

ARTICLE 27

SIGNS

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SECTION 27-1 DEFINITIONS

27-101. Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this Section shall have the meaning indicated when used in this Article.

Attention-Attracting Device. Any device intended to attract the attention of the public to an establishment, location, product or service, except signs as permitted by this Article.

Awning Sign (illuminated and/or non-illuminated). A sign which is mounted, painted or printed on, or attached to an awning, or canopy. For the purposes of this Article, a canopy sign and a marquee sign shall be construed to be an awning sign.

Billboard. An off-premises sign owned by a person, corporation, or other entity that engages in the business of selling the advertising space on that sign.

Freestanding Sign. A sign that is attached to, erected on, or supported by some structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of or attached to a building or other structure whose principal function is something other than the support of a sign. A sign that stands without supporting elements, such as "sandwich sign," is also a free-standing sign. If the

message is removed from a structure that was originally designed and used as a freestanding sign, this structure shall still be considered a sign.

Internally Illuminated Signs. Signs where the source of the illumination is inside the sign and light emanates through the message of the sign, rather than being reflected off the surface of the sign from an external source. Without limiting the generality of the foregoing, signs that consist of or contain tubes that (1) are filled with neon or some other gas that glows when an electric current passes through it, and (2) are intended to form or constitute all or part of the message of the sign, rather than merely providing illumination to other parts of the sign that contain the message, shall also be considered internally illuminated signs.

Monument Sign. A freestanding sign having a solid appearance and a low profile, normally consisting of a face and base. Said sign may be constructed with stone, concrete, metal, routed wood planks or beams, brick or other materials consistent with the building the sign is representing.

Off-Premises Sign. A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided at a location other than the premises on which the sign is located. A sign that draws attention to a cause or advocates or proclaims a political, religious, or other noncommercial message shall also be an off-premises sign unless such sign is excluded from regulation under Section 27-2.

On-Premises Sign. A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided on the premises where the sign is located.

Roof Sign. A sign erected, constructed or maintained partially or wholly upon or over the roof of a building, a building canopy, or a freestanding canopy.

Sign. Any device that (1) is sufficiently visible to persons not located on the lot where such device is located to accomplish either of the objectives of part (2) of this definition, and (2) is designed to attract the attention of such persons or to communicate information to them.

Temporary Sign. A sign that either (1) is used in connection with a circumstance, situation, or event that is designed, intended, or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign, or (2) is intended to remain on the location where it is erected or placed for a period of not more than 15 days. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be regarded as temporary.

Time and/or Temperature Sign. A sign displaying time and/or temperature information with no additional advertising or comments other than the name of the company which owns the sign.

Vehicular Sign. Any sign which is attached to or placed upon a parked motor vehicle and placed in a position or location for the sole purpose of displaying the same to the public.

Wall Sign. A sign that is parallel to, and attached to, the surface of a wall, including illuminated awning signs. If a sign is placed on a canopy that has a roof slope of 1:4 or less (twenty-five [25] degrees or less from vertical), the face of the sign may be perpendicular to the ground.

SECTION 27-2 SIGNS EXCLUDED FROM REGULATIONS

27-201. The following signs are exempt from regulation under this Article except for those regulations set out in Section 27-4.

- a. Signs not exceeding four (4) square feet in area that are customarily associated with residential use and that are not of a commercial nature, such as (1) signs giving property identification names or numbers or names of occupants, (2) signs on mailboxes or newspaper tubes, and (3) signs posted on private property relating to private parking or warning the public against trespassing or danger from animals.
- b. Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional, or regulatory signs.
- c. Official signs of a noncommercial nature erected by public utilities.
- d. Flags, pennants, or insignias of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as an advertising device.
- e. Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain letters, trademarks, moving parts, or lights.
- f. Signs directing and guiding traffic on private property that do not exceed four (4) square feet each and that bear no advertising matter.
- g. Signs painted on or otherwise permanently attached to currently licensed motor vehicles that are not primarily used as signs.

- h. Signs proclaiming religious, political, or other noncommercial message that do not exceed sixteen (16) square feet in area and that are not internally illuminated.

