

EDGERTON PLANNING COMMISSION
REGULAR SESSION
Edgerton City Hall
February 12, 2019
7:00 P.M.

1. Call Meeting to Order

2. Pledge of Allegiance

3. Roll Call

4. **CONSENT AGENDA**

(Consent Agenda items will be acted upon by one motion unless a Planning Commissioner requests an item be removed for discussion and separate action)

MINUTES

A. Consideration of Minutes for Regular Session of January 8, 2019

5. **OLD BUSINESS**

CONTINUED FROM THE JANUARY 8, 2019 PLANNING COMMISSION MEETING PUBLIC HEARING – UDCA 2018-01 - UNIFIED DEVELOPMENT CODE – AMENDMENTS TO ARTICLES 4, 10 and 12

A. Consideration of reopening the continued public hearing to consider comments regarding amendments to the Unified Development Code pertaining to Article 10 – *Site Plans and Design Standards*, Article 4 – *Commercial Zoning Districts*, and Article 12 – *Sign Regulations*.

Action requested: Open the public hearing, receive comments, and consider motion to close public hearing.

6. **NEW BUSINESS**

PUBLIC HEARING – UDCA 2019-01- UNIFIED DEVELOPMENT CODE – AMENDMENTS TO ARTICLE 5

A. Consideration of opening the public hearing to consider comments regarding amendments to the Unified Development Code pertaining to Article 5 – *Industrial Zoning Districts*.

Action requested: Open the public hearing, receive comments, and consider motion to close public hearing.

7. Future Meeting – March 12, 2019

8. Adjournment

EDGERTON CITY HALL
PLANNING COMMISSION MEETING
REGULAR SESSION
January 8, 2019

The Edgerton Planning Commission met in regular session with Chair John Daley calling the meeting to order at 7:00 p.m.

All present participated in the Pledge of Allegiance.

The Roll Call was answered, indicating those present were Chair John Daley, Vice Chair Tim Berger, Secretary Jeremy Little, and Commissioner Charlie Crooks. Absent was Commissioner Andrew Merriman. Also present were: Mayor Donald Roberts, City Administrator Beth Linn, Development Services Director Katy Crow, Planning and Zoning Coordinator Chris Clinton, and City Clerk Rachel James.

The City Clerk announced a quorum was present.

CONSENT AGENDA

Motion by Berger, seconded by Little, to approve the item as presented in the Consent Agenda. Motion was approved, 4-0.

MINUTES

- A. The minutes for Regular Session of December 11, 2018 were considered and approved.

OLD BUSINESS

CONTINUED FROM THE DECEMBER 11, 2018 PLANNING COMMISSION MEETING PUBLIC HEARING – UNIFIED DEVELOPMENT CODE – AMENDMENTS TO ARTICLE 4, 10, AND 12; UDCA 2018-01

The re-opening of a public hearing to consider comments regarding amendments to the City of Edgerton's Uniform Development Code (UDC) pertaining to Articles 4, 10, and 12 was considered.

Chair John Daley opened the Public Hearing.

Katy Crow, Development Services Director, stated that this is a continuation of the conversation on revisions to the Unified Development Code (UDC). The UDC was adopted to encourage the most appropriate use of land and ensure the logical and compatible growth of various districts within the City of Edgerton. Ron Williamson, Consultant, has helped with the process of updating the UDC. Ms. Crow and Mr. Williamson would like feedback and insight on the process from the Commission along with their thoughts on proposed changes.

Ms. Crow read through additions to Article 10: page 10-1 covers the addition of the public hearing; page 10-4 covers storm drainage updates from the city engineer; page 10-7 covers an avenue for developers to make minor changes to site plans; page 10-10 explains the site plan expiration date and the renewal process. The City Administrator gave feedback on the changes stating that there is a need for a roadmap for the developer to see how they would go through the process to bring development to Edgerton. The goal is to streamline the process for developers that are following the requirements. When developers don't meet the minimum requirements set forth by the code, it becomes a more cumbersome process. The City Administrator continued that staff feels it will take one more continuation of the public hearing to continue bringing forward code revisions prior to sending a

recommendation to the Governing Body. Commissioner Berger asked if the continuation should be continued for one or two more meetings. The City Administrator stated that one more meeting should be sufficient to cover the updates.

Ms. Crow gave an overview on Article 4, *Commercial Zoning Districts*; Article 12 *Sign Regulations*; and the newly created Article 16, *Parking and Loading Regulations*. Article 16 was created using existing information in Article 10, Section 10.2 *Parking and Loading Standards*, and new information which brings Edgerton parking regulations more in line with industry standards. The new parking regulations will include truck traffic accommodations for future development and requirements for truck parking if it is a highway-oriented business. In regard to Article 12, updates include allowance for semi-permanent leasing signs (page 12-4), updating the maximum sizes, and general updates to the code based on past challenges. On page 12-10, there is an addition of an allowance for multiple section signs (e.g. box stores). Commissioner Berger asked who approves or decides what verbiage is appropriate for signage. Ms. Crow responded that there are parts of Article 5, Section 5.2.P *Industrial Zoning Districts* that will be added into this section, as they relate to appropriateness of content.

