



**AGENDA**  
**PLANNING COMMISSION**  
 Tuesday January 28, 2020 – 5:30 PM  
**City Council Chambers**  
 125 E Avenue B, Hutchinson, Kansas

**1. ROLL CALL**

- |   |                                   |   |
|---|-----------------------------------|---|
| <input type="checkbox"/> Richardson (Chair) | <input type="checkbox"/> Gamber   | <input type="checkbox"/> Bisbee               |
| <input type="checkbox"/> Leuenberger        | <input type="checkbox"/> Wells    | <input type="checkbox"/> Roberts-Ropp         |
| <input type="checkbox"/> Vacant             | <input type="checkbox"/> Peterson | <input type="checkbox"/> Swearer (Vice Chair) |

**2. APPROVAL OF MINUTES** – Meeting of January 14, 2020.

**3. CORRESPONDENCE & STAFF REPORTS** – Motion to accept correspondence and staff reports into the official record.

**4. PUBLIC HEARINGS**

**a. ZV19-000009** - Sign Code Amendments

Request to amend section 27-802 (Sign Regulation Definitions) and section 27-805 (Sign Regulation Administration) of the *Hutchinson Zoning Regulations*, concerning regulations related to roof signs and plan submittal requirements.

*(Staff Representative: Ryan Hvitløk, Director of Planning & Development)*

*Action: Motion to recommend (approval / modification and approval / denial) to the City Council of Zoning Amendment request number ZA19-000009 for amendments to §27-802 and 27-805.D. of the Hutchinson Zoning Regulations pertaining to roof signs and plan submittal requirements.*

**5. NEW BUSINESS** - None

**6. UPCOMING CASES**

**a. February 11, 2020** - None

**7. ADMINISTRATIVE CASES**

**a. ADJ20-000001** – Superior Boiler Accessory Structure Setback (Pending)

**8. COUNCIL ACTION ON CASES**

**a. CPA19-000005** – 925 W 4<sup>th</sup> Avenue (Tabled)

**b. ZA19-000008** – 925 W 4<sup>th</sup> Avenue (Tabled)

**9. OPEN COMMENTS FROM THE AUDIENCE** (Please limit comments to five minutes.)

**10. ANNOUNCEMENTS**

**11. ADJOURNMENT**

Staff Contacts:	Jim Seitnater	620-694-2667	Aaron Barlow	620-259-4198
	Amy Allison	620-694-2638	Vacant	620-259-4134
	Charlene Mosier	620-259-4133		



**1. ROLL CALL**

The Planning Commission meeting was called to order at 5:30 pm with the following members present: Jackson Swearer (1/1), Logan Leuenberger (1/1), Darryl Peterson (1/1), Terry Bisbee (1/1), and Jon Richardson (1/1) (Vice Chair). Jane Gamber (0/1), Valerie Roberts-Ropp (0/1), and Brock Wells (0/1) were absent.

Planning Staff present were Ryan Hvitløk, Director of Planning & Development; Amy Allison, Senior Planner; and Charlene Mosier, Planning Technician.

**2. APPROVAL OF MINUTES**

The minutes of the December 17, 2019 meeting were approved on a motion by Swearer, seconded by Bisbee, passed unanimously.

**3. CORRESPONDENCE & STAFF REPORTS**

The documents and staff reports were accepted into the official record on a motion by Swearer, seconded by Bisbee, passed unanimously.

**4. PUBLIC HEARING**

a. None.

**5. NEW BUSINESS**

a. Election of Officers for 2020

Chair - A motion by Bisbee, seconded by Peterson to nominate Jon Richardson as Chair, passed unanimously.

Vice Chair – A motion by Bisbee, seconded by Leuenberger, to nominate Jackson Swearer as Vice-Chair, passed unanimously.

**6. STUDY SESSION**

a. ZA19-000009 Sign Code Amendments

Hvitløk presented a powerpoint presentation for the Planning Commission study session to review proposed changes to the City's Sign Regulations in regard to freestanding sign submittals and roof sign definitions.

