

Sections:

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24-101 Purpose and Scope: The purpose of this Article is to encourage the effective use of signs as a means of communication; to maintain and enhance the aesthetic environment and the ability of Ellis County and the City of Schoenchen to attract sources of economic development and growth; to improve pedestrian and vehicular safety; to eliminate excessive and confusing signage; to promote compatibility of signage with nearby public and private property; to enable the fair and consistent enforcement of this Article by governing the placement, use and structural quality of outdoor signs and other advertising and identification devices together with their appurtenant and auxiliary apparatus.

After the effective date of these Regulations, no sign shall be erected, constructed, reconstructed or otherwise altered without first obtaining a separate sign permit. Such sign permit shall be legally issued only when in compliance with the regulations set forth in this Article.

24-102 Objectives: This Article is found to be necessary and proper to the following objectives:

1. To protect the general public from damage and injury which may be caused by the faulty and unregulated construction of signs.
2. To prevent the obstruction of traffic visibility and confusion with traffic control devices resulting from improperly placed and designed signs.
3. To ensure the visual quality of signs and preserve and promote aesthetic quality in Ellis County and the City of Schoenchen, Kansas.

24-103 Definitions: For the purpose of this Article, certain terms, phrases and words used throughout this Article shall have the meaning assigned them in this section:

1. **General:**

- a. **ABANDONED SIGN:** Any sign, including off-site signs unless owned and operated by a bona fide billboard company, which no longer directs a potential customer to or exhorts any person, or advertises a bona fide business, project, product, service or activity.
- b. **DAMAGED SIGN:** Any sign, including off-premise signs, damaged by any means, more than fifty per cent (50%) of its value.

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- c. **FACADE:** The entire exterior surface of a particular side of a structure or establishment to be considered in the calculation of the maximum gross surface area of a wall, roof or projecting sign or signs.
 - d. **INDIRECTLY ILLUMINATED SIGN:** Any sign which is partially or completely illuminated at any time by a light source separate from the sign housing which is so shielded as to not be visible at eye level.
 - e. **MARQUEE:** A permanent roofed structure attached to and supported by the building and projecting over public property.
 - f. **OFF-PREMISES SIGN:** A sign delivering a message or advertisement other than the name, occupation or nature of the activities conducted on the premises or the products sold or manufactured thereon, and shall include all billboard signs and political signs with a gross surface area of more than thirty-two (32) square feet.
 - g. **ON-PREMISES SIGN:** A sign which carries only advertisement that is incidental to a lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted, services rendered, goods sold or produced on the premises, the rental or lease of products or building space, and/or name of the person, firm or corporation occupying the premises.
 - h. **OWNER:** Any person(s), firm(s), corporation(s), or any other legal entity having legal title to or sufficient proprietary interest in a tract of land (including leasehold interests) or a sign.
 - i. **SEMI-ILLUMINATED SIGN:** Any sign located on a building which building face is uniformly illuminated over its entire area, including the area of the sign, by use of electricity or other artificial light. Semi-illuminated signs shall be permitted in any location where illuminated signs are permitted.
 - j. **SIGN:** Any advertising device or surface placed out-of-doors, on or off premises, or placed inside a building when in view of the general public, which conveys information or identification. Included in this definition of "sign" shall be any structure used for said display and all sign supports.
 - k. **SIGN, GROSS SURFACE AREA OF:** The gross surface area of a sign shall be the sum of all surface areas of the sign faces that are visible from the traveled way to which they face; except that ground or pole signs designed as double-faced signs shall have only one face of the sign be considered in determining the sign area. Each surface area shall include the total area within a single continuous perimeter enclosing the extreme limits of the sign elements.
 - l. **SIGN AREA, MAXIMUM TOTAL GROSS SURFACE AREA:** Maximum allowed square footage of sign area permitted per zoning lot.
 - m. **SIGN, HEIGHT:** The height of a sign as measured from ground level at the foundation of the sign to the highest element of the sign.