Ms. Linn stated that updates to the UDC will include the addition of a traditional mixed use district to further the development of the Downtown plan. This district would allow for the transition between downtown and residential and allow for homegrown businesses such as accounting offices, barber shops, antique stores, etc. functioning in what used to be a home.

Ms. Linn covered the next steps after the February meeting and updates.

There were no public comments.

Motion by Berger, seconded by Crooks, to continue public hearing to February 12, 2019. Motion was approved, 4-0.

FUTURE MEETING

The next meeting is scheduled for February 12, 2019.

ADJOURNMENT

Motion by Little, seconded by Berger, to adjourn. Motion was approved, 4-0.

The meeting adjourned at 7:50 p.m.

Submitted by: Rachel A. James, City Clerk

STAFF UPDATE

Date: February 12, 2019
To: Edgerton Planning Commission
From: Katy Crow, Development Services Director
Re: **UDCA 2018-01** Continuation of public hearing to consider comments regarding amendments to the Unified Development Code pertaining to Article 10 – *Site Plans and Design Standards*, Article 4 – *Commercial Zoning Districts*, Article 12 – *Sign Regulations*, and Article 16 – *Parking and Loading Regulations* and **UDCA 2019-01** opening of a public hearing to consider comments regarding amendments to Unified Development Code pertaining to Article 5 – *Industrial Zoning Districts*.

BACKGROUND INFORMATION

At the December 11, 2018 Planning Commission Meeting, a public hearing was opened to hear public comments pertaining to revisions to Articles 4, 10 and 12 of the City of Edgerton's Uniform Development Code (UDC). The public hearing was continued during the January 8, 2019 Planning Commission Meeting and is being continued again to this meeting. A public hearing notice was published on January 23, 2019 with regards to opening a public hearing to consider comments regarding amendments to Article 5 of the UDC.

Enclosed in the packet are these Articles along with Article 16, *Parking and Loading Regulations*, which was created utilizing parts of Article 10 and adding additional content. In the attached documents, text that is being removed from the current UDC is in blue and crossed out while text to be added is in red. The changes made to date have mostly been mechanical in nature and related to the engineering piece that goes with development.

At this time, staff is requesting that these public hearings be opened, any additional public comments be accepted, and both hearings be closed.

At the adjournment of tonight's meeting, staff will conduct a Work Session with the Planning Commission so that we may discuss commercial and industrial zoning aesthetics including exterior building materials, articulation, landscaping, screening, building elements (i.e., canopies, awnings, pillars), and signage (i.e., pole versus monument). Our hope is to bring back to you in a couple of months, a final document which incorporates the Work Session discussion related to these items.

We continue to ask for your input, direction, guidance and oversight in incorporating these changes which will create an important framework for development activity in the City of Edgerton for years to come. Over the next couple of months City staff will continue to work on the flow and consistency of the code between chapters and sections, making necessary corrections that do not change the content, but merely the format of the document.

Upon review and recommendation by the Planning Commission, the final form Articles will go to the Governing Body for approval and adoption. Prior to presentation to the Governing Body, staff will provide a copy of the revised UDC to the City Attorney for review, so that adopted code is not in conflict with Kansas statutory requirements.

Article 4 Commercial Zoning Districts

Section 4.0	C-O Office District
Section 4.1	C-D Downtown Commercial District
Section 4.2	C-1 General Commercial District
Section 4.3	C-2 Heavy Service Commercial District
Section 4.4	C-3 Highway Service Commercial District
Section 4.5	C-4 Transitional Mixed-Use District

4.0 C-O, Office District

A. Purpose. This district is intended to provide limited institutional and office uses as a transitional district adjacent to residential neighborhoods. Uses are restricted to offices, financial institutions and personal services. The intent is to encourage harmonious integration of office uses as a transition between higher intensity uses and residential neighborhoods.

B. Use Restrictions. In District C-O, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for those listed as permitted or conditional uses contained below.

C. Permitted Uses.

1. Ambulance service, public.
2. Alterations and tailoring.
3. Apartments located above the first floor of a business.
4. Automated teller machine.
5. Barbers, hair styling and similar personal services.
6. Bed and breakfast.
7. Church or place of worship.
8. Fraternal organizations or cultural group.
9. Financial institutions, including drive-through banks.
10. Funeral home, mortuary.
11. Health or fitness clubs.
12. Technology based offices.
13. Medical services and offices, public ambulance service.
14. Office, general.
15. Offices, professional, real estate and insurance
16. Privately owned museums, libraries and similar uses.
17. Postal and mailing services.
18. Publicly owned and operated community buildings, public museums, public libraries, or meeting facilities.
19. Public utilities offices only.
20. U.S. Post offices.
21. Antique Shops
22. Coffee Shops
23. Internet Cafes
24. Any office or institutional use that is similar to the uses listed, meets the intent and purpose of this section and is keeping with the general character of the district.

D. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a Conditional Use Permit obtained pursuant to the provisions of Article 7 of the Unified Development Code:

1. Parking lots detached from the principal use.
2. Communications towers
3. Art galleries and Studios
4. Bus passenger station
5. Nursing home, assisted living and memory care facilities
6. Day care centers
7. Hospitals, urgent care centers and similar facilities

E. Setback, Yard and Area Regulations.

Table of Setbacks, Yards, and Area for C-O Zoning District				
Minimum Open Space	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
20 percent of net site area.	35 feet	Stand-alone buildings shall have a 12-foot side yard setback except for: - Non stand-alone buildings do not require a side yard, unless abutting a residentially zoned property. Then a 12-foot setback is required; and - The side street side of a corner lot requires a side yard setback of 15 feet.	All buildings in the C-O District shall maintain a 25-foot rear yard setback	2 stories, not to exceed 35 feet in total

F. District Regulations.

1. No merchandise or equipment shall be stored or displayed outside a building.
2. All buildings shall have an exterior facia (surface covering material) composed of stone, brick, wood, tile, custom siding, or a combination of these materials.
3. Landscaping materials, open space buffering, and/or screening materials are required for all buildings that abut an area zoned or planned for residential zoning and/or a public right of way.
4. Building tones and scale shall be in keeping with the general appearance of neighboring properties.

G. Site Plan Approval.

1. See Article 10 for Site Plan Requirements.
2. If application is made for a building or structure which is not required to be submitted for site plan approval in Article 10 and whose style or exterior materials in the opinion of the Zoning Administrator varies substantially from such style and materials which have previously used on said building or is not of the quality acceptable to the Zoning Administrator, the plans for such building or structure shall be submitted to the Planning Commission for site plan approval in accordance with Article 10.

H. Parking and Loading. See Article 16 for Parking and Loading Regulations.

I. Signs. See Article 12 for Sign Regulations.

4.1 C-D, Downtown Commercial District

A. Purpose. This district is intended to accommodate civic, limited commercial services, housing, and offices in Downtown. Uses are restricted to civic, housing, light retail, offices, personal services, and public services to serve the needs of Edgerton residents. The intent is to allow creative reuse and rehabilitation of existing buildings.

B. Use Restrictions. In District C-D, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for those listed as permitted or conditional as noted contained below.

C. Permitted Uses. Uses listed in C-1, General Commercial District, except for the following:

1. Automobile service station.
2. Convenience stores, with or without gasoline sales.
3. Drive through food service.
4. Gasoline service stations.
5. ~~Single family residence, but only if the structure was inhabited and being used as a residence as of June 10, 2008, and such use was a previously legal nonconforming use, except that a residential use that is voluntarily rezoned after June 10, 2008 shall only be allowed to continue in accordance with a conditional use permit granted pursuant to Section 4.1D. (Ord. 843)~~

D. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a Conditional Use Permit obtained pursuant to the provisions of Article 7 of the Unified Development Code.

1. ~~Uses listed in C-1, General Commercial District, except for the following uses:~~
Parking lots detached from the principal use
2. ~~Communications towers over 60 feet in height~~
 - a. ~~Recycling collection station.~~
 - b. ~~Amusement parks.~~
 - c. ~~Carwashes.~~
 - d. ~~Self storage.~~
 - e. ~~Miniature golf course.~~
 - f. ~~Vehicle repair, limited.~~
 - g. ~~Lumber yards.~~
 - h. ~~Use of single family structure that was a previously legal conforming use and is inhabited and being used as a residence at the time the landowner makes application for rezoning. Any conditional use permit granted pursuant to this provision shall have a duration of no more than one year after the effective date of the ordinance approving the conditional use permit. (Ord. 843;200~~

E. District Regulations.

1. No merchandise **or equipment** shall be stored or displayed outside a building. ~~except for occasional sidewalk sales and no equipment shall be stored outside unless it is fully screened from view~~ However, the Zoning Administrator may issue a Temporary Sales Permit for outdoor displays and sales of merchandise up to four times a year with a limit of seven days per each sales permit issuance. Permit periods may run in succession.
2. All buildings ~~shall have with a metal exterior shall provide an exterior~~ facia (surface covering material) composed of stone, brick, wood, ~~tile, or~~ custom siding, or a combination of these materials ~~that extends to at least three quarters of the total surface of the building front and any other building surface required by the Planning Commission.~~
3. ~~The Planning Commission may require additional landscape~~ Landscaping materials, open space buffering, and/or screening materials **are required** for all buildings that abut an area zoned **or planned** for residential **zoning and public right of way**.
4. Building tones and color shall be in keeping with the general appearance of the adjacent properties.
5. ~~All areas used for refuse collection shall be screened from view.~~
6. **Primary entrances to buildings at ground level shall face street rights-of-way rather than parking lots.**

