

ORDINANCE NO. 9439

AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, AMENDING CHAPTER V, ARTICLE 18, SECTIONS 5-1804, 5-1812, 5-1818, 5-1819, 5-1824, 5-1827, 5-1831, AND 5-1832 OF THE CODE OF THE CITY OF LAWRENCE, KANSAS, 2018 EDITION AND AMENDMENTS THERETO, PERTAINING TO SIGNS, AND REPEALING EXISTING SECTIONS 5-1804, 5-1812, 5-1818, 5-1819, 5-1824, 5-1827, 5-1831, AND 5-1832.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:

SECTION 1. Section 5-1804 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, is hereby amended to read as follows:

5-1804 **SIGN PERMIT REQUIRED.**

- (a) No person shall install, erect, construct, hang, or alter any Sign within the City without first obtaining from the City a Sign Permit, unless such is otherwise exempt under Section ~~5-1807~~ 5-1812 of this Article.
- (b) No person shall replace the Sign Copy or Sign Face on any existing Sign within the City without first obtaining from the City a Sign Permit, unless such is otherwise exempt under Section ~~5-1807~~ 5-1812 of this Article.

SECTION 2. Section 5-1812 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, is hereby amended to read as follows:

5-1812 **SIGN PERMIT EXEMPTIONS.**

- (a) The following Signs are exempt from the Sign Permit requirement:
 - (1) **Address Numbers.** In accordance with Section 16-113 of the City Code, as amended, all buildings within the City shall be numbered. Each address may have a maximum of two Signs, one Wall Sign and one Free-standing Sign, displaying Address Numbers that are exempt from the Sign Permit requirement, subject to the following:
 - (A) Wall Signs shall be mounted between 4 feet and 10 feet above grade to enhance visibility.
 - (B) Free-standing Signs shall be located at the primary access point to the property and, for visibility purposes, shall be no more than 3 feet in height.
 - (2) **Governmental Signs.**
 - (3) **Government Flags.**

- (4) **Decorative Flags.** To the extent that they are limited to 3 in number and do not exceed 24 square feet in size, Decorative Flags are exempt from the Sign Permit requirement.
- (5) **Corporate Flags.** To the extent that they are limited to 1 in number, do not exceed 24 square feet in size, are mounted on a flag pole, and set back 25 feet from a Public Right of Way, Corporate Flags are exempt from the Sign Permit requirement.
- (6) **Window Signs.**
 - (A) In any non-residential Zoning District, non-illuminated Window Signs that are mounted in the interior of a structure or applied directly to the interior or exterior of first-floor windows, between 2 feet and 12 feet above grade, are exempt from the Sign Permit requirement.
 - (B) In any non-residential Zoning District, Internally Illuminated Window Signs that are mounted in the interior of a structure or applied directly to the interior or exterior of first-floor windows, between 2 feet and 12 feet above grade and do not exceed 12 square feet in size, are exempt from the Sign Permit requirement.
- (7) **Small, Non-illuminated Wall Signs.** To the extent that they are limited to 1 per Wall, are not illuminated, and do not exceed 2 3 square feet in area, small Wall Signs are exempt from the Sign Permit requirement.
- (8) **Temporary Signs.** To the extent that they meet the standards, established at Section 5-1818(e) and Section 5-1819(d) of this Article, Temporary Signs are exempt from the Sign Permit requirement.
- (9) **Minor Signs.**
- (10) **Portable Pedestrian Signs.** To the extent that they meet the standards established at Section 5-1819(b) of this Article, Portable Pedestrian Sign are exempt from the Sign Permit requirement.
- (11) **Automated Teller Machine (ATM) Signs.**
- (12) **Fuel Pump Signs.**
- (13) **Fuel Pump Topper Signs.**
- (14) **Memorial Signs or Tablets.**
- (b) Unless specifically stated otherwise, Signs that are exempt from the Sign Permit requirement do not count toward any size allocation standard established in the Sign Code.

- (c) All Signs, including those that are exempt from the Sign Permit requirement, must, unless granted a variance under Section 5-1828 of this Article, comply with all provisions of the Sign Code.

SECTION 3. Section 5-1818 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, is hereby amended to read as follows:

5-1818 RESTRICTIONS BY ZONING DISTRICT

- (a) **Sign Types.** The following Sign types are distinguished for the purposes of this Article. See *Figure 5-1818.1* and *Table 5-1818.2*.



Figure 5-1818.1. Sign Types. This figure depicts examples of various Sign types listed in Table 5-1818.2.

