary soil erosion and sedimentation. The regulations contained in this Article are the minimum standards which will help avoid the consequences herein set forth and protect the public health, safety and welfare.

VII.2 Applicability

The provisions of this Article apply to every property in the City of Dodge City except where the following occur:

- A. **Except** excavation below finished grade:

For basements and footings of a one-family or two-family residential structure,

Sign Permit Fees from Kansas Communities 2009

(draft 1)

<u>Sign Permit Fees</u>		
<u>Community</u>	<u>Permanent Signs</u>	<u>Temporary Signs/Banners</u>
Dodge City	\$10	\$5 60 days of signs/year max.
Garden City	\$100	\$50 for 30 days. 30 days of signs/year max.
Hutchinson	Varies: \$35 lit/\$25 unit base \$50 if several or over 150 sq feet.	Varies: \$10 for 30 day, \$15 for 45 day, and \$20 for 60 day. 60 days max/year.
Liberal	\$10 up to \$1000 value; then \$1.50 per \$1000 value over \$10000	\$10 up to \$1000 value; then \$1.50 per \$1000 value over \$10000
Overland Park	\$60 + \$1.25 per sq foot	\$35 for 15 days or \$125 for detached signs. 30 days of signs/year max.
Salina	\$25 for wall and ground, plus \$1/square foot. Pole & pylon signs are \$25 plus \$1.50 per sq foot.	Do not permit. Don't allow most unless attached to buildings or fences.