

## **ARTICLE 7. SIGNS**

**100 Sign Permits.** No sign, except for signs listed in Section 7-103, shall be constructed, erected, enlarged, relocated or structurally altered until a zoning permit for such sign has been obtained in accordance with the procedure set out in Article 9 of these regulations. No zoning permit for any sign shall be issued unless the sign complies with the regulations of this Article 7. All signs lawfully existing at the time of passage of these regulations may remain in use, including those in the states of legal nonconformance. The purpose of this article is to safeguard the public use of the roads and streets and to equitably enhance the visual environment.

In addition to these sign regulations, all provisions of the Kansas Highway Advertising Control Act administered by the Kansas Department of Transportation must be met where such provisions exceed the requirements of these regulations. The latter regulations apply to signs visible from the Interstate and Federal Aid Primary Highway Systems. (See K.S.A. 68-2231, et seq. for state sign regulations.)

### **101 Classification of Signs.**

#### A. Functional Types:

1. Advertising Sign: A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located or to which it is affixed. Such a sign may also be used to convey political and public service announcements. No such sign shall be attached to a stationary vehicle or a portion thereof which is publicly displayed on a zoning lot. Advertising signs along state or federal highways must receive prior approval from the Kansas Department of Transportation before a zoning permit can be issued.
2. Bulletin Board Sign: A sign that indicates the name of an institution or organization on whose premises it is located and which contains the name or names of persons connected with it, and announcements of persons, events or activities occurring at the institution. Such sign may also present a greeting or similar message.
3. Business Sign. A sign which directs attention to a business or profession conducted; or to a commodity or service sold, offered or manufactured; or an entertainment offered on the premises where the sign is located or to which it is affixed.
4. Construction Sign: A temporary sign indicating the names of designers and contractors involved in the construction of a project during the construction period and only on the premises on which the construction is taking place.

5. Identification Sign: A sign giving the name and address of a building, business, development or establishment. Such signs may be wholly or partly devoted to a readily recognized symbol.
6. Nameplate Sign: A sign giving the name and/or address of the owner or occupant of a building or premises on which it is located, and where applicable, their professional status.
7. Real Estate Sign: A sign pertaining to the sale or lease of the lot or tract of land on which the sign is located, or to the sale or lease of one or more structures, or a portion thereof located thereon, including auction signs.

B. Structural Types:

1. Awning, Canopy or Marquee Sign: A sign that is mounted or painted on, or attached to, an awning, canopy or marquee that is otherwise permitted by these regulations. No such sign shall project further below than eight feet from the ground level or beyond the physical dimensions of the awning, canopy or marquee.
2. Ground Sign: Any sign placed upon, or supported by, the ground independently of the principal building or structure on the property. A sign on accessory structures shall be considered a ground sign. Portable signs do not numerically count as ground signs for the district regulations.
3. Pole Sign: A sign that is mounted on a free-standing pole, the bottom edge of which sign is seven feet or more above ground level.
4. Projecting Sign: A sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.
5. Roof Sign: A sign totally supported on the roof of a building which does not project more than 12 inches beyond the face of the structure.
6. Temporary Sign: A sign in the form of a banner, pennant, valance or advertising display constructed of fabric, cardboard, wallboard or other light weight materials, with or without a frame, intended for temporary display of not more than 20 days at a time.
7. Wall Sign: A sign fastened to or painted on a wall of a building or structure in such a manner that the wall becomes merely the supporting structure or forms the background surface, and which does not project more than twelve inches from such building.

