

# CODE OF THE CITY OF LAWRENCE, KANSAS

## CHAPTER V, ARTICLE 18. SIGN STANDARDS.

5-1801	PURPOSE, APPLICABILITY AND GENERAL PROVISIONS
5-1802	DEFINITIONS
5-1803	PROHIBITED SIGNS
5-1804	NONCONFORMING SIGNS
5-1805	DIMENSIONAL STANDARDS FOR SIGNS
5-1806	PERMIT REQUIREMENTS
5-1807	PERMIT REVOCABLE
5-1808	SIGN HANGING BUSINESS LICENSE REQUIRED
5-1809	FEES FOR SIGN PERMITS AND VARIANCES
5-1810	INSPECTIONS
5-1811	SIGNS EXEMPT FROM PERMIT
5-1812	MAINTENANCE OF SIGNS AND WORKS OF ART
5-1813	SIGN TYPES
5-1814	SIGN ALLOWANCES
5-1815	STANDARDS APPLICABLE TO ALL SIGNS
5-1816	STANDARDS APPLICABLE TO SPECIFIC SIGN TYPES
5-1817	STANDARDS FOR SIGNS ON HISTORIC STRUCTURES OR IN HISTORIC DISTRICTS, HISTORIC ENVIRONS OR URBAN CONSERVATION OVERLAY DISTRICTS
5-1818	STANDARDS FOR SIGNS IN MU, MIXED-USE ZONING DISTRICTS
5-1819	STANDARDS FOR SIGNS IN GPI, GENERAL AND PUBLIC INSTITUTIONAL ZONING DISTRICTS
5-1820	NOTICES AND ORDERS
5-1821	ENFORCEMENT OR REMOVAL OF UNLAWFUL, UNSAFE OR ABANDONED SIGNS
5-1822	UNSAFE OR ABANDONED SIGN ABATEMENT; ASSESSMENT
5-1823	VIOLATION PENALTIES
5-1824	REGULATORY INTERPRETATIONS
5-1825	MONUMENT SIGN DESIGN REVIEW COMMITTEE
5-1826	SIGN CODE BOARD OF APPEALS; APPEALS AND VARIANCES

### 5-1801 PURPOSE, APPLICABILITY AND GENERAL PROVISIONS

Reserved for City Attorney's Office to draft language.

### 5-1802 DEFINITIONS

Definitions of terms as used in this Article, unless the context otherwise requires, shall be as follows:

- A. **Awning.** Any structure attached to the exterior wall or surface of a building that is made of cloth or metal with a metal frame, which projects over private or public property or public right-of-way, and may be designed to be raised to a position flat against the building when not in use.
- B. **Billboard.** A permanent sign structure that is specifically intended and used to display off premise commercial or non-commercial sign messages that are intended to be manually changed frequently or intermittently.
- C. **Building Code Official.** The official in charge of the Building Safety Division of the City of Lawrence, Kansas Department of Planning and Development Services, or his or her designee.
- D. **Candela.** The basic unit of measurement of light in SI (metric) units.
- E. **Candela per square meter (cd/m<sup>2</sup>).** The SI (metric) unit used to describe the luminance of a light source or of an illuminated surface that reflects light. Also referred to as Nits.
- F. **Canopy.** A permanent structure or architectural projection of rigid construction over which a covering is attached that provides weather protection, identity or decoration. A canopy is permitted to be structurally independent or supported by attachment to a building on one or more sides. A

canopy supported by attachment to a building projects over private or public property or public right-of way.

- G. **Channel Letter, Internally Illuminated.** A dimensional letter with a back, sides and a translucent front face capable of transmitting light from an internal light source within the letter.
- H. **Channel Letter, Open Faced.** A dimensional letter with a back and sides but no face at the front of the letter. Open Faced Channel Letters may be non-lit, externally illuminated, or illuminated by a light source contained inside the open channel of the letter itself, such as a neon tube.
- I. **Channel Letter, Reverse.** A dimensional letter with a face and sides but no back, opposite to an Open Faced Channel Letter. A Reverse Channel Letter has an open channel facing the wall or building to which it is affixed. A Reverse Channel Letter may contain a source of illumination designed to project lighting against the surface behind the letter, commonly referred to as a Backlit Channel Letter; also referenced as a halo or silhouette lighted channel letter. The face of a Reverse Channel Letter does not illuminate.
- J. **Cladding** – A non-structural covering designed to conceal the actual structural supports of a sign. See also pole or pylon cover.
- K. **Director of Cultural Arts.** The City of Lawrence, Kansas official in the City of Lawrence, Kansas Office of the City Manager that serves as the City staff liaison to the Lawrence Cultural Arts Commission.
- L. **Establishment.** A place of business which has a separate identity, separate entrances, and separate records and books of its business transactions.
- M. **Flag.** A sheet made of cloth, fabric, plastic or similar material that is typically square, rectangular or triangular in shape, but that may have other shapes. This definition does not include a Banner Sign.
- N. **Flag, Corporate.** A flag other than a Government Flag that may have copy and/or logos.
- O. **Flag, Decorative.** A flag other than a Government Flag with no copy or logos.
- P. **Flag, Government.** A flag of a city, county, state, United States or foreign nation.
- Q. **Foot Candle.** An English unit of measurement of the amount of light falling upon a surface (illuminance). One foot candle is equal to one lumen per square foot and can be measured by means of an illuminance meter.
- R. **Front Footage.** The linear measurement of the street frontage of a lot or tract along which a sign is located and to which a sign faces.
- S. **Illuminance.** The amount of light falling upon a real or imaginary surface, commonly called “light level” or “illumination”. Measured in foot candles (lumens/square foot) in the English system and lux (lumens/square meter) in the SI (metric) system.
- T. **Marquee.** A roof-like structure of a permanent nature, which projects from the wall of a building, and may overhang a public right-of-way.
- U. **Nit.** A photometric unit of measurement referring to luminance. One (1) nit is equal to one (1)  $\text{cd/m}^2$ .
- V. **Noncombustible Material.** Material that has been tested in accordance with ASTM E 136, “Standard Test Method for the Behavior of Materials in a Vertical Tube Furnace at 750°C”, and that complies with ASTM E 136.
- W. **Nonconforming Sign.** A sign that was legally installed by permit in conformance with all City of Lawrence, Kansas sign regulations and ordinances in effect at the time of installation, but which no longer complies with current laws and ordinances relative to the sign.
- X. **Planning and Development Services Director.** The official in charge of the Planning and Development Services Department of the City of Lawrence, Kansas, his or her designee, or any person performing the duties of that position who shall, for the purposes of this Article, be the Planning and Development Services Director.
- Y. **Pole Cover or Pylon Cover.** An enclosure designed to conceal poles and/or other structural supports of a sign. See also Cladding.
- Z. **Public Property.** Any land owned by the city, county, state or federal government.
- AA. **Right-of-Way.** The area on, below or above the present and future city streets, alleys, bridges, bikeways, parkways and sidewalks that is owned or controlled by the city, county, state or federal government.
- BB. **Sign.** Any name, identification, description, display or illustration, which is affixed to, painted or represented directly or indirectly upon a building or other outdoor surface or support structure which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, building, structure, activity, person, institution, organization or business, including all

- parts, portions, units, and materials composing the same, together with the frame, background, and supports or anchoring thereof. A sign shall not include a Work of Art as defined in this Article.
- CC. **Sign Copy.** The letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign, exclusive of numerals identifying a street address only.
- DD. **Sign Face.** The surface upon, against or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, nonstructural thematic or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border.
- EE. **Sign, Animated.** A sign employing actual motion, the illusion of motion, or light and/or color changes achieved through mechanical, electrical, or electronic means. Animated signs, which are differentiated from changeable message signs as defined and regulated by this Article, include the following types:
1. Environmentally Activated: Animated signs or devices motivated by wind, thermal changes, or other natural environmental input. Includes spinners, pinwheels, pennant strings, feather-type signs, and/or other devices or displays that respond to naturally occurring external motivation.
  2. Mechanically Activated: Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.
  3. Electrically Activated: Changeable message signs producing the illusion of movement by means of electronic, electrical, or electromechanical input and/or illumination capable of simulating movement through employment of the characteristics of flashing or scrolling, or through other patterned illusionary movement where illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion. For the purposes of this Article, dissolving or fading signs and transitions as defined in this Article are not considered to be animated signs.
- FF. **Sign, Automated Teller Machine (ATM).** A small sign or video screen mounted above or in, and integrated into the structure of, an operable fuel dispensing pump used to advertise the brand name of the fuel dispensed from the pump or to advertise goods offered for sale on the same parcel on which the fuel pump is located, and not legible or intended to be legible from the public right-of-way.
- GG. **Sign, Banner.** A temporary sign composed of fabric or other flexible substrate, fastened to the exterior of a building, exterior structure or wall; attached to the ground by secure attachments to stakes, poles or similar devices; or securely attached to a pole other than a flag pole. This definition does not include a Flag or a Feather Sign as defined in this Article.
- HH. **Sign Cabinet.** A structural frame that encloses one or more translucent sign face panels, one or more transparent exposed neon channel letters, or one or more opaque, routed push-through faces that are mounted within the structural frame, and which may contain lighting fixtures to illuminate the sign faces from behind.
- II. **Sign, Changeable Message.** A sign with the capability of content or message change by means of manual or remote input, including the following types:
1. Manually Activated: Changeable message sign on which the message copy or content can be changed manually on a display surface, such as signs with letters and/or numbers mounted in or on a track system and menu board/drive-through signs.
  2. Electrically Activated: Changeable message sign on which the message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display. See also: Sign, Electronic Message Center.
- JJ. **Sign, Dissolving Message.** An Electronic Message Center sign with a mode of transition accomplished by varying the light intensity or pattern, in which the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.
- KK. **Sign, Electronic Message Center (EMC).** A changeable sign that utilizes computer-generated messages or some other electronic means of changing copy. These signs include displays using incandescent lamps, LEDs or LCDs, and may also enable changes to be made to messages from

locations other than at the sign. Animated, flashing, scrolling and travelling EMC signs are prohibited.