Table 5-1818.2: Sign Types

Type	Description
A Permanent Wall Sign	A Sign painted, printed, or attached to the Wall of a building, including Marquees, Canopies, Awnings, 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 Permanent Free-standing Sign	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: <i>Monument Sign:</i> 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. <i>Pole Sign:</i> A type of permanent free-standing Sign constructed on one or more poles, pylons, or similar structures so that the bottom edge of the Sign surface is elevated above the ground, and the poles, pylons, or similar structures are not concealed with a Pole Cover, Pylon Cover, or Cladding.

Table 5-1818.2: Sign Types

Type	Description
C <i>Permanent Pedestrian Sign</i>	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. Permanent Pedestrian Signs may be located hanging below a Canopy or Awning, Projecting from a Wall, mounted on a Wall, door, or window, or may be free-standing.
D <i>Temporary Sign</i>	A Portable Sign that is not permanently embedded in the ground or permanently affixed to a building or structure, and that is designed or intended to be displayed for a limited time. Typically, a Temporary Sign is constructed of cloth, canvas, light fabric, cardboard, wallboard, aluminum or other similar light materials, with or without frames. A Temporary Sign does not include a Permanent Sign with temporary or changeable Sign Copy or a Portable Pedestrian Sign, as defined herein.
E <i>Permanent Internal Ground Sign</i>	A Sign with a design and scale to be legible to pedestrians or vehicles navigating or using the internal roads, sidewalks, walkways, or parking lots 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 from the Public Rights of Way. Internal ground Signs may be free-standing Signs.

(b) **Permanent Wall Signs.**

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>For permitted principal non-residential land uses or multi-dwelling structure land uses (not including duplexes and attached 2- to 4-unit dwelling structure land uses):</p> <ul style="list-style-type: none"> ▪ <i>Number of Signs:</i> 1 Sign per tenant on Wall with exterior public entrance to tenant space (multi-tenant building) that fronts a street right of way or shared parking area; or 1 Sign per public street frontage (single tenant building), regardless of the number of buildings having Street Frontage. ▪ <i>Sign Area:</i> 5% of building Wall area to which the Sign is attached, maximum. ▪ <i>Sign Size:</i> 32 sq. ft. per Sign maximum. ▪ <i>Sign Illumination:</i> Internally illuminated Wall Signs are not allowed; Externally Illuminated Wall 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. 	<ul style="list-style-type: none"> ▪ <i>Number of Signs:</i> 1 Sign per tenant on Wall with exterior public entrance to tenant space that fronts a shared parking area (multi-tenant building). Otherwise, unlimited number of Signs on Walls where Signs are allowed. ▪ <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 Right of Way, the base maximum area may be increased by 50%, provided the total area of building Wall Signs shall not exceed 10% of the Wall area or 450 sq. ft., whichever is less. ▪ <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 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. ▪ <i>Sign Illumination:</i> Internally Illuminated Signs and Externally Illuminated Signs are allowed. 	<ul style="list-style-type: none"> ▪ <i>Number of Signs:</i> 2 Signs per tenant on Wall with public exterior entrance to tenant space that fronts a shared parking area (multi-tenant building). Otherwise, unlimited number of Signs on Walls where Signs are allowed. ▪ <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 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. ▪ <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. ▪ <i>Sign Illumination:</i> Internally Illuminated Signs and Externally Illuminated Signs are allowed.

(c) **Permanent Pedestrian Signs.**

RS, RSO, RM, RMG, RMO, PUD, PRD, POD, CO, UR and OS Zoning Districts	H, CN1, CN2, CS, CD, IBP, IL, PCD, CC, CR, IM and IG Zoning Districts and PID Zoning Districts
<p>For permitted non-residential land uses.</p> <ul style="list-style-type: none"> ▪ <i>Number of Signs:</i> 1 per public entrance to building or tenant space. ▪ <i>Sign Height:</i> 4' maximum height, when mounted on the ground. ▪ <i>Sign Location:</i> Within 20' of entrance, when mounted on the ground. ▪ <i>Sign Area:</i> 6 sq. ft. maximum. 	<ul style="list-style-type: none"> ▪ <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. ▪ <i>Sign Height:</i> 6' high maximum, when mounted on the ground. <p>OR</p> <ul style="list-style-type: none"> ▪ <i>Sign Number & Size:</i> 1 Sign for each 25' of building public street frontage; 6 sq. ft. maximum. ▪ <i>Sign Height:</i> 6' high maximum, when mounted on the ground. <p><i>Exemption:</i> Portable Pedestrian Signs or any Pedestrian Sign mounted on a building that Projects into a Public Right of Way in the CD Zoning District are exempt from Public Right of Way prohibitions of Section 5-1817.</p>