Currently, all signs must meet the building code but the code does not provide a clear standard on when engineered drawings are required for a freestanding sign. Current practice is based on the Building Official's discretion.

The proposed changes would create a clear, reasonable requirement that removes unpredictability. The changes were drafted by Planning & Development, Inspections, and reviewed by the Building Trades Board. It is based on height and fall zone for new freestanding signs and existing freestanding

support structures with a new sign larger than the previously permitted sign.

Staff met with Luminous Neon and all cities have some type of structural requirements for freestanding signs. Luminous Neon was concerned about the extra cost of engineered plans but agreed they are necessary in certain situations.

The proposed ordinance would require engineered plans for signs greater than 17 feet in height.

Signs 4 feet to 17 feet in height require a site plan showing a perpendicular fall zone equal to the vertical height of the sign. Fall zone shall be free of encroachment into the public way of pedestrian and motoring public (public streets, alleys, and sidewalks). Signs that have a fall zone that encroaches into the public way shall require engineered plans.

Signs under 4 feet in height will not require additional documentation.

Discussion ensued about the proposed structural requirements. The commissioners felt the proposal was reasonable.

Roof sign definition:

Current definition: Roof sign shall mean a sign mounted on the main roof portion of a building or on the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building.

Proposed definition: roof sign shall mean a sign mounted on a roof or a sign that wholly or partially projects above the highest point of the roof line, parapet, or fascia of a building.

A drawing was shown indicating what is and is not a roof sign.

No comments were received from the Development Review Committee. The public hearing is scheduled for January 28 and the City Council will review the amendments on February 18, 2020.

Discussion ensued about the roof sign definition. There was concern about potential confusion between roof signs in the Zoning Regulations and the Building Codes. Staff said that the process for review should limit confusion. Staff was directed to proceed with both proposals.

**7. UPCOMING CASES**

- a. January 28, 2020  
    ZA29-000009 Sign Code Amendments
  
- b. February 11, 2020 – None.

**8. ADMINISTRATIVE CASES**

- a. SIT19-00010 – Aspen Dental – Cancelled.
- b. ADJ19-000006 – Tyson Plant Addition – Approved.

**9. COUNCIL ACTION ON CASES**

- a. None.

**10. OPEN COMMENTS FROM THE AUDIENCE**

- a. None.

**11. ANNOUNCEMENTS**

- a. The memorial service for Janet Hamilton, former Planning Commission member, will be January 18 at 2:00 pm at Stringer Fine Arts Center.

**12. ADJOURNMENT** - The meeting adjourned at 6:10 p.m.

Respectfully Submitted

Charlene Mosier, Planning Technician  
Approved this      day of      2020

Attest: \_\_\_\_\_



**Planning Commission Staff  
Report**

**Public Hearing: January 28, 2020**

**DATE:** January 21, 2020

**TO:** Hutchinson Planning Commission

**FROM:** Ryan Hvitløk, AICP  
Director of Planning & Development

**THROUGH:** John Deardoff  
City Manager

**SUBJECT:** **Public Hearing: ZA19-000009 – Zoning Ordinance Amendment: Roof Signs and Freestanding Signs**

**REQUEST:**

Request to amend Sections 27-802 and 27-813.D. of the City of Hutchinson, KS Zoning Regulations.

**Staff Recommendation:**

Staff recommends approval of the proposed amendments to Sections 27-802 and 27-813.D. of the *Hutchinson Zoning Regulations* pertaining to amending the definition of a roof sign, and the submittal requirements for a freestanding sign.

**Motion:**

Motion to recommend (approval / modification and approval / denial) to the City Council of Zoning Amendment request number ZA19-000009 for amendments to §27-802 and 27-813.D. of the Hutchinson Zoning Regulations pertaining to amending the definition of a roof sign, and the submittal requirements for a freestanding sign.

**BACKGROUND:**

The Planning and Development Department continuously reviews the City's development ordinances to ensure that they are clear and easy to understand as possible. Furthermore, when the Board of Zoning Appeals and City staff review applications, staff is always reviewing the situation and how current ordinances apply. The proposed amendments in this request are based on a variance application regarding roof signs and an application for a sign permit for a new freestanding sign. The proposed amendment amends two sections of the sign regulations, the definition of a roof sign and requiring engineered plans for certain new freestanding signs.