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- n. **SIGN SETBACK:** The horizontal distance between a sign and a front and/or side lot line, as measured from that part of the sign, including its extremities and supports, nearest to any point on an imaginary vertical plane projecting from the front and/or side lot line.
 - o. **SIGN STRUCTURE:** An element or assemblage of elements which supports or is capable of supporting a sign. A sign structure may be free-standing, attached to a building, an integral part of the building, or combination thereof.
 - p. **VISIBILITY TRIANGLE:** The triangular area formed by the intersecting street right-of-way lines and a straight line joining said street right-of-way lines at points which are thirty (30) feet distant from the point of intersection, measured along said right-of-way lines.
 - q. **ZONING ADMINISTRATOR:** See Article 1.
2. **Classification of Signs:**
- a. **Functional Types of Signs:**
 - (1) **ADVERTISING SIGN:** A sign which directs the attention of the public to a business, commodity, service or entertainment conducted, sold, or furnished at a location **OTHER** than the premises on which the sign is located or to which it is affixed. An advertising sign is also known as a billboard.
 - (2) **ADVERTISING DECORATION:** Any sign which has attached various sign materials used for temporary display and decoration, including streamers, banners, pennants, pinwheels, commercial flags, bunting, and similar devices.
 - (3) **BILLBOARD:** An off-premise sign, or portion thereof, consisting of outdoor signs which advertise, promote, or otherwise disseminate information pertaining to goods, products, or services, including charitable services, political services or appeals, not related to goods, products, or services which comprise a primary use on the premises where the sign is located. Such signs include, but are not limited to:
 - (a) Poster panels or bulletins normally mounted on a building wall or freestanding structure with advertising copy in the form of pasted paper.
 - (b) Multi-prism signs, which are poster panels or bulletins normally mounted on a building wall or freestanding structure with advertising copy in the form of pasted paper and alternating advertising message on the one (1) display area.
 - (c) Painted bulletins, where the advertiser's message is painted directly on the background of a wall-mounted or freestanding display area.
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- (d) Off-premise signs on motor vehicles, trailers or other structures not otherwise defined herein, when such motor vehicle, trailer or other structure is used for advertising purposes.
- (4) **BULLETIN BOARD SIGN:** An on-premise sign containing the name of the institution or organization, which may include names of persons connected with it, announcing persons, events or activities occurring at the institution or organization. Such signs may also present a greeting or similar message.
- (5) **BUSINESS SIGN:** A sign which directs attention to a business or profession conducted, or to a commodity or service sold, offered or manufactured, or to an entertainment offered on the premises where the sign is located.
- (6) **CONSTRUCTION SIGN:** A temporary on-premise sign indicating the names of architects, engineers, landscape architects, contractors, similar artisans, and financiers involved in the design and construction of a structure or project during the period of construction.
- (7) **DIRECTIONAL SIGN:** An on-premise sign containing words or symbols indicating an entrance to, or exit from, a building as well as the location of parking, loading, restrooms, and emergency entrances which are for the convenience of the public.
- (8) **FARM/RANCH DIRECTIONAL SIGN:** An off-site sign which provides direction to the headquarters of the farm or ranch.
- (9) **FIRST AMENDMENT SIGN:** A sign which gives a non-commercial opinion of the sign owner and which is located on the property owned or occupied by the owner of the sign.
- (10) **IDENTIFICATION SIGN:** An on-premise sign giving the name and address of a building, business, development or establishment.
- (11) **NAMEPLATE SIGN:** An on-premise sign giving the name and/or address of the owner or occupant of a building or premises on which it is located, and where applicable, a professional title. Or in the case of a farm or ranch, or a rural residence, a sign giving the name of the owner or occupant or of the farm or ranch, or other such similar identifying name.
- (12) **OFFICIAL SIGN:** A sign erected, maintained and owned by a public entity within its own jurisdiction or, for a city or affiliated entity, within three (3) miles of the city limits.

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- (13) **POLITICAL SIGN:** A sign pertaining to the announcement of an individual being a candidate for an elective political office, or addressing a position with respect to an official ballot question appearing before the electorate. Any such sign exceeding thirty-two (32) square feet of gross surface area shall be classified as an off-site sign and regulated accordingly.
 - (14) **PROJECT DIRECTORY SIGN:** An on-premise sign containing the names and locations, in list or map form, of the individual components making up a planned unit development, shopping center, or similar project.
 - (15) **PROJECT TITLE SIGN:** An on-premise sign which carries the overall name of a residential subdivision, shopping center, industrial park, medical complex, unified development, manufactured home park, and similar projects. A project title sign shall also include signs placed prior to actual development designating the location as the "Future Home Of...", or similar message.
 - (16) **REAL ESTATE SIGN:** An on-premises sign displayed for the purpose of offering real property for sale, lease or rent.
 - (17) **REAL ESTATE DIRECTIONAL SIGN:** An off-premise sign which provides direction to the location where real estate is offered for sale or lease.
 - (18) **RURAL BUSINESS DIRECTIONAL SIGN:** An off-premise sign which provides direction to the location of a business.
 - (19) **SERVICE SIGN:** A sign which is owned by and displays information on a non-profit, service, charitable and/or religious organization or group.
 - (20) **SPECIAL SIGN:** Any sign classified as a farm/ranch directional sign, rural business sign and/or a service sign. These signs are permitted only so long as they remain allowable under the Kansas Highway Advertising Control Act as administered by the Kansas Department of Transportation.
 - (21) **TEMPORARY SIGN:** Any on-premise sign, including, but not limited to, signs of lightweight cardboard, airborne, plastic or paper material, intended to be displayed for not more than sixty (60) days.

b. Structural Types of Signs:

- (1) **ARCH SIGN:** Any sign located at the drive entrance to a farm, ranch or rural residence, either adjacent to or arched over the drive entrance.
- (2) **AWNING SIGN:** Any sign affixed directly on, painted on or attached to an awning.

- (3) **CANOPY SIGN:** Any sign affixed directly on, painted on or attached to a canopy.
- (4) **COMMERCIAL BALLOON SIGN:** An on-premise, temporary sign that is inflated and exceeds five (5) square feet in area, as measured at the largest cross-section, designed to advertise a specific product or service sold, produced or conducted on the premises, on which advertising copy, logos, symbols or emblems may or may not be printed, painted or attached. Commercial balloon signs may be tethered or mounted to a structure or the ground.
- (5) **DOUBLE-FACED SIGN:** A sign having two faces or sides designed for use as a sign message area.
- (6) **GROUND SIGN:** A sign placed upon, or supported by the ground independently of any building or structure on the property. This includes a sign supported on poles or posts, the base of the face which is less than six (6) feet above ground level.
- (7) **MARQUEE SIGN:** Any sign mounted on, painted on or supported by a marquee.
- (8) **POLE SIGN:** A sign whose base of the face of which is more than six (6) feet above ground level and is supported by poles or posts.
- (9) **PORTABLE SIGN:** An on-site sign designed in such a manner to be readily movable and not permanently attached to the property. Any non-permanent sign not classed as a temporary sign shall be deemed to be a portable sign.
- (10) **PROJECTING SIGN:** Any sign that is wholly or partially attached to and dependent upon a building for support and which projects more than one (1) foot beyond the face of said building.
- (11) **ROOF SIGN:** A sign mounted and supported wholly upon or over the roof of any structure.
- (12) **WALL SIGN:** A sign attached to or painted on a wall in such a manner that the exposed face of the sign is in a plane approximately parallel to the plane of the wall.