(d) **Permanent Free-standing Signs.**

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>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"> ▪ <i>Number of Signs:</i> 1 Monument Sign per public street frontage for non-residential uses OR per entrance for residential projects of two acres or more. ▪ <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. ▪ <i>Sign Area:</i> 32 s.f. maximum per Sign. For each 5' of setback from the Public Right of Way property line, maximum Sign area may be increased by 8 sq. ft. to a maximum of 48 sq. ft. ▪ <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 Right of Way property line, maximum Sign height may be increased by 1' to a maximum of 8'. ▪ <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 or Medical Facilities</i> land uses, as defined in the City's Land Development Code, Chapter 20 of the City Code, as amended, in all other Zoning Districts. 	<ul style="list-style-type: none"> ▪ <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 Right of Way than the first Sign. ▪ <i>Sign Area:</i> 60 sq. ft. maximum. For each 5' of setback from the Public 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. ▪ <i>Sign Height:</i> Monument design required; 12' high maximum. For each 5' feet of setback from a Public Right of Way property line, height may be increased by 2' to a maximum of 16' (height includes monument base). ▪ <i>Sign Illumination:</i> Internally Illuminated Signs and Externally Illuminated Signs are allowed. 	<ul style="list-style-type: none"> ▪ <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 Right of Way than the first Sign. ▪ <i>Sign Area:</i> 72 sq. ft. maximum. For each 5' of setback from the Public 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. ▪ <i>Sign Height:</i> Monument design required for permanent Signs; 16' high maximum (height includes monument base). For each 5' feet of setback from a Public Right of Way property line, height may be increased by 2' to a maximum of 20' (height includes monument base). ▪ <i>Sign Illumination:</i> Internally Illuminated Signs and Externally Illuminated Signs are allowed.

(e) Temporary Signs.

RS, RSO, RM, RMG, RMO, PUD, PRD, H, CN1, CN2, CS, CD, IBP, IL, PCD, CC, CR, IM and IG Zoning Districts
POD, CO, UR and OS Zoning Districts
Districts

- *Free-standing (also includes Signs attached to fences, guardrails or retaining walls):*
 - *Sign Area:* Total area of all Free-standing 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 Free-standing Signs shall not exceed 32 sq. ft. per lot, with a maximum Sign size of 32 sq. ft.
 - *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.
 - *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.
 - *Prohibitions:* Feather Signs are prohibited.
- *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):
 - *Number of Signs:* 1 per building with 2 maximum per public street frontage, regardless of number of buildings with frontage.
 - *Sign Area:* 12 sq. ft. maximum per Sign.

Exceptions to maximum Sign area and height. (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.

Exception to maximum number of Signs. 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.

Exemption from Sign Permit requirement. Temporary Signs, as allowed above, are exempt from permit.

- *Free-standing (includes Signs attached to fences, guardrails or retaining walls):*
 - *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.
 - *Sign Size:* 32 sq. ft. maximum per Sign.
 - *Sign Height:* 9' maximum above ground on which Sign is placed.
 - *Spacing:* At least 50' from any other Temporary Sign.
 - *Number of Signs:*
 - 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.
 - 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.
 - Feather Signs are allowed. See Section 5-1819(d) for additional standards applicable to Feather Signs.
- *Attached to building wall:*
 - *Number of Signs:* ~~2 maximum per public Street Frontage.~~
 - For single tenant lots: Maximum of 2 Signs at the same time for each building Wall fronting a public street.
 - For multi-tenant lots: Maximum of 1 Sign at a time for each tenant space.
 - *Sign Area:* 5% maximum of Wall area facing a public street.
 - *Sign Size:* 32 sq. ft. maximum per Sign.
- 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.

Exemptions from permit. (1) ~~One Temporary Signs per lot street frontage~~ that does not exceeding the maximum individual Sign size and height area allowances or the maximum Free-standing Temporary Sign height allowance of 9 ft. Sign size and height allowances, and located on a lot where the property or a portion thereof is for sale, lease or rent, as set forth in Sec. 5-1819(d)(4) of this Article. Such Signs shall not count against the total Temporary Sign area allowances ~~for the lot temporary free-standing or wall signs, and shall not be subject to the 50-ft. minimum spacing requirement from other Temporary Signs.~~ (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 meet the definition of Minor Signs. (4) Portable Pedestrian Signs meeting the standards of Section 5-1819(b).

