

Article 12

Sign Regulations

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12.1 Intent and Purpose

The Edgerton Governing Body and the Planning Commission finds that unregulated proliferation of signs results in visual clutter, is harmful to aesthetics and property values, contributes to traffic hazards, and is not productive to the goals of community development. It is the intent and purpose of this section to establish a level of visual quality for signs by limiting the type, place, size, manner, height and materials of signs and advertising devices in the City of Edgerton. This section provides minimum standards to insure traffic safety; safeguard life, health and property values; provide guidelines for the maintenance of signs; reduce distractions and obstructions by signs that would adversely affect traffic safety, and to alleviate hazards caused by signs projecting over or encroaching upon public ways; ensure that signs provide orientation and adequately identify new uses and activities; and, preserve or enhance small town character by encouraging new and replacement signage that is:

1. Creative and distinctive;
2. Compatible with the surroundings;
3. Appropriate to the type of activity to which it pertains;
4. Expressive of the identity of individual businesses;
5. Appropriately sized in its context, so as to be easily readable.

12.2 Applicability

No sign may be erected, placed, painted, established, or maintained in the City of Edgerton except in conformance with the standards, exemptions and procedures set forth in this ordinance. Specifically this section is intended to:

1. Establish a permit system to allow a limited variety of signs, subject to the standards and permit procedures contained herein;
2. Allow certain signs that are unobtrusive and incidental to the principal use of land;
3. Prohibit all signs not expressly permitted by this resolution;
4. Provide for the enforcement of these provisions.

12.3 Permits

A. Permit Required. Unless exempted by this ordinance, it shall be unlawful for any person to erect, construct, alter, relocate or convert any sign or advertising device (as defined in this section) without first obtaining a sign permit.

B. Applications.

1. A Sign Fee, established within the Fee Schedule for the Unified Development Code, shall be submitted with the sign application.
2. Applications for sign permits shall be made on forms provided by the Zoning Administrator.
3. Two sets of plans drawn to scale indicating the sign location, size, type, materials, method of illumination, colors and general layout are required; or integrated into site plans.
4. Other information as deemed necessary by the Planning Commission required to enforce this section.

12.4 Appeals

If the Zoning Administrator determines that the proposed sign does not comply with all the requirements of this article, or other laws and ordinances of the City, or if the Planning Commission refused to issue a sign modification, the applicant shall have the right of appeal to the Board of Zoning Appeals (BZA) within 30 days of a final decision. The BZA may vary or waive any requirement of these provisions after finding a bona fide hardship.

12.5 Exemptions

A. The followings signs and devices shall be exempt from the provisions of this Article.

1. Official signs erected by a city, or county, school district, State of Kansas, or the federal government.
2. Off-site signs erected for public information, safety or direction by any utility, authority, public service district, or construction company.
3. On-site signs, that are internally located within a complex of buildings, housing development, or institutional setting, that give directions to a building or area, building names, warnings, posters and signs on accessory buildings, or flags.
4. Temporary signs (not portable) that include, but are not limited to, real estate, political, garage sale, and auction signs.
5. Temporary price or sale signs for retail business establishments, but these shall not include portable or movable signs unless a permit is issued by the Zoning Administrator.
6. Signs that were erected or established before the effective date of this ordinance, provided that such signs remain unchanged in size and materials.

12.6 Design, Material, and Sign Construction

A. Except for flags, and in certain cases temporary, window, and pricing signs, all devices shall be constructed of permanent materials, attached to the ground, a building, or affixed to another structure. Specifically, signs may be constructed from wood, plastic, metal and/or masonry materials, paints or stencils, or materials permitted after conditional review by the Planning Commission.