Currently, the definition for a roof sign is difficult to interpret and has caused confusion among applicants, staff, and Commissioners. The proposed definition provides clear parameters of what constitutes a roof sign while still providing some flexibility for structures with multiple roof lines.

In addition to amending the definition of a roof sign, the proposed amendment also adds language on when engineered drawings would be required for new freestanding signs. Currently, Section 27-813.D. states that all signs, sign structures, sign foundations and sign anchors shall meet the building code. The proposed amendment would require engineered plans for new freestanding signs over a certain height.

At their January 14, 2020 meeting, the Planning Commission held a study session to discuss the proposed ordinance from the staff. The Commission agreed with the recommendations and voiced support for the amendment. A concern was raised regarding the amendment to the roof sign definition and signs that are above the non-highest roofline

would have issues with the building code. The Building Official has reviewed the proposed amendment and stated that any sign on or above the roof or parapet, regardless of the zoning definition is consider a roof sign in the Building Code.

The proposed amendment was reviewed by the Development Review Committee on January 14, 2020; they had no comments. Finally, the proposed amendment was reviewed by the City Attorney, who also had no comments.

**ANALYSIS:**

The proposed amendment for roof sign definitions was drafted after researching other communities in Kansas as well as referencing *A Planners Dictionary*, by the American Planning Association. Staff is recommending some flexibility for signage on buildings with multiple rooflines, defining a roof sign as a sign that is mounted on the roof, or that wholly or partially projects above the highest point of the roof line, parapet, or fascia of a building. This would allow a building with multiple rooflines to potentially install a sign that projects above a lower roofline, as long as the sign is not mounted on the roof, or exceeds the highest roofline of the building. Staff believes that a sign that is not mounted above the highest roofline of a building does not add to the visual clutter and promotes an attractive urban environment (Sec. 27-801.B.4).

Currently engineered plans for freestanding signs are required at the building official's discretion. In order to provide consistent review procedures and ensure that engineered plans are required for freestanding signs of a certain height, the proposed amendment includes the following requirements for freestanding signs.

- Freestanding signs over 17 feet in height require engineer stamped plans, including the sign structure and foundations
- Freestanding signs 4-17 feet required a perpendicular fall sign shown on the plans. If any portion of the fall zones encroaches within a public street or sidewalk, engineered plans must be submitted.
- Freestanding signs under 4 feet do not require additional plans.

**NEXT STEPS:**

If the Planning Commission recommends approval of this request to the City Council, it will be considered on February 4, 2020 for adoption.

**EXHIBITS:**

A – Proposed Amendment to Sections 27-802 and 27-813.D.

## **Sec. 27-802 Definitions.**

**Roof integral sign** shall mean a sign incorporated into, but not projecting above, the roof of a building. A roof integral sign is a wall sign.

~~**Roof sign** shall mean a sign mounted on the main roof portion of a building or on the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building.~~ shall mean a sign mounted on a roof, or a sign that wholly or partially projects above the highest point of the roof line, parapet, or fascia of a building.

**Searchlight** shall mean an apparatus used to attract attention to a property using a powerful beam of light or lights aimed skyward, usually constructed to be swiveled about.

**Sign** shall mean a device visible from a public place whose essential purpose and design is to convey either commercial or noncommercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations.

**Sign area** shall mean the area of the smallest geometric figure, or the sum of the combination of regular geometric figures, which comprise the sign face. See Sec. 27-805 for examples of how to calculate the sign area.

**Sign contractor** shall mean a person or organization with a current and active license to install signs by the City of Hutchinson.

**Sign copy** shall mean the physical sign message including any words, letters, numbers, pictures and symbols, exclusive of a street address.

**Sign embellishment** shall mean a decorative detail or feature of a sign that is not part of the sign copy and is not a necessary part of the sign structure.

**Sign face** shall mean the surface upon, against or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, embellishments, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border.