**102 General Standards.**

- A. Gross Surface Area of Sign. The entire area within a single continuous perimeter enclosing the extreme limits of such sign, and in no case passing through or between any adjacent elements of same. Such perimeter shall not include any structural elements lying outside the limits of such sign and which do not form an integral part of the display. When two or more signs are located on a zoning lot, the gross surface area of all signs on the lot shall not exceed the maximum gross surface per street frontage set by the applicable district regulations, except as is provided by Section 7-102B. Signs on interior lots which may be viewed from both directions of the adjacent street are considered to have a single gross surface area.
- B. Corner and Through Lots. On corner and through lots, each lot line that abuts a street or highway shall be considered a separate street frontage. On corner and through lots, restrictions that are phased in terms of the number of signs per zoning lot shall be deemed to permit the allowable number of signs to face each street or highway that abuts the lot.
- C. Height of Sign. The maximum height of signs shall be measured from ground level at the base of or below the sign to the highest element of the sign and shall be determined for purposes of Article 7 as independent from the maximum structure height for zoning districts.
- D. Building and Electrical Codes Applicable. All signs must conform to the structural design standards of any applicable building code. Wiring of all electrical signs must conform to any applicable electrical code.
- E. Illuminated Signs: Signs shall be shaded wherever necessary to avoid casting bright light upon property located in any residential district or upon any public street or park. Any brightly illuminated sign, located on a lot adjacent to or across the street from any residential district, which is not otherwise shaded and visible from such residential district, shall not be illuminated between the hours of 11 p.m. and 7 a.m.
- F. Flashing or Moving Signs.
  - 1. An electric variable message sign that utilizes computer-generated messages or some other electronic means of changing copy. These signs include displays using incandescent lamps. Liquid Crystal Display (LCD), or a flipper matrix, and may also enable changes to be made to messages from locations other than the sign. Electronic signs shall be classified as animated. No electronic message sign shall be erected or installed without dimming controls to ensure the sign is appropriately dimmed at night. Acceptable dimming controls include automated light sensing devices (photocells and/or programmable controls that are set by the user to automatically dim the sign at night. Generally, the maximum night time brightness

and/or intensity shall not exceed 3.000 nits (or equivalent). For electronic message signs that have a maximum brightness and/or intensity of 3.000 nits or less, dimming controls shall not be required.

2. No flashing signs, rotating or moving signs, animated signs, signs with moving lights or signs which create the illusion of movement shall be permitted in any residential district, except on nonresidential zoning lots. (See Section 2-102 for definition of SIGN.)
- G. Signs Adjacent to Pedestrian Walkways. Signs projecting over or adjacent to a pedestrian walkway and any accessory electrical fixtures of a sign must maintain a minimum clearance of eight feet above the walking surface.
- H. Accessway or Window. No sign shall block any accessway or window required by any applicable building, housing, fire or other codes or regulations.
- I. Signs on Trees or Utility Poles. No private sign shall be attached to a tree or utility pole whether on public or private property.
- J. Traffic Safety.
1. No sign shall be maintained at any location where by reason of its position, size, shape or color; it may obstruct, impair, obscure, interfere with the view of, or be confused with; any traffic control sign, signal or device; or where it may interfere with, mislead or confuse traffic.
  2. No sign shall be located in any vision triangle, except official traffic signs and signs mounted eight feet or more above the ground whose supports, not exceeding two, do not exceed 12 inches at the widest dimension and, thus, do not constitute an obstruction.
- K. Location. No sign or structure thereof shall be permitted **on** a public right of way or public easement, except temporary real estate and garage sale signs may be placed on the public right-of-way with the approval of the adjacent landowner to provide direction to the property; provided, that such signs do not obstruct traffic visibility. Such signs may only be displayed during an open house or a garage sale and must be removed at the conclusion of such open house or sale. No sign shall be permitted to **project over** a public right-of-way or public easement, except with the approval of the Board of Zoning Appeals as a conditional use. (See Section 7-101B1 for Awning, Canopy or Marquee sign; Section 7-102G for clearance over pedestrian walkways, Section 7-102L2 for Portable Signs, Section 7-103A5 for garage sale signs and Section 7-103B5 for real estate signs.)

L. Portable Signs. Notwithstanding any other provisions of these regulations and, in particular, Article 7, the following provisions apply to the use of portable signs:

1. A portable sign is defined as a temporary on-site sign designed in such a manner as to be readily moveable and not permanently attached to the premises, such as A-frames or trailer signs, but not to include signs placed on vehicles, beacon lights and other similar signs. Removal of any wheels shall not change the definition of being readily moveable. Any such sign shall not exceed a height of 10 feet above grade level nor 60 square feet in gross surface area. Such signs shall not be used as advertising signs. (See Section 7-101A1 for Advertising Sign.)
2. All the general standards of Sections 7-102A through K are applicable to portable signs, except that in Section 7-102K such signs may project over or be located on public easements, but not the public street right of way. No such signs shall be placed on the roof of structures.
3. Whereas portable signs are not required to set back any minimum distance from lot lines in any zoning district, the Zoning Administrator shall, in his or her discretion, strictly enforce the traffic safety provisions of Section 7-102J1, especially at corner intersections and driveway entrances and exits.
4. In all zoning districts, except residential districts, portable signs are permitted; however, any such sign shall not be located closer than 50 feet to another such sign when measured along the frontage whether the latter is located on the same or another zoning lot, except that each business firm shall be permitted at least one such sign notwithstanding the 50 foot minimum spacing standard.
5. In all residential districts, only portable signs are permitted which limit their messages to the following subjects:
  - a. Announcements of special occasions or activities of nonprofit organizations such as churches and fraternal and service clubs.
  - b. Announcements related to personal or family events such as "Happy Birthday" and the like.