Exceptions to the maximum allowed display time per calendar year. (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) ~~One Temporary Signs per lot street frontage~~ that does not exceeding the maximum individual Sign area allowance or the maximum Free-standing Temporary Sign height allowance of 9 ft. Sign size and height allowances, and located on a lot where the property or a portion thereof is for sale, lease or rent, as set forth in Sec. 5-1819(d)(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. (4) Temporary Signs that meet the definition of Minor Signs. (5) Portable Pedestrian Signs meeting the standards of Section 5-1819(b).

Exception to maximum number of Signs. (1) ~~One Temporary Signs per lot street frontage~~ that does not exceed the maximum individual Sign area allowance or the maximum Free-standing Temporary Sign height allowance of 9 ft., located on a lot where the property or a portion thereof is for sale, lease or rent, as set forth in Sec. 5-1819(d)(4) of this Article. (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.

(f) **Permanent Internal Ground Signs.**

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>For permitted principal non-residential land uses or multi-dwelling structure land uses (not including duplexes and attached 2- to 4-unit dwelling structure land uses):</p> <ul style="list-style-type: none"> ▪ <i>Number of Signs:</i> 1 for each 10,000 sq. ft. of a lot or parcel. ▪ <i>Sign Size:</i> 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 the Public Right of Way or lot or parcel lines. ▪ <i>Sign Height:</i> 4' maximum when set back less than 50' from the Public Right of Way or lot or parcel lines, and 6' maximum when set back at least 50' from the Public Right of Way or lot or parcel lines. ▪ <i>Sign Illumination:</i> 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. 	<ul style="list-style-type: none"> ▪ <i>Number of Signs:</i> 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. ▪ <i>Sign Size:</i> 4 sq. ft. maximum when located within 15' of a Public Right of Way; 6 sq. ft. maximum when located more than 15' but not more than 50' from a Public Right of Way; 16 sq. ft. maximum when located more than 50' from a Public Right of Way. Signs serving drive-through facilities may be 32 sq. ft. maximum when set back at least 50' from a Public Right of Way and located further back from the Public Right of Way than the Wall of the primary use building that faces a Public Right of Way. ▪ <i>Sign Height:</i> 3' maximum height when located within 15' of a Public Right of Way; 4' maximum height when located more than 15' but not more than 50' from a Public Right of Way; 6' maximum height when located more than 50' from a Public Right of Way. Signs serving drive-through facilities may be 8' maximum height when set back at least 50' from a Public Right of Way and located further back from a Public Right of Way than the Wall of the primary use building that faces a Public Right of Way. ▪ <i>Sign Illumination:</i> Internally Illuminated Signs and Externally Illuminated Signs are allowed. 	<ul style="list-style-type: none"> ▪ <i>Number of Signs:</i> 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. ▪ <i>Sign Size:</i> 6 sq. ft. maximum when located within 15' of a Public Right of Way; 8 sq. ft. maximum when located more than 15' but not more than 25' from a Public Right of Way; 16 sq. ft. maximum when located more than 25' from a Public Right of Way. Signs serving drive-through facilities may be 32 sq. ft. maximum when set back at least 50' from a Public Right of Way and located further back from a Public Right of Way than the Wall of the primary use building that faces a Public Right of Way. ▪ <i>Sign Height:</i> 4' maximum height when located within 15' of a Public Right of Way; 6' maximum height when located more than 15' but not more than 25' from a Public Right of Way; 8' maximum height when located more than 25' from a Public Right of Way. Signs serving drive-through facilities may be 8' maximum height when set back at least 50' from a Public Right of Way and located further back from a Public Right of Way than the Wall of the primary use building that faces a Public Right of Way. ▪ <i>Sign Illumination:</i> Internally Illuminated Signs and Externally Illuminated Signs are allowed.

(g) **Legend.** For the purposes of the foregoing tables, the abbreviations used therein shall, when referencing the various Zoning Districts, mean as follows:

- (1) **RS.** Single-Dwelling Residential Districts.
- (2) **RSO.** Single-Dwelling Residential-Office District.
- (3) **RM.** Multi-Dwelling Residential Districts.
- (4) **RMG.** Multi-Dwelling Residential - Greek Housing District.
- (5) **RMO.** Multi-Dwelling Residential-Office District.
- (6) **PUD.** Planned Unit District.
- (7) **PRD.** Planned Residential District.
- (8) **POD.** Planned Office District.