- LL. **Sign, Externally Illuminated.** Any sign, the facing of which reflects light from an external light source intentionally directed upon it.
- MM. **Sign, Fading Message.** An Electronic Message Center sign with a mode of transition accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible (i.e., fading to black) and the subsequent message gradually increases intensity to the point of legibility.
- NN. **Sign, Feather.** A temporary vertical freestanding sign typically constructed of a single plastic or metal shaft driven in the ground for support or supported by means of an individual stand with an attached banner that is vertically elongated and attached to the shaft.
- OO. **Sign, Flashing.** A sign that contains flashing lights or exhibits noticeable changes in light intensity with a basic on-off of the same light source or display pattern, or that includes the illusion of intermittent or flashing light by means of animation, or an externally-mounted intermittent light source. Generally, the sign message or copy pattern is constantly repeated. Electronic Message Center signs shall be classified as flashing when rate of the same copy or graphic display is repeated more than once every five (5) seconds.
- PP. **Sign, Fuel Pump.** A small sign or video screen mounted above or in, and integrated into the structure of, an operable fuel dispensing pump used to advertise the brand name of the fuel dispensed from the pump or to advertise goods offered for sale on the same parcel on which the fuel pump is located, and not legible or intended to be legible from the public right-of-way.
- QQ. **Sign, Fuel Pump Topper.** A small sign affixed to the top of an operable fuel-dispensing pump used to advertise goods offered for sale on the same parcel on which the fuel pump is located, and not legible or intended to be legible from the public right-of-way.
- RR. **Sign, Governmental.** Any type of sign that is constructed, placed or maintained by or at the direction of the federal, state or local government. Governmental Signs include, but are not limited to: signs required to enforce or provide notice of a property owner's rights; signs for safety of the public; traffic control or similar regulatory devices designed and located to control traffic movement and safety of vehicles and pedestrians according to uniform traffic control device standards such as those specified in the Manual for Uniform Traffic Control Devices; and banner signs approved and installed within public right-of-way under the City of Lawrence Streetlight Banner Program managed by the City of Lawrence City Manager's Office (Communications Manager).
- SS. **Sign, Internally Illuminated.** Any sign for which the source of light is entirely enclosed within the sign and not directly visible.
- TT. **Sign, Logo.** A stylized group of letters, words, symbols or combination thereof used to represent and distinguish a business or product from the competition.
- UU. **Sign, Marquee.** A type of wall sign affixed to the visible surface(s) of a marquee. May be internally or externally illuminated.
- VV. **Sign, Minor.** Signs four square feet or less in area intended to convey messages to internal users of the site, and generally not visible from or intended to convey messages to people in the right-of-way, such as parking instructions, directional or wayfinding signs, security warnings, business identification or other similar minor signs that are accessory to the use of the site and building. Grouping or arranging minor signs to have the effect of a larger permitted sign makes these signs ineligible for this exemption.
- WW. **Sign, Mobile.** Business signs used to advertise an establishment or service that are on or affixed to trucks, automobiles, trailers or other vehicles used to support or display such signs while parked, but excluding signs on taxi cabs or buses.
- XX. **Sign, Non-illuminated.** Any sign that is not an externally illuminated or internally illuminated sign as defined in this Section.
- YY. **Sign, Off-Premise.** A sign erected, maintained or used in the outdoor environment for the purpose of the display of commercial messages not appurtenant to the use of, products sold on, or the sale or lease of the property on which it is displayed, or for the display of non-commercial messages.
- ZZ. **Sign, On-Premise.** A sign erected, maintained or used in the outdoor environment for the purpose of the display of commercial messages appurtenant to the use of, products sold on, or the sale, lease or rental of the premises on which it is displayed, or for the display of non-commercial messages.

- AAA. **Sign, Pennant Streamer.** A temporary sign display made of flexible materials, often triangular and referred to as pennants, and displayed with other pennants on a string or wire.
- BBB. **Sign, Permanent.** A sign constructed of durable materials and attached to a wall or imbedded in or on a foundation in the ground that does not allow removal without special tools or equipment, which is intended to exist for the duration of time that the use or occupant is located on the premises.
- CCC. **Sign, Portable.** A sign or sign structure without a permanent foundation or not otherwise permanently attached to a fixed location, which can be carried, towed, hauled or driven and is primarily designed to be moved rather than limited to a fixed location regardless of modifications that limit its movability.
- DDD. **Sign, Portable Pedestrian.** A portable sign often referred to as an “A-Frame” or “sandwich board” sign designed with durable materials and quality aesthetics for use on a recurring basis.
- EEE. **Sign, Projecting.** A type of wall sign suspended from or supported by a building and projecting out there from. Projection means the distance by which a sign extends over public property or beyond the building line.
- FFF. **Sign, Roof.** A sign erected upon or above a roof or parapet of a building which extends above the highest point of the building.
- GGG. **Sign, Scrolling Message.** An Electronic Message Center sign that includes a message transition where the message that is leaving or appearing moves horizontally across the sign display surface.
- HHH. **Sign Structure.** A structure of any kind which is built or constructed and supports or is capable of supporting a sign as defined in this chapter. A sign structure shall include the foundation and base, the poles or pylons that support the sign, any structural extensions that support a sign or its sign cabinet, any structural framework that supports a sign face, or any sign face cabinet.
- III. **Sign, Temporary.** A portable sign which is not permanently embedded in the ground or permanently affixed to a building or structure, and designed or intended to be displayed for a brief period of time. Temporary signs do not include permanent signs with temporary or changeable messages or portable pedestrian signs as defined and otherwise regulated in the Article. Temporary signs are usually constructed of cloth, canvas, light fabric, cardboard, wallboard, aluminum or other similar light materials, with or without frames.
- JJJ. **Sign, Travelling Message.** An Electronic Message Center sign that includes a message transition where the message that is leaving or appearing moves vertically across the sign display surface.
- KKK. **Sign, Wall.** A sign painted, printed or attached to the exterior surface of a building, building marquee, canopy, awning or other fixed building surface in a permanent manner, or an illuminated sign greater than twelve (12) square feet mounted on the interior side of a window, with a scale and design intended to be legible to vehicles or pedestrians from a public right-of-way or from a private sidewalk, walkway or parking lot that serves or supports the building or the development in which the building is located.
- LLL. **Sign, Window.** A sign posted, painted, placed or affixed in or on a window or otherwise exposed to public view through a window.
- MMM. **Street Frontage.** A side of a lot or tract that directly abuts a street or thoroughfare as those terms are defined in the City of Lawrence, Kansas Land Development Code.
- NNN. **Structural Alteration.** Any change or modification to the size, shape, height, width or depth of a sign structure or sign cabinet; replacement or reconstruction of a sign structure foundation or base; or replacement of poles or pylons that support a sign or sign structure. Structural alteration does not include replacement of existing sign face panels in an existing sign cabinet; repair or maintenance of existing cabinets or support structures (such as masonry tuck-pointing, sandblasting, patching of holes, painting or re-covering an existing sign pole); or replacement or upgrade to internal electrical components of an existing sign or sign cabinet.
- OOO. **Transition Duration.** The time interval it takes an Electronic Message Center sign display to change from one complete static message to another complete static message.
- PPP. **Transition Method.** A visual effect applied to an Electronic Message Center sign display to transition from one message to the next. Allowed transition methods include:
1. Dissolving: A frame effect accomplished by varying the light intensity or pattern, in which the first frame gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second frame.
  2. Fading: A frame effect accomplished by varying the light intensity, where the first frame gradually reduces intensity to the point of not being legible (i.e., fading to black) and the subsequent frame gradually increases intensity to the point of legibility.

- QQQ. **Wall.** The exterior surface of a building or structure. For purposes of this Article, other than size limitations, wall shall be determined to include mansard-type or sloped-roof structures, and building marquees, canopies and awnings as defined in this Article.
- RRR. **Work of Art.** The term work of art shall apply to any mural painting or decoration, inscription, mosaic, painted glass, bas-relief and other similar art form of permanent character intended for ornament or commemoration that is applied to, placed upon or erected on an exterior wall of any building or structure. For the purpose of this Article, any proposed work of art or portion thereof that contains commercial speech, advertising or logo(s) shall be considered a sign regulated in accordance with this Article.
- SSS. **Zoning District.** A portion of the territory of the City of Lawrence, Kansas within which certain uniform regulations and requirements, or various combinations thereof, apply under the provisions of the City of Lawrence, Kansas Land Development Code. Zoning district boundaries established by the City of Lawrence, Kansas Land Development Code are designated on the Official Zoning District Map for the City of Lawrence, Kansas, as amended from time to time.

### 5-1803 PROHIBITED SIGNS

The following types of signs are prohibited.

- A. Signs not otherwise authorized or allowed under this Article.
- B. Signs not erected or constructed under a valid sign permit when required under this Article.
- C. Permanent free-standing pole signs, except for existing permanent free-standing pole signs as follows.
  - 1. A sign panel face change or copy change, or maintenance or repair to a sign or sign structure that is not Structural Alteration as defined in this Article, is allowed for a permanent free-standing pole sign in existence on March 14, 1995.
  - 2. Any permanent free-standing pole sign located on a lot or tract of property for which a site plan review is required per Article 13, Sec. 20-1305 of the City of Lawrence, Kansas Land Development Code, and that is not classified as a Major Development Project per Article 20, Sec. 20-1305(b) (3) of the City of Lawrence, Kansas Land Development Code.
- D. Billboards, as defined in this Article, except for existing, legal nonconforming Billboards that existed prior to September 20, 1994.
  - 1. Maintenance or repair that is not a Structural Alteration as defined in this Article is allowed.
  - 2. A variance from the provisions of this Section shall not be granted by the Sign Code Board of Appeals.
  - 3. All existing Billboards shall comply to the following standards:
    - a. The height of a Billboard shall not exceed thirty-five feet, and maximum outside dimension shall not exceed three hundred square feet.
    - b. Each such Billboard shall be mounted on a single ground pole and there shall be a minimum clearance of eight (8) feet between ground level and the bottom of the sign structure.
    - c. Each Billboard must be in compliance with all Kansas and Federal laws and regulations governing and concerning such signs.
    - d. The ground area immediately around and upon which such Billboard is located shall be landscaped in accordance with a sketch-plan approved by the Governing Body of the City of Lawrence, Kansas; such landscaping shall be maintained and replaced as necessary to comply with such sketch-plan.
    - e. Where feasible, such Billboard shall be serviced by underground electrical wiring.
- E. Mobile Signs, as defined in this Article.
- F. Roof Signs, as defined in this Article.
- G. Manually Activated Changeable Message Signs, except for existing, Manually Activated Changeable Message Signs that existed on the effective date of City Ordinance No. XXXX.
- H. Any sign that is installed, erected, relocated or maintained so as to prevent ingress to or egress from any emergency egress door, egress window or fire escape.
- I. Animated, Flashing, Scrolling and/or Travelling Signs, as defined in this Article.
- J. Pennant Streamer Signs, as defined in this Article.
- K. Any sign that obstructs free and clear vision near the intersection of any public streets or alleys, internal access streets, or driveway access points; or that is located where, by reason of the intensity, position, shape or color, may interfere with, obstruct the view or be confused with any

authorized traffic sign, signal or device; or that makes use of any word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse vehicular traffic.

