



**AGENDA
PLANNING COMMISSION**

Tuesday February 25, 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 February 11, 2020.

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

4. STUDY SESSION - None

5. 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 Hvitlæk, 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.

6. NEW BUSINESS - None

7. UPCOMING CASES

a. March 10, 2020

- Commercial Overlay District Regulations
- 2020 Annual Work Plan

8. ADMINISTRATIVE CASES

- a. SIT20-000001** – Commerce Gardens Phase II (Under Review)
- b. SIT20-000002** – 36,000 SF Industrial Building J&J Drainage (Under Review)

9. COUNCIL ACTION ON CASES - None

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

11. ANNOUNCEMENTS

- a.** Farewell to Aaron Barlow, Darryl Peterson, and Brock Wells

12. 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 (2/2), Logan Leuenberger (2/2), Darryl Peterson (2/2), Terry Bisbee (2/2), Jane Gamber (1/2), Valerie Roberts-Ropp (1/2), and Jon Richardson (2/2) (Chair). Brock Wells (0/2) was absent.

Planning Staff present were Ryan Hvitløk, Director of Planning & Development; Aaron Barlow, Associate Planner; and Charlene Mosier, Planning Technician.

2. APPROVAL OF MINUTES

The minutes of the January 14, 2020 meeting were approved on a motion by Bisbee, seconded by Leuenberger, passed unanimously.

3. CORRESPONDENCE & STAFF REPORTS

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

4. STUDY SESSION

a. SA19-000001 Minor Plats, Lot Splits and Lot Line Adjustments

Hvitløk gave an overview of the amendment and said this is a final review of the proposed language amending the Minor Plat, Lot Split and adding Lot Line Adjustment regulations to the Hutchinson Subdivision Regulations, Sections 9-401.D., and Article V of Chapter 9 of City Code.

Reno County reviewed and had some concerns regarding recording of documents and some changes were made. Efforts are being made to streamline the development process. The proposed ordinance would permit administrative review and approval of minor plats, lot splits and lot line adjustments similar to other cities in Kansas.

Standard Conditions Required for Minor Plat, Lot Split or Lot Line Adjustment:

- No new public infrastructure
- All lots and structures shall meet lot and building requirements
- Require recorded access or frontage to a public street
- Will not result in significant increases nor interfere with existing service levels
- Existing easements will not require modification
- Not located in SFHA
- Consistent with City's Comprehensive Plan
- Conform with Kansas Minimum Standards for Boundary Surveys
- Current on all real estate taxes and special assessments
- Lot cannot have been previously divided through an administrative process

Minor Plat:

- No more than 5 lots from a previously platted parcel
- Removal of existing platted setback lines
- Consolidation of up to 3 previously platted lots into no more than 2 lots

Requirements of Minor Plat:

- No more than 5 lots
- Conform to State Minimum Standards for Boundary Surveys
- Consistent with any conditions imposed on the previously platted subdivision
- Meet minimum lot size, building height, and setback requirements
- Meet all stormwater management standards
- Easements are not vacated, added, relocated, or removed
- Water and sewer services will not be adversely impacted
- Existing well and septic must meet all setback and area requirements
- No public infrastructure needed to serve the lots
- Real estate taxes and special assessments are not delinquent

Application Requirements (besides fees and forms):

- Scaled drawings by a licensed land surveyor
- Certificate that all taxes and special assessments due and payable have been paid

Approval Process:

- Submit application and materials to Planning & Development Department
- DRC reviews and provides comments
- If DRC has no comments, Director of Planning and Development approves minor plat and signs
- Plat is placed on next City Council consent agenda for Mayor to approve and sign
- City records minor plat with Register of Deeds

Lot split:

- Division of property into no more than 2 tracts

Requirements for Lot Split:

- Lots are platted or exempt from platting
- Meet lot and building standards
- Easements are not vacated, added, relocated, or removed
- Water and sewer not adversely impacted
- Existing septic and wells meet all setback and area requirements
- Property not subject to previous lot split

Application Requirements (besides fees and forms):

- Drawing from licensed land surveyor
- Legal descriptions of new lots

Approval Process:

- DRC
- Director of Planning and Development
- Recording with Register of Deeds

Lot Line Adjustment:

- Adjustment of the lot line between any two platted lots

Requirements:

- Platted or exempt from patting
- Each adjusted lot meets lot size and setback requirements
- Utility easements are not vacated, added, relocated, or removed
- No additional lots created
- No easements are added, relocated, or removed

Application Requirements (besides fees and forms)

- Drawing from licensed land surveyor
- Legal descriptions of new lots

Approval Process:

- DRC
- Director of Planning & Development
- Recording with Register of Deeds

Discussion ensued. Swearer asked why property can only be split once with a lot split. Hvitlæk said it prevents someone from circumventing the system and is common procedure and language.

Motion by Swearer, seconded by Bisbee, to recommend approval of Subdivision Amendment #SA19-000001 to amend Section 9-401.D. Concurrent Submittals, and Article V. Minor Plats, Lot Splits, and Lot Line Adjustments of the Hutchinson Subdivision Regulations. The motion passed with the following vote: Yes – Leuenberger, Gamber, Peterson, Bisbee, Swearer, Richardson.

Roberts-Ropp arrived at 5:50 p.m.

5. PUBLIC HEARING

- a. None.

6. NEW BUSINESS

- a. 2019 Annual Report

Hvitlæk reviewed the 2019 Planning and Development Annual Report that was included in the agenda packet. Accomplishments included adoption of revised accessory garage and carport regulations, adoption of new public notice requirements, all planners becoming AICP certified, and the hiring of a new director.

Development Activity, Housing and Neighborhood accomplishments were reviewed as well as programs for Brush Up Hutch!, Down Payment Match, 0% Interest Home Loan, and NRP. Other Planning Department projects include ESG for BrightHouse, the Landlord/Tenant Handbook, and Historic Preservation including Main Street Projects of the Burt and Stevens Buildings.

The Tactical Urbanism Community Foundation Grant was discussed. It is about placemaking in various locations in Hutchinson experimenting with temporary projects before making them permanent. This project can include seating areas and planter boxes in the Midtown and Farmington Park neighborhoods and a bike crossing from the State Fairgrounds to Washington St. Closing an area along Main Street for events such National Night out may also be examined.

A motion by Leuenberger, seconded by Peterson, to recommend approval to the City Council of the 2019 Planning & Development Annual Report, passed unanimously.

7. UPCOMING CASES

- a. February 25, 2020
ZA19-000009 Sign Code Amendments public hearing

8. ADMINISTRATIVE CASES

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

9. COUNCIL ACTION ON CASES

- a. CPA19-000005 - 925 W 4th Ave (Denied)
- b. ZA19-000008 - 925 W 4th Ave (Denied)

10. OPEN COMMENTS FROM THE AUDIENCE

- a. None.

11. ANNOUNCEMENTS

- a. None.

12. ADJOURNMENT - The meeting adjourned at 6:30 p.m.

Respectfully Submitted

Charlene Mosier, Planning Technician
Approved this day of 2020

Attest: _____



**Planning Commission Staff
Report**

Public Hearing: February 25, 2020

DATE: February 18, 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 March 3, 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.