

RESOLUTION

No. 104-2009

DATE PUBLISHED: 6-18-09

A RESOLUTION AMENDING CHAPTER 6, ARTICLE VI OF THE SEDGWICK COUNTY CODE, THE “SIGN CODE”; AND REPEALING ALL OTHER RESOLUTIONS AND PARTS OF RESOLUTIONS IN CONFLICT HEREWITH.

WHEREAS, on the 25th day of August, 1993, the Board of County Commissioners adopted Resolution No. 159-1993, which resolution adopted the Sedgwick County Code; and

WHEREAS, on the 21st day of December, 1988, the Board of County Commissioners adopted Resolution No. 311-1988, which resolution adopted the Sedgwick County Sign Code; and

WHEREAS, on the 15th day of December, 2004, the Board of County Commissioners adopted Resolution No. 218-2004, which resolution adopted the current Sedgwick County Sign Code; and

WHEREAS, on the 18th day of April, 2007, the Board of County Commissioners adopted Resolution No. 104-2007, which resolution adopted amendments to the current Sedgwick County Sign Code; and

WHEREAS, Chapter 6, Article VI, of the Sedgwick County Code contains the codified Sedgwick County “Sign Code”; and

WHEREAS, the Board of County Commissioners finds that amendments to the Sign Code are necessary and desirable; and

WHEREAS, the Board of County Commissioners is authorized and empowered to adopt such resolutions pursuant to K.S.A. 19-101 through 19-101f and amendments thereto.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, that:

SECTION 1: AMENDMENTS TO CHAPTER 6, ARTICLE VI.

Chapter 6, Article VI, Sec. 6-346 of the Sedgwick County Code is hereby amended, and shall hereafter read as follows:

ARTICLE VI. SIGN CODE

Sec. 6-346. District Regulations. No sign shall be placed, located, erected, constructed, reconstructed, remodeled, relocated, altered, hung, affixed or created by painting, which does not comply with all of the district regulations set forth in this section for the district in which the sign is located. The Director shall have the authority to determine whether a particular sign fits a listed classification. Signs not listed as permitted in a particular district in this section are not allowed in such district, unless otherwise expressly permitted by other regulations of this Article.

(a) Low-Density Residential Districts. The following types of signs, along with applicable size, height, and setback requirements in classes of districts zoned “RR” are permitted, subject to all other restrictions and requirements of this Article and all other applicable codes, rules and regulations of Sedgwick County, Kansas.

(1) *Functional Signs.*

- a. Advertising Decoration Sign, except single-family and duplex dwellings.
- b. Billboard.
- c. Bulletin Board Sign, except single-family and duplex dwellings.
- d. Business Sign.
- e. Construction Sign.
- f. Directional Sign, except single-family and duplex dwellings.
- g. Nameplate Sign.
- h. Official Sign.
- i. Political Sign.
- j. Project Title Sign.
- k. Real Estate Sign.
- l. Real Estate Directional Sign.
- m. Special Sign.
- n. Special Event Sign
- o. Temporary Sign.

(2) *Structural Signs.*

- a. Building Sign.
- b. Ground Sign.
- c. Pole Sign
- d. Portable Sign

(3) *Number of Signs Permitted.* No more than one (1) on-site ground sign and one (1) on-site building sign shall be permitted for each zoning lot having frontage on a public right-of-way, regardless of the functional type of sign; provided, however, that temporary project title signs shall be permitted as authorized by Section 6-344(g)(3) of this Article.

(4) *Maximum Gross Surface Area.*

- a. Advertising Decoration Signs: Eight (8) square feet per sign.
- b. Billboard Signs: One hundred twenty eight (128) square feet per sign face and subject to Section 6-346(j).
- c. Bulletin Board Signs: Twenty-five (25) square feet per sign, except that institutions along designated collector, arterial or expressway streets are permitted forty-eight (48) square feet per sign
- d. Business Sign: Eight (8) square feet per sign; Thirty-two (32) square feet per sign for churches, schools, mining or quarrying uses.
- e. Construction Signs: Thirty-two (32) square feet per sign, except that signs for single-family and duplex dwellings shall be limited to eight (8) square feet per sign.
- f. Directional Signs: Five (5) square feet per sign.
- g. Nameplate Signs: Two (2) square feet per sign.
- h. Official Signs: One hundred (100) square feet per sign.
- i. Political Signs: Six (6) square feet per sign.
- j. Project Title Signs: Thirty-two (32) square feet per sign, except for temporary signs permitted by Section 6-344(g)(3) of this Article.
- k. Real Estate Signs: Thirty two (32) square feet per sign.
- l. Real Estate Directional Signs: Thirty-two (32) square feet per sign.
- m. Special Signs: The maximum size of the sign shall be thirty two (32) square feet per sign.
- n. Special Event Signs: Sixty Four (64) square feet per sign.
- o. Temporary Signs: Eight (8) square feet per sign. Portable signs as permitted by Section 6-344(g)(5).

