

# ARTICLE 27

## SIGNS

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### SECTION 27-1 DEFINITIONS

**27-101.** Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this Section shall have the meaning indicated when used in this Article.

***Attention-Attracting Device.*** Any device intended to attract the attention of the public to an establishment, location, product or service, except signs as permitted by this Article.

***Awning Sign (illuminated and/or non-illuminated).*** A sign which is mounted, painted or printed on, or attached to an awning, or canopy. For the purposes of this Article, a canopy sign and a marquee sign shall be construed to be an awning sign.

***Billboard.*** An off-premises sign owned by a person, corporation, or other entity that engages in the business of selling the advertising space on that sign.

***Freestanding Sign.*** A sign that is attached to, erected on, or supported by some structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of or attached to a building or other structure whose principal function is something other than the support of a sign. A sign that stands without supporting elements, such as “sandwich sign,” is also a free-standing sign. If the message is removed from a structure that was originally designed and used as a freestanding sign, this structure shall still be considered a sign.

***Internally Illuminated Signs.*** Signs where the source of the illumination is inside the sign and light emanates through the message of the sign, rather than being reflected off the surface of the sign from an external source. Without limiting the generality of the foregoing, signs that consist of or contain tubes that (1) are filled with neon or some other gas that glows when an electric current

passes through it, and (2) are intended to form or constitute all or part of the message of the sign, rather than merely providing illumination to other parts of the sign that contain the message, shall also be considered internally illuminated signs.

**Monument Sign.** A freestanding sign having a solid appearance and a low profile, normally consisting of a face and base. Said sign may be constructed with stone, concrete, metal, routed wood planks or beams, brick or other materials consistent with the building the sign is representing.

**Off-Premises Sign.** A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided at a location other than the premises on which the sign is located. A sign that draws attention to a cause or advocates or proclaims a political, religious, or other noncommercial message shall also be an off-premises sign unless such sign is excluded from regulation under Section 27-2.

**On-Premises Sign.** A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided on the premises where the sign is located.

**Roof Sign.** A sign erected, constructed or maintained partially or wholly upon or over the roof of a building, a building canopy, or a freestanding canopy.

**Sign.** Any device that (1) is sufficiently visible to persons not located on the lot where such device is located to accomplish either of the objectives of part (2) of this definition, and (2) is designed to attract the attention of such persons or to communicate information to them.

**Temporary Sign.** A sign that either (1) is used in connection with a circumstance, situation, or event that is designed, intended, or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign, or (2) is intended to remain on the location where it is erected or placed for a period of not more than 15 days. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be regarded as temporary.

**Wall Sign.** A sign that is parallel to, and attached to, the surface of a wall, including illuminated awning signs.

## **SECTION 27-2 SIGNS EXCLUDED FROM REGULATIONS**

**27-201.** Signs located on land in unincorporated areas are exempt from regulation under this Article. The following signs when located on land in incorporated areas are exempt from regulation under this Article except for those regulations set out in Section 27-4.

- a. Signs that are customarily associated with residential use and that are not of a commercial nature, such as (1) signs giving property identification names or numbers or names of occupants, (2) signs on mailboxes or newspaper tubes, and (3) signs posted on private property relating to private parking or warning the public against trespassing or danger from animals.
- b. Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional, or regulatory signs.
- c. Official signs of a noncommercial nature erected by public utilities.
- d. Flags, pennants, or insignias of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as an advertising device.
- e. Signs proclaiming religious, political, or other noncommercial message that do not exceed sixteen (16) square feet in area and that are not internally illuminated.

## **SECTION 27-3. SIGNS PROHIBITED**

**27-301.** It shall be a violation of these regulations to erect, install, place or maintain the following signs on land within the corporate limits of Sublette:

- a. Any sign or advertising structure which, in the determination of the Zoning Administrator, constitutes a traffic hazard or a detriment to traffic safety by reason of its size, location, movement, content, coloring, or method of illumination, or by obstructing the vision of drivers, or signs that obstruct or detract from the visibility of traffic control devices or emergency vehicles. The use of flashing lights or revolving lights is prohibited in any sign when, in the determination of the Zoning Administrator, the lights constitute a hazard to traffic. Any sign which by glare or method of illumination constitutes a hazard to traffic is prohibited.