- L. Any sign placed in public right-of-way, as described in Section 5-1821 of this Article, unless specifically authorized and listed as an *Exception* in Section 5-1821.A.3 of this Article.
- M. Any sign displaying any material (words, scenes or graphics) that are obscene, indecent, immoral or harmful to minors as defined within the meaning of K.S.A. 21-6401, as amended.

#### 5-1804 NONCONFORMING SIGNS

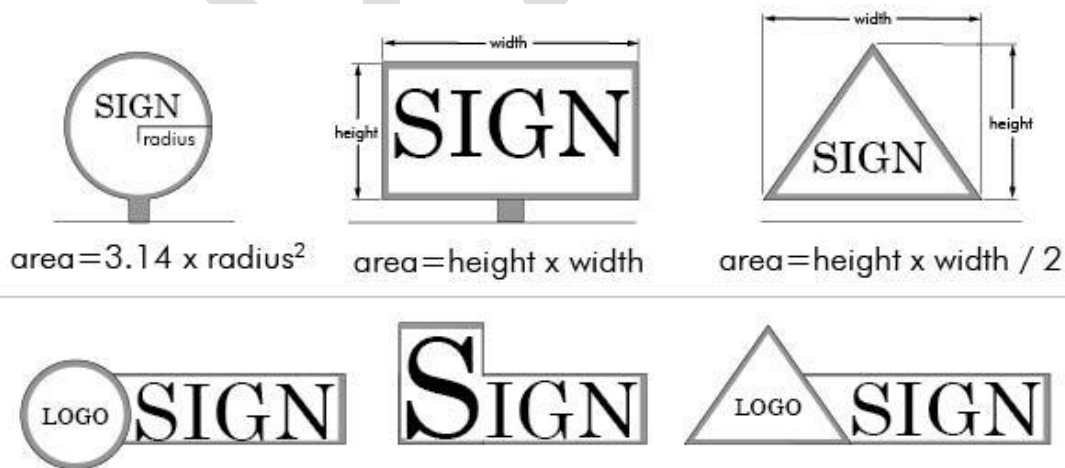
Existing signs which were lawful at the time, but made nonconforming by adoption or amendment to this Code, shall be legal provided they are maintained in good condition. Nothing in this Code shall prohibit the ordinary maintenance repair of a nonconforming sign or replacement of a broken part of a nonconforming sign. Replacement of copy, content or message may be considered ordinary maintenance.

- A. A legal nonconforming sign shall not be:
  1. Changed to another type or shape of non-conforming sign;
  2. Physically changed or structurally altered to expand or extend the size of the sign, or to replace significant materials of the sign or sign structure;
  3. Continued after more than 12 months of abandonment or vacancy of the property;
  4. Re-established after removal of the sign that is not part of ordinary maintenance; or
  5. Continued when a substantial part of the property or building is redeveloped, and a site plan review is required per Article 13, Sec. 20-1305 of the City of Lawrence, Kansas Land Development Code, and the redevelopment is classified as a Major Development Project per Article 13, Sec. 20-1305 of the City of Lawrence, Kansas Land Development Code.

#### 5-1805 DIMENSIONAL STANDARDS FOR SIGNS

The following shall be used in interpreting dimensional standards for signs:

- A. **General Area Calculation.** Signs mounted on or displayed as a standard geometrical shape shall be measured by the standard mathematical formula for that shape. Signs mounted on or displayed as an irregular shape shall be measured by the smallest area of up to two standard geometrical shapes that can encompass the entire sign mounting.

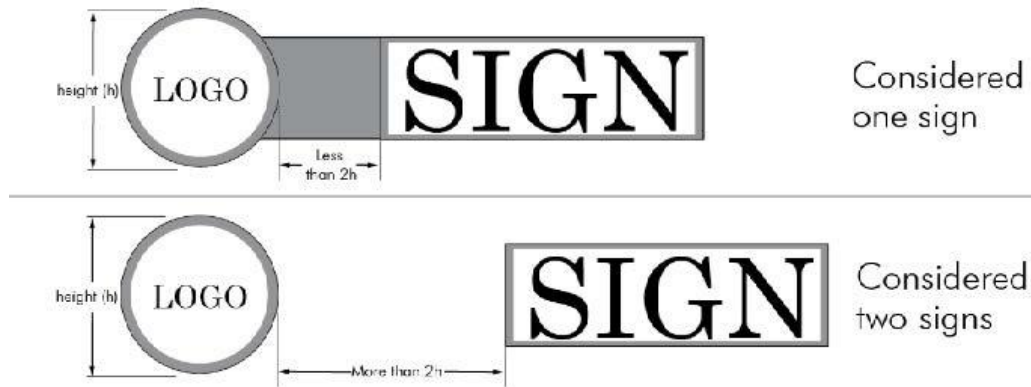


**Figure 1805-1 General Area Calculations**

*Typical method for measuring typical sign shapes; irregular signs are measured within the smallest area of up to two geometric shapes that contains the entire sign.*

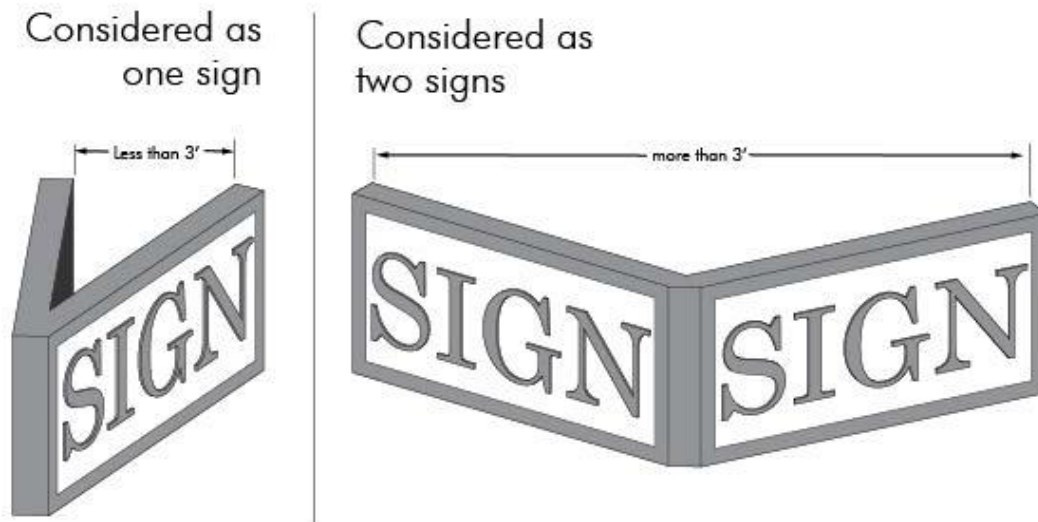
- B. **Detached Signs.** The area of the sign shall be computed by the entire area of the face of the structure, cabinet or module enclosed by the border of the frame.
- C. **Wall, Window or Other Building-Mounted Signs.** Any building mounted sign mounted on a background shall be measured by the area of the background. When mounted directly on the wall, the area shall be computed by means of the smallest single and continuous perimeter of up to two standard geometric shapes that enclose the outer limits of the writing, emblem or other display.

Gaps in writing, emblems or other display which are greater than two times the height of the sign area, when using the same single continuous perimeter above, may be subtracted from the calculation of the sign area but shall be interpreted as two signs. The area of the wall or window area for the purposes of determining an allowed percentage shall be the total surface of the wall or window visible in an elevation view.



**Figure 1805-2 Gaps Between Signs.** Larger gaps may be subtracted from sign area calculations, but is considered two separate signs.

- D. **Decorative Elements.** Embellishments such as pole covers, framing, decorative roofing and support structures shall not be included in the area of the measurement when they contain no writing, emblem or other display.
- E. **Double-Faced Signs.** Where the sign faces of a double-faced sign are no more than three feet apart at any location, only one face will be measured in computing sign area. Where the two faces of a double-faced sign are of unequal area, the area of the sign will be the area of the larger face. In all other cases, the areas of all faces of a multi-faced sign or the surface area of objects will be added together to compute the area of the sign.



**Figure 1805-3 Double-face Signs.** When opposing faces are within three feet, a double-faced sign is considered one sign and the area of one-face is the size; when separated by more than three feet, each profile is considered a sign and counts to the total sign area.



- F. **Height.** Sign height is measured from the lowest grade directly below the sign to the highest point on the sign or sign structure.
- G. **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.

### 5-1806 PERMIT REQUIREMENTS

Except as provided in Section 5-1811 of this Article, no sign shall hereafter be erected, constructed or altered, and no existing sign copy or sign face shall be changed except as provided by this Article and until a permit has been issued by the Building Code Official, or his or her designee. Application for a sign permit shall be made in writing upon application forms furnished by the Building Code Official, or his or her designee, and shall include such information as he or she may require for a complete understanding of the proposed work.

- A. Sign applications shall be accompanied by the following information.
  - 1. A site plan showing the proposed location of new signs on the property or building, and the size, location and type of any existing sign or signs on the building or property.
  - 2. A drawing, photograph and/or digital image(s) that detail and show graphics and dimensions for each sign, including height above grade at the top of the sign or signs.
  - 3. For wall signs, an elevation drawing or photograph showing sign placement on each wall, and the dimensions or area of each wall elevation to which a wall sign or signs will be attached.
  - 4. Name of applicant and sign installer.
  - 5. Additional information that may be required by the Planning and Development Services Director, the Building Code Official, or his or her designee.
- B. In addition to the above, applications for Electronic Message Center 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 property or business owner for whom the sign is being installed that acknowledges the property or business owner's agreement to abide by Sign Code regulations or other regulations governing lighting or dimming of the sign at night, and with other requirements for Electronic Message Center signs as set forth in Section 5-1817.D. of this Article.
  - 4. The provisions of Sections 5-1806(B)(2) and 5-1806(B)(3) shall not be required for Electronic Message Center signs that have a maximum brightness and/or light intensity rating of 3,000 nits (or equivalent) or less.

For any sign that will be internally or externally illuminated, an electrical permit separate from the sign permit may be required. When permanent electrical wiring with connection pigtail has previously been installed for the proposed sign under a valid building or electrical permit, no separate electrical permit is required.

### 5-1807 PERMIT REVOCABLE

All rights and privileges acquired under the provisions of this Article, or any amendment thereto are mere licenses revocable by the Planning and Development Services Director, the Building Code Official, or his or her designee, for violation of the provisions of this Article and all such permits shall contain a statement of this limitation.