(5) *Maximum Height.*

- a. For Ground Signs: Six (6) feet.
- b. For Building Signs: As permitted by Section 6-342(b)(2).a.
- c. For Pole Signs: Sixteen (16) feet.

(6) *Required Setback.* Unless otherwise provided within this Article, no sign shall project beyond the property line along all street frontages of the lot where it is located; nor closer than fifteen (15) feet from any side or rear property line.

(7) *Illumination.* No sign shall be illuminated, except that Bulletin Board signs may be lighted indirectly with white incandescent or fluorescent lights.

(b) *Medium Density Residential Districts:* The following types of signs, along with applicable size, height, and setback requirements in classes of districts zoned “SF-20”, “SF-10”, “SF-5”, or “TF-3” are permitted, subject to all other restrictions and requirements of this Article and all other applicable codes, rules and regulations of Sedgwick County, Kansas.

(1) *Functional Signs.*

- a. Advertising Decoration Sign, except single-family and duplex dwellings.
- b. Bulletin Board Sign, except single-family and duplex dwellings.
- c. Business Sign.
- d. Construction Sign.
- e. Directional Sign, except single-family and duplex dwellings.
- f. Nameplate Sign.
- g. Official Sign.
- h. Political Sign
- i. Project Title Sign.
- j. Real Estate Sign.
- k. Real Estate Directional Sign.
- l. Special Sign.
- m. Special Event Sign
- n. Temporary Sign.

(2) *Structural Signs.*

- a. Building Sign.
- b. Ground Sign.
- c. Portable Sign
- d. Pole sign (for churches, schools and mining or quarrying uses.

(3) *Number of Signs Permitted.* No more than one (1) on-site ground sign and one (1) building sign shall be permitted for each zoning lot having frontage on a public right-of-way, regardless of the functional type of sign; provided, however, that temporary project title signs shall be permitted as authorized by Section 6-344(g)(3) of this Article.

(4) *Maximum Gross Surface Area.*

- a. Advertising Decoration Signs: Eight (8) square feet per sign.

- b. Bulletin Board Signs: Twenty-five (25) square feet per sign, except that institutions along designated collector, arterial or expressway streets are permitted forty-eight (48) square feet per sign
- c. Business Sign: Eight (8) square feet per sign; Thirty-two (32) square feet per sign for churches, schools, mining or quarrying uses.
- d. Construction Signs: Thirty-two (32) square feet per sign, except that signs for single-family and duplex dwellings shall be limited to eight (8) square feet per sign.
- e. Directional Signs: Five (5) square feet per sign.
- f. Nameplate Signs: Two (2) square feet per sign.
- g. Official Signs: One hundred (100) square feet per sign.
- h. Political Signs: Six (6) square feet per sign.
- i. Project Title Signs: Thirty-two (32) square feet per sign, except for temporary signs permitted by Section 6-344(g)(3) of this Article.
- j. Real Estate Signs: Eight (8) square feet per sign.
- k. Real Estate Directional Signs: Thirty-two (32) square feet per sign.
- l. Special Signs: The maximum size of the sign shall be eight (8) square feet per sign.
- m. Special Event Signs: Sixty Four (64) square feet per sign.
- n. Temporary Signs: Eight (8) square feet per sign. Portable signs as permitted by Section 6-344(g)(5).

(5) *Maximum Height.*

- a. For Ground Signs: Six (6) feet.
- b. For Building Signs: As permitted by Section 6-342(b)(2).a.

(6) *Required Setback.* Unless otherwise provided within this Article, no sign shall project beyond the property line along all street frontages of the lot where it is located; nor closer than fifteen (15) feet from any side or rear property line.