24-104 General Sign Requirements:

1. **Traffic Safety:** No sign shall be maintained at any location where it may interfere with the view of, or where it may obstruct view of, or interfere with, mislead or confuse traffic. Nor shall any sign be placed in the visibility triangle as defined in these Regulations or project into said area unless the bottom edge of the projecting sign is at least ten (10) feet above the centerline grade of the intersecting streets and the sign supports are constructed to minimize the obstruction of the view of traffic.

2. **Clearance from Electrical Power Lines:** No metal ground sign shall be located within eight (8) feet vertically and eight (8) feet horizontally of electrical wire or conductors in free air carrying more than 48 volts, without regard to whether or not such wires or conductors are insulated or otherwise protected.
3. **Illuminated Signs:** Illuminated signs shall be shaded wherever necessary to avoid casting bright light upon property located in any residential district or upon any public street or park.
4. **Use of Spotlights And Floodlights for Illumination:** It shall be unlawful for any person to have any sign which is wholly or partially illuminated by floodlights or spotlights that interfere with the vision of pedestrians or vehicular traffic.
5. **Flashing or Moving Signs:** No flashing signs, rotating or moving signs, animated signs, signs with moving lights, or signs which create the illusion of movement shall be permitted. A sign whereon the current time and/or temperature is indicated by intermittent lighting shall not be deemed to be a flashing sign if the lighting changes are limited to the numerals indicating the time and/or temperature not more often than five (5) seconds.
6. **Signs Not To Be Located Within Public Right-of-Way:** Any signs and supports which are located upon or over the public right-of-way, including streets, alleys and parkways, shall be prohibited; provided, however, the following exceptions shall be allowed:
 - a. Signs and supports required by governmental authority.
 - b. Signs on commercial vehicles or commercial trailers which denote the name and address of a bona fide business which owns or leases said vehicle when these vehicles are lawfully operated or parked and not used expressly for the purpose of advertising a product, service or activity.
 - c. A temporary sign located on public property used to announce a special event or activity when written authorization is granted by the Zoning Administrator that the sign will not constitute a traffic hazard or attractive nuisance, and the sign is located in a proper zone. The Zoning Administrator may utilize the opinions of both the Sheriff and the County Engineer in making a determination under this provision.
7. **Obstruction to Exit:** No sign shall be erected so as to obstruct any fire escape, required exit, window, or door opening intended as a means of egress.
8. **Obstruction to Ventilation:** No sign shall be erected which interferes with any opening required for ventilation.
9. **Signs on Trees or Utility Poles:** No sign shall be attached to a tree or utility pole whether on public or private property.

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10. **Corner and Through Lots:** On corner and through lots, each lot line that abuts a street or highway shall be considered a separate street frontage. On corner and through lots, restrictions that are phrased in terms of "signs per zoning lot" shall be deemed to permit the allowable number of signs facing each street or highway that abuts the lot.
 11. **Maintenance Required:** Signs shall be maintained so as to be structurally sound and in a safe condition, and shall be kept in a state of undeteriorated appearance by means of painting, sealing or coating and repair or replacement of damaged parts, panels or lights. In addition, the premises surrounding all ground signs shall be maintained by the owner thereof in a sanitary and uncluttered condition, free and clear of all noxious substances, rubbish, litter and weeds.
 12. **Clearance Drop Zone for Pole Signs:** Pole signs shall be located so as to provide a clearance drop zone in all directions such that the pole sign would fall on the property on which it is located. This requires that the pole sign be setback from all property lines a minimum distance equal to the height of the pole sign.
 13. **Classification of Signs:**
 - a. **Functional Types:**
 - (1) Advertising Sign or Billboard Sign
 - (2) Advertising Decoration Sign
 - (3) Bulletin Board Sign
 - (4) Business Sign
 - (5) Construction Sign
 - (6) Directional Sign
 - (7) Farm/Ranch Directional Sign
 - (8) First Amendment Sign
 - (9) Identification Sign
 - (10) Nameplate Sign
 - (11) Official Sign
 - (12) Political Sign
 - (13) Project Directory Sign
 - (14) Project Title Sign
 - (15) Real Estate Sign
 - (16) Real Estate Directional Sign
 - (17) Service Sign
 - (18) Special Sign
 - (19) Temporary Sign
 - b. **Structural Types:**
 - (1) Arch Sign
 - (2) Awning Sign
 - (3) Canopy Sign
 - (4) Commercial Balloon Sign
 - (5) Ground Sign
 - (6) Marquee Sign
 - (7) Pole Sign
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- (8) Portable Sign
- (9) Projecting Sign
- (10) Roof Sign
- (11) Wall Sign

24-105 Procedural Requirements:

1. **Permit:** Except for signs listed in section 24-104 (5) of this section, no sign shall be painted, constructed, erected, repainted, remodeled, relocated, or expanded unless such sign complies with the requirements of these Regulations. A sign permit shall be obtained from the Zoning Administrator prior to construction of any sign. Fees for sign permits shall be as established by resolution of the Governing Body.
2. **Application for Permit:** Application for a permit shall be made in writing upon forms provided by the Zoning Administrator and shall contain, or have attached, such information as the Zoning Administrator shall deem necessary to show full compliance with this and all other applicable laws and regulations of Ellis County, Kansas. This may include drawings indicating the sign legend or advertising message, location, dimensions, construction and structural design. If the Zoning Administrator deems it necessary, he may also require that a licensed engineer furnish information concerning structural design of the sign and the proposed attachments. No sign permit shall be issued until the appropriate fees have been paid.
3. **Issuance of Permit:** Upon the filing of an application for a sign permit, the Zoning Administrator or designate shall examine such plans and specifications, along with the premises upon which it is proposed to erect the sign, and other pertinent data, to determine if the provisions of the Sign Regulations of Ellis County, Kansas, are complied with. If all such requirements are met, the permit shall be issued. If the work authorized by such permit is not started within 90 days from the date of its issuance, such permit shall become null and void. The issuance of the Sign Permit as required by these Regulations shall not act in lieu of any other permits or fees required by any other provisions of these Regulations or any other rules or regulations applicable to such sign and its placement.
4. **Permit Revocation:** If the Zoning Administrator shall find that any sign subject to this Article is unsafe or structurally unsound, is a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of this Article, written notice shall be given to the owner, occupant, or person-in-charge, specifying the problem. If such person fails to remove or alter the sign so as to comply with the provisions of this Article within thirty (30) days of such notice, the Zoning Administrator may cause such sign to be removed or altered to comply with this Article.
5. **Sign Removal:**
 - A. All abandoned signs and their supports shall be removed within thirty (30) days from the date of notification of abandonment by the Zoning Administrator. The Zoning Administrator may grant a time extension not exceeding an additional thirty (30) days for an abandoned, non-damaged sign. All signs structurally damaged shall be repaired or removed within thirty (30) days of the date of notification by the Zoning Administrator.