- B.** All signs shall be maintained in good visual order and safe structural condition and in compliance with all applicable provisions of the building codes of the City of Edgerton.
- C.** Except as otherwise provided in these resolutions, any sign (including its enclosing structure) that is located on a building or premises which becomes vacant or unoccupied for a period of one year or more, or any sign which pertains to time, event, or purpose which no longer applies, shall be deemed to be abandoned.
- D.** An abandoned sign shall be removed by its owner or the owner of the premises, and the facade or site shall be restored to its normal appearance.
- E.** If the Zoning Administrator finds that any sign or advertising device is unsafe, he/she shall notify the property owner in writing. If the sign is not removed within 30 days, the City may bring a nuisance action or any others means of enforcement to compel the owner to remove such sign.
- F.** All internally illuminated signs in residential districts shall be designed in such a way that light is reflected or directed away from any residential dwelling. (Ord. 827; 2007)

12.7 Temporary Signs

- A. Portable Signs.** Portable signs for business advertising or special events may be issued a temporary permit for 30 days within any one-year. No portable sign shall be placed in the right-of-way or constitute a traffic hazard.
- B. Temporary Banners.** Temporary banners announcing an event or sale may be allowed for a period of 30 days; balloons, search lights, and other aerial devices may be allowed for a period of 15 days. Such devices shall be limited to twice per year.

12.8 General Restrictions and Prohibited Signs

A. Placement Restrictions.

1. No sign shall be attached to any tree, fence, or utility pole, except signs issued or properly posted by a utility, public authority, or agency of government.
2. No sign shall be erected or allow to project into a public right-of-way.
3. No private sign shall be erected or maintained on public property without express permission of the Governing Body.

B. Prohibited Signs.

1. No sign shall be erected in any location where, by reason of position, location, shape, or color, it interferes with or obstructs the view of pedestrian or vehicular traffic.
2. No sign shall be portable or adapted from a portable sign, capable of being carried, wheeled, or moved from one location to another; except that a temporary permit may be issued by the Zoning Administrator for entertainment events, businesses promotion, or other such purposes for a maximum of 30 days in any one year.

3. That is an attention/attraction that rotates or is animated, or consists of pennants, ribbons, streamers, sheets, spinners, or other moving devices device not specifically allowed by these resolutions. - except for a temporary or special events sign.
4. The Zoning Administrator may refuse to issue a sign permit that may be confused with an authorized traffic sign, signal, device, or emergency sign.

12.9 Permitted Signs

A. Table of Signs Permitted in All Districts.

Permitted Signs in All Districts							
Type	Max Size	Max Ht (ft)	Max #	Min Setback	Permit Req.	Illum Type	Notes
General Signs							
Real estate	exempt	exempt		Not located in the r.o.w.	no	none	
Political	exempt	exempt		Not located in the r.o.w.	no	none	Not located on public property
Lots for sale	exempt	exempt		Not located in the r.o.w.	no	none	On-site signs only
Auction	exempt	exempt		Not located in the r.o.w.	no	none	On-site and off site signs
Construction	exempt	exempt		Not located in the r.o.w.	no	none	Repairs, contractors or builders
Special events at commercial locations				Not located in the r.o.w.	yes	none	Grand openings, sales, promotions or similar signs - 30 days maximum
Special events - public, private, charitable	exempt	exempt		Not located in the r.o.w.	no	none	Rallies, picnics, fairs, festivals, displays, promotions
Future building site	20 sq. ft.	8 ft.		Not located in the	yes	none	Announces future building project Monument style only

				r.o.w			
Day care or adult care	20 sq. ft.	6 ft.		Not located in the r.o.w	yes	none	Monument style, ground style or wall

B. Table of Signs Permitted in Residential Districts.

Permitted Signs in Residential Districts							
Type	Max Size	Max Ht (ft)	Max #.	Min Setback	Permit Req.	Illum Type	Notes
RESIDENTIAL ZONING DISTRICTS							
R-1, Single Family Residential District							
Home Occupations	8 sq. ft. and 2 x 3 ft. on building	6 ft.	2	2 required yard setback	yes	external	Monument or ground style and a sign attached to building
Institutional	36 sq. ft.	6 ft.	1	Not located in the r.o.w. and cannot create a traffic hazard	yes	external or internal (must reflect or direct light away from residential dwellings)	Monument only
Subdivision name	16 sq. ft.	6 ft.	1	Not located in the r.o.w. and cannot create a traffic hazard	yes	external	Monument only
R-2 & R-3 Multi-Family Residential District & MHP							
Name plate for building	4 sq. ft	Per building			no		per building
Place name - gives name of apartment complex	24 sq. ft.	6 ft.	1	Not located in the r.o.w. and cannot create a traffic hazard	yes	external	Monument or ground style only - name of apartment complex
Home Occupation	8 sq. ft. and 2 x 3 ft. on building	6 ft.	2	2 required yard setback	yes	external	Monument or ground style and a sign attached to building