(7) *Illumination.* No sign shall be illuminated, except that Bulletin Board signs may be lighted indirectly with white incandescent or fluorescent lights.

(c) Multi-Family Residential Districts. The following types of signs, along with applicable size, height, and setback requirements in classes of districts zoned “MF-18,” “MF-29,” “B,” or “MH” are permitted, subject to all other restrictions and requirements of this Article and all other applicable codes, rules and regulations of Sedgwick County, Kansas.

(1) *Functional Signs.*

- a. Advertising Decoration Sign, except single-family and duplex dwellings.
- b. Bulletin Board Sign, except single-family and duplex dwellings.
- c. Business Sign.
- d. Construction Sign.
- e. Directional Sign, except single-family and duplex dwellings.
- f. Nameplate Sign.
- g. Official Sign.
- h. Political Sign.
- i. Project Directory Sign.
- j. Project Title Sign.
- k. Real Estate Sign.
- l. Real Estate Directional Sign.
- m. Special Sign.
- n. Special Event Sign.
- o. Temporary Sign.

(2) *Structural Types.*

- a. Building Sign.
- b. Ground Sign.
- c. Pole Sign.

(3) *Number of Signs Permitted.* Any of the functional types approved for this category, with no more than one (1) on-site ground or on-site pole sign and one building sign permitted per frontage on a public right-of-way for each zoning lot; provided, however, that temporary project title signs shall be permitted as authorized by Section 6-344(g)(3) of this Article.

(4) *Maximum Gross Surface Area.*

- a. Advertising Decoration Signs: Thirty (30) square feet per sign per public right of way frontage.
- b. Bulletin Board Signs: Twenty-five (25) square feet per sign, except along designated collector, arterial or expressway streets where the maximum sign area is forty-eight (48) square feet per sign.
- c. Business Sign: Twenty-five (25) square feet per sign, except along designated collector, arterial or expressway streets where the maximum sign area is forty-eight (48) square feet per sign.

- d. Construction Signs: Thirty-two (32) square feet per sign, except that signs for single-family and duplex dwellings shall be limited to eight (8) square feet per sign.
- e. Directional Signs: Five (5) square feet per sign.
- f. Nameplate Signs: Two (2) square feet per sign.
- g. Official Signs: One hundred (100) square feet per sign.
- h. Political Signs: Six (6) square feet per sign.
- i. Project Directory Signs: Thirty-two (32) square feet per sign.
- j. Project Title Signs: Thirty-two (32) square feet per sign, except for temporary signs permitted by Section 6-344(g)(3) of this Article.
- k. Real Estate Signs: Eight (8) square feet per sign.
- l. Real Estate Directional Signs: Thirty-two (32) square feet per sign.
- m. Special Signs: The maximum size of the sign shall be eight (8) square feet per sign.
- n. Special Event Signs: Sixty Four (64) square feet per sign.
- o. Temporary Signs: Eight (8) square feet per sign. Portable signs as permitted by Section 6-344(g)(5).

(5) *Maximum Height.*

- a. For Ground and Pole Signs: Twenty (20) feet.
- b. For Building Signs: As permitted by Section 6-342(b)(2).a.

(6) *Required Setback.* Unless otherwise provided within this Article, no sign shall project beyond the property line along all street frontages of the lot where it is located; nor closer than fifteen (15) feet from any side or rear property line.

(7) *Illumination.* Shall be limited to external or internal illumination of white light.

(d) *Office, Retail, and University Districts.* The following types of signs, along with applicable size, height, and setback requirements in classes of districts zoned "NO", "GO", "NR", or "U" are permitted, subject to all other restrictions and requirements of this Article and all other applicable codes, rules and regulations of Sedgwick County, Kansas.

(1) *Functional Signs.*

- a. Advertising Decoration Sign.
- b. Bulletin Board Sign.
- c. Business Sign.
- d. Construction Sign.
- e. Directional Sign.
- f. Nameplate Sign.
- g. Official Sign.
- h. Political Sign.
- i. Project Directory Sign.
- j. Project Title Sign.
- k. Real Estate Sign.
- l. Real Estate Directional Sign.
- m. Special Sign.
- n. Special Event Sign
- o. Temporary Sign.