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- B. If the owner, occupant, or person-in-charge, after due notice, fails or refuses to correct a violation of this Article, the Zoning Administrator shall cause such signs and their supports to be demolished and removed. If such sign cannot be demolished because it is painted on a building or other non-sign structure, such sign shall be painted over or removed by sandblasting.
- C. When in the opinion of the Zoning Administrator any sign is in such condition as to constitute an imminent hazard requiring immediate action to protect the public, he may erect barricades or cause the sign to be taken down, repaired, shored, or otherwise made safe without delay. Such action, under such circumstances, may be taken without prior notice to or hearing of the owner, agents, leinholders, and occupants.
- D. Any cost incurred by the County or City associated with the demolition, removal or repair of any sign under the provisions of this Code shall be levied, certified, and collected as a special assessment against the lot or tract of ground upon which the sign was located. Said assessment, if not paid when due, shall be certified to the County or City Clerk for collection with other special assessments.
6. **Exemptions From Permits:** The following signs shall be exempt from paying fees and obtaining a sign permit; however such signs shall be subject to the Sign Regulations. (This exemption shall not be construed as relieving the owner of the sign from the responsibility for its meeting the structural and maintenance requirements as specified in these Regulations):
- a. Real estate sign advertising the sale, rental or lease of the premises on which the sign is displayed, with the following limitations: One (1) unlighted sign per street frontage per listing, provided that a maximum of six (6) real estate signs be permitted on a zoning lot.
 - b. Real estate directional sign not exceeding six (6) square feet in area.
 - c. Advertising decoration signs, and any indoor signs, even though such signs may be visible from the outside of the building.
 - d. No more than two (2) temporary on-site signs placed in or upon windows of a commercial or industrial building, whether painted or attached.
 - e. Nonelectrical nameplates not exceeding two (2) square feet in area.
 - f. Nonelectrical construction signs denoting the architect, engineer or contractor when placed upon work under construction, and not exceeding thirty two (32) square feet in area.
 - g. Nonelectrical identification signs.
 - h. Nonelectrical arch nameplate signs.
 - i. Nonelectrical memorial signs or tablets giving names of persons or buildings and date of erection not to exceed twenty-five (25) square feet in size.
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- j. Project title signs for subdivision identification, both on-site and off-site, subject to the following conditions:
- (1) On-site signs shall be allowed as long as lots remain vacant within the subdivision. Off-site signs shall be allowed for a maximum of two (2) years; however the Zoning Administrator may grant six (6) month extensions until the subdivision is seventy percent (70%) sold to either a builder or an individual buyer.
 - (2) On-site and off-site signs shall be unlighted; shall be neither reflective nor fluorescent; and shall be used exclusively for the purpose of advertising the subdivision.
 - (3) No sign shall be authorized until the final subdivision plat has been duly recorded.
 - (4) On-site signs shall be located at or near entrances to the portion of the subdivision under construction, and not more than two (2) sign structures shall be maintained in any one (1) subdivision less than forty (40) acres in size. For each additional forty (40) acres or fraction thereof, one (1) additional sign may be erected.
 - (5) Off-site signs shall be located on the most direct routes from the major road network to the location of the subdivision. However, when said off-site sign is located along a highway that is regulated by the billboard provisions of this Article, the location of such off-site sign shall be subject to the billboard provisions of this Article.
 - (6) The maximum area shall be one hundred twenty eight (128) square feet for each sign.
 - (7) The maximum length of any sign shall be sixteen (16) feet.
- k. Signs of a duly constituted governmental body, including directional signs for public buildings and uses, traffic or similar regulatory devices, legal notices, warnings at railroad crossings, and other instructional or regulatory signs having to do with health, hazards, parking, swimming, dumping and other similar signs.
- l. Advertising decorations, temporarily displayed during special event periods only, such as grand openings, holidays, carnivals and the like, with a limit of twelve (12) such events and a total time limitation of eight (8) weeks within any calendar year for any business or institution.
- m. Auction signs placed along roads and highways on private property advertising auctions off said roads or highways; provided, said signs shall not be placed more than thirty (30) days prior to said auction and shall be removed within seven (7) days of the completion of said auction or sale. Said signs shall not be more than thirty two (32) square feet in area and shall not be illuminated.