### 5-1808 SIGN CONTRACTOR LICENSE REQUIRED.

No person, firm or corporation shall engage in the business of contracting to hang signs or to erect signs within the corporate limits of the City of Lawrence, Kansas without complying with the provisions of this Article. There shall be an initial yearly license fee of \$100 for each such person, firm or corporation engaged in the business of sign hanging and the erection of signs. There shall also be an annual license renewal fee of \$50. All persons engaged in the business of contracting to hang signs or erect signs must obtain such a license, except those who are employed by contractors with a current and valid license.

Every person, firm or corporation engaged in the business of contracting to hang signs or to erect signs within the corporate limits of the City of Lawrence, Kansas, shall keep in force a policy of commercial general liability insurance including completed operations/products coverage. Such insurance policy shall be written with an insurance company licensed as an admitted insurance company in the State of Kansas. The contractor shall maintain general liability coverage in an amount not less than five hundred thousand dollars (\$500,000) per occurrence single limit for bodily injury and property damage. At the time of licensing, the contractor shall provide the City of Lawrence, Kansas Planning and Development Services Department with an original certificate of insurance verifying the insurance coverage required under this section. The City of Lawrence, Kansas shall be added as a "Certificate Holder" to the insurance policy by the insurance company issuing the certificate of insurance, requiring the insurance company to notify the City of Lawrence, Kansas Planning and Development Services Department in writing of any change in coverage or cancellation of such policy at least ten days prior to such changes. In addition, every contractor shall procure and maintain workers' compensation insurance, as required by law.

Exceptions to license and insurance requirements:

- A. The sign contractor license requirements of this Section shall be waived for signs exempt from permit and temporary signs as regulated by this Article.
- B. The insurance requirements of this Section shall be waived for signs exempt from permit and temporary signs as regulated by this Article.

### 5-1809 FEES FOR SIGN PERMITS AND VARIANCES

- A. **Sign Permit Fees.** Prior to being granted a permit pursuant to this Article, every applicant shall pay to the Planning and Development Services Director, or his or her designee, the following permit fee for each sign regulated by this Article, which is not otherwise exempt from permitting in accordance with Section 5-1811 of this Article.
  - 1. New, relocated, expanded or structurally altered permanent wall, freestanding, pedestrian or internal ground sign - \$75.00.
  - 2. Sign copy or sign face change to an existing permanent sign where there is no structural alteration to the existing sign and the area of the sign copy or face change is the same as the existing sign copy or sign face area - \$50.00.
  - 3. Temporary sign(s) - \$25.00 per application. A temporary sign permit may include multiple signs having the same display time period.

The fees established above shall be for each sign permitted. Additional signage for symbols, logos, insignias and specific goods and services shall be considered individual signs for purposes of a sign permit fee. Any applicant requesting a permit to install a sign with either internal or external lighting will be required to purchase an electrical permit with its own separate permit fee in addition to the above (unless the permanent wiring with pigtail has previously been installed to the sign under a valid building or electrical permit). When a permit is requested for signs in different categories as outlined above, whether for one or more businesses, the full cost for the permit in each category shall be charged.

A double permit fee shall be charged for failure to make application for a sign permit as required by Section 5-1806 of this Article.

- B. **Variance Application Fees.** At the time an application for a variance to the requirements of this Article is submitted pursuant to Section 5-1822 of this Article, the applicant shall pay to the Planning and Development Services Director, or his or her designee, a non-refundable fee of \$350.00. The fee shall not be refunded when the variance application is denied.

### 5-1810 INSPECTIONS

As soon as a sign has been erected, the permittee shall notify the Building Code Official, or his or her designee, who shall inspect such signs or works of art and approve the same when it is in compliance with the provisions of this Article. The Building Code Official, or his or her designee, may, from time to time as he or she deems necessary, inspect all signs or other advertising structures or works of art

regulated by this ordinance, for the purpose of ascertaining whether it is secure or whether it is in need of removal or repair.

### 5-1811 SIGNS EXEMPT FROM PERMIT

The following signs are exempt from the permit process provided they meet all other applicable requirements of this Article, and unless specifically noted do not count towards the size allocation standards in this ordinance.

- A. **Address Signs.** Signs clearly indicating the property address are encouraged to enhance the ability of public safety and emergency services personnel to locate the property. One wall and one freestanding sign per address up to two square feet each, provided the following standards are met.
  1. Address signs on buildings shall be mounted between four feet and ten feet high to enhance visibility.
  2. Freestanding address signs shall be located at the primary access point and shall be no more than three feet high to minimize sight obstruction.
- B. **Governmental Signs.** Governmental Signs, as defined in this Article.
- C. **Government Flags.** Government Flags, as defined in this Article, subject to the height restrictions of the City of Lawrence, Kansas Land Development Code.
- D. **Decorative Flags.** Up to three Decorative Flags, as defined in this Article, per lot, mounted on flag poles or light poles subject to the height restrictions of the City of Lawrence, Kansas Land Development Code.
- E. **Corporate Flags.** Up to one Corporate Flag, as defined in this Article, per lot, not greater than 24 square feet in size, mounted on a flag pole and not located in any required minimum setback for the lot as set forth in the City of Lawrence, Kansas Land Development Code.
- F. **Window Signs.** (a) Non-illuminated signs mounted to the interior or applied directly to the exterior of first floor windows in non-residential zoning districts between two feet and 12 feet above grade. (b) Internally illuminated window signs mounted between two feet and 12 feet above grade at the interior of first floor windows in non-residential zoning districts, provided that the total area of such signs does not exceed 12 sq. ft. Internally illuminated window signs greater than 12 sq. ft. require a permit, and are regulated in accordance with the sign allowances and other regulations for wall signs set forth in this Article.
- G. **Temporary Signs.** Temporary signs identified as *Exempt from permit* in the Temporary Signs section of Table 5-1814 of this Article.
- H. **Minor Signs.** Signs four square feet or less in area intended to convey messages to internal users of the site, and generally not visible from or intended to convey messages to people in the right-of-way, such as parking instructions, directional or wayfinding signs, security warnings, business identification or other similar minor signs that are accessory to the use of the site and building. Grouping or arranging minor signs to have the effect of a larger permitted sign makes these signs ineligible for this exemption.
- I. **Portable Pedestrian Signs.** Portable pedestrian signs as defined in this Article and meeting the standards specified in Section 5-1816.C.
- J. **Automated Teller Machine (ATM), Fuel Pump and Fuel Pump Topper Signs.** Automated Teller Machine (ATM), Fuel Pump and Fuel Pump Topper signs, as defined in this Article.
- K. **Signs within Enclosed Buildings.** Signs located completely within an enclosed building, and not exposed to view from a street or parking lot shall not be considered a sign under this Article.
- L. **Memorial Signs or Tablets.** Smaller signs or tablets used for commemorating, honoring or remembering a person, place or event, and names of buildings and date of building erection when cut into or raised in integral relief on any masonry surface or when constructed of bronze or other similar noncombustible materials.

### 5-1812 MAINTENANCE OF SIGNS

All signs together with all their supports, braces, guys and anchors, shall be kept in good repair and in a proper state of preservation. The Building Code Official, or his or her designee, may order the removal or repair of any sign that is not maintained in accordance with the provisions of this Article.

## 5-1813 SIGN TYPES

**Figure 5-1813. Sign Types.**

This figure depicts examples of various sign types listed in Table 5-1813.



The following sign types are distinguished for the purposes of the sign requirements in this Section.

**Table 5-1813: Sign Types**

Type	Description
<b>A Permanent Wall Sign</b>	A sign painted, printed or attached to the exterior surface of a building, building marquee, canopy, awning or other fixed building surface in a permanent manner with a scale and design intended to be legible to vehicles or pedestrians from a public right-of-way or from a private sidewalk, walkway or parking lot that serves or supports the building or the development in which the building is located.
<b>B Permanent Freestanding Sign</b>	A detached sign that is mounted to the ground in a permanent manner independent from any building with a scale and design legible primarily to vehicles or pedestrians in the public right-of-way. Permanent free-standing signs encompass two specific sign types:  <b>Monument Sign:</b> A type of permanent free-standing sign mounted on an enclosed, solid base or ornamental surface structure, or on poles, pylons or similar structures that are concealed with a pole cover, pylon cover or cladding.  <b>Pole Sign:</b> A type of permanent freestanding sign constructed on one or more poles, pylons or similar structures so the bottom edge of the sign surface is elevated above the ground, and the pole(s), pylon(s) or similar structure(s) is(are) not concealed with a pole cover, pylon cover or cladding to meet description and requirements for a monument sign.
<b>C Permanent Pedestrian Sign</b>	A sign with a design and scale to be legible to pedestrians in front of or immediately adjacent to the building, or to be legible to individuals internal to a site containing multiple buildings. Pedestrian signs are located in a permanent manner hanging below a canopy or awning, projecting from a wall, mounted on a wall, door or window, or free-standing.
<b>D Temporary Sign</b>	A portable sign which is not permanently embedded in the ground or permanently affixed to a building or structure, and designed or intended to be displayed for a brief period of time. Temporary signs do not include permanent signs with temporary or changeable messages or portable pedestrian signs as defined and otherwise regulated in the Article. Temporary signs are usually constructed of cloth, canvas, light fabric, cardboard, wallboard, aluminum or other similar light materials, with or without frames.
<b>E Permanent Internal Ground Sign</b>	A sign with a design and scale to be legible to pedestrians or vehicles navigating or using the internal portions of a site, and, except for signs placed at entrance or exit driveways to direct vehicular traffic safely onto or from the interior portions of a site, generally not legible to vehicles or pedestrians in the public right-of-way. Internal ground signs may be monument or pole design.

---

## 5-1814 SIGN ALLOWANCES

The following sign allowances apply to zoning districts or groups of zoning districts as the basic standard. Other restrictions in this Section or this Article, or other regulations, may operate to further reduce the basic sign allowances within each zoning district. Zoning district names referenced in Table 5-1814 are set forth below.