SECTION 27-3. SIGNS PROHIBITED

27-301. It shall be a violation of these regulations to erect, install, place or maintain the following signs:

- a. Any sign or advertising structure which constitutes a traffic hazard or a detriment to traffic safety by reason of its size, location, movement, content, coloring, or method of illumination, or by obstructing the vision of drivers, or signs that obstruct or detract from the visibility of traffic control devices or emergency vehicles. The use of flashing lights or revolving lights is prohibited in any sign as constituting a hazard to traffic. Any sign which by glare or method of illumination constitutes a hazard to traffic is prohibited.
- b. Any sign or advertising structure with words, scenes or graphics which are obscene, indecent and prurient, within the meaning of K.S.A. 21-4301, as amended.
- c. Any sign or advertising structure (other than those erected by a governmental agency or required to be erected by a governmental agency for a public purpose) erected, installed or placed on the right-of-way of any street, road or public way, or signs overhanging or infringing upon the right-of-way of any street, road or public way, except as specifically permitted by these regulations.
- d. Any sign or advertising structure erected on City property or other governmental property other than signs erected by the governmental entity itself.
- e. Any sign or advertising structure which is erected, installed or maintained that obstructs any fire escape, required exit, window or door opening intended as a means of ingress or egress.

SECTION 27-4 GENERAL SIGN REGULATIONS

27-401. The following general sign requirements shall apply to all signs in all zoning districts:

- a. No signs shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.
- b. Except where such is otherwise specifically prohibited, lighting shall be permitted on signs, provided, however, the reflectors shall be provided with proper lenses, concentrating the illumination on the area of the sign to prevent glare upon the street or adjacent property.
- c. No sign shall be wholly or partially illuminated so as to interfere with the vision of pedestrian or vehicular traffic.
- d. No sign shall be attached to a tree or to a publicly- or privately-owned utility pole on either public or private property.

SECTION 27-5 RESIDENTIAL DISTRICT (R) SIGN REGULATIONS

27-501. The following signs shall be allowed in Residential Districts:

- a. One (1) non-illuminated sign per residence or building under construction, not more than thirty-two (32) square feet in area per face and not more than eight (8) feet in height, showing the name of the architects, engineers, builders or contractors, provide that said sign shall be removed within ten (10) days of project completion.
- b. On churches, schools and other similar types of buildings and uses allowed in these districts, one (1) non-illuminated, indirectly illuminated, or internally illuminated wall or monument sign, which shall not exceed thirty (30) square feet in area per face, naming the organization and indicating the activities and/or services therein provided.
- c. One (1) non-illuminated home occupation sign per lot, provided said sign shall not exceed six (6) square feet in area per face nor exceed five (5) feet in height, and further provided that the home occupation is permitted as provided for in these Regulations.
- d. One (1) non-illuminated or indirectly illuminated monument sign shall be permitted at the entrance to each platted subdivision identifying the subdivision by name, provided said sign shall not exceed fifty (50) square feet in area per face nor exceed five (5) feet in height.
- e. One (1) temporary sign for the lease, hire, or sale of the building or premises upon which the sign is located.

- f. In the R-3 District, for any permitted nonresidential use and for permitted apartment buildings and similar uses, one (1) illuminated, non-flashing, identification sign not exceeding fifteen (15) square feet of sign area, providing only the name and/or address of the building or the management thereof. No such sign shall extend above the roof. Any building on a corner lot shall be permitted one such sign for each fronting street.

SECTION 27-6 COUNTRYSIDE DISTRICT (CS) SIGN REGULATIONS

27-601. The following signs shall be allowed in the Countryside District (CS):

- a. One (1) non-illuminated sign per residence or building under construction, not more than thirty-two (32) square feet in area per face and not more than eight (8) feet in height, showing the name of the architects, engineers, builders or contractors, provided that said sign shall be removed within ten (10) days of project completion.
- b. On churches, schools, and other similar types of building and uses allowed in this district, one (1) non-illuminated, indirectly illuminated, internally illuminated monument sign, which shall not exceed five (5) feet in height, nor exceed forty (40) square feet in area per face, naming the organization and indicating the activities and/or services therein provided, and/or one (1) non-illuminated wall sign with only the name of the organization, not to exceed fifteen (15) square feet in area.
- c. One (1) non-illuminated sign indirectly or directly illuminated monument sign shall be permitted at the entrance to each platted subdivision identifying the subdivision by name, provided said sign shall not exceed fifty (50) square feet in area per face nor exceed five (5) feet in height.