- n. Political signs, when located on private property with the permission of the owner or tenants, provided that not more than four (4) signs shall be allowed for each street frontage per zoning lot. Total area of all signs shall not exceed sixty-four (64) square feet per zoning lot. All signs shall be removed within seven (7) days following the election in which the candidate is elected to office or is eliminated from further participation in the election as a candidate, of after a ballot question has been decided.
 - o. Flags or emblems of a government or of a political, civic, philanthropic, educational or religious organization, displayed on private property, but only if the flag or emblem is used solely as an identifying symbol and does not include advertising language.
 - p. Address numerals and other signs required to be maintained by law or governmental order, rule or regulation, provided that the content and size of the sign do not exceed the requirements of such law, order, rule or regulation.
 - q. Such additional signs as "No Hunting," "No Fishing," "No Trespassing" and other like signs.
7. **Exemption From Fees:** The signs listed below shall be exempt from paying fees; however, a permit shall be obtained and they shall be subject to the Sign Regulations. This exemption shall not be construed as relieving the owner of the sign from the responsibility for its meeting the structural and maintenance requirements as specified in these Regulations.
- a. Nonelectrical bulletin boards not exceeding thirty two (32) square feet in area for public, educational, charitable, fraternal or religious institutions when such sign is located on the premises of such institution.
 - b. Directional and special signs.

24-106 Design and Construction Standards: The design and construction of signs and sign structures shall be subject to the following standards:

- 1. **Ground Signs:**
 - a. **Letters, Materials to be Secured:** All letters, figures, characters, or representations in cutout or irregular form maintained in conjunction with, attached to, or superimposed upon any ground sign shall be safely and securely built or attached to the sign's structure.
- 2. **Projecting Signs:** The following provisions shall apply only within the City of Schoenchen, Kansas.
 - a. **Removable Parts to be Secured:** Any removable parts of projecting signs, such as a cover of a service opening, shall be securely fastened by safety chains or hinges.

- b. **Location:** The horizontal clearance between a projecting sign and the curb line shall be not less than two (2) feet. A projecting sign projecting more than two-thirds of the distance from the property line to the curb line shall be not less than ten (10) feet above the ground or pavement below. A projecting sign projecting less than two-thirds of the distance from the property line to the curb line shall be not less than eight (8) feet above the ground or pavement below.
- c. **Awnings:** Awnings, whether used as a sign or not, may extend over public property not more than seven (7) feet from the face of a supporting building but no portion shall extend nearer than two (2) feet to the face of the nearest curb line measured horizontally. In no case shall the awning extend over public property greater than two-thirds of the distance from the property line to the nearest curb in front of the building site.

24-107 **District Regulations:**

1. **Ellis County Agricultural and Single-Family Residential Districts:** The following types of signs, along with applicable size, height, and setback requirements in districts zoned "AG", "RR", "SR", "R-1" and "V-1", are permitted:

a. **Functional Types:**

- (1) Advertising Decoration Sign.
- (2) Bulletin Board Sign, except for single-family dwellings.
- (3) Business Sign for permitted home occupation.
- (4) Construction Sign.
- (5) Directional Sign, except for single-family dwellings.
- (6) First Amendment Sign.
- (7) Identification Sign.
- (8) Nameplate Sign.
- (9) Official Sign.
- (10) Political Sign.
- (11) Project Directory Sign.
- (12) Project Title Sign.
- (13) Real Estate Sign.
- (14) Real Estate Directional Sign.
- (15) Special Sign.
- (16) Temporary Sign.

b. **Structural Types:**

- (1) Arch Sign.
- (2) Ground Sign.
- (3) Wall Sign.

- c. **Number of Signs Permitted:** No more than one (1) ground sign and one (1) wall 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 project title signs shall be permitted as authorized by Article 24-104(6)(j) of these Regulations in addition to the sign restrictions listed above.

d. **Maximum Gross Surface Area:**

- (1) **Advertising Decoration Sign:** Eight (8) square feet per sign.
- (2) **Bulletin Board Sign:** Twenty-five (25) square feet per sign.
- (3) **Business Sign:** Eight (8) square feet per sign.
- (4) **Construction Sign:** Thirty-two (32) square feet per sign.
- (5) **Directional Sign:** Eight (8) square feet per sign.
- (6) **First Amendment Sign:** Thirty-two (32) square feet per sign.
- (7) **Identification Sign:** Eight (8) square feet per sign.
- (8) **Nameplate Sign:** Four (4) square feet per sign.
- (9) **Official Sign:** One hundred (100) square feet per sign.
- (10) **Political Sign:** Thirty-two (32) square feet per sign.
- (11) **Project Directory Sign:** Sixty-four (64) square feet per sign.
- (12) **Project Title Sign:** One hundred twenty eight (128) square feet per sign.
- (13) **Real Estate Sign:** Eight (8) square feet per sign.
- (14) **Real Estate Directional Sign:** Eight (8) square feet per sign.
- (15) **Special Sign:** The maximum size of the sign at those locations subject to the Highway Beautification Act of Kansas shall conform to the "Rural Business Directional Sign Policy" of the Kansas Department of Transportation. For all other locations, the maximum size of the sign shall be eight (8) square feet per sign.
- (16) **Temporary Sign:** Eight (8) square feet per sign.

d. **Maximum Height:**

- (1) **For Arch Signs:** Fifteen (15) feet.
- (2) **For Ground Signs:** Six (6) feet.
- (3) **For Wall Signs:** Not higher than the height of the top or ends of the wall section to which the sign is attached or affixed. In no case shall the sign be permitted to be placed on the roof.