RS, Single-Dwelling Residential Districts  
RSO, Single-Dwelling Residential – Office District  
RM, Multi-Dwelling Residential Districts  
RMG, Multi-Dwelling Residential – Greek Housing District  
RMO, Multi-Dwelling Residential – Office District  
CN1, Inner Neighborhood Commercial District  
CN2, Neighborhood Commercial Center District  
CO, Office Commercial District  
CD, Downtown Commercial District  
CC, Community Commercial Centers District  
CR, Regional Commercial District  
CS, Commercial Strip District  
IBP, Industrial/Business Park District  
IL, Limited Industrial District  
IM, Medium Industrial District  
IG, General Industrial District  
OS, Open Space District  
H, Hospital District  
PUD, Planned Unit District  
PRD, Planned Residential District  
PCD, Planned Commercial District  
PID, Planned Industrial District  
POD, Planned Office District  
UR, Urban Reserve District

Table 5-1814: Sign Allowances

<i>RS, RSO, RM, RMG, RMO, PUD, PRD, POD, CO, UR and OS Zoning Districts</i>		<i>H, CN1, CN2, CS, CD, IBP, IL, PCD, and PID Zoning Districts</i>	<i>CC, CR, IM and IG Zoning Districts</i>
<i>Permanent Wall Signs</i>	<p>Permitted principal non-residential land uses or multi-dwelling land uses (excluding duplexes and attached 2 to 4 unit dwellings):</p> <ul style="list-style-type: none"> <li>▪ <i>Number of Signs:</i> 1 per public street right-of-way frontage, regardless of the number of buildings having street frontage.</li> <li>▪ <i>Sign Area:</i> 5% of building wall area to which the sign is attached, maximum.</li> <li>▪ <i>Sign Size:</i> 32 sq. ft. per sign maximum.</li> <li>▪ <i>Sign Illumination:</i> Internally illuminated wall signs are not allowed; externally illuminated signs are allowed provided they are indirectly lighted with white light only and are not constructed of reflective or luminous materials. Reverse channel letter wall signs are considered to be externally illuminated signs provided they are illuminated with white light only.</li> </ul>	<ul style="list-style-type: none"> <li>▪ <i>Number of Signs:</i> 1 sign per tenant on wall with exterior public entrance to tenant space (multi-tenant building). Otherwise, unlimited number of signs on walls where signs are allowed.</li> <li>▪ <i>Sign Area:</i> 10% of the building wall area maximum, or 150 sq. ft., whichever is less. For each 100 foot increment the building wall is set back from a public street right-of-way, the base maximum area may be increased by 50%, provided the total area of wall signs shall not exceed 10% of the building wall area or 450 sq. ft., whichever is less.</li> <li>▪ <i>Sign Location:</i> Allowed on building walls facing or fronting a public street right-of-way or a parking lot or other open space under the same ownership with at least fifty lineal feet between the building wall and the nearest building. No wall sign shall be allowed on any building wall that fronts or faces any directly abutting residentially zoned lot or parcel. In no case shall wall signs be constructed on more than 3 building walls of a building.</li> <li>▪ <i>Sign Illumination:</i> Internally and externally illuminated signs are allowed.</li> </ul>	<ul style="list-style-type: none"> <li>▪ <i>Number of Signs:</i> 2 signs per tenant on wall with public exterior entrance to tenant space (multi-tenant building). Otherwise, unlimited number of signs on walls where signs are allowed.</li> <li>▪ <i>Sign Area:</i> 10% of the building wall area maximum, or 150 sq. ft., whichever is less. For each 100 foot increment the building wall is set back from a public street right-of-way, the base maximum area may be increased by 50%, provided the total area of wall signs shall not exceed 10% of the building wall area or 450 sq. ft., whichever is less.</li> <li>▪ <i>Sign Location:</i> Allowed on building walls facing or fronting a public right-of-way or a parking lot or other open space under the same ownership with at least 50' between the building wall and the nearest building. No wall sign shall be allowed on any building wall that fronts or faces any directly abutting residentially zoned lot or parcel. In no case shall wall signs be constructed on more than 3 building walls of a building.</li> <li>▪ <i>Sign Illumination:</i> Internally and externally illuminated wall signs are allowed.</li> </ul>

Table 5-1814: Sign Allowances

	<b>RS, RSO, RM, RMG, RMO, PUD, PRD, POD, CO, UR and OS Zoning Districts</b>	<b>H, CN1, CN2, CS, CD, IBP, IL, PCD, and PID Zoning Districts</b>	<b>CC, CR, IM and IG Zoning Districts</b>
<b>Permanent Freestanding Signs</b>	<p>For permitted non-residential land uses, regardless of lot size, or any residential subdivision project or multi-dwelling project (excluding duplexes and attached 2 to 4 unit dwellings) on lots or parcels of 2 acres or more:</p> <ul style="list-style-type: none"> <li>▪ <i>Number of Signs:</i> 1 monument sign per public street frontage for non-residential uses OR per entrance for residential projects on two acres or more.</li> <li>▪ <i>Sign Area Allowance:</i> For non-residential land uses on less than 2 acres, 1 sq. ft. for each 5' of lot public street frontage.</li> <li>▪ <i>Sign Area:</i> 32 s.f. maximum per sign. For each 5' of setback from the public street right-of-way property line, maximum sign area may be increased by 8 sq. ft. to a maximum of 48 sq. ft.</li> <li>▪ <i>Sign Height:</i> Monument design required for permanent signs; 6' high maximum (height includes monument base). For each 5' of setback from the public street right-of-way property line, maximum sign height may be increased by 1' to a maximum of 8'.</li> <li>▪ <i>Sign Illumination:</i> Externally illuminated signs are allowed provided they are indirectly lighted with white light only and are not constructed of reflective or luminous materials. Internally illuminated signs are not allowed, except in the CO zoning district and for allowed <i>Community Facilities, Religious Assembly</i> or <i>Medical Facilities</i> land uses, as defined in the City of Lawrence, Kansas Land Development Code, in all other zoning districts.</li> </ul>	<ul style="list-style-type: none"> <li>▪ <i>Number of Signs:</i> 1 monument sign per lot. For lots of 3 or more acres, 1 additional monument sign may be allowed at a secondary entrance facing or fronting a different public street than the first sign.</li> <li>▪ <i>Sign Area:</i> 60 sq. ft. maximum. For each 5' of setback from the public street right-of-way property line, maximum sign area may be increased by 6 sq. ft. to a maximum of 72 sq. ft. For lots of 3 or more acres, additional square footage of 20 sq. ft. is allowed. As an alternative to additional square footage of 20 sq. ft. for 1 sign on lots of 3 or more acres, 1 additional sign is allowed with a maximum area of 40 sq. ft.</li> <li>▪ <i>Sign Height:</i> Monument design required; 12' high maximum. For each 5' feet of setback from public street right-of-way property line, height may be increased by 2' to a maximum of 16' (height includes monument base).</li> <li>▪ <i>Sign Illumination:</i> Externally illuminated or internally illuminated signs are allowed.</li> </ul>	<ul style="list-style-type: none"> <li>▪ <i>Number of Signs:</i> 1 monument sign per lot. For lots of 3 or more acres, 1 additional monument sign may be allowed at a secondary entrance facing or fronting a different public street than the first sign.</li> <li>▪ <i>Sign Area:</i> 72 sq. ft. maximum. For each 5' of setback from the public street right-of-way property line, maximum sign area may be increased by 6 sq. ft. to a maximum of 84 sq. ft. For lots of 3 or more acres, additional square footage of 20 sq. ft. is allowed. As an alternative to additional square footage of 20 sq. ft. for 1 sign on lots of 3 or more acres, 1 additional sign is allowed with a maximum area of 48 sq. ft.</li> <li>▪ <i>Sign Height:</i> Monument design required for permanent signs; 16' high maximum (height includes monument base). For each 5' feet of setback from public street right-of-way property line, height may be increased by 2' to a maximum of 20' (height includes monument base).</li> <li>▪ <i>Sign Illumination:</i> Externally illuminated or internally illuminated signs are allowed.</li> </ul>

Table 5-1814: Sign Allowances

	<b>RS, RSO, RM, RMG, RMO, PUD, PRD, POD, CO, UR and OS Zoning Districts</b>	<b>H, CN1, CN2, CS, CD, IBP, IL, PCD, and PID Zoning Districts</b>	<b>CC, CR, IM and IG Zoning Districts</b>
<b>Permanent Internal Ground Sign</b>	<ul style="list-style-type: none"> <li>Number of Signs: 1 for each 10,000 sq. ft. of a lot or parcel.</li> <li>Sign Size: 4 sq. ft. maximum on lots or parcels less than 2 acres; up to 8 sq. ft. for lots or parcels of 2 acres or more, and when set back at least 50' from public street right-of-way or lot or parcel lines.</li> <li>Sign Height: 6' maximum, when set back at least 50' from public street right-of-way or lot or parcel lines.</li> <li>Sign Illumination: Internally illuminated signs are not allowed; externally illuminated signs are allowed provided they are indirectly lighted with white light only and are not constructed of reflective or luminous materials.</li> </ul>	<ul style="list-style-type: none"> <li>Number of Signs: 1 for each 5,000 sq. ft. of a lot or parcel up to and including 20,000 sq. ft., plus 1 for each 10,000 sq. ft. of a lot or parcel greater than 20,000 sq. ft.</li> <li>Sign Size: 4 sq. ft. maximum when located within 15' of public street right-of-way; 6 sq. ft. maximum when located more than 15' but not more than 50' from public street right-of-way; 16 sq. ft. maximum when located more than 50' from public street right-of-way. Signs serving drive-through facilities may be 32 sq. ft. maximum when set back at least 50' from the public street right-of-way and located further back from the public street right-of-way than the wall of the primary use building that faces a public street right-of-way.</li> <li>Sign Height: 3' maximum height when located within 15' of public street right-of-way; 4' maximum height when located more than 15' but not more than 50' from public street right-of-way; 6' maximum height when located more than 50' from public street right-of-way. Signs serving drive-through facilities may be 8' maximum height when set back at least 50' from the public street right-of-way and located further back from the public street right-of-way than the wall of the primary use building that faces a public street right-of-way.</li> <li>Sign Illumination: Internally and externally illuminated signs are allowed.</li> </ul>	<ul style="list-style-type: none"> <li>Number of Signs: 1 for each 5,000 sq. ft. of a lot or parcel up to and including 20,000 sq. ft., plus 1 for each 10,000 sq. ft. of a lot or parcel greater than 20,000 sq. ft.</li> <li>Sign Size: 6 sq. ft. maximum when located within 15' of public street right-of-way; 8 sq. ft. maximum when located more than 15' but not more than 25' from public street right-of-way; 16 sq. ft. maximum when located more than 25' from public street right-of-way. Signs serving drive-through facilities may be 32 sq. ft. maximum when set back at least 50' from the public street right-of-way and located further back from the public street right-of-way than the wall of the primary use building that faces a public street right-of-way.</li> <li>Sign Height: 4' maximum height when located within 15' of public street right-of-way; 6' maximum height when located more than 15' but not more than 25' from public street right-of-way; 8' maximum height when located more than 25' from public street right-of-way. Signs serving drive-through facilities may be 8' maximum height when set back at least 50' from the public street right-of-way and located further back from the public street right-of-way than the wall of the primary use building that faces a public street right-of-way.</li> <li>Sign Illumination: Internally and externally illuminated signs are allowed.</li> </ul>