F. Setback, Yard and Area Regulations.

Table of Setbacks, Yards, and Area for C-D Zoning District			
Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
<p>No front yard setback shall be is required. If a setback is desired, maximum allowed distance is five (5) feet. when existing, adjacent buildings have no front yard.</p> <p>In areas where there are no existing commercial uses, the front yard shall be determined by site plan review and is dependent on the need for access, parking, and landscaping. When no determination is indicated by the site plan, a minimum front yard of 10' is required.</p>	<p>Required side yard setback is ten (10) feet, with the following exceptions:</p> <ul style="list-style-type: none"> - No side yard is required when adjacent buildings share a common wall or lot line. - When a side lot line abuts a residentially zoned property, a fifteen (15) foot side yard setback is required. <p>In areas where there are no adjacent commercial uses, all commercial buildings must maintain a 16' wall to wall separation.</p>	<p>Unless waived by the Planning Commission, all buildings in the C-D district must</p> <p>Required rear yard setback is twenty (20) feet maintain a five (5') rear yard from the building wall and/or mechanical equipment used to service the premises when the lot abuts a residential district.</p> <p>When adjacent to other commercial, the rear setback shall be 10 (ten) feet).</p>	<p>No building in the C-D district shall be constructed to a height greater than 2 stories. without a variance approval from the Planning Commission.</p>

G. Site Plan Approval.

1. All development proposals in the C-D District shall be subject to approval of a site plan in accordance with Article 10.
2. If application is made for a building permit for a building or structure, that does not require site plan approval and whose architectural style or exterior materials in the opinion of the Zoning Administrator varies substantially from such style and materials which have been used previously on said building or is not of the quality acceptable to the Zoning Administrator, the plans for said building or structure shall be submitted to the Planning Commission for site plan approval in accordance with Article 10.

H. Parking and Loading. Uses in the C-D District are exempt from Article 16, Section 16.3 *Required Spaces* and Section 16.4 *Off-Street Loading and Unloading*. If parking is provided, it shall comply with all other applicable sections of Article 16.

I. Signs. See Article 12 for Sign Regulations

4.2 C-1, General Commercial District

A. Purpose. This district is intended to provide limited commercial services and offices to the community or residential neighborhoods. Uses are restricted to light retail, offices, personal services, and public services to serve the daily needs of residents. The intent is to encourage harmonious integration of retail centers at a neighborhood scale or accommodate limited commercial services and goods situated along Highway 56 **or other thoroughfares in the City.**

B. Use Restrictions. In District C-1, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for those listed as permitted or conditional uses contained below.

C. Permitted Uses.

1. Ambulance service.
2. Amusement and video arcades.
3. Automobile service station.
4. ~~Auction room.~~
5. Alterations and tailoring.
6. Apparel.
7. Antiques.
8. Apartments located above the first floor of a business.
9. Appliance and electronics repair.
10. Art galleries and studios.
11. Automotive parts, no outdoor storage.
12. Automated teller machine.
13. Bakeries and confectionery establishments.
14. Barbers, hair styling and similar personal services.
15. Bed and breakfast.
16. Books and periodicals.
17. Bus passenger station.

18. Cameras and photo equipment.
19. Crafts.
20. Church or place of worship.
21. Clubs or cultural group.
22. Computer sales and service.
23. Carpeting and floor covering.
24. Caterer.
25. Convenience stores, with or without gasoline sales.
26. Drugs and cosmetics.
27. Dry cleaners.
28. Discount stores.
29. Drive through food service.
30. Exterminator, pest.
31. Farmers market.
32. Florist and gift shops.
33. Food store.
34. Financial institutions, including drive-through banks.
35. Furniture store.
36. Funeral home, mortuary.
37. Greeting cards and stationery.
38. Gasoline service stations.
39. Garden ~~supplies~~ center
40. Hardware stores.
41. Health or fitness clubs.
42. Health related sales and services.
43. Home lighting and fixtures.
44. Housewares and kitchenware.
45. Interior decorating.
46. Internet providers.
47. Jewelry.
48. Laundry, self-serve.
49. Locksmiths.
50. Medical services and offices.
51. Microbrewery.
52. Music and musical instruments.
53. Office, general.
54. Office supplies.
55. Optical shops.
56. Package sales of alcoholic liquor or cereal malt beverages.
57. Paint and wallpaper.
58. Pet stores.
59. Photocopying and retail printing.
60. Picture framing.
61. Postal and mailing services.
62. Publicly owned and operated **offices**, community buildings, public museums, public libraries, or meeting facilities.
63. Restaurants and other eating establishments, but this does not include drive through facilities.
64. ~~Single family residence, but only if the structure was inhabited and being used as a residence as of June 10, 2008, and such use was a previously legal conforming use, except that a residential use that is voluntarily rezoned after~~