- (9) **CO.** Office Commercial District.
- (10) **UR.** Urban Reserve District.
- (11) **OS.** Open Space District.
- (12) **H.** Hospital District.
- (13) **CN1.** Inner Neighborhood Commercial Center District.
- (14) **CN2.** Neighborhood Commercial Center District.
- (15) **CS.** Commercial Strip District.
- (16) **CD.** Downtown Commercial District.
- (17) **IBP.** Industrial/Business Park District.
- (18) **IL.** Limited Industrial District.
- (19) **PCD.** Planned Commercial District.
- (20) **PID.** Planned Industrial District.
- (21) **CC.** Community Commercial District.
- (22) **CR.** Regional Commercial District.
- (23) **IM.** Medium Industrial District.
- (24) **IG.** General Industrial District.

SECTION 4. Section 5-1819 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, is hereby amended to read as follows:

5-1819 **RESTRICTIONS BY SIGN TYPE.**

(a) **Wall Signs.**

- (1) **Projecting Wall Signs.** No Projecting Wall Sign shall project more than 6 feet from the face of the Wall, Marquee, Canopy, or Awning to which it is attached, and shall not extend over any public driveway, alley, road, street, or thoroughfare accessible to motor vehicles.
- (2) **Awning or Canopy Wall Signs.** Awnings, Canopies, Awning Signs, and Canopy Signs shall comply with the following:
 - (A) Awnings and Canopies shall be constructed of cloth or metal, provided that all frames and supports shall be made of metal.

- (B) Awnings and Canopies shall be constructed in compliance with the City's Building Code, Chapter V, Article 2 of the City Code, as amended, and the City's Fire Code, Chapter VIII, Article 2 of the City Code, as amended.
 - (C) No Awning or Canopy shall extend beyond a point two feet inside a street curb-line.
 - (D) Every Awning shall be securely attached to and supported by the building to which it is attached and shall properly be maintained in such manner.
 - (E) To determine the allowable Sign area on an 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 the Sign. No Awning Sign or Canopy Sign, or any portion of an Awning Sign or Canopy Sign, shall contain a Changeable Message Sign.
 - (i) The combined Sign area 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% 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.
 - (ii) The combined Sign area on any Canopy that is structurally independent from another building shall not exceed 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 50% of the area of the Canopy face.
- (3) All Wall Signs for which a Sign Permit is required under this Article shall have a facing surface made of Noncombustible Materials. However, the surface or facing and structural trim of a Wall Sign, that is attached to a stone, brick, or masonry Wall, may be of exterior grade plywood, having a thickness of not less than one inch. No plywood Wall Sign shall be illuminated or in any manner be operated or serviced by electricity.
- (b) **Portable Pedestrian Signs.** Portable Pedestrian Signs shall be located on private property, where allowed, except in the CD Zoning District, where such Signs may be located in the Public Right of Way, subject to the following:

- (1) Not more than one Portable Pedestrian Sign shall be located within close proximity to the main public entrance of any building or structure.
- (2) All Portable Pedestrian Sign shall be located within 12 inches of the building which the Portable Pedestrian Sign serves.
- (3). All Portable Pedestrian Signs shall be located on or near a sidewalk with at least 6 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 Public Rights of Way.
- (4) Portable Pedestrian Signs shall not exceed 32 inches in width and 48 inches in height above the adjacent sidewalk.
- (5) Portable Pedestrian Signs shall neither be Illuminated nor contain any digital display, and shall not contain Banner Signs, Flags, pennants, Pennant Streamers, balloons, or other moving parts.
- (6) Portable Pedestrian Signs shall not be displayed during non-business hours.
- (7) Portable Pedestrian Signs shall be constructed of durable materials and shall be designed with quality aesthetics for use on a recurring basis (no Banner Signs, Flags, pennants, Pennant Streamers, balloons, or other moving parts).
- (8) Portable Pedestrian Signs may include changeable copy as part of the Sign design, such as chalkboards, or the like.
- (9) Temporary Signs may not be used as Portable Pedestrian Signs.