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- e. **Required Setback:** Unless otherwise provided within this Article, no sign shall project beyond the property line of the lot on which it is located along all street frontages; nor closer than ten (10) feet from any side or rear property line.
 - f. **Illumination:** No sign shall be illuminated, except that Bulletin Board and Identification signs may be lighted indirectly with incandescent or fluorescent lights.
2. **City of Schoenchen Residential Districts:** The following types of signs, along with applicable size, height, and setback requirements in districts zoned "R-1A", "R-1B" and "RP-2" are permitted:
- a. **Functional Types:**
 - (1) Advertising Decoration Sign.
 - (2) Bulletin Board Sign, except for single-family dwellings.
 - (3) Business Sign for permitted home occupation.
 - (4) Construction Sign.
 - (5) Directional Sign, except for single-family dwellings.
 - (6) First Amendment Sign.
 - (7) Identification Sign.
 - (8) Nameplate Sign.
 - (9) Official Sign.
 - (10) Political Sign.
 - (11) Project Directory Sign.
 - (12) Project Title Sign.
 - (13) Real Estate Sign.
 - (14) Real Estate Directional Sign.
 - (15) Special Sign.
 - (16) Temporary Sign.
 - b. **Structural Types:**
 - (1) Ground Sign.
 - (2) Wall Sign.
 - c. **Number of Signs Permitted:** No more than one (1) ground sign and one (1) wall 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 project title signs shall be permitted as authorized by Article 24-104(6)(j) of these Regulations in addition to the sign restrictions listed above.
 - d. **Maximum Gross Surface Area:**
 - (1) **Advertising Decoration Sign:** Eight (8) square feet per sign.
 - (2) **Bulletin Board Sign:** Twenty-five (25) square feet per sign.
 - (3) **Business Sign:** Eight (8) square feet per sign.
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- (4) **Construction Sign:** Thirty-two (32) square feet per sign.
 - (5) **Directional Sign:** Eight (8) square feet per sign.
 - (6) **First Amendment Sign:** Thirty-two (32) square feet per sign.
 - (7) **Identification Sign:** Eight (8) square feet per sign.
 - (8) **Nameplate Sign:** Four (4) square feet per sign.
 - (9) **Official Sign:** One hundred (100) square feet per sign.
 - (10) **Political Sign:** Thirty-two (32) square feet per sign.
 - (11) **Project Directory Sign:** Sixty-four (64) square feet per sign.
 - (12) **Project Title Sign:** One hundred twenty eight (128) square feet per sign.
 - (13) **Real Estate Sign:** Eight (8) square feet per sign.
 - (14) **Real Estate Directional Sign:** Eight (8) square feet per sign.
 - (15) **Special Sign:** The maximum size of the sign at those locations subject to the Highway Beautification Act of Kansas shall conform to the "Rural Business Directional Sign Policy" of the Kansas Department of Transportation. For all other locations, the maximum size of the sign shall be eight (8) square feet per sign.
 - (16) **Temporary Sign:** Eight (8) square feet per sign.
- e. **Maximum Height:**
- (1) **For Ground Signs:** Six (6) feet.
 - (2) **For Wall Signs:** Not higher than the height of the top or ends of the wall section to which the sign is attached or affixed. In no case shall the sign be permitted to be placed on the roof.
- f. **Required Setback:** Unless otherwise provided within this Article, no sign shall project beyond the property line of the lot on which it is located along all street frontages; nor closer than five (5) feet from any side or rear property line.
- g. **Illumination:** No sign shall be illuminated, except that Bulletin Board and Identification signs may be lighted indirectly with incandescent or fluorescent lights.
3. **City of Schoenchen Commercial Office District:** The following types of signs, along with applicable size, height, and setback requirements in the district zoned "CP-0", are permitted:

a. Functional Types:

- (1) Advertising or Billboard Sign, subject to the provisions of Section 24-106(9) herein.
- (2) Advertising Decoration Sign.
- (3) Bulletin Board Sign.
- (4) Business Sign.
- (5) Construction Sign.
- (6) Directional Sign.
- (7) First Amendment Sign.
- (8) Identification Sign.
- (9) Nameplate Sign.
- (10) Official Sign.
- (11) Political Sign.
- (12) Project Directory Sign.
- (13) Project Title Sign.
- (14) Real Estate Sign.
- (15) Real Estate Directional Sign.
- (16) Special Sign.
- (17) Temporary Sign.

b. Structural Types:

- (1) Awning and Canopy Sign.
- (2) Commercial Balloon Sign.
- (3) Ground Sign.
- (4) Pole Sign.
- (5) Projecting Sign.
- (6) Wall Sign.

c. Number of Signs Permitted: The following standards shall apply.

- (1) **Awning and Canopy Signs, Projecting Signs, and Wall Signs:** No limit on the number of 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 two hundred (200) square feet in area, which ever is less.
- (2) **Advertising or Billboard Signs:** See section 24-106(9) of this Article.
- (3) **Commercial Balloon Signs:** See section 24-106(8) of this Article.
- (4) **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. Further, a minimum separation of 50 feet shall be maintained between ground or pole signs on adjoining lots along the same public street frontage.

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- (5) **Project Title Signs:** Shall be permitted as authorized by Section 24-104(6)(j) of this Code.
- d. **Maximum Gross Surface Area:** The combined area of all signs shall not exceed two (2) square feet of area for each lineal frontage foot on the zoning lot, provided no single sign shall exceed a gross surface area of two hundred (200) square feet. In addition, the maximum size of the sign at those locations subject to the Highway Beautification Act of Kansas shall conform to the "Rural Business Directional Sign Policy" of the Kansas Department of Transportation. For all other locations, the maximum size of the sign shall be eight (8) square feet per sign.
- e. **Maximum Height:** No sign shall exceed twenty-five (25) feet in height, except for the following conditions:
- (1) **For Arch Signs:** See section 24-106(8) of this Article.
- (2) **For Wall Signs:** Not higher than the height of the top or ends of the wall section to which the sign is attached or affixed. In no case shall the sign be permitted to be placed on the roof.
- f. **Required Setback:** Unless otherwise provided within this Article, no sign shall project beyond the property line of the lot on which it is located along all street frontages; nor closer than five (5) feet from any side or rear property line.
- g. **Illumination:** Illuminated shall be permitted.
4. **City of Schoenchen General Commercial Districts:** The following types of signs, along with applicable size, height, and setback requirements in districts zoned "CP-1", "CP-2" and "CP-3", are permitted:
- a. **Functional Types:**
- (1) Advertising or Billboard Sign, subject to the provisions of Section 24-106(9) herein.
 - (2) Advertising Decoration Sign.
 - (3) Bulletin Board Sign.
 - (4) Business Sign.
 - (5) Construction Sign.
 - (6) Directional Sign.
 - (7) First Amendment Sign.
 - (8) Identification Sign.
 - (9) Nameplate Sign.
 - (10) Official Sign.
 - (11) Political Sign.
 - (12) Project Directory Sign.
 - (13) Project Title Sign.
 - (14) Real Estate Sign.
 - (15) Real Estate Directional Sign.
 - (16) Special Sign.

