

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 status of legal nonconformance. The purpose of this article is to safeguard the public use of the streets and the sidewalk area and to equitably enhance the visual environment. (See Section 2-102 for definition of SIGN.) (See K.S.A. 68-2231 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.
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 seven 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, card board, wall-board or other light weight materials, with or without a frame, intended for temporary display of not more than 15 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. For signs on interior lots which might be viewed from both sides, the area shall be calculated only for the larger of the two sides.
- 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 "signs per zoning lot" shall be deemed to permit the allowable number of signs facing 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. 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.
- G. Metal and Nonmetal Signs. Signs constructed of metal and illuminated by any means requiring internal wiring or electrically wired accessory fixtures attached to a metal sign shall maintain a free clearance to grade of 10 feet. Accessory lighting fixtures attached to a nonmetal frame sign shall maintain a clearance of 10 feet to grade. Metal or nonmetal signs, whether illuminated or not, shall maintain a clearance of at least seven feet underneath awnings, canopies or marquees.
- H. Access Way or Window. No sign shall block any access way 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 as defined in Section 2-102, 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 off-site real estate and garage sale signs may be placed on the public right-of-way with the approval of the adjacent land owner to provide direction to the property during a showing or sale provided 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, or as a permitted use in the B-3 Central Business District when the lowest part of such sign is at least seven feet above the sidewalk area. (See Section 7-102G for clearance of Metal and Nonmetal signs, 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 movable and not permanently attached to the premises, such as A-frames, trailer signs, signs placed on vehicles, beacon lights and other similar signs. Any such sign shall not exceed a height of 10 feet above grade level nor 60 square feet in gross surface area.
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.
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 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 72 hours for any one announcement with the gross surface area not to exceed 24 square feet 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 each 30 day period or part thereof when the sign remains on the zoning lot. Annual permits may be obtained for the use of such signs at one or more locations during the year. 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 placed 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 City 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 or an unsightly nuisance which may be deemed to affect nearby property values. 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.
- N. Signs for Non-existent Businesses. The Zoning Administrator shall require the removal or covering of a sign advertising a business on the premises if the business has been closed for a period of not less than 90 days.
- O. Electronic Message Signs: Applications for electronic message signs shall be accompanied by the following information:
1. Specifications from the sign manufacturer providing the maximum nit (or equivalent) rating of the sign;
 2. Information from the sign manufacturer indicating the type of dimming control that will be provided with the sign to ensure the sign is appropriately dimmed at night;
 3. A signed letter from the sign owner for whom the sign is being installed that acknowledges the sign owner's agreement to abide by Sign Code regulations governing dimming of the sign at night;
 4. The provisions of this section shall not be required for electronic message signs that have a maximum brightness and/or light intensity rating of 3.000 nits (or equivalent) or less.

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 nighttime brightness and/or light intensity shall not exceed 3,000 nits (or equivalent.) For electronic message signs that have a maximum brightness and/or light intensity of 3,000 nits (or equivalent) or less, dimming controls shall not be required.

103 Exemptions.

- A. The following signs shall be exempt from the requirements of this Article:
1. Signs of a duly constituted governmental body, including 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 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. Scoreboards in athletic fields or stadiums.
 7. Political campaign signs, not exceeding six square feet in gross surface area, which are displayed on private property and, notwithstanding the regulations imposed by any other provisions of these regulations, on the unpaved, i.e., unimproved portion of any City street or County road right of way. In such unpaved right of way location, any part of such signs must be set back from any corner intersection at least 20 feet from any corner to form a sight triangle in City streets and at least 20 feet in County roads when measured from each direction of the intersecting pavement or improved surfaces. In addition, all such signs along the right of way must be set back at least five feet from any paved or unpaved roadway. All such signs in the above designated right of way location must have the permission of the adjacent property owner(s). No such signs are allowed in the right of way of state highways or township roads. Such signs may be placed on the above property during the 45-day period prior to any election and removed within the 2-day period following any such election. (Note: See the applicable zoning district in Section 7-104 for political advertising signs as billboards where permitted on private property, but not in the rights of way.) Memorial signs which are displayed on private property.
 8. 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 sight 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. Business signs when located on property used for agricultural purposes and pertaining to the sale of agricultural products produced on the premises.
 3. Real estate signs not exceeding six square feet in gross surface area both on-site and off-site and 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.
 4. Temporary signs which do not exceed 32 square feet in gross surface area and are displayed not more than two times per calendar year.

