

ARTICLE XXII

SIGN REGULATIONS

SECTION 1. GENERAL REQUIREMENTS:

1. It shall be unlawful for any person to erect, move, alter, change, repair, place, suspend, or to cause or permit to be erected, moved, altered, changed, repaired, placed, suspended, or attached any sign in violation of this Zoning Ordinance and this Article.
2. It shall be unlawful for any person or persons to fasten, paste, place, post, paint, or attach in any way any sign, handbill, poster, advertisement, or notice of any kind or sort, whether political or otherwise, or to cause the same to be done, in or upon any curbstone, lamp post, telephone, telegraph, or electric light pole, tree, or bridge. It shall be unlawful to paste, place, paint, or attach any sign on any building, street, or property of the City; provided, however, that any property owner or the occupant of any property abutting on any public street in the City or County may paint or stamp the address of such property upon the curbing directly in front of the building or to have same painted thereon, subject to approval by the Zoning Official.
3. Billboards are defined as signs advertising products or services other than those available on the premises and which have an area of three hundred (300) square feet or more per face. Billboards shall not be permitted under these sign regulations in any of the City Zones.

SECTION 2. SIGN CLASSIFICATION: Functional and structural sign classifications shall include the following:

1. Functional Classifications.
 - a. 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.
 - b. Business 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.
 - c. 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.

- d. 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.
- e. 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.
- f. 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.
- g. 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.

2. Structural Classification

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- e. 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.
- f. Temporary Sign: A sign in the form of a banner, pennant, valance or advertising display constructed of fabric, card board, wallboard or other light weight materials, with or without a frame, intended for temporary display of not more than 30 days at a time.
- g. 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.

SECTION 3. SPECIFIC REQUIREMENTS: Requirements for sign erected in the Udall Zoning Jurisdiction are as follows:

1. "A - 1" Agricultural District
 - a. Functional Types Permitted:
 - 1) Advertising signs.
 - 2) Bulletin board signs.
 - 3) Business signs pertaining to agricultural products produced on the premises, home occupations and other businesses.
 - 4) Construction signs.
 - 5) Identification signs.
 - 6) Nameplate signs.
 - 7) Real estate signs.
 - b. Structural Types Permitted:
 - 1) Ground signs.
 - 2) Pole signs.
 - 3) Wall signs.
 - c. Number of Signs Permitted: One of each functional type per zoning lot.
 - d. Maximum Gross Surface Area.
 - 1) Advertising signs: 1,200 square feet.
 - 2) Bulletin board signs: 40 square feet.
 - 3) Business signs: Home occupations 4 square feet or the minimum required by State statutes; agricultural, 20 square feet; and other businesses, 100 square feet.
 - e. Maximum Height: 15 feet, except 35 feet for advertising signs.
 - f. Required Setback: None.

g. 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.

2. "R - S", "R - 1", "R - 2" and "R - 3" Residential Districts and "PUD", "M - H" and "M - P" Districts.

a. Functional Types Permitted:

- 1) Bulletin board signs.
- 2) Business signs pertaining to home occupation.
- 3) Construction signs.
- 4) Identification signs.
- 5) Nameplate signs.
- 6) Real estate signs.

b. Structural Types Permitted:

- 1) Ground signs.
- 2) Pole signs.
- 3) Wall signs.
- 4) Business signs pertaining to home occupations shall be affixed flush to the wall of a building.

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

d. Maximum Gross Surface Area.

- 1) Bulletin board and identification signs: 16 square feet in "RR - 1", "R - 1" and "MH - 2" districts and 32 square feet permitted in the "R - 2" and "MH - 1" districts.
- 2) Business signs pertaining to a home occupation only: Two square feet or the minimum required by state statutes.
- 3) Construction signs: 40 square feet.
- 4) Nameplate signs: Two square feet

- 5) 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.
 - e. 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.
 - f. Required Setback: 10 feet from the front lot line, except temporary real estate and garage sale signs, and none from the side yard setbacks.
 - g. Illumination: No sign shall be illuminated, except that bulletin board and identification signs may be indirectly illuminated with incandescent or fluorescent light.
3. "C - S" Highway Service Business District.
- a. Functional Types Permitted: Any type listed in Section 2 - 1.
 - b. Structural Types Permitted: Any type listed in Section 2 - 2.
 - c. Number of Signs Permitted:
 - 1) Ground and pole signs: One of each functional type per zoning lot plus an advertising sign.
 - 2) Other structural types permitted: No limitation.
 - d. Maximum Gross Surface Area: Two square feet of sign area for each one foot lineal street frontage.
 - e. Maximum Height: 30 feet, except that roof signs may not exceed a height of five feet above the highest point of the roof. A sign higher than the roof line of the structure, but not more than 35 feet high may be permitted for gasoline service stations by application to the Board of Zoning Appeals for a conditional use. The Board should consider the height, location and effect of such a sign in relation to any adjacent residential districts.
 - f. Required Setback: 10 feet when adjacent to a residential zone.
 - g. Illumination: Illuminated signs shall be permitted.