The above signs are limited to a display period of not more than 15 days for any one announcement and only one sign at a time permitted on the premises of the party making the announcement.

6. In addition to the provisions of Sections 7-102D and E, strobe light sources or flashing bulbs or signs which create the illusion of movement shall not be permitted on portable signs in any district. Electrified portable signs shall not be connected to any electrical power source except during the hours when the business, office or

institution is open. Electrical lines shall not be permitted to lay on the ground where vehicular traffic or pedestrian passage is allowed and the use of extension cords for portable signs is prohibited. Ground Fault Circuit Interrupters (G.F.C.I.) are required on all electrified signs.

7. A zoning permit for each portable sign shall be obtained for all or a portion of each calendar year when the sign remains on the zoning lot. Permits in residential districts are not required which meet the criteria of Section 7-102L5 above. All portable signs shall bear an identification marker to indicate the owner's name and some system of identifying the individual sign, e.g., by number.
  8. Any unauthorized portable sign place on public property, including the public street right of way, is declared to be a public nuisance and be the cause of its removal and impoundment without notice. If not redeemed within 30 days by the owner paying a service charge, the County may dispose of the sign in any manner deemed appropriate. The Zoning Administrator may revoke the permit for any sign deemed to be in violation of this Section, i.e., 7-102L, or of any condition on which the permit was based and order its removal within a reasonable period consistent with public safety.
- M. Damaged or Unsafe Signs. The Zoning Administrator shall require the immediate repair or removal of any conforming or nonconforming sign or sign structure which has been damaged or deteriorated so as to become a public hazard. Such a sign or sign structure may be restored to its original condition without obtaining a zoning permit, unless the sign is replaced and, thus, must conform to the current regulations.

### **103 Exemptions.**

- A. The following signs shall be exempt from the requirements of this Article:
  1. Signs of a duly constituted governmental body including school districts such as traffic or similar regulatory devices, legal notices, warnings at railroad crossings, and other instructional or regulatory signs having to do with health, hazards, parking, swimming, dumping, etc.
  2. Flags or emblems of a government or of a political, civic, philanthropic, educational or religious organizations, when displayed on private property.
  3. Small signs, not exceeding five square feet in gross surface area, displayed on private property for the convenience of the public, including signs to identify entrance and exit drives, parking areas, one-way drives, rest rooms, freight entrances and the like.

4. Address numerals and other signs required to be maintained by law, rule or regulation; provided, that the content and size of a sign does not exceed such requirements.
  5. Garage sale signs not exceeding four square feet in gross surface area. (See Section 7-102K for location on right of way.)
  6. Memorial signs which are displayed on private property.
  7. Scoreboards in athletic fields or stadiums.
  8. Political campaign signs, not exceeding 32 square feet in gross surface area, which are displayed on private property and not otherwise in the public right of way; provided, that they are removed 48 hours after a candidate is elected to office or is eliminated from further participation in the election as a candidate with similar provisions for bond issues and other ballot issues. Such signs may also be displayed as advertising signs where permitted by Section 7-104.
  9. Ideological signs such as may pertain to religious or political expressions or personal beliefs when located on private property of the proponent and not otherwise in a public right of way, a sign obstruction in a vision triangle or on public property or structures such as utility poles.
- B. The following signs are exempt from the zoning permit requirements of Section 7-100, but shall comply with all of the other regulations imposed by this Article:
1. Nameplate signs not exceeding two square feet in gross surface area accessory to a residential building, including all types of manufactured and mobile homes.
  2. Identification signs not exceeding 40 square feet in gross surface area, but not to be used as a home occupation sign.
  3. Bulletin board signs not exceeding 40 square feet in gross surface area accessory to a church, private school or public or nonprofit institution.
  4. Business signs when located on property used for agricultural purposes and pertaining to the sale of agricultural products produced on the premises. (See Section 7-104 A 4c.)
  5. Real estate signs not exceeding 12 square feet in gross surface area in agricultural districts and six square feet in all other districts which pertain to the sale or lease of the lot or tract or structure on which the sign is located, except for the provision of Section 7-102K.