(c) **Free-Standing Signs.**

- (1) Monument Signs shall be located within a landscape area as may be required by Site Plan approval under the City's Land Development Code, Chapter 20 of the City Code, as amended.
- (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, having 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, approved by the Monument Sign Design Review Committee in accordance with Section 5-1829 of this Article.
- (3) Monument Signs, including their bases, 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 constructed of Noncombustible Materials or other material approved by the Code Official, or his or her designee.
- (d) **Temporary Signs.** Temporary Signs are subject to the following additional restrictions:
- (1) It shall be the duty of the Person, who causes the Temporary Sign to be installed, erected, or hung, to remove the Temporary Sign when the authorized display time has expired.
 - (2) Temporary Signs shall neither be illuminated nor painted with light-reflecting paint.
 - (3) Temporary Signs may be constructed of either rigid or non-rigid material and shall be securely anchored so as not to pose a distraction or hazard to drivers, bicyclists, or pedestrians. Non-rigid materials (such as banners) that are secured by a support or frame to avoid distracting movements, may be used as a free-standing Temporary Sign when set back at least 10 feet from the pavement edge of any fronting roadway.
 - (4) In Zoning Districts where ~~While~~ Temporary Signs typically are limited to ~~60~~ 45 days in a calendar year, ~~the Code Official is authorized to allow~~ a Temporary Sign will be permitted to remain on a lot or parcel for longer than ~~60~~ 45 days in a calendar year, provided the following conditions are met:
 - (A) The property owner consents and the real property is being offered for sale through a licensed real estate agent or for lease or rent through a leasing agent; or
 - (B) The 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 the real property, or within 15 days after a contract for lease or rent of the real property has been executed with a person leasing or renting the property.
 - (5) The Code Official is authorized to require the removal of any Temporary Sign that pertains to an expired event.

- (6) Not more than 2 Temporary Signs shall be allowed on any property that has an approved, operating Electronic Message Center (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.
- (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 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 feet from any other free-standing Temporary Sign on the same lot, and must be set back from the Public Right of Way by a distance that is at least equal to the height of the Temporary Feather Sign.
- (8) The Code Official is authorized to remove and to dispose of any Temporary Signs found on Public Property or in a Public Right of Way.

SECTION 5. Section 5-1824 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, is hereby amended to read as follows:

5-1824 **HAZARDOUS, DANGEROUS, ABANDONED, AND VACANT SIGNS; SIGNS INSTALLED OR ALTERED WITHOUT A SIGN PERMIT.**

(a) ~~**Notice and Order.** If the Code Official, or his or designee, shall find that any Sign or Sign Structure is unsafe and insecure, is hazardous, presents a danger to the public, has been abandoned, or has been constructed, erected, or maintained in violation of the Sign Code, then he or she shall give written Notice and Order to the owner thereof to remove the offending Sign or Sign Structure, or to correct any deficiency therein, within 30 days in order to come into compliance with the Sign Code. The Notice and Order shall specifically list the violation cited, shall give the owner 30 days to come into compliance, and shall notify the owner that he or she may appeal the Notice and Order to the Sign Board Code of Appeals, in accordance with Section 5-1827 of this Article.~~

(1) **Permanent Signs.** If the Code Official, or his or her designee, finds that a Permanent Sign or Sign Structure is unsafe and insecure, is hazardous, presents a danger to the public, has been abandoned, or has been installed, constructed, erected, hung, or maintained in violation of the Sign Code, then he or she shall give written Notice and Order to the owner of the real property to remove the offending Permanent Sign or Sign Structure, or to correct any deficiency therein, within 30 days in order to come into compliance with the Sign Code. The Notice and Order shall specifically list the violation cited, shall give the owner 30 days to come into compliance, and shall notify the owner that he or she may appeal the Notice and Order to the Sign Code Board of Appeals, in accordance with Section 5-1827 of this Article.

(2) **Temporary Signs.** If the Code Official, or his or her designee, finds that a Temporary Sign is unsafe and insecure, is hazardous, presents a danger to the public, has been abandoned, or has been installed, constructed, erected, hung, or maintained in violation of the Sign Code, then he or she shall give written Notice and Order to the owner of the real property or the person responsible for placing the Temporary Sign to remove the offending Temporary Sign immediately in order to come into compliance with the Sign Code. The Notice and Order shall specifically list the violation cited, shall give the owner 1 business day to come into compliance, and shall notify the owner that he or she may appeal the Notice and Order to the Sign Code Board of Appeals, in accordance with Section 5-1827 of this Article. The automatic stay provisions of Section 5-1827(d) of this Article shall not apply to appeals of Notices and Orders issued under this subsection.