104 District Regulations.

A. A-1 Agricultural Transition District.

1. Functional Types Permitted: (See Section 7-101A.)
 - 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: (See Section 7-101B.)
 - 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: 1,200 square feet.
 - b. Bulletin board signs: 40 square feet.
 - c. Business signs: Home occupations, four square feet or the minimum required by State statutes; agricultural, 20 square feet; and other businesses, 100 square feet.
 - d. Construction signs: 20 square feet.
 - e. Identification signs: 15 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. R-1, R-2 and R-3 Residential Districts and MH-1 and MH-2 Manufactured Home Districts.

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 and identification signs: 16 square feet in R-1, R-2, MH-1 and MH-2 districts and 40 square feet permitted in the R-3 district. Churches are allowed a maximum of 32 square feet in the R-1, R-2, MH-1 and MH-2 districts.
 - b. Business signs pertaining to a home occupation only: Two square feet or the minimum required by state statutes.
 - c. Construction signs: 40 square feet.
 - d. Nameplate signs: Two square feet.
 - e. 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 one 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 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. B-1 Office and B-2 Neighborhood Business Districts.

1. Functional Types Permitted: Any type listed in Section 7-101A, except advertising signs.
2. Structural Types Permitted: Any type listed in Section 7-101B, except projecting and roof signs.
3. Number of Signs Permitted:
 - a. Ground signs: No limitation.
 - b. Pole signs: One per zoning lot with each street frontage considered as a separate zoning lot.
 - b. Other structural types permitted: No limitation.
4. Maximum Gross Surface Area: One square foot of sign area for each one foot lineal street frontage.
5. Maximum Height: 30 feet; provided, no sign shall protrude above the roof line of the principal structure. A sign higher than the roof line of the structure, but not more than 30 feet, may be permitted for gasoline service stations in the B-2 District by application as a conditional use to the Board of Zoning Appeals. In considering such a use, the Board should consider the height, location and effect of such a sign in relation to any adjacent residential districts.
6. Required Setback: No minimum required.
7. Illumination: Illuminated signs shall be permitted.

D. B-3 Central Business District.

1. Functional Types Permitted: Any type listed in Section 7-101A, except advertising signs.
2. Structural Types Permitted: Any type listed in Section 7-101B.
3. Number of Signs Permitted:
 - a. Ground signs: No limitation.
 - b. Pole signs: One per zoning lot with each street frontage considered as a separate zoning lot.
 - c. Other structural types permitted: No limitation.
4. Maximum Gross Surface Area: Three square feet of sign area for each one foot lineal street frontage; provided, no single sign shall exceed a gross surface area of 300 square feet.
5. Maximum Height: 30 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.
- E. B-4 Service, B-5 Shopping Center and B-6 Interchange Business Districts.
1. Functional Types Permitted: Any type listed in Section 7-101A, including advertising signs in the B-6 district only when approved as a conditional use by the Board of Zoning Appeals.
 2. Structural Types Permitted: Any type listed in Section 7-101B.
 3. Number of Signs Permitted:
 - a. Ground signs: No limitation.
 - b. Pole signs: One per zoning lot with each street frontage considered as a separate zoning lot.
 - c. Other structural types permitted: No limitation.
 4. Maximum Gross Surface Area: Three square feet of sign area for each one foot lineal street frontage; provided, no single sign shall exceed a gross surface area of 300 square feet except for advertising signs as provided for in Section 7-104E1 above.
 5. Maximum Height: In the B-4 and B-5 districts, 30 feet, except that roof signs may not exceed a height of 10 feet above the highest point of the roof. In the B-6 District, 35 feet, except that a sign higher than the maximum may be permitted for gasoline service stations by application as a conditional use to the Board of Zoning Appeals. In considering such a use, the Board should consider the height, location and effect of such sign in relation to any adjacent districts and the interchange location.
 6. Required Setback: No minimum required.
 7. Illumination: Illuminated signs shall be permitted.
- F. 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:
 - a. Ground signs: No limitation.
 - b. Pole signs: One per zoning lot with each street frontage considered as a separate zoning lot.
 - c. Other structural types permitted: No limitation.
 4. Maximum Gross Surface Area: Four square feet of sign area for each one foot lineal street frontage; provided, no single sign shall exceed a gross surface area of 400 square feet.
 5. Maximum Height:
 - a. Wall and roof signs: 20 feet above the highest point of the roof line on which such sign is located.
 - b. All other signs: 30 feet.
 6. Required Setback: No minimum required.
 7. Illumination: Illuminated signs shall be permitted.

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