

New Lawrence, Kansas Sign Code

(Adopted by Ord. No. 9391 in City Code Ch. V, Art. 18, Effective 9-11-17)

Regulations for Temporary Signs in Hospital, Commercial, Downtown and Industrial Zoning Districts

Frequently Asked Questions (FAQs)

Overview and General Information

1. Why did the City adopt a new Sign Code? In May 2016, after discussions about possible Sign Code amendments that could benefit both the business community and the City of Lawrence, the City Commission authorized City staff to initiate a review of the City's Sign Code. However, soon after initiating discussions with stakeholders, it became evident that a landmark 2015 U.S. Supreme Court decision regarding day-to-day regulation of signs, *Reed v. Town of Gilbert, AZ* ("*Reed v. Gilbert*"), and subsequent related court rulings, compelled Lawrence to completely rewrite its Sign Code. Because of *Reed v. Gilbert*, the new Sign Code regulates signs in a content-neutral manner, with regulations distinguished not by business, service, product, issue or ideological sign message (content-based), but by zoning districts, land use character districts (such as historic districts), zoning land use classifications or special lot conditions. In the new Sign Code, there are no references to, or regulations based on, sign message such as "real estate", "political", "gas and fuel sales pricing", "development", "area marker" or "time & temperature", etc., but for a few exceptions noted in *Reed v. Gilbert* (governmental signs, traffic control/safety signs and off-premise commercial speech signs).

2. What are the most significant changes with respect to temporary sign regulations?

- ✓ The new temporary sign regulations provide greater flexibility to businesses by increasing maximum display time per calendar year from 30 to 45 days, which can be divided into multiple shorter periods during the year (e.g., three separate 15-day periods). Multiple temporary signs can be permitted for display at the same time (with maximum total area, height and separation restrictions). In hospital, commercial, downtown and industrial zoning districts only, one "feather" sign can be temporarily displayed on each street frontage. (The prior Sign Code allowed only one maximum 30-day permit for a single sign per calendar year, and prohibited "feather" signs.)
- ✓ Because signs cannot be regulated by message content, "political signs" are no longer referenced. Instead, regulations provide exemptions from temporary sign permits and maximum number of temporary signs placed on a lot for 50 days prior to and 10 days after the date of a political election, referendum or ballot measure, provided signs meet maximum size and height requirements.
- ✓ Like "political signs", "real estate signs" are no longer referenced. Instead, regulations provide exemptions from temporary sign permits for temporary signs placed on a lot where the property or a portion thereof is for sale, lease or rent, provided signs meet other requirements as to maximum size and height, and maximum number of temporary signs on the lot.
- ✓ The new Sign Code specifically prohibits signs on public rights-of-way, except for governmental signs as defined in the proposed Sign Code and articulated in *Reed v. Gilbert*. All other signs must be located on private property with permission of the property owner, and as otherwise allowed by the Sign Code. Signs that previously could be approved as "signs of community interest" (including on public rights-of-way) to promote a specific event are accommodated by the new Sign Code, *but only when signs are properly located on private property with property owner permission*.

3. What City Department has primary responsibility for sign permitting and enforcement of Sign Code regulations? The Development Services Division of the Planning & Development Services Department has primary responsibility for Sign Code administration. Questions may be directed to Development Services via email at buildinginspections@lawrenceks.org or by phone at (785) 832-7700, option 2. Additional information is available at https://lawrenceks.org/pds/sign_permits/. Temporary sign permit applications are typically reviewed by Development Services within 5 – 15 business days. The permit applicant will be contacted by Development Services if the temporary sign/s requested do not meet Sign Code standards or if additional information is required; Development Services will notify the permit applicant when the temporary sign permit application has been approved and can be issued.