(2) *Structural Signs.*

- a. Building signs.
- b. Ground sign.
- c. Pole sign.
- d. Projecting sign.

(3) *Number of Signs Permitted.* The following standards shall apply:

- a. Building Signs and Projecting Signs: One on-site sign per building elevation fronting a public right-of-way or parking area for each major use in the building; provided, however, that the total sign area does not exceed thirty-two (32) square feet for each major use in the building.
- b. Ground Signs and Pole Signs: One on-site sign per frontage on a public right-of-way for each for each major use; provided, however, that the total sign area on ground or pole signs does not exceed thirty-two (32) square feet for each major use. Multi-tenant lots sharing the same sign structure may have up to twenty four (24) square feet each, not to exceed ninety six (96) square feet. A minimum separation of 150 feet shall be maintained between ground or pole signs on the same zoning lot.
- c. Project Title Signs: Temporary project title signs shall be permitted as authorized by Section 6-344(g)(3) of this Article.

(4) *Maximum Gross Surface Area.*

- a. Advertising Decoration Signs: Thirty (30) square feet per sign.

- b. Bulletin Board Signs: Twenty-five (25) square feet per sign, except along designated collector, arterial or expressway streets where the maximum sign area is forty-eight (48) square feet per sign.
- c. Business Sign: Twenty-four (24) square feet per tenant sign, except along designated collector, arterial or expressway streets where the maximum sign area is forty-eight (48) square feet per tenant sign.
- d. Construction Signs: Thirty-two (32) square feet per sign.
- e. Directional Signs: Five (5) square feet per sign.
- f. Nameplate Signs: Two (2) square feet per sign.
- g. Official Signs: One hundred (100) square feet per sign.
- h. Political Signs: Six (6) square feet per sign.
- i. Project Directory Signs: Sixteen (16) square feet per sign.
- j. Project Title Signs: Thirty-two (32) square feet per sign, except for temporary signs permitted by Section 6-344(g)(3) of this Article.
- k. Real Estate Signs: Eight (8) square feet per sign.
- l. Real Estate Directional Signs: Thirty-two (32) square feet per sign.
- m. Special Event Signs: Sixty Four (64) square feet per sign.
- n. Temporary Signs: Eight (8) square feet per sign. Portable signs as permitted by Section 6-344(g)(5).

(5) *Maximum Height.*

- a. For Ground and Pole Signs: Twenty-two (22) feet.
- b. For Building Signs: As permitted by Section 6-342(b)(2).a.

(6) *Required Setback.* Unless otherwise provided within this Article, no sign shall project beyond the property line along all street frontages of the lot where it is located; nor closer than fifteen (15) feet from any side or rear property line.

(7) *Illumination.* Shall be limited to external or internal illumination of white light.

(e) Office Warehouse, Industrial Park and Industrial Park - Airport Districts. The following types of signs, along with applicable size, height, and setback requirements in classes of

districts zoned "OW," "IP" or IP-A are permitted, subject to all other restrictions and requirements of this Article and all other applicable codes, rules and regulations of Sedgwick County, Kansas.

(1) *Functional Signs.*

- a. Advertising Decoration Sign.
- b. Billboard Sign.
- c. Bulletin Board Sign.
- d. Business Sign.
- e. Construction Sign.
- f. Directional Sign.
- g. Nameplate Sign.
- h. Official Sign.
- i. Political Sign.
- j. Project Directory Sign.
- k. Project Title Sign.
- l. Real Estate Sign.
- m. Real Estate Directional Sign.
- n. Special Sign.
- o. Special Event Sign
- p. Temporary Sign.

(2) *Structural Signs.*

- a. Building signs.
- b. Ground sign.
- c. Pole sign.
- d. Projecting sign.

(3) *Number of Signs Permitted.* The following standards shall apply.

- a. Building Signs and Projecting Signs: One per building elevation fronting a public right-of-way or parking area for each major use in the building; provided, however, that the total sign area on awning and canopy signs, projecting signs, and wall signs does not exceed one-hundred-fifty (150) square feet for each major use in the building.
- b. Ground Signs and Pole Signs: One on-site sign per frontage on a public right-of-way for each for each major use; provided, however, that the total sign area on ground or pole signs does not exceed one-hundred-fifty (150) square feet for each major use. A minimum separation of 150 feet shall be maintained between ground or pole signs on the same zoning lot.
- c. Project Title Signs: Temporary project title signs shall be permitted as authorized by Section 6-344(g)(3) of this Article.