SECTION 27-7 AGRICULTURAL DISTRICT (A) SIGN REGULATIONS

27-701. The following signs shall be allowed in the Agricultural District (A):

- a. One (1) non-illuminated sign per residence or building under construction, not more than thirty-two (32) square feet in area per face and not more than eight (8) feet in height, showing the name of the architects, engineers, builders or contractors, provided that said sign shall be removed within ten (10) days of project completion.
- b. On churches, schools, and other similar types of buildings and uses allowed in this district, one (1) non-illuminated, indirectly illuminated, internally illuminated monument sign, which shall not exceed five (5) feet in height, nor exceed forty (40) square feet in area per face, naming the organization and indicating the activities and/or services therein provided, and/or one (1) non-illuminated wall sign with only the name of the organization, not to exceed fifteen (15) square feet in area.
- c. One (1) non-illuminated home occupation sign per lot, provided said sign shall not exceed six (6) square feet in area per face nor exceed five (5) feet in height, and further provided that the home occupation is permitted as provided for in these Regulations.

SECTION 27-8 COMMERCIAL DISTRICT SIGN REGULATIONS

27-801. The following signs shall be allowed in the C-1 and C-2 Commercial Districts:

a. In the C-1 District:

(1) Business identification signs:

- (a) One (1) permanent, free-standing sign not exceeding four (4) feet in height above the average grade of the yard area in which it is located. No such sign shall exceed twelve (12) square feet per sign face in the yard area adjacent to the arterial or collector street side of the property.
- (b) One (1) flat wall sign, not to exceed twelve (12) square feet in sign area.
- (c) Only non-illuminated or internally-illuminated signs are permitted. No sign cast a direct light upon adjacent properties.
- (d) Intermittent or flashing illumination is prohibited.

b. In the C-2 District:

- (1) Outdoor advertising structure or sign advertising a use conducted within the building, provided that any sign or display in excess of 30 square feet in area shall be attached flat against a wall of the building. The 30 square feet of sign area permitted for projecting or freestanding signs may be in one sign or the total area of several signs.
- (2) No sign or display shall project above the roof line.
- (3) Intermittent or flashing illumination is prohibited.

27-802. The following signs shall be allowed in the C-3 and C-4 Commercial Districts:

a. In the C-3 District: Outdoor advertising structure or sign, provided that any sign or display in excess of 100 square feet in area shall be attached flat against a wall of the building.

- b. In the C-4 District:
 - (1) Outdoor advertising structures or signs as allowed in the C-3 District.
 - (2) Non-accessory billboards.
 - (3) No structures or signs shall be located on the roof of a building.

SECTION 27-9 INDUSTRIAL DISTRICT SIGN REGULATIONS

27-901. The following signs shall be allowed in the Light Industrial District (I-1):

- a. Each industrial establishment shall be permitted one or more non-illuminated, indirectly illuminated, or internally illuminated wall signs, not more than one (1) on a façade that faces or fronts onto a public right-of-way. The sign area of each wall sign shall not exceed ten percent (10%) of the total surface area of the façade upon which it is located.
- b. In lieu of one (1) of the wall signs permitted above, one (1) detached non-illuminated, indirectly illuminated, or internally illuminated monument sign shall be permitted for each industrial establishment. Such sign shall not exceed five (5) feet in height above the average grade, and the sign face shall not exceed fifty (50) square feet in area per face.

27-902. The following signs shall be allowed in the Heavy Industrial District (I-2):

- a. Each industrial establishment shall be permitted three (3) non-illuminated, indirectly illuminated, or internally illuminated wall signs, not more than one (1) on a façade that faces or fronts onto a public right-of-way. The sign area of each wall sign shall not exceed fifteen percent (15%) of the total surface area of the façade upon which it is placed.
- b. In lieu of one (1) of the wall signs permitted above, one (1) detached non-illuminated, indirectly illuminated, or internally illuminated monument sign shall be permitted for each industrial establishment. Such sign shall not exceed five (5) feet in height above the average grade, and the sign face shall not exceed one hundred (100) square feet in area per face.

SECTION 27-10 MAINTENANCE OF SIGNS

27-1001.

- a. All signs and all components thereof, including without limitation supports, braces, and anchors, shall be kept in a state of good repair. With respect

- to freestanding signs, components (supporting structures, backs, etc.) not bearing a message shall be constructed of materials that blend with the natural environment or shall be painted a neutral color to blend with the natural environment.
- b. If a sign other than a billboard advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be considered abandoned and shall, within thirty (30) days after such abandonment, be removed by the sign owner, owner of the property where the sign is located, or other party having control over such sign.
 - c. If the message portion of a sign is removed, leaving only the supporting “shell” of a sign or the supporting braces, anchors, or similar components, the owner of the sign or the owner of the property where the sign is located or other person having control over such sign shall, within thirty (30) days of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign.
 - d. The area within ten feet (10') in all directions of any part of a freestanding sign shall be kept clear of all debris and all undergrowth more than ten inches (10”) in height.