- b. Any sign or advertising structure with words, scenes or graphics which are obscene, indecent and prurient, within the meaning of K.S.A. 21-4301, as amended.
- c. Any sign or advertising structure (other than those erected by a governmental agency or required to be erected by a governmental agency for a public purpose) erected, installed or placed on the right-of-way of any street, road or public way, or signs overhanging or infringing upon the right-of-way of any street, road or public way, except as specifically permitted by these regulations.
- d. Any sign or advertising structure erected on City, County or other governmental property other than signs erected by the governmental entity itself.
- e. Any sign or advertising structure which is erected, installed or maintained that obstructs any fire escape, required exit, window or door opening intended as a means of ingress or egress.

#### **SECTION 27-4 GENERAL SIGN REGULATIONS**

**27-401.** The following general sign requirements shall apply to all signs in all zoning districts within the corporate limits of Sublette:

- a. No signs shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.
- b. Except where such is otherwise specifically prohibited, lighting shall be permitted on signs, provided, however, the reflectors shall be provided with proper lenses, concentrating the illumination on the area of the sign so as to prevent glare upon the street or adjacent property.
- c. No sign shall be wholly or partially illuminated so as to interfere with the vision of pedestrian or vehicular traffic.
- d. No sign shall be attached to a tree or to a publicly- or privately-owned utility pole on either public or private property.

## **SECTION 27-5 INDUSTRIAL DISTRICT SIGN REGULATIONS**

**27-501.** The following signs shall be allowed in the Light Industrial District (I-1):

- a. Each industrial establishment shall be permitted one or more non-illuminated, indirectly illuminated, or internally illuminated wall signs, not more than one (1) on a façade that faces or fronts onto a public right-of-way. The sign area of each wall sign shall not exceed ten percent (10%) of the total surface area of the façade upon which it is located.
- b. In lieu of one (1) of the wall signs permitted above, one (1) detached non-illuminated, indirectly illuminated, or internally illuminated monument sign shall be permitted for each industrial establishment. Such sign shall not exceed five (5) feet in height above the average grade, and the sign face shall not exceed fifty (50) square feet in area per face.

**27-502.** The following signs shall be allowed in the Heavy Industrial District (I-2):

- a. Each industrial establishment shall be permitted three (3) non-illuminated, indirectly illuminated, or internally illuminated wall signs, not more than one (1) on a façade that faces or fronts onto a public right-of-way. The sign area of each wall sign shall not exceed fifteen percent (15%) of the total surface area of the façade upon which it is placed.
- b. In lieu of one (1) of the wall signs permitted above, one (1) detached non-illuminated, indirectly illuminated, or internally illuminated monument sign shall be permitted for each industrial establishment. Such sign shall not exceed five (5) feet in height above the average grade, and the sign face shall not exceed one hundred (100) square feet in area per face.

## **SECTION 27-6 MAINTENANCE OF SIGNS**

**27-601.**

- a. All signs and all components thereof, including without limitation supports, braces, and anchors, shall be kept in a state of good repair.
- b. If a sign other than a billboard advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be considered abandoned and shall, within thirty (30) days after such abandonment, be removed by the sign owner, owner of the property where the sign is located, or other party having control over such sign.

## **SECTION 27-7 BILLBOARDS/OFF-PREMISES SIGNS**

**27-701.** Off-premises outdoor billboard signs are a permitted use in the A District, and are allowed uses in the C-3, I-1 and I-2 Districts upon the issuance of a conditional use permit. All billboards are subject to the requirements of this section.

**27-702.** Location:

- a. Billboard signs shall not be located within fifty (50) feet of any state or federal highway, as measured from the edge of the highway right-of-way.
- b. Billboard signs shall not be attached to the roof or wall of any building.

**27-703.** Maximum Height: The top edge of any billboard sign shall not exceed fifty (50) feet above average grade.

**27-704.** Maximum Sign Area:

- a. The maximum sign area of any billboard sign shall not exceed a total of 750 square feet.
- b. The maximum height or vertical dimension shall not exceed 15 feet. The maximum width or horizontal dimension of any one billboard sign shall not exceed 50 feet.
- c. For purposes of this subsection, each face of a billboard sign, whether back-to-back, V-shaped, or some other configuration, shall be considered a separate sign.

**27-705.** Lighting: Billboard signs may be indirectly illuminated, but shall not cast glare upon any adjacent highway so as to pose a hazard to vehicular traffic.

**27-706.** Minimum Spacing Requirements: No billboard sign hereafter erected shall be less than 300 feet from any other existing billboard sign on the same side of the street. Such minimum spacing distance shall be measured along the center line of the frontage street or highway from a point opposite any edge of a billboard sign and perpendicular to the center line of each street or highway.