

ORDINANCE NO. 2024-10-_____

AN ORDINANCE MODIFYING MUNICIPAL CODE SECTION 50-227 CONCERNING SIGNS PLACED ON PUBLIC PROPERTY AND MODIFYING ZONING REGULATIONS ARTICLE 27 (SIGNS) ADOPTING SUCH REGULATIONS BY REFERENCE AND MODIFYING MUNICIPAL CODE TO SO REFLECT.

WHEREAS the City Commission of Arkansas City adopted Zoning Regulations on May 20, 2014, and since amended both sets of regulations; and

WHEREAS such regulations need to be reviewed and amended from time to time and the 2022 Comprehensive Plan recommended certain changes; and

WHEREAS a recent case brought before the Planning Commission brought to light that regulations concerning billboards needed to be amended; and

WHEREAS on the 10th day of September 2024 the Planning Commission held a public hearing after due public notice on the proposed amendments to Article 27 Signs; and

WHEREAS on that date the Planning Commission recommended the Governing Body adopt the amendments to the Zoning Regulations; and

WHEREAS the Governing Body desires to accept the Planning Commission's recommendation and adopt the amended Zoning Regulations Article 27 Signs; and

WHEREAS the Governing Body also desires to amend conflicting provisions in Municipal Code Section 50-227 to refer to the Zoning Regulations for any exceptions to the placement of signs on public property.

NOW, THEREFORE, IN CONSIDERATION OF THE AFORESTATED PREMISES, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS:

SECTION ONE: AMENDMENTS TO MUNICIPAL CODE PART III, TITLE 18 SECTION 18.1

The Governing Body desires to amend Article 27 of the City's Zoning Regulations regarding billboard signs and signs excluded from regulations; said amended Article 27 is attached hereto and incorporated by reference as if fully set forth herein. The Governing Body therefore hereby amends Arkansas City Municipal Code Part III, Title 18 to read as follows (new provisions in italics; deleted provisions struck through):

Title 18 - ZONING

Sec. 18.1. - Adopted by reference.

The City of Arkansas City Zoning Regulations (hereafter "Zoning Regulations"), as prepared in book form by the Planning Commission under date of ~~October 10, 2023~~ *September 10, 2024*, following a public hearing as required by state law, and the same and new zoning map are hereby declared to be approved and incorporated by reference as if set out fully herein pursuant to K.S.A. 12-3001 et seq., K.S.A. 12-3009 et seq. and K.S.A. 12-3301 et seq.

SECTION TWO: AMENDMENTS TO MUNICIPAL CODE PART II, SECTION 50-227

The Governing Body hereby amends Section 50-227 of the Municipal Code to read as follows (new provisions in italics; deleted provisions struck through):

Sec. 50-227. - Public property.

No portable or movable sign or other encroachment may be maintained or allowed to remain upon public property- *except as provided for in Zoning Regulations Sections 27-301 and 27-401 as adopted by reference.*

SECTION THREE: The Governing Body of the City of Arkansas City hereby authorizes the Mayor and/or City Manager of the City of Arkansas City to take such further and other necessary actions that are required to effectuate the intent and purposes of this Legislative Enactment.

SECTION FOUR: PUBLICATION; EFFECTIVE DATE. This ordinance, or a summary thereof, shall be published one time in the official City newspaper, and shall take effect and be in force from and after said publication.

PASSED AND ORDAINED by the Governing Body of the City of Arkansas City, Kansas, on this 15th day of October 2024.

(Seal)

Jay Warren, Mayor

ATTEST:

Tiffany Parsons, City Clerk

DRAFTED AND APPROVED AS TO FORM:

Larry Schwartz, City Attorney

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2024-10-_____ of the City of Arkansas City, Kansas adopted by the Governing Body thereof on October 15, 2024, as the same appears of record in my office.

DATED: _____.

Tiffany Parsons, City Clerk