(4) *Maximum Gross Surface Area.*

- a. Advertising Decoration Signs: Thirty (30) square feet per sign.
- b. Billboard Sign: See subsection (j) of this section.
- c. Bulletin Board Signs: Twenty-five (25) square feet per sign, except along designated collector, arterial or expressway streets where the maximum sign area is forty-eight (48) square feet per sign.
- d. Business Sign: One-hundred fifty (150) square feet per sign for awning and canopy signs, projecting signs, and wall signs. Eight-tenths (0.8) square foot per linear foot of street frontage per sign or one-hundred fifty (150) square feet per sign, whichever is less, for ground or pole signs.
- e. Construction Signs: Thirty-two (32) square feet per sign.
- f. Directional Signs: Five (5) square feet per sign.
- g. Nameplate Signs: Two (2) square feet per sign.
- h. Official Signs: One hundred (100) square feet per sign.
- i. Political Signs: Six (6) square feet per sign.
- j. Project Directory Signs: Thirty-two (32) square feet per sign.
- k. Project Title Signs: Sixty-four (64) square feet per sign, except for temporary signs permitted by Section 6-344(g)(3) of this Article.
- l. Real Estate Signs: Eight (8) square feet per sign.
- m. Real Estate Directional Signs: Thirty-two (32) square feet per sign.
- n. Special Event Signs: Sixty Four (64) square feet per sign.
- o. Temporary Signs: Eight (8) square feet per sign. Portable signs as permitted by Section 6-344(g)(3).

(5) *Maximum Height.*

- a. For Ground and Pole Signs: Twenty-five (25) feet.
- b. For Building Signs: As permitted by Section 6-342(b)(2).a.

(6) *Required Setback.* Unless otherwise provided within this Article, no sign shall project beyond the property line along all street frontages of the lot where it is located; nor closer than fifteen (15) feet from any side or rear property line.

(7) *Illumination.* Illuminated signs shall be permitted.

(f) *Commercial and Industrial Districts.* The following types of signs, along with applicable size, height, and setback requirements in classes of districts zoned "LC", "GC", "LI" or "GI" are permitted, subject to all other restrictions and requirements of this Article and all other applicable codes, rules and regulations of Sedgwick County, Kansas.

(1) *Functional Signs.*

- a. Billboard Sign; provided they are subject to the provisions of subsection (j) of this section.
- b. Advertising Decoration Sign.
- c. Bulletin Board Sign.
- d. Business Sign.
- e. Construction Sign.
- f. Electronic Messaging Sign.
- g. Nameplate Sign.
- h. Official Sign.
- i. Political Sign.
- j. Project Directory Sign.
- k. Project Title Sign.
- l. Real Estate Sign.
- m. Real Estate Directional Sign.
- n. Special Event Sign.
- o. Temporary Sign.

(2) *Structural Signs.*

- a. Building signs.
- b. Commercial Balloon sign.
- c. Ground sign.
- d. Pole sign.
- e. Projecting sign.

(3) *Number of Signs Permitted.* The following standards shall apply:

- a. Building Signs and Projecting Signs: No limit on the number of on-site individual signs allowed on each building elevation having street frontage or fronting on a parking area; however the total area covered shall not be greater than twenty percent (20%) of each building elevation or more than four hundred (400) square feet in area, whichever is less.
- b. Billboard Signs: See subsection (j) of this section.
- c. Commercial Balloon Signs: See subsection (i) of this section.