~~June 10, 2008 shall only be allowed to continue in accordance with a conditional use permit granted pursuant to Section 4.2D. (Ord. 843)~~

65. Shoe repair.
66. Sporting goods and bicycles.
67. Taxidermist.
68. Taverns and bars.
69. Theaters, indoor.
70. Toys and hobby supplies.
71. Public utilities, **offices only**.
72. U.S. Post offices.
73. Veterinarian (domesticated pets only).
74. Video rentals, except adult videos.
75. Reserved.
76. Accessory uses.
77. Any commercial or office use that meets the intent and purpose of this section and is keeping with the general character of the district. (Ord. 843; 2008)

D. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a Conditional Use Permit obtained pursuant to the provisions of Article 7 of the Unified Development Code.

1. Parking lots detached from the principal use.
2. Recycling collection station.
- ~~3. Reserved.~~
- 3.** Communications towers ~~over 60 feet in height~~
4. Amusement parks ~~and video arcades~~
5. Car washes
6. Self-storage
- ~~7. Automobile service and repair~~
- ~~8. Automobile body shop~~
- ~~9. Welding shops~~
7. Miniature golf course
- ~~10. Camps, travel trailer, or RV parks~~
- 8. Vehicle repair and service, limited (inside only)**
- ~~11. Use of single family structure that was a previously legal conforming use and is inhabited and being used as a residence at the time the landowner makes application for rezoning. Any conditional use permit granted pursuant to this provision shall have a duration of no more than one year after the effective date of the ordinance approving the conditional use permit. (Ord. 843;2008)~~
- ~~12. Lumber yards.~~

E. Setback, Yard and Area Regulations.

Table of Setbacks, Yards, and Area for C-1 Zoning District				
Minimum Open Space	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
20 percent of net site area.	15' Twenty-five (25) feet	No side yard is required, except: - When a side lot line abuts residentially zoned property, then a twenty (20) foot side yard setback is required. - On the street side of a corner lot, a side yard setback of fifteen (15) feet is required adjacent to the side street.	All buildings in the C-1 District shall maintain a twenty five (25) foot rear yard setback from the building wall and/or equipment used to service the premises. No rear yard is required, except when a structure abuts residentially zoned property, then a 15 setback is required.	30' Thirty-five (35) feet

F. District Regulations.

1. No merchandise ~~or equipment~~ shall be stored or displayed outside a building. ~~and no outside equipment shall be stored a building~~ However, the Zoning Administrator may issue a Temporary Sales Permit for outdoor displays and sales of merchandise up to four times a year with a limit of seven days per each sales permit issuance. Permit periods may run in succession.
2. A Seasonal Outdoor Storage Permit may be issued annually to businesses who wish to conduct onsite seasonal sales of landscaping equipment and supplies, and seasonal materials. Administrative approval for a Seasonal Outdoor Storage Permit is granted by the Zoning Administrator upon the submission of a permit application which includes, but is not limited to, parking implications, time parameters (hours of operation and duration of display), signage, pedestrian traffic flow, lighting requirements, security, maintenance of merchandise and fencing. Seasonal Outdoor Storage areas must be indicated on Site Plan. See Article 10 for further information.
3. Permanent outdoor storage areas, attached to the main structure and enclosed with screening or fencing, may be allowed if the enclosure meets aesthetic guidelines. Permanent outdoor storage areas must be indicated on the Site Plan. See Article 10 for further information.
4. All buildings ~~with a metal exterior~~ shall provide a facia (surface covering material) composed of stone, brick, wood, ~~or~~ custom siding, ~~tile~~ or a combination of these materials ~~that extends to at least three quarters of includes the total surface of the building and any other building surface required by the Planning Commission.~~
5. ~~The Planning Commission may require additional Landscaping~~ materials, open space buffering, and/or screening materials ~~are required~~ for all buildings that abut an area zoned ~~or planned~~ for residential ~~zoning and public right of way.~~
6. Building tones and color shall be in keeping with the general appearance of the adjacent properties.

