

ORDINANCE NO. 622

AN ORDINANCE REGARDING THE ZONING AND SUBDIVISION REGULATIONS OF THE CITY OF WATHENA, KANSAS; AMENDING SECTION V A. OF THE ZONING AND SUBDIVISION REGULATIONS OF THE CITY OF WATHENA, KANSAS, AS ADOPTED BY ORDINANCE NO. 244 OF THE CITY OF WATHENA, KANSAS, RELATING TO ADVERTISING BILLBOARDS OR SIGNS AND REPEALING THE ORIGINAL SECTION V A. OF ORDINANCE NO. 244 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES OF THE CITY OF WATHENA IN CONFLICT HEREWITH.

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

SECTION 1. SECTION V A. OF THE ZONING ORDINANCES AND SUBDIVISION REGULATIONS AMENDED. Section V A. of the Zoning Ordinance and Subdivision Regulations of the City of Wathena, Kansas, as adopted by Ordinance 244 of the City of Wathena, Kansas, is hereby amended to read as follows:

SECTION V

SUPPLEMENTARY REGULATIONS

A. ADVERTISING BILLBOARDS OR SIGNS

1. No advertising billboards, signboards or signs shall be permitted in any residential districts, except as provided for in Section IV.
2. Advertising signboards will be permitted in commercial districts subject to the following requirements.

B-1 Neighborhood Business District

- a. Size - not more than five (5) feet high or fifteen (15) feet long.
- b. No advertising sign may project out from any building more than four (4) feet.
- c. All portions of the advertising sign must be eight (8) feet above the street elevation.
- d. Maintenance - kept properly painted, supported and cleaned.

- e. Overall height - maximum thirteen (13) feet above the street elevation.

B-2 Central Business District

- a. Size - not more than ten (10) feet high or fifteen (15) feet long.
- b. No advertising sign may be located or project out from any building more than two (2) feet.

B-3 General Business District

- a. Size - not more than ten (10) feet high or fifteen (15) feet long.
 - b. Maintenance - kept properly painted, supported and cleaned.
 - c. Total height of structure must not exceed twenty-five (25) feet.
 - d. The location, size and set-back of advertising signs located on the property of service or gas stations must have approval by the Regional Planning Commission before the erection or reconstruction of such signs.
3. Billboards and signboards will be permitted in Industrial Districts subject to the following requirements:

I-1 Planned Industrial Park

- a. Size - not more than five (5) feet high or fifteen (15) feet long.
- b. Set back at least ten (10) feet from the street, roadway or highway right-of-way and must advertise business conducted or products produced on the lot upon which the sign is located.
- c. Maintenance - kept properly painted, supported and cleaned.
- d. Overall height - maximum fifteen (15) feet above ground level.

I-2 Light Industrial District and I-3 Heavy Industrial District

- a. Size - not more than twenty (20) feet high or thirty (30) feet long.
 - b. Set back at least (10) feet from the street, roadway or highway right-of-way.
 - c. Maintenance - kept properly painted, supported and cleaned.
 - d. Overall height - maximum twenty-five (25) feet above the ground level.
4. No billboards or advertising signboards shall be permitted in any agricultural district except by special approval of the Regional Planning Commission and are subject to the following requirements:
- a. Size - no signboard surface, including the surrounding trim and other embellishment, shall exceed twenty (20) feet in height and sixty (60) feet in length. In agricultural districts, the overall height, including the supporting structure, shall not extend more than thirty-five (35) feet above ground level, and in all other districts where signboards are permitted such overall height shall not exceed the building height limit for that district.
 - b. Set-back - the Regional Planning Commission may grant an applicant authority to erect a sign or signboard not nearer than ten (10) feet from either edge of a highway right-of-way. Such signs or signboards shall not be located as to constitute a hazard to traffic. All questions of fact relating to set-back or locations of signboards shall be determined by the Regional Planning Commission.
 - c. Spacing on signs - such signs or signboards in agricultural districts, in order to avoid diverting attention of traffic and in the interest of safety, shall not be placed within three hundred (300) feet of another sign or signboard on the same side of the road.
 - d. No signs or signboards shall be located in any area designated by the Regional Planning Commission as one of scenic beauty or historical interest.

- e. Farm signs or signboards relating to farm produce grown or produced on the premises, shall not be affected or governed by this ordinance, provided such signs or signboards are located on the premises of the owner of the farm or of the farm produce.
5. Permits - Permits for signs or signboards will be required from the City Clerk for placing of signs or signboards of every kind. Applications for permits shall be accompanied, in each instance, either by a letter authorizing the placing of a sign on the land or building, signed by the owner or his duly authorized agent, or accompanied by a lease showing the right of the applicant. Such application shall conform to the regulations herein provided and no sign or signboard shall be erected or painted on any area until the application is acted upon or granted by the Regional Planning Commission. In cases of rental or sale of the premises itself, the regulations as set out in the zone classes or the Regional Zoning Ordinance must be complied with. A charge of one dollar (\$1.00) per one hundred (100) square feet of signboard area with a minimum charge of one dollar (\$1.00) be made by the City Clerk for each permit granted and said permits shall not be granted for longer than a five (5) year period. The application shall be promptly acted upon by the Regional Planning Commission after receipt thereof. Failure of the Regional Planning Commission to act upon such application within sixty (60) days shall constitute approval thereof.
6. All signs or signboards must be kept neatly painted, properly embraced and supported, and the foundation or the area beneath the sign or signboard shall be kept clear of weeds. The Regional Planning Commission is authorized to direct the removal of any signs or signboards which do not show such care after five days' notice in writing is mailed to the address of the owner given in the application. Any sign or signboard that is of nonconforming use and which has been damaged by fire, storm or other cause to the extent of fifty (50) per cent or more of its value, as appraised by the Regional Planning Commission, shall be removed in the discretion of and at the order of the Regional Planning Commission. A sign or signboard that has been blown over shall be considered damaged more than fifty (50) per cent of its value, if it is not restored within thirty (30) days of the occurrence, with the further exception that the Regional Planning Commission shall have the right to extend the time in which such sign or signboard may be restored in case of damage by windstorm or fire.

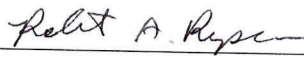
7. A sign or signboard placed or painted on the site of the buildings shall come within the terms of this ordinance.

SECTION 2. DIRECTIVE TO CITY CLERK. The City Clerk of the City of Wathena, Kansas, be and he is hereby ordered and directed to make the necessary changes in the official City Ordinance No. 244 and to reflect the amendment provided for herein.

SECTION 3. REPEALER. Section V A. of Ordinance No. 244 of the City of Wathena and all other ordinances and parts of ordinances of the City of Wathena in conflict herewith are hereby repealed.

SECTION 4. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in The Kansas Chief, the official City newspaper.

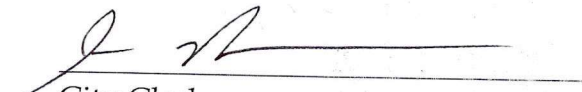
PASSED by the Council and APPROVED by the Mayor this 2nd day of April, 2012.



Mayor

ATTEST:

(CITY SEAL)



City Clerk