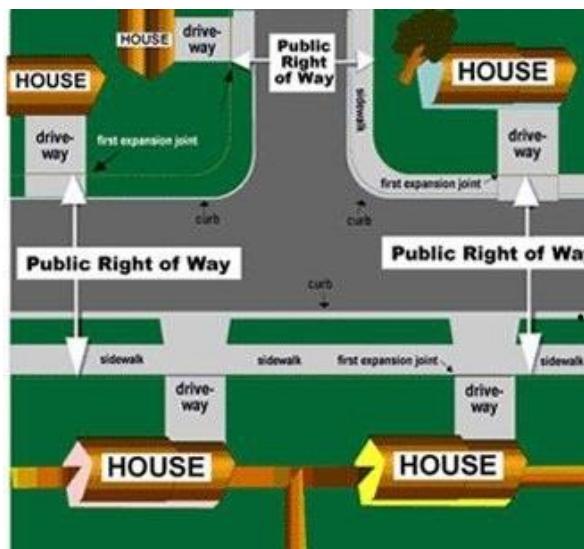
4. Are temporary sign permits required for lots or buildings located in hospital, commercial, downtown and industrial zoning districts? *Generally, temporary sign permits ARE REQUIRED* for temporary signs placed on lots or buildings in these zoning districts. There are a few permit exemptions, and exceptions to certain temporary sign standards/limitations, as follows:

- Temporary signs placed on lots for sale or for lease, provided they meet other temporary sign maximum area (32 sq. ft.) and height (9 ft.) limitations. *Such signs do not count toward the maximum temporary sign calendar year display time or the maximum allowed total combined temporary sign area.*
- Temporary signs not exceeding 8 sq. ft. placed on lots for 50 days prior to and 10 days after the date of a political election, referendum or ballot measure. *Such signs do not count toward the maximum temporary sign calendar year display time.*
- Portable Pedestrian Signs (also called A-frame or sandwich board signs), as defined in the Sign Code, that meet certain size and placement criteria and are only displayed outside during business hours. *These signs are not restricted by maximum calendar year display time.* Standards for Portable Pedestrian Signs are outlined in the Sign Code.
- Minor Signs, defined as signs not more than 4 sq. ft. in area intended to convey messages to internal users of a site, and generally not visible from or intended to convey messages to persons in the public right of way - examples of minor signs include such things as parking instructions, directional or wayfinding information, security warnings and business identification. *Such signs do NOT count toward maximum calendar year display time, maximum number of signs or maximum total temporary sign area.*
- Small signs in or on fuel pumps or ATMs not intended to be viewed from the public right-of-way.

5. What are the fees for temporary sign permits? For any required temporary sign permits - \$25.00 per application, regardless of the number of temporary signs requested to be installed or placed during the temporary time (as allowed and approved by the temporary sign permit).

6. Can a property owner, building owner or business owner apply for and obtain their own temporary sign permits? Property owners or building owners, or business organization owners or managers, may apply for and obtain their own temporary sign permits.

7. Can temporary signs be installed in or placed on public right-of-way or on public utility poles or equipment? The Sign Code prohibits signs on public right-of-way or on public utility poles or equipment, except for governmental signs (such as safety control/regulatory traffic control signs, signs installed by a governmental entity or public utility, or similar signs required by federal, state or local law). The diagram generally shows generally the area included within a public right-of-way. For some areas and lots, the public right-of-way may extend further back from the street than just the back side of the public sidewalk (or public sidewalk area) or the first expansion joint in the connecting the driveway apron to the private driveway.



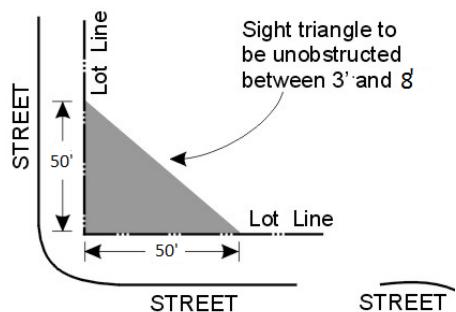
8. In addition to signs being prohibited on the public right-of-way, are there other sign prohibitions or restrictions in the Sign Code? Other sign prohibitions and restrictions include:

- No roof-mounted signs.
- No pennant streamer signs or animated signs (signs employing actual motion or the illusion of motion, achieved through mechanical, electrical, or electronic means, including inflatable balloon signs), such as those shown below.



Animated sign restrictions do not apply to government flags, a limited number of corporate flags and decorative flags (with other requirements as to size and/or setback from property lines), or to temporary feather signs located in commercial, downtown and industrial zoning districts. These types of flags are defined in the Sign Code.