**Sign height** shall mean the distance from the lowest point of the adjacent ground to the highest point of the sign or sign structure.

**Sign structure** shall mean a support feature, including a pole, pedestal or cabinet, that is designed to hold a sign.

**Site** shall mean the location where the sign is to be placed.

**Streamers** shall mean a sign display made of rope, string or wire affixed with flexible materials, often in triangular shape or reflective strips of material, that comprise a fluttering linear display.

## **Sec. 27-813 Sign Regulations Pertaining to All Zoning Districts and Uses**

### **A. Sign Placement.**

1. Unless specifically authorized by these regulations, all signs shall be erected totally upon the property to which they pertain and shall not overhang into or be located upon the public right-of-way, sidewalk, street, public easement or any other public travel way.
2. Sign placement exceptions:
  - a. Projecting signs, awning, canopy and marquee signs shall be permitted to extend over a public sidewalk when located in the C-4 or C-5 Zoning District, when approved by the City Engineer.
  - b. A-frame signs shall be permitted on a public sidewalk in the C-5 Zoning District, provided the following criteria are met:
    1. The sign is located entirely outside the street, alley or driveway.
    2. The sign meets the temporary signage requirements established in Sec. 27-810.A.
    3. A pedestrian travel zone a minimum of 6 feet in width remains on at least one side of the sign.
    4. The sign does not obstruct pedestrian and wheelchair access to bus stops, designated parking spaces or building exits, including fire escapes.
3. Wall signs shall not extend above the top of the building wall upon which they are mounted and shall not protrude more than 18 inches on average from the wall or structure to which they are attached.
4. All signs shall be located on the premises to which they pertain, with the exception of center identification signs and off-premises (billboard) signs, as specified herein.

**B. Permanent construction.** All signage, other than temporary signage, shall be constructed of permanent weatherproof materials typically associated with sign construction, including solid plastic, wood, masonry, metal or other rigid materials and shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame or structure. Signs printed on pliable plastic, fabric, cardboard, streamers or other non-rigid materials are temporary signage for the purpose of these regulations unless mounted upon a wall in a permanently affixed frame.

### **C. Illumination.**

1. Temporary signs shall not be illuminated.

2. All other signage shall be allowed to have illumination provided, however, that nighttime illumination shall not exceed 0.3 foot candles above nighttime ambient lighting conditions upon an adjacent residential use as measured at the property line, regardless of the illumination method. Signs using external illumination shall have light sources that are fully shielded.
  3. Signs shall be equipped with a mechanism to automatically adjust the display's illuminative brightness and shall be controlled by means of a light detector/photo cell.
  4. Electronic message center signs shall be equipped with a default mechanism that shall freeze the sign in one position or static message if a malfunction occurs.
- D. Structural and engineering standards. All signs, sign structures, sign foundations and sign anchors shall meet the applicable provisions of the adopted building codes of the City of Hutchinson.
1. All permit applications for freestanding signs over 17 feet in height shall include engineer stamped plans, including the sign structure and foundation, to be reviewed and approved by the Building Official.
  2. Permit applications for freestanding signs of 4 to 17 feet in height shall include a perpendicular fall zone on the plans, equal to the vertical height of the sign. Signs with any portion of the fall zone within the public way of the pedestrian and motoring public shall submit engineered stamped plans, including the sign structure and foundation, to be reviewed and approved by the Building Official.
  3. For existing sign support structures that are to be reused for a new sign, signs that do not exceed the documented previous square footage shall not be required to submit engineer stamped plans or fall zone drawings. Signs that exceed the documented previous square footage shall comply with Section 27-813.D.1 and Section 27-813.D.2 of this Article.
- E. Obstruction prohibited. No sign shall obstruct any fire escape, required exit, window, opening, door or vent. Signage shall not interfere with property storm water drainage.
- F. Proximity to electrical lines. Signs shall not be placed any closer than 8 feet vertically or horizontally from electrical lines, conductors or electrical guy wires.
- G. Sight triangle. Signs shall be erected as to comply with the requirements of Sec. 27-308 of these regulations and shall not impede the sight triangle.