

ORDINANCE NUMBER 19-10990

AN ORDINANCE AMENDING SALINA CODE SECTION 42-503 PERTAINING TO ELECTRONIC CHANGEABLE COPY SIGNS AND AMENDING SECTION 42-516 PERTAINING TO SIGNS IN THE A-1 DISTRICT AND REPEALING THE EXISTING SECTIONS.

BE IT ORDAINED by the Governing Body of Salina, Kansas:

Section 1. Amendment. Section 42-503 of the Salina Code is amended to read as follows:

Section 42-503. Sign Standards.

- (a) The gross surface area of a sign shall be the sum of all surface areas of all sign faces, except that for signs designed as double faced signs, with both faces parallel and the distance between the faces does not exceed two (2) feet, then only one (1) face of the sign shall be considered in determining the gross surface area. When two (2) or more signs are located on a zoning lot, the gross surface area of all signs on the lot shall not exceed the maximum allowable for the district regulations. For computing the area of any wall sign which consists of letters, numbers and symbols mounted or painted on a wall, the area shall be deemed to be the area of the smallest rectangular figure which can encompass all of the letters, numbers or symbols.
- (b) Sign height shall be measured from ground level at the base of or below the sign to the highest element of the sign.
- (c) All signs must conform to the regulations and design standards of the building code of the city and all wiring of all electrical signs must conform to the electrical code of the city.
- (d) Illuminated signs shall be shaded wherever necessary to avoid direct casting of light upon property located in any residential district or upon any public street or park. Any illuminated sign located on a lot adjacent to or across the street from any residential district, which sign is visible from such residential district, shall be illuminated only during business hours or between the hours of 7:00 a.m. and 10:00 p.m.
- (e) Electronic changeable copy signs.
 - (1) Electronic changeable copy signs shall be permitted: (i) in residential districts subject to the limitations of Section 42-517(7); (ii) in U districts subject to the limitations of Section 42-518(9); (iii) in P districts subject to the limitations in Section 42-518.2(7); (iv) in H-M districts; (v) in the C-1, C-2, C-3, C-5, C-6 and C-7 commercial districts; and (vi) in the I-2 and I-3 industrial districts. No electronic changeable copy signs shall be permitted in the C-4 district, except on theatres listed on a historic register. Applications for electronic changeable copy signs for historic theatres shall be reviewed and approved by the Heritage Commission. Electronic changeable copy signs shall comprise only a portion of the overall theatre marquee or sign design package for the theatre.
 - (2) All electronic changeable copy signs must be equipped with a photo cell dimmer or some other automatic dimmer control that automatically adjusts for day and night brightness. The sign owner or sign installer shall provide written certification from the equipment manufacturer that the sign is so equipped. No electronic changeable copy sign shall exceed a brightness level of 0.3 foot-candles above ambient light as

measured using a foot candle meter at a preset distance depending on sign size. The measuring distance shall be determined using the following equation: the product of the square root of the sign copy area times 100. Text and moving pictorial images shall be permitted; however, blinking, flashing, rotating, revolving, spinning or fluttering lighting or graphic animation is not allowed. Transitions between messages must fade, scroll or reveal. No signs with moving parts, revolving beacons, strobe lights or signs which emit an audible sound, shall be permitted in any district.

- (f) No sign shall block any required accessway or window.
- (g) No sign shall be attached to a tree or utility pole whether on public or private property.
- (h) On corner and through lots, each lot line that abuts a street or highway shall be considered a separate street frontage.
- (i) No metal sign shall be located within eight (8) feet vertically and four (4) feet horizontally of electric wires or conductors in free air carrying more than forty-eight (48) volts, whether or not such wires or conductors are insulated or otherwise protected.
- (j) No sign shall be maintained at any location where by reason of its position, size, shape or color it may obstruct, impair, obscure, interfere with the view of, or be confused with any traffic-control sign, signal or device, or where it may interfere with, mislead or confuse traffic.
- (k) No sign shall be located in any vision triangle formed by the curb lines of any two (2) intersecting streets, except signs mounted ten (10) feet or more above the ground whose supports do not constitute an obstruction. See also section 42-81.
- (l) No sign shall be permitted to locate on public property in any district. In the C-4 district, signs may extend over public property no farther than six and one-half (6½) feet or to within two (2) feet of the back of the curb, whichever distance is smaller. Any sign so extending must be a minimum of ten (10) feet above grade.
- (m) All signs which are more than four (4) feet above grade shall be securely fastened so as to prevent movement.
- (n) Any time a sign is removed from its structural support, except for the purposes of maintenance, repair, replacement, repainting or cleaning, or due to an act of God, the structural support shall be removed within twenty-four (24) hours, provided further, that if a sign removed for the purposes of maintenance, repair, replacement, repainting or cleaning, or due to an act of God, if not reinstalled within thirty (30) days of the removal, then the structural support shall be removed within twenty-four (24) hours.

Section 2. Amendment. Section 42-516 of the Salina Code is amended to read as follows:

Sec. 42-516. A-1 agricultural district

- (1) Functional types permitted: any type listed in section 42-506, except advertising signs and electronic changeable copy signs.
- (2) Structural types permitted:
 - a. Ground signs
 - b. Wall signs

- (3) Number of signs permitted: One (1) per zoning lot.
- (4) Maximum gross surface area: thirty-two (32) square feet.
- (5) Maximum height: thirty (30) feet.
- (6) Required setback: None required, except that in no case shall a sign project over public property.

Section 3. Repealer. Existing Salina Code Sections 42-503 and 42-516 are repealed.

Section 4. Effective. This ordinance shall be in full force and effect from and after its adoption and publication once in the official city newspaper by the following summary:

Ordinance No. 19-10990 Summary

On January 14, 2019 the City Commission passed Ordinance No. 19-10990. The Ordinance amends Salina Code Section 42-503 pertaining to electronic changeable copy signs to delete all references to time and temperature signs and to allow electronic changeable copy signs in certain districts, subject to certain limitations, and repeals the existing section; and amends Section 42-516 pertaining to signs in the A-1 district to prohibit advertising signs and electronic changeable advertising copy signs and repeals the existing section. A complete copy of the Ordinance can be found at www.salina-ks.gov or in the office of the City Clerk, 300 W. Ash, free of charge. This summary is certified by the City’s legal counsel.

Introduced: January 7, 2019
Passed: January 14, 2019

Karl F. Ryan, Mayor

[SEAL]
ATTEST:

Shandi Wicks, CMC, City Clerk

The publication summary set forth above is certified this ____ day of January, 2019.

Greg A. Bengtson, City Attorney