4. "C-1" Central Business District.
 - a. Functional Types Permitted: Any type listed in Section 2 - 1, including advertising signs when approved as a special use by the Board of Zoning Appeals.
 - b. Structural Types Permitted: Any type listed in Section 2 - 2.
 - c. Number of Signs Permitted:
 - 1) Ground and pole signs: One of each functional type per zoning lot plus an advertising sign when approved as a special use.
 - 2) Other structural types permitted: No limitation.
 - d. Maximum Gross Surface Area: Three square foot of sign area for each one foot lineal street frontage; provided, no single sign shall exceed a gross surface area of 100 square feet except advertising signs.
 - e. Maximum Height: 30 feet, except that roof signs may not exceed a height of five feet above the highest point of the roof.
 - f. Required Setback: No minimum required.
 - g. Illumination: Illuminated signs shall be permitted.
5. "C-2" and "C-3" General Commercial and Adult Entertainment Districts.
 - a. Functional Types Permitted: Any type listed in Section 2 - 1.
 - b. Structural Types Permitted: Any type listed in Section 2 - 2.
 - c. Number of Signs Permitted:
 - 1) Ground and pole signs: One of each functional type per zoning lot plus an advertising sign.
 - 2) Other structural types permitted: No limitation.
 - d. Maximum Gross Surface Area: Two square feet of sign area for each one foot lineal street frontage.
 - e. Maximum Height: 30 feet, except that roof signs may not exceed a height of five feet above the highest point of the roof. A sign higher than the roof line of the structure, but not more than 35 feet high may be permitted for gasoline service stations by application to the Board of Zoning Appeals for a conditional use. The Board should consider the height, location and effect of such a sign in relation to any adjacent residential districts.

- f. Required Setback: 10 feet when adjacent to a residential zone.
- g. Illumination: Illuminated signs shall be permitted.
- h. The following special requirements shall apply in the "C - 3" zone:
 - 1) Advertising and business signs shall have no more than two display surfaces. All such display surfaces shall:
 - (a) Not contain any flashing lights.
 - (b) Be a flat plane, rectangular shape.
 - (c) Not exceed forty-nine square feet in sign area if a wall sign, nor twenty-five square feet if other than a wall sign.
 - (d) Not exceed seven feet in height or seven feet in length.
 - 2) Advertising signs shall contain no photographs, silhouettes, drawings or pictorial representations of any kind.
 - 3) Each letter forming a word on an advertising sign shall be of a solid color, and each such letter shall be the same print-type, size and color. The background behind such lettering on the display surface of an advertising sign shall be of a uniform and solid color.

6. "I - 1" and "I - 2" Districts.

- a. Functional Types Permitted: Any type listed in Section 2 - 1.
- b. Structural Types Permitted: Any type listed in Section 2 - 2.
- c. Number of Signs Permitted:
 - 1) Ground and pole signs: One of each functional type per zoning lot plus an advertising sign.
 - 2) Other structural types permitted: No limitation.
- e. Maximum Gross Surface Area: Three square foot of sign area for each one foot lineal street frontage; provided, no single sign shall exceed a gross surface area of 200 square feet except advertising signs.
- f. Maximum Height:
 - 1) Wall and roof signs: 10 feet above the highest point of the roof line on which such sign is located.

- 2) All other signs: 35 feet
- g. Required Setback: No minimum required.
- h. Illumination: Illuminated signs shall be permitted.

SECTION 4. SIGN EXEMPTIONS. The following signs shall be exempt from the requirements of this ARTICLE:

1. Exempt Signs:

- a. 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.
- b. Flags or emblems of a government or of a political, civic, philanthropic, educational or religious organizations, when displayed on private property.
- c. 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.
- d. 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.
- e. Garage sale signs not exceeding four square feet in gross surface area. Memorial signs which are displayed on private property.
- f. Scoreboards in athletic fields or stadiums.
- g. Political campaign signs, not exceeding six square feet in gross surface area inside the City and 32 square feet in the rural jurisdiction which are displayed on private property (not in the public right-of-way); provided, 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.

2. The following signs are exempt from zoning permit requirements but shall comply with all of the other regulations imposed by this ARTICLE:

- a. Nameplate signs not exceeding two square feet in gross surface area accessory to a residential building, including all types of manufactured homes.