Institutional	36 sq. ft.	6 ft.	1	Not located in the r.o.w. and cannot create a traffic hazard	yes	external or internal (must reflect or direct light away from residential dwellings)	Monument only
MH Park	16 sq. ft.	8 ft.	1	Not located in the r.o.w. and cannot create a traffic hazard	yes	external	Monument or ground style
Planned Unit Development Districts							
All Permanent Signs	By review	By review	By review	Not located in the r.o.w. and cannot create a traffic hazard	yes	By review	All permanent signs in a PUD are approved during the review of the preliminary and final plans

C. Table of Signs Permitted in Commercial Districts

Permitted Signs in Commercial Districts							
Type	Max Size	Max Ht (ft)	Max #	Min Setback	Permit Req.	Illum Type	Notes
COMMERCIAL ZONING DISTRICTS							
Downtown Commercial District							
Free-standing monument or ground sign	36 sq. ft. by right per sign face	Height of building by right	1	Not located in the r.o.w. and cannot create a traffic hazard	yes	external or internal	1 monument or ground sign per principal building. Height and size may be increased by review of the Planning Commission
Wall sign principal building	30 % signable area		1		yes	external or internal	1 sign per wall facing a r.o.w.
Wall sign - individual business	16 sq. ft.		1		yes	external	1 logo or location sign per business
Wall sign - accessory	16 sq. ft.		1		no	external	1 sign per accessory building

building - information only							
Canopy sign	35 % of canopy				no	external	
Window sign	30 % of window				no	external or internal	
Temporary sign or banner				Not located in the r.o.w. and cannot create a traffic hazard	yes	external	One temporary sign or banner, or portable sign for the principal building for 30 days maximum
Commercial Districts							
Free-standing monument, or ground, or pole sign	48 sq. ft. by right per sign face	height of main building plus 8 ft.	1	Not located in the r.o.w. and cannot create a traffic hazard.	yes	external or internal	One monument, or ground, or pole sign per principal building
Additional Signs	Same as downtown commercial	Same as downtown commercial		Not located in the r.o.w. and cannot create a traffic hazard.	yes	external or internal	Same as downtown commercial

D. Table of Signs Permitted in Manufacturing Districts

TABLE 4 Table of Signs in Manufacturing Districts							
Type	Max Size	Max Ht (ft)	Max #	Min Setback	Permit Req.	Illum Type	Notes
MANUFACTURING DISTRICTS							
Business Parks							

Free-standing monument, ground and pole signs	By review	By review		4 ft. from r.o.w.	yes	internal or external	Sign control standards are established by review of the preliminary park plan
Additional Signs	By review	By review			yes	internal or external	1 pole sign per principal building
Industrial Districts							
Free-standing Monument, ground, or pole signs	80 sq. ft.	height of principal building plus 20 ft.	1	1 ft. from r.o.w.	yes	internal or external	1 monument , ground, or pole sign per 200 ft. of street frontage
Additional Signs	Same as commercial				yes	internal or external	Same as commercial

(Ord. 828; 2007)

12.10 Special Sign Regulations

A. Administrative Variances and Modifications.

1. The Zoning Administrator may issue an administrative variance for any sign that shall not exceed more than 20 feet in sign area or 8 feet in sign height to equitably adjust for changes in grade, sign visibility, or traffic speed.
2. The Planning Commission may issue a modification to the shape, size, height, or placement of any sign that arises from practical difficulty, requirements of brand logo or franchise, or physical hardship that exceeds the administrative variance authority of the Zoning Administrator. All modifications shall be issued as Conditional Use Permits following a public hearing.

B. Billboards.

1. Signs that exceed a total (single face) area of 125 square feet may be issued in C-2 (Heavy Commercial) or Industrial districts as a Conditional Use Permit. All billboards shall be a metal monopole type sign. (Ord. 881)

C. Transfer of Sign Rights.

1. Property owners/operators located off main roads, enterprises grouped together in one building, or clustered in individual buildings on one site may exercise their signage rights in a manner not permitted in Sign Tables listed above. The following rules shall govern the transfer of signage rights.
 - a. A use that does not front on a main road may transfer pole or monument signage rights to property located on a main or frontage road.