6. Temporary signs which do not exceed 20 square feet in gross surface area and are displayed not more than four times per calendar year.

**104 District Regulations.**

A. A-1, A-2 and A-3 Agricultural Districts.

1. Functional Types Permitted:
  - a. Advertising signs.
  - b. Bulletin board signs.
  - c. Business signs pertaining to agricultural products produced on the premises, home occupations and other businesses.
  - d. Construction signs.
  - e. Identification signs.
  - f. Nameplate signs.
  - g. Real estate signs.
2. Structural Types Permitted:
  - a. Ground signs.
  - b. Pole signs.
  - c. Wall Signs.
3. Number of Signs Permitted: One of each functional type per zoning lot.
4. Maximum Gross Surface Area.
  - a. Advertising signs: 600 square feet, unless a larger size is approved as a conditional use by the Board of Zoning Appeals.
  - b. Bulletin board signs: 40 square feet.
  - c. Business signs: Home occupations 4 square feet or the minimum required by state statutes; agricultural, 20 square feet; and other businesses, 100 square feet, unless a larger size is approved for the latter as part of a special or conditional use application.
  - d. Construction signs: 20 square feet.
  - e. Identification signs: 20 square feet.
  - f. Nameplate signs: Two square feet.
  - g. Real estate signs: 12 square feet.
5. Maximum Height: 15 feet, except 30 feet for advertising signs.
6. Required Setback: None.



7. Illumination: No sign shall be illuminated, except that advertising and bulletin board signs may be indirectly illuminated with incandescent or fluorescent light and business signs may be illuminated, but only during business hours.

B. RR-1 Residential District.

1. Functional Types Permitted:

- a. Bulletin board signs.
- b. Business signs pertaining to home occupations.
- c. Construction signs.
- d. Identification signs.
- e. Nameplate signs.
- f. Real estate signs.

2. Structural Types Permitted:

- a. Ground signs.
- b. Pole signs.
- c. Wall signs.
- d. Business signs pertaining to home occupations shall be affixed flush to the wall of a building.

3. Number of Signs Permitted: One of each functional type per zoning lot.

4. Maximum Gross Surface Area.

- a. Bulletin board signs: 32 square feet.
- b. Business signs pertaining to a home occupation only: Three square feet or the minimum required by state statutes.
- c. Construction signs: 40 square feet.
- d. Identification signs: 15 square feet.
- e. Nameplate signs: Two square feet.
- f. Real Estate signs: Six square feet per lot; provided that one sign not more than 100 square feet in area announcing the sale of lots and/or houses in a subdivision may be located on such development. Such sign shall be removed when 75% of the lots in the subdivision have been sold.

5. Maximum Height: 15 feet; provided that signs associated with single and two-family dwellings and all types of manufactured and mobile homes shall not be located at a height greater than eight feet above ground floor elevation.

6. Required Setback: 10 feet from the front lot line, except nameplate signs on mail boxes and temporary real estate and garage sale signs, and none from the side yard setbacks.
7. Illumination: No sign shall be illuminated, except that bulletin board and identification signs may be indirectly illuminated with incandescent or fluorescent light.

C. V-1 Village District.

1. No restrictions placed on signs.

D. B-1 Business Commercial District.

1. Functional Types Permitted: Any type listed in Section 7-101A.
2. Structural Types Permitted: Any type listed in Section 7-101B.
3. Number of Signs Permitted: One of each functional type per zoning lot.
4. Maximum Gross Surface Area: One square foot of sign area for each one foot lineal street frontage; provided, that no single sign shall exceed a gross surface area of more than 150 square feet, except for advertising signs that shall not exceed 400 square feet.
5. Maximum Height: 30 feet, except that roof signs may not exceed a height of five feet above the highest point of the roof.
6. Required Setback: No minimum required.
7. Illumination: Illuminated signs shall be permitted.

E. I-1 and I-2 Industrial Districts.

1. Functional Types Permitted: Any types listed in Section 7-101A.
2. Structural Types Permitted: Any types listed in Section 7-101B.
3. Number of Signs Permitted: One of each functional type per zoning lot.
4. Maximum Gross Surface Area: Two square feet of sign area for each one foot lineal street frontage; provided, that no single sign shall exceed a gross surface area of more than 200 square feet, except for advertising signs.

5. Maximum Height: 35 feet, except that roof signs may not exceed a height of 10 feet above the highest point of the roof.
6. Required Setback: No minimum required.
7. Illumination: Illuminated signs shall be permitted.