Table 5-1814: Sign Allowances

RS, RSO, RM, RMG, RMO, PUD, PRD, POD, CO, UR and OS Zoning Districts	H, CN1, CN2, CS, CD, IBP, IL, PCD, and PID Zoning Districts	CC, CR, IM and IG Zoning Districts
<p><b>Temporary Signs</b></p> <ul style="list-style-type: none"> <li>Freestanding (also includes signs attached to fences, guardrails or retaining walls):             <ul style="list-style-type: none"> <li>Sign Area: Total area of all freestanding signs shall not exceed 16 sq. ft. per lot with a maximum sign size of 8 sq. ft., except for allowed principal non-residential land uses for which the total area of all freestanding signs shall not exceed 32 sq. ft. per lot, with a maximum sign size of 32 sq. ft.</li> <li>Sign Height: 4' maximum above ground on which sign is placed, except for allowed principal non-residential land uses where sign can be 6' maximum above ground on which sign is placed.</li> <li>Number of signs: Maximum of 3 signs at the same time for lots with a single street frontage; maximum of 4 signs at the same time for lots with multiple street frontages, with a maximum of 3 signs at the same time on any street frontage.</li> </ul> </li> <li>Feather signs are not allowed per Section 5-1816.F.7.</li> <li>Attached to building wall: Allowed for permitted principal non-residential land uses or multi-family land uses only (excludes duplexes and attached 2 to 4 unit dwellings):             <ul style="list-style-type: none"> <li>Number of Signs: 1 per building with 2 maximum per public street frontage, regardless of number of buildings with frontage.</li> <li>Sign Area: 12 sq. ft. maximum per sign.</li> </ul> </li> </ul> <p><i>Exceptions to maximum sign area and height.</i> (1) Residential subdivisions two or more acres in size and zoned RS, PRD or PUD: One temporary sign not exceeding 64 sq. ft. and 8' in height above adjoining grade that is installed near a main public street entrance to the subdivision. Such sign shall be located a minimum of 15' from any public right-of-way and shall be removed within 30 days after completion of construction of the last attached or detached dwelling in the subdivision. (2) Lots greater than one acre in size and zoned RM, POD or CO: One temporary sign not exceeding 64 sq. ft. in combined total area installed on a lot that is greater than one acre in size that is under construction and development. Such sign shall not exceed 10' in height above adjoining grade.</p> <p><i>Exception to maximum number of signs.</i> Temporary signs installed on a lot for not more than 50 days prior to and 10 days after the date of a political election, referendum or ballot measure.</p> <p><i>Exemption from permit.</i> Temporary signs as allowed above are exempt from permit.</p>	<ul style="list-style-type: none"> <li>Freestanding (includes signs attached to fences, guardrails or retaining walls):             <ul style="list-style-type: none"> <li>Sign Area: 32 sq. ft. total for lots with less than 160 feet of public street frontage, or 1 sq. ft. for each 5' of lot public street frontage for lots with 160 feet or more of public street frontage, not to exceed 64 sq. ft. total for all signs on a single-tenant lot or 96 sq. ft. total for all signs on a multi-tenant lot.</li> <li>Sign Size: 32 sq. ft. maximum per sign.</li> <li>Sign Height: 9' maximum above ground on which sign is placed.</li> <li>Spacing: At least 50' from any other temporary sign.</li> <li>Number of signs:                 <ul style="list-style-type: none"> <li>For single tenant lots: Maximum of 2 signs at the same time for lots with a single street frontage; maximum of 3 signs at the same time for lots with multiple street frontages, with a maximum of 2 signs at the same time on any street frontage.</li> <li>For multi-tenant lots: Maximum of 1 sign at a time for each tenant space; maximum of 4 signs at the same time for lots with a single street frontage; maximum of 6 signs at the same time for lots with multiple street frontages, with a maximum of 4 signs at the same time on any street frontage.</li> </ul> </li> </ul> </li> <li>Feather signs are allowed. See Section 5-1816.F.7. for additional standards applicable to feather signs.</li> <li>Attached to building wall:             <ul style="list-style-type: none"> <li>Number of Signs: 2 maximum per public street frontage.</li> <li>Sign Area: 5% maximum of wall area facing a public street.</li> <li>Sign Size: 32 sq. ft. maximum per sign.</li> </ul> </li> <li>Total maximum display time of 45 days per calendar year per business or tenant space, which may be divided into separate display time periods throughout the calendar year.</li> </ul> <p><i>Exemptions from permit.</i> (1) Temporary signs not exceeding the maximum sign size and height allowances above, and located on a lot where the property or a portion thereof is for sale, lease or rent, as set forth in Sec. 5-1816.F.4. of this Article. Such signs shall not count against the total temporary sign area allowance for the lot, and are exempt from the required temporary sign spacing from other permitted temporary signs on the lot. (2) Temporary signs not exceeding 8 sq. ft. in area that are installed on a lot for not more than 50 days prior to and 10 days after the date of a political election, referendum or ballot measure. (3) Temporary signs that are classified as Minor Signs.</p> <p><i>Exceptions to the maximum allowed display time per calendar year.</i> (1) Up to two temporary signs not exceeding 64 sq. ft. in combined total area installed on a lot where a new building, addition or tenant space is under construction for the interim period of new construction or new tenant space finish. (2) Temporary signs installed on a lot where the property or a portion thereof is for sale, lease or rent, as set forth in Sec. 5-1816.F.4. of this Article. (3) Temporary signs not exceeding 8 sq. ft. in area that are installed on a lot for not more than 50 days prior to and 10 days after the date of a political election, referendum or ballot measure.</p> <p><i>Exception to maximum number of signs.</i> Temporary signs not exceeding 8 sq. ft. in area that are installed on a lot for not more than 50 days prior to and 10 days after the date of a political election, referendum or ballot measure.</p>	

**Table 5-1814: Sign Allowances**

<b>RS, RSO, RM, RMG, RMO, PUD, PRD, POD, CO, UR and OS Zoning Districts</b>		<b>H, CN1, CN2, CS, CD, IBP, IL, PCD, and PID Zoning Districts</b>	<b>CC, CR, IM and IG Zoning Districts</b>
<b>Permanent Pedestrian Sign</b>	For permitted non-residential land uses.	<ul style="list-style-type: none"> <li>▪ <i>Number of Signs, Size and Location:</i> 1 sign for each public entrance to a building or tenant space, maximum of 8 sq. ft. and within 20' of entrance.</li> <li>▪ <i>Sign Height:</i> 6' high maximum, when mounted on the ground.</li> </ul>	
	<ul style="list-style-type: none"> <li>▪ <i>Number of Signs:</i> 1 per public entrance to building or tenant space.</li> <li>▪ <i>Sign Height:</i> 4' high maximum, when mounted on the ground.</li> <li>▪ <i>Sign Location:</i> Within 20' of entrance, when mounted on the ground.</li> <li>▪ <i>Sign Area:</i> 6 sq. ft. maximum.</li> </ul>	<p>OR</p> <ul style="list-style-type: none"> <li>▪ <i>Sign Number &amp; Size:</i> 1 sign for each 25' of building public street frontage; 6 sq. ft. maximum.</li> <li>▪ <i>Sign Height:</i> 6' high maximum, when mounted on the ground.</li> </ul> <p><i>Exemption:</i> Portable pedestrian signs or any pedestrian sign mounted on a building that projects into the right-of-way are exempt from right-of-way prohibition in the CD zoning district. Portable pedestrian signs shall meet the standards of Section 5-1817.C.</p>	

**5-1815 STANDARDS APPLICABLE TO ALL SIGNS**

No sign shall be attached to any public utility pole or erected, located or placed within the right-of-way of a public road or street, except governmental signs, approved civic promotion or welfare signs, or other similar signs as permitted by the applicable federal, state or local road authority, or by the applicable public utility, or where specifically exempt from the right-of-way prohibitions in this Article.

- A. No sign shall be erected, located or placed without the property owner's permission.
- B. No sign shall imitate or resemble government signs for traffic direction or any other public safety symbol.
- C. No sign located on the triangle formed by two curb lines at the intersection of two streets, a public street and alley, two internal access streets, an internal access street and a public street or a driveway and public street, extending for a distance of 50 feet each way from the intersection of the curb lines, shall be permitted to exceed a height of more than 36 inches above the road level of the adjoining street, alley or driveway in order that the view of the driver of a vehicle approaching an intersection with a street shall not be obstructed.
- D. No sign shall be placed on any vehicle or trailer, when such vehicle or trailer is placed or parked visible from the right-of-way, and the primary purpose of the sign is to deviate from the standards or criteria of this Article.
- E. No sign attached to any building shall extend vertically above the highest portion of the roof line or parapet, whichever is less.
- F. Any sign projecting over a walkway or other active area in front of a building or other active area where people may walk shall maintain at least 8' vertical clearance.
- G. No sign shall be erected, located or placed in or on a public utility or drainage easement, unless specifically authorized by the Director of Planning and Development Services, or his or her designee.
- H. No sign, other than an authorized governmental sign, shall be erected, located or placed closer than 5' to the side or rear lot line (as those lot lines are defined in the City of Lawrence, Kansas Land Development Code) of the lot on which the sign is erected, located or placed.
- I. No sign shall include balloons, streamers, pennants or other air activated elements, or any animated sign elements, whether animated by mechanical, electrical, or environmental means.
- J. Any illumination shall be designed to eliminate negative impacts on surrounding rights-of-way and properties. The light from an illuminated sign shall not flash or oscillate, or create a negative impact on residential uses in direct line-of-sight to the sign.
- K. External light sources shall be directed and shielded to limit direct illumination of any object other than the sign.
- L. Any sign with a commercial message shall be an on-premise sign, as defined in this Article.

## 5-1816 STANDARDS APPLICABLE TO SPECIFIC SIGN TYPES

### A. Monument Signs.

1. Monument signs shall be located within a landscape area as may be required by a site plan required and approved pursuant to the City of Lawrence, Kansas Land Development Code.
2. Monument signs shall have a base at least 65% of the width of the widest part of the sign and not more than 125% of the width of the widest part of the sign. **Exception:** Monument signs with a base at least 33% of the width of the widest part of the sign and not more than 150% of the width of the widest part of the sign, if approved by the Monument Sign Design Review Committee in accordance with Section 8-1825 of this Article.
3. The base and sign shall include ornamental architectural details and materials that complement the overall design of the site and building.
4. Monument signs shall be no closer than 10 feet to any other sign, building or structure unless constructed entirely of noncombustible material.
5. Monument signs shall have a surface or facing of noncombustible materials, or other material approved by the Building Code Official, or his or her designee. Combustible structural trim may be used on monument signs.
6. No monument sign located on the triangle formed by two curb lines at the intersection of two streets, a public street and alley, two internal access streets, an internal access street and a public street or a driveway and public street, extending for a distance of 50 feet each way from the intersection of the curb lines, shall be permitted to exceed a height of more than 36 inches above the road level of the adjoining street, alley or driveway in order that the view of the driver of a vehicle approaching an intersection with a street shall not be obstructed.