- b. Multiple uses on one-site may transfer all or part of their monument or wall sign rights to a single on-site monument, kiosk, or pole sign.

12.11 Sign Terminology and Definitions

A. Use of Definitions. The following definitions shall be used to classify the type, shape and use of all signs in the City of Edgerton.

1. **Awning.** A non-illuminated sign painted on or attached to a fabric cover on a metallic frame. Only individual letters and/or logos may be attached to, painted, stenciled, or otherwise placed on these devices. A letter on an awning or canopy can be no more than six (6) inches high. A logo shall not exceed 10% (ten percent) or six (6) square feet whichever is less.
2. **Free-Standing Sign.** A sign self supported by a pole or post and not attached to any building, wall, or fence, but in a fixed location. A pole sign, monument sign, kiosk, or ground sign are free standing signs.
3. **Free-Standing Sign (Digital).** A monument, pole, or ground sign that conveys advertising or information by means of a signal sent from a source other than the sign to a system of lights or light emitting diodes on the sign face.
4. **Glaring Illumination.** Light of such brilliance and so positioned as to blind or impair the vision or affect the aesthetic value of the area.
5. **Ground Sign.** A free standing sign identifying a service, businesses, institution, or group of related activities (such as a shopping area or housing development) made of wood, synthetic materials, masonry or stone the bottom of which is attached directly and permanently to the ground on a base and physically separated from any other structure.
6. **Kiosk.** A free standing sign designed to provide advertising space for two or more activities or businesses on a single premises or group of contiguous premises. Signs are attached in a metal structure that is permanently affixed to the ground by means of a base. Also see monument sign.
7. **Illumination.** (Internal) An internally-illuminated sign is one with the light source concealed or contained within the sign face itself, and which becomes visible in darkness by shining through a surface. (External) A sign illuminated by lights attached to the sign or placed on the ground or building.
8. **Marquee.** A sign painted on, attached to, or consisting of interchangeable letters on the face of a permanent overhanging shelter which projects from the face of a building. Letters or symbols shall not exceed fifteen (15) inches in height. A minimum clearance of ten (10) feet above the ground/sidewalk level shall be required.
9. **Monument Sign.** One or more signs that lie between and are supported by two poles or beams. See also Kiosk Signs.
10. **Official Business Directional Sign.** A sign erected and maintained within the public right-of-way, to indicate to the traveling public the route and distance to public accommodations, facilities, commercial services and points of scenic, historical, cultural, recreational, educational or religious interest. Such signs shall conform to all applicable state regulations regarding the placement of signs in public rights-of-way.

11. **Political Sign.** Any sign that advertises a candidate or an issue that is to be voted on in a local, state or federal election process.
12. **Portable Sign.** A sign not designed or intended to be permanently affixed into the ground or to a structure.
13. **Projecting (Wall Sign).** An outdoor building sign that is attached to a wall at a right angle.
14. **Promotional Sale Sign.** A temporary banner or other device promoting products, goods or services.
15. **Public Way or Right-of-Way.** Any way designed for vehicular or pedestrian use and is maintained with public funds.
16. **Safety Control Signs.** Warning, control, traffic, or required public safety signs.
17. **Sign.** A sign is an object, device, or structure, or part thereof other than a flag, situated outdoors, visible from a public way, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location, by any means including words, letters, figures, design, symbols, fixtures, colors, illuminations or projected images. Each substantially different face of a sign shall constitute a separate sign.
18. **Sign - Information.** (for accessory structure) A sign placed on the wall of an accessory building that gives information about the activity within the building, or gives directions to another area.
19. **Sign Area.** The facing of a sign, including copy, insignia, background, and borders.
20. **Signable Area.** The signable area of a building is that portion of a wall that lies between the top of the highest door or window and the roof edge.
21. **Temporary Sign.** Any sign promoting a sale, event, fund-raising, garage sale, or similar activity. A temporary sign may be displayed for no more than (30) days in a one-year period.
22. **Wall Sign (Flat).** A sign painted or constructed and placed in the signable area of a building and attached to the exterior surface of a wall.
23. **Window Sign.** A sign or graphic that is painted on the exterior side of a window, or a sign that is permanently affixed to the interior of a window.