- (b) **Abatement.** If the owner does not comply with the Code Official's Notice and Order and has not appealed the Notice and Order in timely fashion, then the Code Official shall present the issue to the City Commission, who may find by Resolution that the Sign is a public nuisance, may order the owner to remove the Sign within 30 days thereof, and may order the Code Official to abate the nuisance and remove the Sign thereafter, at the cost of the owner, if the owner fails to remove the Sign in the time allotted. If the Code Official abates the nuisance and removes the Sign, then the Code Official, or his or her designee, shall report the costs to the City Clerk. The City Clerk shall bill the cost of abatement to the owner of the real property upon which the Sign was located and, if not paid, may cause the charge to be placed on the tax rolls as a special assessment on the property.
- (c) **Emergency Abatement.** When, in the opinion of the Code Official, there is an actual or immediate danger to the public caused by any hazardous, dangerous, or abandoned Sign, the Code Official is hereby authorized and empowered, without notice and hearing, to order and require that such hazardous and unsafe Sign be removed. The Code Official shall post the Sign warning of dangerous condition and, if the owner does not cooperate, shall abate such hazardous or unsafe condition. The Code Official shall prepare a statement of costs and shall report the costs of abatement to the City Clerk. The cost of abatement shall be charged against the real property upon which the Sign was located and, if not paid, may be placed on the tax rolls as a special assessment on the property.
- (d) **Abandoned Signs.** The City hereby declares all Abandoned Signs to be a public nuisance. All Abandoned Signs shall be removed by the owner. If the Abandoned Sign is not removed by the owner, then the Code Official shall send the owner a Notice and Order, in accordance with subsection (a) hereof and, if that fails, shall seek abatement of the public nuisance in accordance with subsection (b) or (c) hereof.

- (e) **Vacant Signs.** All Vacant Signs shall have a blank Sign Copy or Sign Face. If any Vacant Sign does not have a blank Sign Copy or Sign Face, then the Code Official shall send the owner a Notice and Order, in accordance with subsection (a) hereof and, if that fails, shall seek abatement of the public nuisance in accordance with subsection (b) hereof.
- (f) **Signs Installed or Altered without a Sign Permit.** ~~If the Code Official finds that a Sign has been installed, erected, constructed, hung, or altered (including the change of Sign Copy or Sign Face) without a Sign Permit and that such Sign required a Sign Permit, then Code Official shall, in addition to any other penalty that may apply, send to the owner thereof a Notice and Order in accordance with subsection (a) hereof. The Notice and Order shall require the Owner of the unlawful Sign, within 30 days thereof, either to remove the Sign or to apply for an after-the-fact Sign Permit. In cases where the Owner of the unlawful Sign seeks an after-the-fact Sign Permit, the Owner shall comply with the requirements of Section 5-1805 of this Article and shall pay, in addition to the Sign Permit Fee required by Section 5-1806 of this Article, an additional penalty equal to twice the amount of the Sign Permit Fee.~~
- (1) **Permanent Signs.** If the Code Official finds that a Permanent Sign has been installed, erected, constructed, hung, or altered (including the change of Sign Copy or Sign Face) without a Sign Permit and that such Permanent Sign required a Sign Permit, then the Code Official shall, in addition to any other penalty that may apply, send to the owner thereof a Notice and Order in accordance with subsection (a)(1) hereof. The Notice and Order shall require the Owner of the unlawful Sign, within 30 days thereof, either to remove the Sign or to apply for an after-the-fact Sign Permit. In cases where the Owner of the unlawful Sign seeks an after-the-fact Sign Permit, the Owner shall comply with the requirements of Section 5-1805 of this Article and shall pay, in addition to the Sign Permit Fee required by Section 5-1806 of this Article, an additional penalty equal to twice the amount of the Sign Permit Fee.
- (2) **Temporary Signs.** If the Code Official, or his or her designee, finds that a Temporary Sign has been installed, constructed, erected, or hung without first obtaining the required Sign Permit, has been installed, constructed, erected, or hung in violation of Section 5-1818(e) or Section 5-1919(d) of this Article, or is in any other way in violation of this Article, then the Code Official shall issue to the owner of the real property or the person responsible for placing the Temporary Sign a Notice and Order to remove the sign immediately and shall have the authority to issue to the owner of the property or the person responsible for placing the Temporary Sign a citation, together with a complaint and a notice to appear in municipal court. The Code Official shall forthwith file with the Municipal Court a copy of any complaint issued hereunder.