(17) Temporary Sign.

b. Structural Types:

- (1) Awning and Canopy Sign.
- (2) Commercial Balloon Sign.
- (3) Ground Sign.
- (4) Pole Sign.
- (5) Projecting Sign.
- (6) Wall Sign.

c. Number of Signs Permitted: The following standards shall apply.

- (1) **Awning and Canopy Signs, Projecting Signs, and Wall Signs:** No limit on the number of 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 two hundred (200) square feet in area, which ever is less.
- (2) **Advertising or Billboard Signs:** See section 24-106(9) of this Article.
- (3) **Commercial Balloon Signs:** See section 24-106(8) of this Article.
- (4) **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. Further, a minimum separation of 50 feet shall be maintained between ground or pole signs on adjoining lots along the same public street frontage.
- (5) **Project Title Signs:** Shall be permitted as authorized by Section 24-104(6)(j) of this Code.

d. Maximum Gross Surface Area: The combined area of all signs shall not exceed two (2) square feet of area for each lineal frontage foot on the zoning lot, provided no single sign shall exceed a gross surface area of two hundred (200) square feet. In addition, the maximum size of the sign at those locations subject to the Highway Beautification Act of Kansas shall conform to the "Rural Business Directional Sign Policy" of the Kansas Department of Transportation. For all other locations, the maximum size of the sign shall be eight (8) square feet per sign.

e. Maximum Height: No sign shall exceed thirty-five (35) feet in height, except for the following conditions:

- (1) **For Arch Signs:** See section 24-106(8) of this Article.

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- (2) **For Wall Signs:** Not higher than the height of the top or ends of the wall section to which the sign is attached or affixed. In no case shall the sign be permitted to be placed on the roof.
- f. **Required Setback:** Unless otherwise provided within this Article, no sign shall project beyond the property line of the lot on which it is located along all street frontages; nor closer than five (5) feet from any side or rear property line.
- g. **Illumination:** Illuminated shall be permitted.
5. **City of Schoenchen Industrial Districts:** The following types of signs, along with applicable size, height, and setback requirements in districts zoned "IP-1" and "IP-2" are permitted:
- a. **Functional Types:**
- (1) Advertising or Billboard Sign, subject to the provisions of Section 24-106(9) herein.
 - (2) Advertising Decoration Sign.
 - (3) Bulletin Board Sign.
 - (4) Business Sign.
 - (5) Construction Sign.
 - (6) Directional Sign.
 - (7) First Amendment Sign.
 - (8) Identification Sign.
 - (9) Nameplate Sign.
 - (10) Official Sign.
 - (11) Political Sign.
 - (12) Project Directory Sign.
 - (13) Project Title Sign.
 - (14) Real Estate Sign.
 - (15) Real Estate Directional Sign.
 - (16) Special Sign.
 - (17) Temporary Sign.
- b. **Structural Types:**
- (1) Awning and Canopy Sign.
 - (2) Commercial Balloon Sign.
 - (3) Ground Sign.
 - (4) Pole Sign.
 - (5) Projecting Sign.
 - (6) Wall Sign.
- c. **Number of Signs Permitted:** The following standards shall apply.
- (1) **Awning and Canopy Signs, Projecting Signs, and Wall Signs:** No limit on the number of 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
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building elevation or more than three hundred (300) square feet in area, which ever is less.

- (2) **Advertising or Billboard Signs:** See section 24-106(9) of this Article.
 - (3) **Commercial Balloon Signs:** See section 24-106(8) of this Article.
 - (4) **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. Further, a minimum separation of 50 feet shall be maintained between ground or pole signs on adjoining lots along the same public street frontage.
 - (5) **Project Title Signs:** Shall be permitted as authorized by Section 24-104(6)(j) of this Code.
- d. **Maximum Gross Surface Area:** The combined area of all signs shall not exceed two (2) square feet of area for each lineal frontage foot on the zoning lot, provided no single sign shall exceed a gross surface area of three hundred (300) square feet. In addition, the maximum size of the sign at those locations subject to the Highway Beautification Act of Kansas shall conform to the "Rural Business Directional Sign Policy" of the Kansas Department of Transportation. For all other locations, the maximum size of the sign shall be eight (8) square feet per sign.
- e. **Maximum Height:** No sign shall exceed thirty-five (35) feet in height, except for the following conditions:
- (1) **For Arch Signs:** See section 24-106(8) of this Article.
 - (2) **For Wall Signs:** Not higher than the height of the top or ends of the wall section to which the sign is attached or affixed. In no case shall the sign be permitted to be placed on the roof.
- f. **Required Setback:** Unless otherwise provided within this Article, no sign shall project beyond the property line of the lot on which it is located along all street frontages; nor closer than ten (10) feet from any side or rear property line.
- g. **Illumination:** Illuminated shall be permitted.
6. **Planned Unit Developments and Conditional Uses:** All signs permitted within this Article shall be available within any property zoned as a Planned Unit Development, or subject to a Conditional Use Permit; provided that alternative or additional requirements concerning the type, size, height and location of any signs may be established on specific sites upon the approval of the Planned Unit Development or the Conditional Use Permit by the governing body having jurisdiction.

