

12-314.1 SIGN REGULATIONS

12-314-1.01 Purpose

These regulations are intended to:

- a.** Protect the general public from damage and injury which may be caused by the faulty and unregulated construction of signs;
- b.** Prevent the obstruction of traffic visibility and confusion with traffic control devices resulting from improperly placed and designed signs; and
- c.** Ensure the visual quality of signs while preserving and promoting the rural aesthetic quality in unincorporated Douglas County Kansas.

12-314-1.02. Applicability

All signs must comply with the standards within this section.

12-314-1.03 Sign Permit

No person shall install, erect, construct, hang, or alter any sign without first obtaining a Sign Permit from the Director of Zoning and Codes with the following exceptions:

- a.** Governmental Signs;
- b.** Temporary signs which meet the standards established at Section 12-314-1.13;
- c.** Minor Signs; and
- d.** Fuel Pump Signs and Fuel Pump Topper Signs

12-314-1.04 Application and Review Process

Application for a sign permit shall be made to the Director of Zoning and Codes on a form provided by that office along with the required fee, as established by the Board of County Commissioners.

- a.** The applicant shall complete the application and shall provide sufficient information to allow a full and accurate overview of the proposed sign, sign alteration, or replacement of sign copy or sign face.
- b.** The Director of Zoning and Codes shall examine each application for a sign permit. Within 28 days of receiving an application, the Director shall approve the application unless:
 - 1) The application is incomplete;

- 2) The application is determined to be fraudulent, to include a material misrepresentation, or to contain a false statement; or
- 3) The Zoning and Codes Director determines that the proposed sign or the proposed sign alteration does not conform to the sign regulations or other pertinent law.

12-314-1.05 Sign Permit Duration

Each sign permit shall be valid for a period of 180 days after issuance.

- a. If the proposed sign or alteration is not completed and final approval of the sign is not obtained within that 180-day period, then the sign permit shall expire and shall be null and void; however,
- b. Upon a showing of good cause, the Director of Zoning and Codes may grant an additional 180 days within which to complete the work and to obtain Final Approval.

12-314-1.06 Sign Permit Suspension or Revocation

- a. The Director of Zoning and Codes shall have the authority to suspend or revoke any sign permit issued hereunder if the Director finds that the sign permit was issued on incorrect, inaccurate, or incomplete information, or the applicant's work is undertaken or performed in violation of the sign code or any other pertinent law.
- b. Any Notice of Suspension or Notice of Revocation shall be transmitted to the applicant in writing. The notice shall inform the applicant of the reason for suspension or revocation, and shall state that the applicant has 14 days from the date noted on the notice in which to file any written Notice of Appeal with the Director of Zoning and Codes.
 - 1) The Notice of Appeal shall state concisely the decision being appealed and why the appellant believes the decision is in error or otherwise in violation of the Sign Code or other pertinent law.
 - 2) The Board of Zoning Appeals shall hear appeals of the Director's administrative determination per Section 12-307-8.

12-314-1.07 Inspections

The Director of Zoning and Codes may, from time to time, as deemed necessary, inspect any sign subject to the sign code to determine whether the sign is in good repair, in a proper state of preservation, and is otherwise in compliance with the sign code.

- a. If the sign is in disrepair or is in violation of the sign code or other pertinent law, the Director shall issue a Notice and Order to the sign owner pursuant to Section 12-314-1.14 of this Article.
- b. Upon completion of any sign or alteration of any sign, for which a sign permit was issued, the applicant shall inform the Director of Zoning and Codes, who shall make a final inspection. If the sign is compliant with the sign permit, sign code and other pertinent laws, the Director shall issue Final Approval of the Sign. If the sign is not in compliance with the sign permit, the sign code and other pertinent laws, the Director shall issue a Notice and Order pursuant to Section 12-314-1.14 of this Article.

12-314-1.08 Sign Standards

All signs shall be installed, erected, constructed, hung, or altered in accordance with these sign standards and all other pertinent laws in effect and enforced by the County and other regulatory agencies.

12-314-1.09 Dimensions.

- a. Detached Signs. The area of a detached sign shall be computed by the entire area of the sign face, of the sign structure, sign cabinet or module, enclosed by the border of the frame.
- b. Wall, window or other building-mounted signs. The size of the sign shall be measured by the area of the background.
- c. Height. Sign height is measured from the lowest grade directly below the sign to the highest point on the sign or sign structure.
- d. Clearance. Sign clearance is measured from the highest point of the ground directly below the sign to the lowest point on the sign structure enclosing the sign face.

12-314-1.10 Standards Applicable To All Signs

- a. Maintenance. All signs, together with all supports, braces, guys, and anchors, shall be maintained in good repair and in a proper state of preservation.
- b. Location. Signs shall not be located in any of the following:
 - 1) A public road right-of-way, except for governmental signs installed by the County or Township, or other similar signs required by applicable federal, state, or local law;
 - 2) The sight distance triangle.
 - 3) A public utility or drainage easement.
- c. Illumination. All illuminated signs shall be designed to eliminate negative effects on surrounding public right-of-way and adjacent properties.
 - 1) The light associated with an illuminated sign shall not flash, oscillate, or otherwise create a negative effect on residential uses in direct line-of-sight of the sign.
 - 2) External light sources illuminating any externally illuminated sign shall be directed and shielded to limit direct illumination of any object other than the sign.