### B. Wall Signs.

1. **Flat wall signs.** A wall sign with the exposed face of the sign mounted in a plane approximately parallel to the plane of the wall, which does not extend more than 18 inches from the wall.
2. **Projecting wall signs.** A wall sign is considered to be a projecting wall sign when any portion of the sign extends more than 18 inches from the wall, canopy or marquee to which it is attached. A projecting wall sign shall not project more than six feet from the face of the wall, canopy or marquee to which it is attached, and shall not extend over any public driveway, alley or thoroughfare used for vehicular traffic.
3. **Awning or canopy wall signs.** Awnings and canopies, and awning and canopy signs shall meet the following standards.
  - a. **Awning materials.** Awnings may be constructed of cloth or metal, provided that all frames and supports shall be of metal.
  - b. **Awning and canopy construction standards.** Awnings and canopies shall be of materials constructed in accordance with the requirements of the City of Lawrence, Kansas Building and Fire Codes as adopted in Chapter V, Article 2 and Chapter VIII, Article 2 of the Code of the City of Lawrence, Kansas, respectively.
  - c. **Awning setback from street curbline.** No awning shall be permitted to extend beyond a point two feet inside the street curbline.
  - d. **Awning support.** Every awning shall be securely attached to and supported by the building, and properly maintained in such manner.
  - e. **Awning and canopy signage area.** To determine the allowable signage area on the awning or canopy, the surface area of the awning or canopy behind any lettering, logo or insignia shall be measured by establishing the square footage covered by the perimeter of signage. No awning or canopy sign, or any portion of an awning or canopy sign, shall contain a changeable sign.
    - (1) The combined sign area of signs on an awning or canopy supported by attachment to a building and other wall signs on the same building facade shall not exceed the allowances for wall signs pursuant to this Article. When more than 50 percent of the total square footage of an awning or canopy supported by attachment to a building contains logo, insignia or lettering, the surface area of the entire awning or canopy,

including the surface area without lettering, logo, or insignia, shall be considered a sign for purposes of this Article.

- (2) The combined sign area on any canopy face of a canopy that is structurally independent from another building shall not exceed twenty percent (20%) of the area of the canopy face, except that signs on a canopy face with an area not greater than 25 square feet shall not exceed fifty percent (50%) of the area of the canopy face.

All wall signs for which a permit is required under this Article shall have a facing surface of noncombustible materials, provided that combustible structural trim may be used on a wall sign. However, the surface or facing and structural trim of a wall sign which is attached to a stone, brick or masonry wall may be of exterior grade plywood having a thickness of not less than one (1) inch. No plywood sign shall be illuminated or in any manner be operated or serviced by electricity.

- C. **Portable Pedestrian Signs.** Portable pedestrian signs ("A-Frame" or "sandwich board") for retail and service uses shall be located on private property, except in the CD zoning district where such signs may be located on the public right-of-way, provided:
  1. Not more than one (1) sign shall be located within close proximity to each main public entrance to the building.
  2. Signs shall be located within twelve inches of the building where the business exists.
  3. Signs shall be located on or near a sidewalk with at least six feet clear passage maintained for pedestrians on the sidewalk, and any sign shall not otherwise be placed in any location that creates visual obstructions or safety hazards for users of the right-of-way.
  4. Signs shall not exceed 32 inches in width and 48 inches in height above the adjacent sidewalk.
  5. Signs shall not be illuminated or contain any digital display, and shall not contain banners, flags, streamers, balloons or other moving parts.
  6. Signs shall not be displayed during non-business hours.
  6. Signs shall be designed with durable materials and quality aesthetics for use on a recurring basis (no banners, flags, streamers, balloons or other moving parts). Although changeable copy can be included as part of the design, such as chalkboards, signs designed as "temporary signs" are not eligible as a portable pedestrian signs, and the allowance for signs in the right-of-way specifically does not apply to any temporary sign.
- D. **Electronic Message Center (EMC) Signs.** Electronic message center signs are subject to the following additional limitations:
  1. EMC signs shall be limited to CN2, MU, CO, CC, CR, CS, PCD, PID, IL, IM, IG, GPI and H zoning districts, or for permitted principal Office, Community Facilities, Religious Assembly or Medical Facilities uses as defined in the City of Lawrence, Kansas Land Development Code in all other zoning districts except CN1 and CD zoning districts.
  2. EMC signs in RS, RSO, RM, RMG, RM, PUD, PRD, POD, CO, UR and OS zoning districts shall not be operated or illuminated between the hours of 10:00 PM and 7:00 AM.
  3. EMC signs shall be limited to permanent freestanding monument signs, permanent wall signs, interior EMC window signs not exceeding a total of twelve square feet and permanent internal ground signs serving drive-through facilities.
  4. EMC signs shall be limited to not more than 50% of the total allowed sign area of permanent freestanding signs.
  5. EMC signs shall be limited to not more than 20% of the total allowed sign area of permanent wall signs.
  6. EMC signs shall be limited to not more than one (1) per lot street frontage, excluding EMC window signs not exceeding a total of twelve square feet and permanent internal ground signs serving drive-through facilities.
  7. EMC sign faces shall be set back at least 200 feet from any adjacent residentially zoned lot or parcel as measured perpendicularly from the sign face, and at least 100 feet from any adjacent residentially zoned lot or parcel as measured parallel to the closest edge of the sign face.

8. Automatic dimming controls shall limit the illumination to no more than 0.3 foot-candle relative to ambient light, as measured using a foot-candle (lux) meter calibrated within the past 36 months and in conformance with the following process:
  - a. Light measurements shall be taken with the meter aimed perpendicular to the sign message face or at the area of the sign emitting the brightest light when that area is not the sign message face, at a preset distance depending on sign size. Distance shall be determined by taking the square root of the product of the sign area and 100. For example, using a 12-square-foot sign:  $\sqrt{12 \times 100} = 34.6$  feet measuring distance. **Table 5-1816.1** below provides a sample of distances from which to measure the brightness of an automatic changeable electronic message center.

**Table 5-1816.1**

Area of EMC	Measurement Distance from Sign
10	32
16	40
20	45
24	49
30	55
40	63
50	71

- b. An ambient light measurement shall be taken using a foot-candle meter at some point between the period of time between 30 minutes past sunset and 30 minutes before sunrise with the sign turned off to a black screen.
    - c. Immediately following the ambient light measurement taken in the manner required by this subsection, an operating sign light measurement shall be taken with the sign turned on to full white copy.
    - d. The brightness of an EMC shall be compliant with the brightness requirements of this subsection when the difference between the ambient light measurement and the operating sign light measurement is 0.3 foot-candle or less.
  9. Only static display of messages is permitted with at least three (3) seconds between changes in display and no more than one (1) second for transitions. Messages shall be changed only through dissolving or fading transition methods. No scrolling, travelling, flashing or animated transitions are allowed.
  10. Not more than two (2) temporary signs shall be allowed on any property that has an approved, operating EMC sign, excluding temporary signs placed on a lot for not more than 50 days prior to and 10 days after the date of a political election, referendum or ballot measure.
- E. Temporary Signs.** Temporary signs are subject to the following additional limitations:
1. It shall be the responsibility of the person who causes the temporary sign to be erected to see that the temporary sign placed with the permission of the property owner is removed when the display time has exceeded the applicable regulatory time limit.
  2. Temporary signs shall not be illuminated or painted with a light-reflecting paint.
  3. Temporary signs may be constructed of either rigid or non-rigid material, and securely anchored so as not to pose a distraction or hazard to drivers. Non-rigid materials (such as banners) which are secured by a support or frame to avoid distraction of flapping may be used as a freestanding temporary sign when set back at least 10 feet from the pavement edge of the fronting roadway.
  4. The Building Code Official, or his or her designee, is authorized to allow a temporary sign to remain on a lot or parcel for longer than 60 days in a calendar year provided:
    - a. the property owner consents and that real property is being offered for sale through a licensed real estate agent or for lease or rent through a leasing agent;

- b. when not offered for sale through a real estate agent or for lease or rent through a leasing agent, when the sign is owned by the property owner and that real property is offered for sale, lease or rent by the owner through advertising in a local newspaper of general circulation or on the Internet; and
  - c. the temporary sign is removed within 15 days after completion of the sale of that real property, or within 15 days after a contract for lease or rent of that real property has been executed with a person leasing or renting the property.
- 5. The Building Code Official, or his or her designee, shall be authorized to require the removal of any temporary sign that pertains to an expired event.
- 6. Not more than two (2) temporary signs shall be allowed on any property that has an approved, operating electronic message center sign, excluding temporary signs placed on a lot for not more than 50 days prior to and 10 days after the date of a political election, referendum or ballot measure.
- 7. Temporary feather signs are not allowed in RS, RSO, RM, RMG, RMO, PUD, PRD, POD, CO, UR and OS Zoning Districts and are limited to not more than one (1) feather sign per lot street frontage at the same time in all other Zoning Districts. Temporary feather signs may not exceed nine (9) feet in height above the ground on which they are placed and 16 square feet in area, must be at least 50' from any other temporary freestanding sign on the same lot, and must be set back from the public right-of-way by a distance that is equal to or greater than the height of the feather sign.

#### **5-1817 SIGNS ON HISTORIC LANDMARK STRUCTURES OR IN HISTORIC DISTRICTS, HISTORIC ENVIRONS OR URBAN CONSERVATION OVERLAY AREAS**

- A. **Signs on Historic Landmark Structures or in Historic Districts or Environs.** Signs located on designated historic landmark structures or within historic districts or environs, as defined by Chapter 22 of the Code of the City of Lawrence, Kansas, must comply with the provisions and requirements of Chapter 22 of the Code of the City of Lawrence, Kansas in addition to the sign allowance requirements of Article 5-1814 for the underlying zoning district.
- B. **Signs in Urban Conservation Overlay Districts.** Signs located in an Urban Conservation Overlay District, as established in Article 3, Section 20-308(h) of the City of Lawrence, Kansas Land Development Code, must comply with the designated Urban Conservation Overlay District Standards and Administrative Policies established in Article 3, Section 20-308 (i) of the City of Lawrence, Kansas Land Development Code in addition to the sign allowance requirements of Article 5-1814 for the underlying zoning district.