SECTION 27-11 BILLBOARDS/OFF-PREMISES SIGNS

27-1101. Off-premises outdoor billboard signs are allowed in the C-3, I-1 and I-2 Districts upon the issuance of a conditional use permit, and subject to the requirements of this section.

27-1102. Location:

- a. Billboard signs shall not be located within 300 feet of any structure occupied as a residential or other non-commercial or non-industrial use.
- b. Billboard signs shall not be located within fifty (50) feet of any state or federal highway, as measured from the edge of the right-of-way.
- c. Billboard signs shall not be attached to the roof or wall of any building.

27-1103. Maximum Height: The top edge of any billboard sign shall not exceed fifty (50) feet above average grade.

27-1104. Maximum Sign Area:

- a. The maximum sign area of any billboard sign shall not exceed a total of 750 square feet.
- b. The maximum height or vertical dimension shall not exceed 15 feet. The maximum width or horizontal dimension of any one billboard sign shall not exceed 50 feet.
- c. For purposes of this subsection, each face of a billboard sign, whether back-to-back, V-shaped, or some other configuration, shall be considered a separate sign.

27-1105. Lighting: Billboard signs may be indirectly illuminated, but shall not cast glare upon any adjacent highway so as to pose a hazard to vehicular traffic.

27-1106. Minimum Spacing Requirements: No billboard sign hereafter erected shall be less than 300 feet from any other existing billboard sign on the same side of the street. Such minimum spacing distance shall be measured along the center line of the frontage street or highway from a point opposite any edge of a billboard sign and perpendicular to the center line of each street or highway.

SECTION 27-12 UNLAWFUL CUTTING OF TREES OR SHRUBS

27-1201. No person may, for the purpose of increasing or enhancing the visibility of any sign, damage, trim, destroy, or remove any trees, shrubs, or other vegetation located within the right-of-way of any public street or road, unless the work is done pursuant to written authorization of the Zoning Administrator.

SECTION 27-13 NONCONFORMING SIGNS

27-1301.

- a. Subject to the remaining restrictions of this Section, nonconforming signs that were otherwise lawful on the effective date of these regulations may be continued until they are required to be removed under Section 27-14.
- b. No person may engage in any activity that causes an increase in the extent of nonconformity of a nonconforming sign. Further, no nonconforming sign may be enlarged or altered in such a manner as to aggravate the nonconforming condition. No illumination may be added to any nonconforming sign.
- c. A nonconforming sign may not be moved or replaced except to bring the sign into complete conformity with this Article.

- d. If a nonconforming sign is destroyed by natural causes, it may not thereafter be repaired, reconstructed, or replaced except in conformity with all the provisions of this Article, and the remnants of the former sign structure shall be removed. For purposes of this Section, a nonconforming sign is “destroyed” if damaged to an extent that the cost of repairing the sign to its former stature or replacing it with an equivalent sign exceeds fifty percent (50%) of the value of the sign so damaged.
- e. Subject to the other provisions of this Section, nonconforming signs may be repaired and renovated so long as the cost of such work does not exceed within any twelve (12)-month period fifty percent (50%) of the value of such sign.
- f. If a nonconforming sign other than a billboard advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be considered abandoned and shall be removed within thirty (30) days after such abandonment by the sign owner, owner of the property where the sign is located, or other party having control over such sign.
- g. If a nonconforming billboard remains blank for a continuous period of one hundred, eighty (180) days, that billboard shall be deemed abandoned and shall, within thirty (30) days after such abandonment, be altered to comply with this Article or be removed by the sign owner, owner of the property where the sign is located, or other person having control over such sign.

SECTION 27-14 AMORTIZATION OF NONCONFORMING SIGNS

27-1401.

- a. Subject to the provisions of this Section, a nonconforming sign that exceeds the height, size, or spacing limitations by more than ten percent (10%) or that is nonconforming in some other way shall, within three (3) years after the effective date of these regulations, be altered to comply with the provisions of this Article or be removed.
- b. If the nonconformity consists of too many freestanding signs on a single lot or an excess of total sign area on a single lot, the person responsible for the violation may determine which sign or signs need to be altered or removed to bring the development into conformity with the provisions of this Article.
- c. The following types of nonconforming signs or signs that are nonconforming in any of the following ways shall be altered to comply with

the provisions of this Article or removed within ninety (90) days after the effective date of this Article:

1. Portable signs and temporary signs.
2. Prohibited signs.