- No sign placed, hung or installed within a public utility or drainage easement (does not apply to governmental signs, signs installed by a public utility, signs required to mark location of public utilities or signs required by federal, state, or local law).
- No sign installed, erected, constructed, hung, altered, relocated, or maintained to prevent ingress or egress at any emergency egress door, egress window, or fire escape.
- No sign that obstructs free and clear vision at the intersection of two streets, a street and an alley, two internal access streets, an internal access street and a street, or a driveway and a street. No sign, located in the triangle formed by two curb lines at the intersection of two streets, a street and alley, two internal access streets, an internal access street and a street, or a driveway and a street, extending for 50 feet each way from the intersection of the curb lines, shall exceed a height of more than 36 inches above the road level of the adjoining street, alley, or driveway, so it does not obstruct the view of a driver of a motor vehicle approaching the intersection.



- Any sign that, due to its intensity, position, shape, or color, impedes or obstructs the view of any user of the public right-of-way or may be confused by any user of the public right-of-way with any authorized traffic sign, signal or device.
- Any sign that makes use of any word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse traffic on a public right-of-way.
- Any sign displaying any material, be it words, scenes, or graphics, that are obscene, indecent, immoral, or harmful to minors within the meaning of Kansas Statutes (K.S.A. 21-6401 as amended).
- Except as may otherwise be permitted in any Planned Development, any sign bearing a commercial message shall be an on-premise sign, as defined in the Sign Code.

A complete list of restrictions applicable to all signs can be found in the Sign Code.

9. What are the Sign Code restrictions/limitations on temporary signs installed or placed on lots or buildings in hospital, commercial, downtown and industrial zoning districts?

- Maximum temporary sign display time per calendar year is 45 days for an individual business or tenant space, which can be divided into multiple shorter periods during the year (e.g., three separate 15-day periods, or three separate 10-day periods and one 15-day period).
- Maximum area of any freestanding temporary sign is 32 sq. ft.
- Maximum height of any freestanding temporary sign is 9 ft. One “feather sign” per lot street frontage is allowed at a time. Feather signs may not exceed 9 ft. in height above ground and 16 sq. ft. in area, must be at least 50’ from any other free-standing temporary sign on the lot, and must be set back from the ROW by a distance at least equal to the height of the feather sign.
- Maximum number and total area of freestanding temporary signs allowed on a lot at the same time is:
 - Single tenant lot: Maximum of two signs on lots with a single street frontage; maximum of three signs on lots with multiple street frontages (maximum of two signs on any street frontage). Maximum total allowed sign area for multiple signs is 64 sq. ft.
 - Multi-tenant lots Maximum of one sign for each tenant space; maximum of four signs on lots with a single street frontage; maximum of six signs on lots with multiple street frontages (maximum of four signs on a street frontage). Maximum total allowed sign area for multiple signs is 96 sq. ft.

Note 1: 32 sq. ft. maximum total sign area for lots with less than 160 ft. of public street frontage, or 1 sq. ft. for each 5' of lot street frontage for lots with 160 ft. or more of 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.

Note 2: The maximum number of freestanding temporary signs allowed is reduced to 2 if the lot also has a permanent changeable Electronic Message Center sign.

- Minimum distance separation between temporary signs on a lot is 50 ft.
- Maximum number of temporary signs attached to a building wall (or tenant space wall) at the same time is two per public street frontage.
- Maximum total area of signs attached to a wall is 5% of the area of a wall facing a street.
- The maximum area of any temporary wall sign is 32 sq. ft.

10. Are temporary signs allowed on lots in hospital, commercial, downtown or industrial zoning districts where a building or building addition is under construction, or a tenant space is being finished? Up to two temporary signs not exceeding 64 sq. ft. in total combined area may be installed on a lot where a building, addition or tenant space is under construction, throughout the interim period of construction. Temporary sign permits are required.

11. In the previous Sign Code, “signs of community interest” to promote community or civic types of events could be authorized by the City Commission, which often authorized placement of temporary signs on public right-of-way for a limited time. Can temporary signs for these types of community or civic events still be authorized and/or permitted under the new Sign Code?

Temporary signs that were previously approved as “signs of community interest” to promote a specific community or civic event may be permitted in the new Sign Code, but only when signs are properly located on private property with permission of the private property owner and meet other temporary sign limitations (e.g., maximum size, height and number for the lot where the sign or signs are placed). The new Sign Code allows multiple temporary signs to be approved on a single sign permit application.