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7. **Portable Signs:** Portable signs shall conform to the following regulations:
- A. Portable signs shall only be permitted any zoning district within the unincorporated portion of Ellis County, subject to the provisions of C. below.
 - B. Portable signs shall only be permitted in the "CP-1", "CP-2", "CP-3", "IP-1", and "IP-2" districts within the City of Schoenchen, Kansas.
 - C. Portable signs shall be setback a minimum of five (5) feet as measured from the curb or roadway line to the nearest extremities of the sign, and shall not be located so as to hinder visibility or the interfere with the free and safe movement of traffic.
8. **Commercial Balloon Signs:** Where permitted, commercial balloon signs shall be subject to the following provisions:
- A. Commercial balloon signs shall be limited to one balloon sign per zoning lot at any given time.
 - B. Commercial balloon signs shall be limited to a maximum of 160 square feet in area as measured at the largest cross section.
 - C. Commercial balloon signs shall be limited to seven (7) day permits issued no more than four (4) times per calendar year.
 - D. Commercial balloon signs shall be limited in height to a maximum of forty-five (45) feet above grade when mounted or tethered on a roof or structure, and to twenty-five (25) feet above grade when mounted on or tethered to the ground.
 - E. Commercial balloon signs shall be located no closer than one hundred (100) feet to the nearest lot line of any "RR", "SR", "R-1", "V-1", "R-1A", "R-1B" or "RP-2" zoning district.
 - F. Commercial balloon signs must be anchored and/or tethered in accordance with the commercial balloon sign manufacturer's recommendations.
 - G. 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.
 - H. Commercial balloon signs shall be located no closer than five hundred (500) feet to any hospital helicopter landing pad.
 - I. Commercial balloon signs shall be located in accordance with all applicable Federal Aviation Administration regulations.
 - J. Any gas used in commercial balloon signs must be non-combustible.
 - K. Commercial balloon signs shall be fire retardant.
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- L. 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.
9. **Billboard Signs:** Advertising or billboard signs shall be permitted only on property in the unincorporated portion of Ellis County when said sign is identified on an approved development plan associated with a Conditional Use Permit, or within the City of Schoenchen on property zoned "CP-0", "CP-1", "CP-2", "CP-3", "IP-1" or "IP-2".
- A. All advertising or billboard signs shall conform to the following requirements:
- (1) Advertising or billboard signs shall be located a minimum of seventy-five (75) feet from a residential structure.
 - (2) Advertising or billboard signs shall be erected so that all elements of the sign and its structure remain on or over the lot on which the sign is constructed. No portion of any billboard sign shall encroach upon or over, or project over any public right-of-way.
 - (3) Advertising or billboard signs shall have a maximum height of thirty-five (35) feet.
 - (4) All lighting of advertising or billboard signs shall be so shielded as not to produce intensive or excessive light or glare on adjacent property or roadways.
 - (5) All advertising or billboard signs shall be free-standing structures only.
 - (6) All advertising or billboards signs shall be limited to one advertising face per direction.
- B. In addition to the requirements of 24-106(9)(A) above, advertising or billboard signs erected along or intended to be viewed from I-70 and US 183 shall be subject to the following additional requirements:
- (1) The gross surface area of any advertising or billboard sign shall not exceed 800 square feet, not including cut-outs and embellishments, which may not exceed twenty-five percent (25%) of the face area of the advertising or billboard. In addition, the maximum vertical dimension of an advertising or billboard sign shall be twenty (20) feet and the maximum horizontal dimension of an advertising or billboard sign shall be sixty (60) feet, including cut-outs and embellishments.
 - (2) There shall be a minimum separation of 500 feet between all advertising or billboard signs erected along or facing all of I-70.
 - (3) There shall be a minimum separation of 300 feet between all advertising or billboard signs erected along or facing all of US 183.

- C. In addition to the requirements of 24-106(9)(A) above, advertising or billboard signs erected along or intended to be viewed from the rural major collector and/or rural minor collector roads in the unincorporated portion of Ellis County shall be subject to the following additional requirements.
- (1) The gross surface area of any advertising or billboard sign shall not exceed one hundred sixty (160) square feet, not including cut-outs and embellishments, which may not exceed twenty-five percent (25%) of the face area of the advertising or billboard. In addition, the maximum vertical dimension of an advertising or billboard sign shall be ten (10) feet and the maximum horizontal dimension of an advertising or billboard sign shall be twenty (20) feet. The total maximum height of the structure shall not exceed twenty-five (25) feet.
 - (2) There shall be a minimum separation of 1,320 feet between all advertising or billboard signs along the paved roads on the County Highway System.
 - (3) Advertising or billboard signs may be located on property in any zoning district by the approval of a Conditional Use, provided the zoning lot on which it is located is at least forty (40) acres in size.
- D. Advertising or billboard signs proposed to be erected along or intended to be viewed from rural local roads shall be allowed only upon approval of a Conditional Use Permit for such advertising or billboard sign following the procedures for Conditional Use Permit approval contained within these Regulations.

24-108 Nonconforming Signs: Every sign in existence at the time these Sign Regulations become effective may continue in existence subject to the following:

1. It shall not be altered structurally or moved unless it is made to comply with the provisions of these Regulations. However, the changing of the movable parts of an existing sign that is designed for such changes, or the repainting or changing of display matter shall not be deemed a structural alteration.
2. The lawful use of a sign existing on the effective date of these Regulations, although such sign does not conform to the provisions hereof, may continue; but if usage of such sign is discontinued for a period of six months, any future use of such sign shall be in conformity with the provisions of these Regulations.
3. No sign which has been damaged by fire, wind, explosion, or act of God to the extent that 50 percent or more of the sign is destroyed shall be restored except in conformity with these Regulations. Any sign which has been damaged to an extent less than 50 percent may be restored to its condition which existed as a nonconforming use prior to its damage.