12-314-1.11 Prohibited Signs.

The following sign types are not permitted:

- a. Billboard signs;
- b. Pole signs within the Urban Growth Area;
- c. Electronic Messaging Centers;
- d. Animated Signs;

e. Flashing Signs;

f. Mobile Signs;

g. Off-premise sign with a commercial content (not directional signage);

h. Any sign that makes use of any work, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse traffic on a public right-of-way; and

i. Any sign displaying any material, be it words, scenes, or graphics, that are obscene, indecent, immoral, or harmful to minors within the meaning of K.S.A. 21-6401, as amended.

12-314-1.12 Sign Regulations per Zoning District

On-premise signs are permitted in the following districts subject to the following standards:

a. AG-1 District

- 1) Maximum of one sign per lot/parcel and one building mounted sign per building.
- 2) Maximum size of 32 square feet per sign
- 3) Internally illuminated signs not permitted.
- 4) The sign may be externally illuminated, but illumination is to be turned off at the end of business hours.
- 5) Free standing signs must be set back a minimum of 10 feet from a road right-of-way, unless along a Federal or State Highway when the state or federal regulations shall apply.

b. AG-2 and V Districts

- 1) Maximum of one sign per lot/parcel and one building mounted sign per building.
- 2) Maximum size of 20 square feet.
- 3) Internally illuminated signs not permitted.
- 4) The sign may be externally illuminated, but illumination is to be turned off at the end of business hours.
- 5) Free standing signs must be set back a minimum of 10 feet from a road right-of-way, unless along a Federal or State Highway when the state or federal regulations shall apply.

c. LS DISTRICT

- 1) Maximum of one sign per building.
- 2) Maximum size of 8 square feet.
- 3) No illuminated signs permitted

- 4) Free standing signs must be set back a minimum of 10 feet from a road right-of-way, unless along a Federal or State Highway when the state or federal regulations shall apply.

d. LB and RT DISTRICT

1) Building Mounted Sign:

- i. Each business may have sign attached flat to the face of the building.
- ii. The sign may not exceed 32 square feet in area.
- iii. Internally illuminated signs not permitted.
- iv. The sign may be externally illuminated, but illumination is to be turned off at the end of business hours.

2) Free Standing Marker

- i. One free standing sign is permitted per lot/parcel.
- ii. The sign shall not be more than 4 feet in height from the ground and shall be limited to 32 square feet in area.
- iii. Free standing signs must be set back a minimum of 10 feet from a road right-of-way, unless along a Federal or State Highway when the state or federal regulations shall apply.
- iv. Internally illuminated signs not permitted.
- v. The sign may be externally illuminated, but illumination is to be turned off at the end of business hours.

e. GB, LI and GI DISTRICTS

1) Building Mounted Sign:

- i. Each business may have sign attached flat to the face of the building.
- ii. The sign shall not exceed 32 square feet in area.
- iii. External and/or internal illuminated signs permitted during business hours.

2) Free Standing Marker

- i. One free standing sign is permitted per lot/parcel.
- ii. The sign shall not be more than 4 feet in height from the ground and shall be limited to 32 square feet in area.
- iii. Free standing signs must be set back a minimum of 10 ft from a road right-of-way, unless along a Federal or State Highway when the state or federal regulations shall apply.
- iv. Internally illuminated signs not permitted.

- v. The sign may be externally illuminated, but illumination is to be turned off at the end of business hours.

12-314-1.13 Temporary Signs

- a. It shall be the duty of the person who causes the temporary sign to be installed, erected, or hung, to remove the temporary sign when the authorized display time has expired.
- b. Temporary signs shall neither be illuminated nor painted with light-reflecting paint.
- c. Temporary signs may be constructed of rigid or non-rigid material and must be securely anchored so as not to pose a distraction nor hazard to drivers, bicyclists, or pedestrians.
- d. Temporary signs are limited to 60 days, with the following exception:
 - (1) The Director of Zoning and Codes is authorized to allow a temporary sign to remain on a parcel for longer than 60 days in a calendar year provided:
 - i. The property owner consents and the real property is being offered for sale through a real estate agent or through advertising in a local newspaper or the internet;
 - ii. The temporary sign is removed within 15 days after completion of the sale of the real property, or within 15 days after a contract for lease or rent of the real property has been executed.
- e. The Director of Zoning and Codes is authorized to require the removal of any temporary sign that pertains to an expired event.
- f. No more than 2 temporary signs shall be allowed on any property with the exception of temporary signs placed on a property for not more than 50 days prior to and 10 days after the date of a political election or ballot measure.
- g. Public Works or the Director of Zoning and Codes is authorized to remove and to dispose of any temporary signs found on public property or in a right-of-way.

125-314-1.13 Nonconforming Signs

- a. Nothing in these regulations shall prohibit the ordinary maintenance or repair of a nonconforming sign.
 - 1) For the purpose of this section, replacement of sign copy, content or message is considered ordinary maintenance.
- b. Any nonconforming sign that is structurally compromised, damaged by fire, explosion, collision, or other casualty by more than 50% of its present value shall not be repaired or replaced.
- c. Any nonconforming sign that topples because its supports have been broken, have buckled, or are exhausted shall be considered to be damaged by more than 50% of its present value.
- d. Internal illumination of nonconforming signs is prohibited.