#### **5-1818 STANDARDS FOR SIGNS IN MU, MIXED-USE ZONING DISTRICTS**

Projects proposed and approved through the MU, Mixed-Use review and approval process outlined in the City of Lawrence, Kansas Land Development Code shall propose a specific sign package. The sign package shall be based on the intent, types of signs, and standards of this Article and the City of Lawrence, Kansas Land Development Code, but the City may approve deviations to these standards through the review process and criteria of MU, Mixed-Use districts.

#### **5-1819 STANDARDS FOR SIGNS IN GPI, GENERAL PUBLIC AND INSTITUTIONAL USE ZONING DISTRICTS**

For any sign or signs proposed to be erected, installed or placed on a lot or building located in a GPI, General Public and Institutional Use Zoning District, the Planning and Development Services Director, or his or her designee, shall review the existing and/or approved land use or uses on that lot and on adjacent lots, and make a determination as to the most appropriate Section 5-1814, Table 5-1814 zoning classification for the lot or building on which the sign or signs are proposed to be erected, installed or placed. An appeal of a regulatory interpretation may be made to the Sign Code Board of Appeals as set forth in Section 5-1826 of this Article.

#### **5-1820 NOTICES AND ORDERS**

- A. **Notice of violation to person responsible.** Whenever the Building Code Official, or his or her designee, determines that there has been a violation of this Article or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 5-1819.A. and 5-1819.B. to the property or building owner, property or building leasee or other person responsible for the violation as specified in this Article.
- B. **Form.** Such notice prescribed in Section 5-1819.A. shall be in accordance with all of the following:
  - 1. Be in writing.
  - 2. Include a description of the real estate sufficient for identification.
  - 3. Include a statement of the violation or violations and why the notice is being issued.
  - 4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.
  - 5. Inform the property owner or owner's authorized agent of the right to appeal.
  - 6. Include a statement of the right to file a lien in accordance with this Article.
- C. **Method of service.** Such notice shall be deemed to be properly served when a copy thereof is:
  - 1. Delivered personally;
  - 2. Sent by certified or first-class mail addressed to the last known address; or
  - 3. When the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the building or property affected by such notice.

### **5-1821 ENFORCEMENT OR REMOVAL OF UNLAWFUL, UNSAFE OR ABANDONED SIGNS**

The violation of any provision of this Article shall be a municipal offense and shall be subject to a minimum \$50.00 fine. Every day of violation shall be a separate and distinct offense. When a City building inspector, or other employee designated by the City Manager to enforce provisions of this Article, shall find that any sign or other advertising structure regulated by this Article is unsafe or abandoned, or is a nuisance to the public or has been constructed or erected or is being maintained in violation of this Article, he or she shall have the authority to issue a Notice to Appear citation pursuant to Charter Ordinance No. 31. In addition to the issuance of a Notice to Appear citation, the City shall have the authority to cause the removal of the unlawful sign or unsafe sign or abandoned sign and to have the reasonable costs of such removal, and related administrative costs, assessed against the property where the unlawful sign was located.

- A. **Signs in the right-of-way or on public property.**
  - 1. An unauthorized sign in the right-of-way or on public property is hereby declared to be a nuisance.
  - 2. The following acts are prohibited:
    - a. No person shall place or cause the placement of a sign in the right-of-way or on public property, including but not limited to any street, sidewalk, park, tree or utility poles. The act of placement will be deemed to continue until such sign is removed.
    - b. Any sign placed or installed in the right-of-way will be deemed an unlawful sign and an abandoned sign and will be subject to immediate removal by the City of Lawrence, Kansas, as authorized in this Article.
    - c. The existence of a sign in the right-of-way or on public property directing attention to a person is prima facie evidence that such person has caused the placement of such sign in the right-of-way or on public property.
    - d. The existence of a sign in the right of way or on public property directing attention to a business, product or service is prima facie evidence that the owner or the agent for the owner of that business, product or service caused the placement of such sign in the right-of-way or on public property.
    - e. The existence of a sign in the right-of-way or on public property directing attention to an event is prima facie evidence that the promoter of that event or the agent for the promoter caused the placement of such sign in the right-of-way or on public property.
  - 3. Exception. Signs installed by any of the following and directly related to the use of the right-of-way or public property, including governmental signs, signs for the control and direction of traffic and approved civic promotion or welfare signs shall be exempted from the provisions of subsections 5-1820.A.1 and 5-1820.A.2 of this Article:

- a. City, county or state government entities;
  - b. Any road construction work;
  - c. Any public utility with a franchise or other agreement with the City of Lawrence, Kansas; or
  - d. Any other government entity or person expressly authorized by local, state or federal law or contract to install a sign in the right-of-way.
4. Other remedies and enforcement powers.
- In addition to the other enforcement powers set forth in Section 5-1820 of this Article, for unlawful signs located on City property, City right-of-way or City easements, the City Planning and Development Services Director or his or her designee, or other employee designated by the City Manager, shall have the authority to immediately remove such signs. In addition to the penalty provisions set forth above, any person seeking to retain custody of an unlawful sign removed from City property, City right-of-way or City easements shall pay to the City an administrative storage fee of \$25.00 for each sign. After at least ten days of storage the City shall have sign materials either recycled or otherwise properly disposed.

The City may seek such other remedies and use such other enforcement powers as allowed by law.

- B. **Unsafe signs.** Any sign located on a building or property that is in substantial disrepair or that is structurally unsound or dangerous with potential to cause harm or damage to persons or property.
- C. **Abandoned signs.** Any sign located on a building or property that has been vacant and unoccupied for a period of one (1) year or more shall be deemed to have been abandoned. The Building Code Official, or his or her designee, is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each, provided such extension is requested in writing and justifiable cause is demonstrated. An abandoned sign is prohibited and shall be removed within thirty (30) days after notification by the Building Code Official, or his or her designee, unless an extension is granted.

### 5-1822 UNSAFE OR ABANDONED SIGN ABATEMENT; ASSESSMENT

When any such condition exists as set forth in Section 5-1821.B. or 5-1821.C., the City Commission may declare such sign a nuisance and order its removal and abatement within thirty days. The Building Code Official, or his or her designee, shall give the owner or occupant of the grounds fronting thereon, or other person in control of such unsafe or abandoned sign, a written notice that unsafe or abandoned sign must be removed within thirty (30) days. When such unsafe or abandoned sign is not removed or abated within thirty days, the Planning and Development Services Director, or his or her designee, shall cause the same to be removed and abated, and shall report the cost thereof to the City Clerk. The cost of removal or abatement shall be charged against the lot or parcel of ground with the unsafe or abandoned sign or the expense may be collected from the person who was ordered to remove the unsafe or abandoned sign.

### 5-1823 VIOLATION PENALTIES

Any person, who shall violate a provision of Article 5-18 of the Code of the City of Lawrence, Kansas, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local law. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Any person convicted of a violation of any provision of this Article shall be punished by a fine in an amount not less than one hundred dollars (\$100) or more than five hundred dollars (\$500).

### 5-1824 REGULATORY INTERPRETATIONS

All regulatory interpretations of this Article are to be exercised in light of the City's message neutrality policy. Whenever any sign permit or other authorization is subject to a discretionary review, that review shall not consider the message content of the sign, other than whether any proposed commercial messages thereon are offsite or onsite. Where a particular type of sign is proposed in a permit application and the type is neither expressly allowed nor prohibited by this Article, then the Building Code Official shall approve, conditionally approve or disapprove the application, based on the most similar sign type



that is expressly regulated by this Article. An appeal of a regulatory interpretation may be made to the Sign Code Board of Appeals as set forth in Section 5-1826 of this Article.

### **5-1825 MONUMENT SIGN DESIGN REVIEW COMMITTEE**

A committee of City of Lawrence staff members shall be established to review written requests for new permanent freestanding monument signs that do not conform to the minimum or maximum monument sign base width requirements set forth in Sec. 5-1816.A.2. of this Article. The Monument Sign Design Review Committee shall consist of the Planning and Development Services Director, Assistant Planning and Development Services Director, the Building Code Official, the Historic Resources Administrator and a designated representative from the City Manager's Office. Determinations made by the Monument Sign Design Review Committee shall be made in light of the City's message neutrality policy, and shall not consider the message content of the sign. The Monument Sign Design Review Committee shall not have authority to approve monument sign bases that are less than 33% of the width of the widest part of the sign or more than 150% of the width of the widest part of the sign. A determination of approval or disapproval will be issued by the Monument Sign Design Review Committee. Meetings to review requests will be scheduled as necessary. All requests to vary from the sign base width requirements set forth in Sec. 5-1816.A.2. of this Article must be submitted in writing to the Building Code Official. An appeal of a determination made by the Monument Sign Design Review Committee may be made to the Sign Code Board of Appeals as set forth in Section 5-1826 of this Article.

### **5-1826 SIGN CODE BOARD OF APPEALS; APPEALS AND VARIANCES**

- A. There is hereby established the Sign Code Board of Appeals, hereinafter referred to as the Board. The Board shall be composed of seven (7) members who shall be residents of the City of Lawrence. The Board members shall be appointed by the Mayor with the consent of the other members of the City Commission. The Board members shall be initially appointed to serve such staggered terms as the Mayor shall determine but in no case shall such initial appointment be for a term longer than three (3) years. One full term of service for a Board member shall be three (3) years, provided a Board member shall only be eligible for two (2) consecutive full terms.
- B. The Board shall hear and decide all appeals and request for variances from decisions of the Planning and Development Services Director, or his or her designee, the Building Code Official, or his or her designee, or the Monument Sign Design Review Committee concerning enforcement of the provisions of Chapter 5, Article 18 of the City Code (Sign Regulations). All appeal requests and requests for variances shall be submitted to the Planning and Development Services Director, or his or her designee, in accordance with the Board of Zoning Appeals agenda items submittal deadline and meeting schedule published by the Planning and Development Services Department. Appeal requests and requests for variances shall be on such forms, and with such information, as the Board and City staff may require. The Board may grant variances from the construction and district regulations for signs contained in the provisions of Chapter 5, Article 18 only upon the affirmative vote of a majority of the Board members and the determination of the Board that all of the following findings have been fully met.
  1. At the time a variance is granted by the Board, the Board shall find that the variance request arises from conditions which are unique to the location in question and which are not ordinarily found in the same district zone; and the unique conditions are not created by an action or actions of the property owner or applicant.
  2. At the time a variance is granted by the Board, the Board shall find that the granting of the variance will not be materially detrimental to the public welfare, including the visual appearance of the area, or injurious to property or improvements in such zoning districts or neighborhood in which the property is located.
  3. At the time a variance is granted by the Board, the Board shall find that the strict application of the requirements of Chapter 5, Article 18 of the City Code would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Article. Such practical difficulties or unnecessary hardships may include compliance with amended provisions of this Article that were not in effect at the time a predecessor sign was installed.