- ~~7. All areas used for refuse and refuse containers shall be screened from view~~

G. Appearance Regulations.

- ~~1. All buildings with a metal exterior shall provide a fascia (surface covering material) composed of stone, brick, wood, or custom siding, or a combination of these materials, that extends to at least three quarters of the total surface of the building front and any other building surface required by the Planning Commission.~~
- ~~2. The Planning Commission may require additional landscape materials, open space buffering, and/or screening materials for all buildings that abut an area zoned for residence.~~
- ~~3. Building tones and color shall be in keeping with the general appearance of the adjacent properties.~~

H. Site Plan Approval.

1. All development proposals in the C-1 General Commercial District shall be subject to approval of a site plan in accordance with Article 10.
2. If application is made for a building permit for a building or structure that does not require site plan approval and whose architectural style or exterior materials in the opinion of the Zoning Administrator varies substantially from such style and materials that have been used previously on said building or is not of the quality acceptable to the Zoning Administrator, the plans for said building or structure shall be submitted to the Planning Commission for site plan approval in accordance with Article 10.

I. Parking and Loading. See Article 16 for Parking and Loading Regulations.

- ~~1. Parking shall be provided at a rate of four (4) spaces on the premises for each 1,000 square feet of total floor area. The Planning Commission may require parking be provided at a rate consistent with the rated building occupancy and its designed capacity. A site plan shall list the intended occupancy of the building, the number of employees, and the proposed parking spaces. Such parking space shall be at least nine (9) feet by twenty (20) feet.~~
- ~~2. All parking spaces shall maintain a fifteen (15) foot open space setback from a street right-of-way. The Planning Commission may require the planting of trees or shrubs in the open space setback.~~
- ~~3. All parking spaces shall be marked, and at least one space shall be handicapped accessible and one per 25 spaces thereafter.~~
- ~~4. All parking shall be on a surface prepared from concrete or asphalt.~~
- ~~5. All commercial buildings shall provide a designated off-street space for the loading and unloading of goods and merchandise. (Ord. 843; 2008)~~

J. Signs. See Article 12 for Sign Regulations.

4.3 C-2, Heavy Service Commercial

- A. Purpose.** The C-2 district is composed of certain uses that require extensive lot frontages, storage requirements, promote heavy traffic generation, extended hours operations, and are customarily associated with intensive commercial use of land.

B. Use Restrictions. In district C-2, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except those listed as permitted or conditional use and contained below.

C. Permitted Uses.

1. All uses permitted by right or condition in the C-1 district
2. Automobile sales, new and used.
3. Truck stops
4. Car and truck washes
5. Lumber yards
6. Laboratory, medical or dental
7. Manufactured home sales
8. Motels and hotels; meeting facilities
9. Automobile service and repair
10. Automobile body shop
11. Motorcycle sales and service
12. Trailer sales and rental
- ~~13. Single family residence, but only if the structure was inhabited and being used as a residence as of June 10, 2008, and such use was a previously legal conforming use, except that a residential use that is voluntarily rezoned after June 10, 2008 shall only be allowed to continue in accordance with a conditional use permit granted pursuant to Section 4.3D. (Ord. 843)~~

D. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a conditional use permit obtained pursuant to the provisions of Article 7 of the Unified Development Code.

1. Communications towers ~~over 60 feet in height.~~
- ~~2. Asphalt or concrete plant.~~
- ~~3. Camps, travel trailer, or RV parks.~~
4. Adult entertainment – sexually oriented businesses
5. Pole Sign
- ~~6. Use of single family structure that was a previously legal conforming use and is inhabited and being used as a residence at the time the landowner makes application for rezoning. Any conditional use permit granted pursuant to this provision shall have a duration of no more than one year after the effective date of the ordinance approving the conditional use permit. (Ord. 843;2008)~~

E. Setback, Yard and Area Regulations

Table of Setbacks, Yards, and Area for C-2 Zoning District			
Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
<p>A 40 twenty-five (25) foot front yard setback shall be required. The Planning Commission may waive this provision when adjacent commercial uses do not have a front yard setback.</p> <p>In areas where there are no existing commercial uses, the front yard shall be determined by the site plan review and is dependent on the need for access, parking, and landscaping. When no determination is indicated by the site plan, a minimum front yard of 15' ft. is required.</p>	<p>No side yard is required except: when adjacent buildings share a common wall or lot line. -</p> <p>- When a side lot line abuts a residentially zoned property, a twenty (20) foot side yard setback is required.</p> <p>- In areas where there are no adjacent commercial uses, all commercial buildings must maintain a 16' wall-to-wall separation.</p> <p>- When located on a corner lot, a fifteen (15) foot side yard setback is required on the side street</p>	<p>Unless waived by the Planning Commission, All buildings in the C-2 district must maintain a five (5) twenty-five (25) foot rear yard setback from the building wall and/or mechanical equipment used to service the premise. When a structure abuts residentially zoned property, then a 15 foot setback is required.</p> <p>No building shall be placed closer than three (3 feet) to a dedicated utility, service, or travel easement.</p>	<p>No building in the C-2 district shall be constructed to a height greater than 3 three stories. without a variance approval from the Planning Commission as part of the site plan approval.</p>