SECTION 6. Section 5-1827 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, is hereby amended to read as follows:

5-1827 **APPEALS.**

- (a) Any Person aggrieved by a decision of the Code Official, the Director, or the Monument Design Review Committee related to any Sign Contractor License, Sign Permit, Notice and Order, or Regulatory Construction, shall have the right to appeal such decision to the Sign Code Board of Appeals. All such appeals shall be made by filing with the Director a written Notice of Appeal, within 14 days of the decision being appealed. The Notice of Appeal shall state concisely the decision being appealed and why the appellant believes the decision is in error or otherwise in violation of the Sign Code or other pertinent law.
- (b) In accordance with the Department's submittal deadlines, the Director of Planning and Development Services shall schedule all appeals for hearing by the Sign Code Board of Appeals. At such hearing, the appellant shall bear the burden of proof. To prevail on appeal, the appellant must prove that it is more probably true than not true that, under the Sign Code or existing law, the decision of the Code Official, the Director, or the Monument Design Review Committee is erroneous. If it fails to take formal action at the public hearing, the Sign Code Board of Appeals shall, no later than 30 days after the public hearing, issue its final order, which shall be transmitted to the appellant.
- (c) There shall be a \$25.00 non-refundable Docketing Fee due and payable at the time that any Notice of Appeal is filed.
- (d) The filing of a timely Notice of Appeal shall, except in cases of exigent circumstances or for Notices and Orders issued under Section 5-1824(a)(2) of this Article, ~~absent exigent circumstances,~~ stay any administrative enforcement action under this Article until the Sign Code Board of Appeals has issued its final order.
- (e) The final order of the Sign Code Board of Appeals shall be the final decision of the City. Any appellant aggrieved by a final decision of the Sign Code Board of Appeals shall have the right, in accordance with state law, to appeal that final order to the District Court of Douglas County, Kansas.

SECTION 7. Section 5-1831 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, is hereby amended to read as follows:

5-1831 **UNLAWFUL ACTS.**

- (a) It shall be unlawful for any person to install, erect, construct, hang, or alter (including the change of any Sign Copy or Sign Face) any Permanent Sign within the City, unless otherwise exempt under this Article, without first obtaining from the City a Sign Permit as required by Section 5-1803 of this Article.

- (b) It shall be unlawful for any person to install, erect, construct, or hang any Temporary Sign within the City, unless otherwise exempt under this Article, without first obtaining from the City a Sign Permit as required by Section 5-1803 of this Article. It shall also be unlawful for any person to install, erect, construct, or hang any Temporary Sign in violation of Section 5-1818(e) or Section 5-1919(d) of this Article or any other provision of this Article.
- (b)(c) It shall be unlawful for any person to install, erect, construct, hang, or alter (including the change of any Sign Copy or Sign Face) any Sign in behalf of another person, unless otherwise exempt under this Article, without first obtaining from the City a Sign Contractor License as required by Section 5-1813 of this Article.
- (e)(d) It shall be unlawful for any Person to knowingly violate any other provision of this Article.

SECTION 8. Section 5-1832 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, is hereby amended to read as follows:

5-1832 **MUNICIPAL OFFENSE.**
~~Engaging in any of the unlawful acts set forth at Section 5-1831 shall be a separate municipal offense. Any person violating a provision of Section 5-1831 of this Article shall, upon an adjudication of guilt or the entry of a plea of no contest, be subject to a minimum fine of \$500.00 and a maximum fine of \$1,000.00 for each unlawful act.~~

5-1832 **MUNICIPAL OFFENSE.**

- (a) Engaging in any of the unlawful acts set forth at Section 5-1831(b) shall be a separate municipal offense. Any person violating a provision of Section 5-1831(b) of this Article shall, upon an adjudication of guilt or the entry of a plea of no contest, be subject to a minimum fine of \$100.00 and a maximum fine of \$250.00.
- (b) Engaging in any of the unlawful acts set forth at Section 5-1831(a), (c), or (d) shall be a separate municipal offense. Any person violating a provision of Section 5-1831(a), (c), or (d) of this Article shall, upon an adjudication of guilt or the entry of a plea of no contest, be subject to a minimum fine of \$500.00 and a maximum fine of \$1,000.00 for each unlawful act.

SECTION 9. Existing Chapter V, Article 18, Sections 5-1804, 5-1812, 5-1818, 5-1819, 5-1824, 5-1827, 5-1831, and 5-1832 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, are hereby repealed in their entirety, it being the intent of the Governing Body that Sections 1 through 7, inclusive, of this Ordinance supersede them.

SECTION 10. If any section, sentence, clause, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

SECTION 11. This ordinance shall take effect and be in full force and effect immediately following its adoption and publication as provided by law.

PASSED by the Governing Body of the City of Lawrence, Kansas, this _____ day of March, 2018.

APPROVED:

Stuart Boley
Mayor

ATTEST:

Sherri Riedemann
City Clerk

APPROVED AS TO FORM:

Toni R. Wheeler
City Attorney

NOTICE TO PUBLISHER

Publish one time and return Proof of Publication to the City Clerk and one to the City Attorney.