- b. Identification signs not exceeding 40 square feet in gross surface area accessory to a multiple-family dwelling.
- c. Bulletin board signs not exceeding 40 square feet in gross surface area accessory to a church, school or public or non-profit institution.
- d. Business signs when located on property used for agricultural purposes and pertaining to the sale of agricultural products produced on the premises.
- e. Real estate signs not exceeding six square feet in gross surface area and which pertain to the sale or lease of the lot or tract or structure on which the sign is located.
- f. Temporary signs which do not exceed 20 square feet in gross surface area and are displayed not more than four times per calendar year.

SECTION 5. GENERAL STANDARDS. The following general sign standards shall apply throughout the Udall zoning jurisdiction.

1. 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. signs on interior lots which may be viewed from both directions of the adjacent street are considered to have a single gross surface area.
2. 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.
3. 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 as independent from the maximum structure height for zoning districts.
4. 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.

5. 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.
6. 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.
7. Metal and Non-metal 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 nine feet. Accessory lighting fixtures attached to a non-metal frame sign shall maintain a clearance of nine feet to grade. Metal or non-metal signs, whether illuminated or not, shall maintain a clearance of at least seven feet underneath awnings, canopies or marquees.
8. 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.
9. Signs on Trees or Utility Poles. No private sign shall be attached to a tree or utility pole whether on public or private property.
10. Traffic Safety.
 - a. 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.
 - b. 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.
11. 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 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 the public right-of-way or public easement, except with the approval of the Board of Zoning Appeals as a special use, or as a permitted use in the "C - 1" Central Business District when the lowest part of such sign is at least seven feet above the sidewalk area..

12. Portable Signs. Notwithstanding any other provisions of these regulations, the following provisions apply to the use of portable signs.

- a. 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. 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 or 60 square feet in gross surface area.
- b. All the general sign standards are applicable to portable signs, except that 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.
- c. 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 traffic safety provisions, especially at corner intersections and driveway entrances and exits.
- d. In all zoning districts, except agricultural and 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 feet minimum spacing standard.
- e. In all agricultural and residential districts only portable signs are permitted which limit their messages to the following subjects:
 - 1) Announcements of special occasions or activities of non-profit organizations such as churches and fraternal and service clubs.
 - 2) 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 with the gross surface area not to exceed 60 square feet and only one sign at a time permitted on the premises of the party making the announcement.

- f. In addition to the general sign standards, 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.

- g. 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.
 - h. Any unauthorized portable sign placed on public property, including the public street or road 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 sign may be disposed of in any manner deemed appropriate. The Zoning Administrator may revoke the permit for any sign deemed to be in violation of this Section, or of any condition on which the permit was based and order its removal within a reasonable period consistent with public safety.
13. Damaged or Unsafe Signs. The Zoning Administrator shall require the immediate repair or removal of any conforming or non-conforming sign or sign structure which has been damaged or deteriorated so as to become a public hazard. Such a sign structure may be restored to its original condition without obtaining a zoning permit, unless the sign is replaced and, thus, must conform to current regulations.

SECTION 6. PERMITS AND FEES REQUIRED:

- 1. A permit shall be required for the erection, construction, or alteration of any sign in the Udall Zoning Jurisdiction.
- 2. Application for permits by other than the property owner shall be accompanied, in each instance, by either a letter authorizing the placement of a sign on the land or building, signed by the owner or his duly authorized agent, or accompanied by a lease showing the right of the applicant. Such application shall conform to the regulations herein provided, and no signboard shall be erected or painted on any area until the application is acted upon and granted.
- 3. A charge in accordance with a schedule of fees determined by the Governing Body shall be made for each permit granted.
- 4. If a sign, for which a permit is granted, is not erected within sixty (60) days from date of the permit, the permit shall, unless renewed, become void.
- 5. Advertising painted or placed on a structure shall be deemed subject to these regulations if permanent and over eight (8) square feet in area.
- 6. All signs shall be constructed, located, and placed in accordance with local ordinances and the laws of the State of Kansas.

7. Permits, except for permits for temporary signs, are issued for the life of the sign so long as it is kept in good condition, and changing conditions do not make it a hazard or undesirable to adjoining property owners. In such case, the City may direct its removal.

SECTION 7. NON-CONFORMING SIGNS: All advertising signs, business signs, or bulletin boards not in accordance or in compliance with this Article which were in existence as of the date of adoption of this Ordinance, shall be exempt from this Article except that upon the change of ownership of any building or property having a non-conforming sign which was in existence prior to the adoption date, or upon remodeling or renovating of the exterior of any building to the extent of greater than fifty (50) percent, the non-conforming sign shall be brought into conformity with this Article and any other City, State, or Federal regulations.

SECTION 8. REMOVAL OF SIGNS FROM VACANT BUILDINGS: Signs located on vacant buildings shall be removed by the property owner or his authorized agent within thirty (30) days after said premises are vacated.