- d. Ground Signs and Pole Signs: Lots with 200 feet or less of public street frontage shall be permitted one sign. Lots with more than 200 feet of public street frontage shall be permitted more than one sign provided that a minimum separation of 150 feet shall be maintained between ground or pole signs on the same zoning lot.
 - e. Project Title Signs: Shall be permitted as authorized by Section 6-344(g)(3) of this Article.
- (4) *Maximum Gross Surface Area.* The combined area of all on-site signs shall not exceed two (2) square feet of area for each lineal frontage foot of the zoning lot, provided no single sign shall exceed a gross surface area of four hundred (400) square feet, for awning and canopy signs, projecting signs, and wall signs and three hundred (300) square feet for ground or pole signs. In addition, the following provisions shall apply:
 - (5) *Maximum Height.* Thirty-Five (35) feet, except for the following conditions:
 - a. Commercial Balloon Signs: See subsection (i) of this section.
 - b. For Building Signs: As permitted by Section 6-342(b)(2).a.
 - (6) *Required Setback.* Unless otherwise provided within this Article, no sign shall project beyond the property line along all street frontages of the lot where it is located; nor closer than fifteen (15) feet from any side or rear property line.
 - (7) *Illumination.* Illuminated signs shall be permitted.
 - (g) *Community Unit Plans, Planned Unit Developments, and Conditional Uses.* This Article shall apply to all uses zoned by or within a Community Unit Plan, Planned Unit Development or Conditional Use; provided that alternative or additional requirements concerning signs may be established on specific sites upon the approval of the Community Unit Plan, Planned Unit Development or Conditional Use by the Governing Body.
 - (h) *Portable Signs.* Portable signs shall be prohibited.
 - (i) *Commercial Balloon Signs.* Where permitted, commercial balloon signs shall be subject to the following provisions.
 - (1) Commercial balloon signs shall be limited to one balloon sign per zoning lot at any given time.
 - (2) Commercial balloon signs shall be limited to a maximum of 160 square feet in area as measured at the largest cross section.
 - (3) Commercial balloon signs shall be limited to seven (7) day permits issued no more than four (4) times per calendar year through the Code Enforcement Office.

- (4) Commercial balloon signs shall be limited in height to a maximum of forty-five (35) feet above grade when mounted or tethered on a roof or structure, and to twenty-five (35) feet above grade when mounted on or tethered to the ground.
- (5) Commercial balloon signs shall be located no closer than one hundred (100) feet to the nearest lot line of any "RR", "SF-20", "SF-10", "SF-5" or "TF-3" zoning district.
- (6) Commercial balloon signs must be anchored and/or tethered in accordance with the commercial balloon sign manufacturer's recommendations.
- (7) Commercial balloon signs must be deflated and properly secured when wind speeds exceed forty (40) miles per hour or the manufacturer's maximum wind speed, whichever is less.
- (8) Commercial balloon signs shall be located no closer than five hundred (500) feet to any hospital helicopter landing pad.
- (9) Commercial balloon signs shall be located in accordance with all applicable Federal Aviation Administration regulations.
- (10) Any gas used in commercial balloon signs must be non-combustible.
- (11) Commercial balloon signs shall be fire retardant.
- (12) Commercial balloon signs shall be located no closer than the height of the commercial balloon sign plus ten (10) feet from any electric power transmission line.

(j) Billboard Signs.

- (1) Billboard signs shall be permitted on property zoned "LC", "GC", "OW", "IP", "IP-A", "LI" or "GI" subject to the following:
 - a. All billboard signs shall conform to the following requirements:
 - 1. Billboard signs shall be located a minimum of seventy-five (75) feet from a residential structure.
 - 2. Billboard signs shall be erected so that all elements of the sign and its structure remain on or over the lot where the sign is constructed. No portion of any billboard sign shall encroach upon, or project over any public right-of-way.
 - 3. Billboard signs shall have a maximum height of thirty-five (35) feet.
 - 4. All lighting of billboard signs shall be so shielded as not to produce intensive or excessive light or glare on adjacent property or roadways.

5. All billboard signs shall be free-standing structures and shall be no more than two (2) pole structures only.
6. All billboard signs shall be limited to one advertising face per direction.
7. There shall be a minimum separation of 500 feet between all billboard signs unless otherwise specified in this Article.
8. There shall be no more than one off-site sign facing a direction of travel for each five-hundred (500) linear feet of public right-of-way within a given mile with abutting property zoned "LC" Limited Commercial or less restrictive.
9. The number of billboard signs facing a direction of travel along a public right-of-way shall be limited to five (5) per mile.

- b. In addition to the requirements of subsection (j)(1).a above, billboard signs erected along or intended to be viewed from all streets in the unincorporated area shall be subject to the following additional requirements:

The gross surface area of any billboard sign shall not exceed three hundred (300) square feet, not including cut-outs and embellishments, which may not exceed twenty-five percent (25%) of the face area of the billboard.

