

ORDINANCE NO. 1051

AN ORDINANCE AMENDING SECTIONS 9.4E AND 9.6A OF THE 2011 SUSTAINABLE LAND DEVELOPMENT CODE TO PERMIT THE USE OF CERTAIN EXISTING, FREESTANDING SIGN STRUCTURES FOR OUTDOOR ADVERTISING SIGNS BY BUSINESSES LOCATED IN THE CITY OF GREENSBURG, KANSAS

WHEREAS, following the tornado disaster of May 4, 2007, there remain in the City of Greensburg damaged sign structures on certain vacant lots in the U.S. Highway 54 corridor, in the CP-1 Planned Commercial Zoning District; and

WHEREAS, the City desires to continue efforts to redevelop and beautify the U.S. Highway 54 Corridor, known in the City of Greensburg as Kansas Avenue; and

WHEREAS, there is an ongoing need to improve and assist in economic development within the City of Greensburg; and

WHEREAS, private owners of the previously mentioned properties have expressed interest in allowing their existing, freestanding sign structures to be used for Outdoor Advertising Signs; and

WHEREAS, private business owners have expressed interest in using existing freestanding sign structures on property owned by others for Outdoor Advertising Signs; and

WHEREAS, Section 9.4E of the 2011 Sustainable Land Development Code prohibits Outdoor Advertising Signs in the City of Greensburg, Kansas; and

WHEREAS, Section 9.6.A of the 2011 Sustainable Land Development Code of the City of Greensburg prohibits signs advertising an activity, business, product or service no longer conducted on the premises upon which the sign is located; and

WHEREAS, the City Council under the terms of Article 16 of the Sustainable Land Development Code, and after a duly advertised public hearing conducted by the Planning Commission, has the right to change the Sustainable Land Development Code and finds amending the Sustainable Land Development Code to permit use of certain existing signs as Off-Premise business signs would be appropriate in light of the following:

- a. Such use would be consistent with other signage in the highway corridor.
- b. The existing sign structures and property are suitable for such purposes.
- c. The signs structures have been unused since the tornado due to diminished business activity.
- d. The use would not detrimentally impact nearby properties.
- e. The use would not be detrimental to the environment.
- f. The signs would otherwise comply with Code requirements
- g. The City's businesses and thereby the City would benefit from the use of such signs

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GREENSBURG, KANSAS:

Section 1. Section 9.4E of the 2011 Sustainable Land Development Code is hereby amended to read as follows:

“Outdoor Advertising Signs are not permitted within the City of Greensburg except as provided in Section 9.6A.”

Section 2. Section 9.6A of the 2011 Sustainable Land Development Code of the City of Greensburg is hereby amended to read as follows:

“Signs advertising an activity, business, product, or service which is not conducted on the premises upon which the sign is located (Off-Premise Sign). The foregoing prohibition shall not apply to Off-Premise Signs if they are placed on freestanding sign structures which were located on vacant lots in the U.S. Highway 54 corridor, in the CP-1 Planned Commercial Zoning District, as of May 4, 2007 (pre-existing sign structures) and are used by and for profit and non-profit businesses located in the City of Greensburg, Kansas, subject to the following:

1. The right to use pre-existing sign structures for Off-Premise Signs shall terminate as to any pre-existing sign structure if the sign structure is removed, replaced or enlarged;
2. As a condition to use of pre-existing sign structures for Off-Premise Signs all pre-existing sign structures must be brought into and maintained in compliance with Article 9 of the Sustainable Land Development Code, of the City of Greensburg, so as to beautify the U.S. Highway 54 corridor and failure to do so shall subject them to abatement pursuant to the Sustainable Land Development Code and the Code of the City of Greensburg;
3. A Greensburg profit or non-profit business shall only have the right to use two pre-existing sign structures as Off-Premise Signs at any one time;
4. All Off-Premise Signs shall comply with all other requirements of the Sustainable Land Development Code.”

Section 3. The Sustainable Land Development Code as hereby amended shall remain in full force and effect.

Section 4. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED AND APPROVED by the Council of the City of Greensburg February 3, 2014.

Robert Dixson, Mayor

ATTEST:

Christy Pyatt, City Clerk