- c. In addition to the requirements of subsection (j)(1).a above, and notwithstanding the restrictions in (j)(1).b above, billboard signs erected along or intended to be viewed from the Kansas Turnpike, I-135, I-235, U.S. 81, U.S. 54, K-2, K-15, K-42, K-49, K-53, K-96, and K-254 shall be subject to the following additional requirements:

The gross surface area of any billboard sign shall not exceed 825 square feet, including cut-outs and embellishments, which may not exceed twenty-five percent (25%) of the face area of the billboard. In addition, the maximum vertical dimension of an billboard sign shall be fourteen (14) feet and the maximum horizontal dimension of an billboard sign shall be forty-eight (48) feet, not including cut-outs and embellishments.

- (2) Billboard Signs shall be permitted on property zoned "RR" Rural Residential subject to the following:

- a. Billboard shall be located a minimum of seventy five (75) feet from a residential structure.
- b. Billboard signs shall be erected so that all elements of the sign and its structure remain on or over the lot where the sign is constructed. No portion

of any billboard sign shall encroach upon or over, or project over any public right-of-way

- c. Billboard signs shall have a maximum height of thirty-five (35) feet.
- d. All lighting of billboard signs shall be so shielded as not to produce intensive or excessive light or glare on adjacent property or roadways.
- e. All billboard signs shall be free-standing structures and shall be no more than two (2) pole structures only.
- f. All billboards signs shall be limited to one advertising face per direction.
- g. There shall be a minimum separation of 500 feet between all billboard signs unless otherwise specified in this Article.
- h. There shall be no more than three (3) off-site signs facing a direction of travel for each mile of public roadway.
- i. There shall be a minimum lot size of twenty (20) acres.

SECTION 2: ADOPTION OF RULES AND REGULATIONS.

The Director of the Department of Code Enforcement shall have the authority to promulgate such rules and regulations as are necessary to carry out the purpose of the Sign Code.

SECTION 3: REPEAL OF FORMER RESOLUTIONS.

All prior resolutions or parts thereof in conflict herewith are hereby repealed

SECTION 4: SAVING CLAUSE.

All rights and remedies of Sedgwick County, and the property owners and residents thereof, are expressly saved as to any and all violations of the Sedgwick County Code, Chapter 6, Article VI, Resolution Nos. 218-2004, 104-2007 or any prior sign code adopted as resolutions that have accrued at the time of the effective date of this resolution. The court shall have all the powers that existed prior to the effective date of this resolution as to all such accrued violations.

SECTION 5: SEVERABILITY CLAUSE.

Should any section, clause or provision of this resolution be declared by any court of competent jurisdiction to be invalid, the same shall not affect the validity of this resolution as a whole, or any part thereof, other than the part so declared to be invalid.

SECTION 6: PUBLICATION AND EFFECTIVE DATE.

The Sedgwick County Clerk is directed to publish this resolution once in the official county newspaper. This resolution shall take effect upon its publication.

Commissioners present and voting were:

DAVID M. UNRUH	<u>Absent</u>
TIM R. NORTON	<u>Aye</u>
KARL PETERJOHN	<u>Aye</u>
KELLY PARKS	<u>Aye</u>
GWEN WELSHIMER	<u>Aye</u>

Dated this 10 day of June, 2009.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

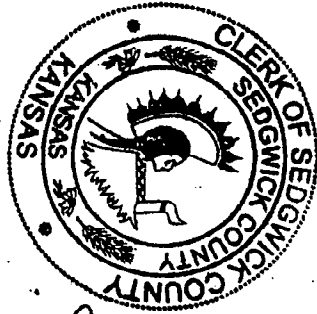
Kelly Parks
KELLY PARKS., Chairman
Fourth District

Gwen Welshimer
GWEN WELSHIMER, Chair Pro Tem
Fifth District

Absent
DAVID M. UNRUH, Commissioner
First District

Tim Norton
TIM R. NORTON, Commissioner
Second District

Karl Peterjohn
KARL PETERJOHN, Commissioner
Third District



ATTEST:

Karen S. Bailey
for KELLY B. ARNOLD, County Clerk

APPROVED AS TO FORM:

Robert W. Parnacott
ROBERT W. PARNACOTT
Assistant County Counselor