F. District Regulations.

1. No merchandise **or equipment** shall be stored or displayed outside a building. ~~unless approved as a located within an outdoor display confinement area. However, daily sidewalk sales and temporary displays shall be permitted in areas immediately adjacent to the business during business hours. However, the Zoning Administrator may issue a Temporary Sales Permit for outdoor displays and sales of merchandise up to four times a year with a limit of seven days per each sales permit issuance. Permit periods may run in succession.~~
2. A Seasonal Outdoor Storage Permit may be issued annually to businesses who wish to conduct onsite seasonal sales of landscaping equipment and supplies, and seasonal materials. Administrative approval for a Seasonal Outdoor Storage Permit is granted by the Zoning Administrator upon the submission of a permit application which includes, but is not limited to, parking implications, time parameters (hours of operation and duration of display), signage, pedestrian traffic flow, lighting requirements, security, maintenance of merchandise and fencing. Seasonal Outdoor Storage areas must be indicated on Site Plan. See Article 10 for further information.
3. Permanent outdoor storage areas, attached to the main structure and enclosed with screening or fencing, may be allowed if the enclosure meets aesthetic guidelines. Permanent outdoor storage areas must be indicated on the Site Plan. See Article 10 for further information.
4. All buildings ~~with a metal exterior~~ shall provide a fascia (surface covering material) composed of stone, brick, wood, ~~or custom siding,~~ **tile** or a combination of these materials ~~that extends to at least three quarters of the total surface of the building front and any other building surface required by the Planning Commission.~~

5. ~~The Planning Commission may require additional landscape materials, open space~~ **Landscaping** materials, open space buffering, and/or screening materials **are required** for all buildings that abut an area zoned **or planned** for residential zoning and public right of way.
6. Building tones and color shall be in keeping with the general appearance of the adjacent properties.

~~G. Appearance Regulations.~~

- ~~1. The Planning Commission may require additional landscape materials, open space buffering, and/or screening materials for all buildings that abut an area zoned for residence.~~
- ~~2. Building tones and coloration shall be in keeping with the general appearance of the adjacent properties.~~
- ~~3. No materials shall be openly stored to the exterior of the building unless a solid screening enclosure is provided.~~
- ~~4. All areas used for the refuse and refuse containers shall be screened from view~~

H. Site Plan Approval.

1. All development proposals in the C-2 District shall be subject to approval of a site plan in accordance with Article 10.
2. **If application is made for a building permit for a building or structure, that does not require site plan approval and whose architectural style or exterior materials in the opinion of the Zoning Administrator varies substantially from such style and materials that have been used previously on said building or is not of the quality acceptable by the Zoning Administrator, the plans for such building or structure shall be submitted to the Planning Commission for site plan approval in accordance with Article 10.**

I. Parking and Loading. See Article 16 for Parking and Loading regulations.

- ~~1. Parking shall be provided at a rate of four (4) spaces on the premises for each 1,000 square feet of total floor area. The Planning Commission may require parking be provided at a rate consistent with the occupancy building and its designed capacity. A site plan shall list the intended occupancy of the building, the number of employees, and the proposed parking spaces. Such parking space shall be at least nine (9) feet by twenty (20) feet.~~
- ~~2. All parking spaces shall maintain a fifteen (15) foot open space setback from a street right of way. The Planning Commission may require the planting of trees or shrubs in the open space setback.~~
- ~~3. All parking spaces shall be marked, and at least one space shall be handicapped accessible and one per 25 thereafter.~~
- ~~4. All parking shall be on a surface prepared from concrete or asphalt.~~
- ~~5. All commercial buildings shall provide a designated off-street space for the loading and unloading of goods and merchandise.~~

J. Signs. See Article 12 for Sign Regulations.

4.4 C-3, Highway Service Commercial

- A. Purpose.** This district is designed to provide commercial locations for uses which serve as a convenience to the travelling public, require a large lot, or require a location on a highway or arterial street in order to have an efficient operation. It is

further intended that each use be of a single-purpose character and not be of a nature in which people walk from store to store as in a nucleated or strip center.

B. Use Restrictions. In District C-3, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except those listed as permitted or conditional use and contained below.

C. Permitted Uses.

1. Automobile sales and service, new and used
2. Automobile service stations including convenience stores
3. Agricultural implement sales and service
4. Bus passenger station
5. Construction equipment sales and service
6. Truck stops
7. Car and truck washes
8. Lumber yards
9. Garden center
10. Manufactured home sales
11. Motels and hotels including meeting facilities
12. Motorcycle sales and service
13. Restaurants including drive-ins
14. Trailer sales and rental
15. Truck sales and service
16. Any commercial use that is similar to those uses listed, meets the intent and purpose of this district and is keeping with the general character of the district.

D. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a Conditional Use Permit obtained pursuant to the provisions of Article 7 of the Unified Development Code.

1. Communications towers
2. Camps, travel trailer, or RV parks
3. Outdoor amusement establishments such as miniature golf, driving ranges, pitch and put courses amusement parks and other similar establishments.
4. Pole signs

E. Setback, Yard and Area Regulations

Table of Setbacks, Yards, and Area for C-3 Zoning District			
Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
A twenty-five (25) foot front yard setback is required.	No side yard is required, except: - When a side lot line abuts a residentially zoned property, a twenty (20) foot side yard setback is required; -On a corner lot, a side yard setback of 15 feet is required adjacent to the side street.	All buildings in the C-3 district must maintain a twenty-five (25) foot rear yard setback from the building wall and/or mechanical equipment used to service the premise. No building shall be placed closer than three (3) feet to a dedicated utility, service, or travel easement.	No building in the C-3 district shall be constructed to a height greater than thirty-five (35) feet.

F. District Regulations.

1. No merchandise or equipment shall be stored or displayed outside a building. However, the Zoning Administrator may issue a Temporary Sales Permit for outdoor displays and sales of merchandise up to four times a year with a limit of seven days per each sales permit issuance. Permit periods may run in succession.
2. A Seasonal Outdoor Storage Permit may be issued annually to businesses who wish to conduct onsite seasonal sales of landscaping equipment and supplies, and seasonal materials. Administrative approval for a Seasonal Outdoor Storage Permit is granted by the Zoning Administrator upon the submission of a permit application which includes, but is not limited to, parking implications, time parameters (hours of operation and duration of display), signage, pedestrian traffic flow, lighting requirements, security, maintenance of merchandise and fencing. Seasonal Outdoor Storage areas must be indicated on Site Plan. See Article 10 for further information.
3. Permanent outdoor storage areas, attached to the main structure and enclosed with screening or fencing, may be allowed if the enclosure meets aesthetic guidelines. Permanent outdoor storage areas must be indicated on the Site Plan. See Article 10 for further information.
4. All buildings shall provide a facia (surface covering material) composed of stone, brick, wood, custom siding, tile or a combination of these materials.
5. Landscaping materials, open space buffering, and/or screening materials are required for all buildings that abut an area zoned or planned for residential zoning and public right of way.
6. Building tones and color shall be in keeping with the general appearance of the adjacent properties.

G. Site Plan Approval.

1. See Article 10 for site plan approval requirements.

2. If application is made for a building permit for a building or structure that does not require site plan approval and whose architectural style or exterior materials in the opinion of the Zoning Administrator varies substantially from such style and materials which have been used previously on said building or is not of the quality desired by the Zoning Administrator, the plans for such building or structure shall be submitted to the Planning Commission for site plan approval in accordance with Article 10.

H. Parking and Loading. See Article 16 for Parking and Loading Regulations.

I. Signs. See article 12 for Sign regulations

4.5 C-4, Transitional Mixed-Use District

A. Purpose. This district is intended to promote a diversity of low to medium density housing options and the incorporation of compatible neighborhood businesses. The development pattern is intended to provide a transition between the more dense and compact commercial areas intended for the Downtown Core and the surrounding low density residential and commercial areas. Residential and commercial development in this area should complement the traditional community character. Commercial development should be neighborhood compatible, meaning compact site development patterns, architecturally compatible with surrounding residential neighborhoods and limited negative impacts on traffic. The intent is to encourage harmonious integration of small office and commercial uses as a transition between higher intensity uses and residential neighborhoods.

B. Use Restrictions. In District C-4, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for those listed as permitted or conditional uses contained below.

C. Permitted Uses.

1. Alterations, tailoring and other similar services.
2. Antique shops.
3. Artists and craftspeople.
4. Barbers, hair styling and similar personal services.
5. Bed and breakfast.
6. Boutique shops – clothes, accessories, gifts and other similar uses.
7. Café indoor and outdoor with a maximum seating of 20.
8. Church or place of worship.
9. Clubs or cultural groups.
10. Dwelling, single-family.
11. Dwelling, two-family.
12. Dwelling, townhouse (maximum four units)
13. Dwelling, multifamily (maximum six units)
14. Health services such as dentists, doctors, etc.
15. Live-work spaces which is combined living quarters with work space.
16. Offices, professional: accountants, architects, lawyers, and similar services
17. Parks and playgrounds.
18. Public administrative offices.

19. Publicly owned and operated community buildings, public museums, public libraries, or meeting facilities.
20. Technology based offices
21. Any office or commercial use that is similar to the uses listed, meets the intent and purpose of this section and is keeping with the general character of the district.

D. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a conditional use permit obtained pursuant to the provisions of Article 7 of the Unified Development Code.

1. Parking lots detached from the principal use
2. Art galleries and Studios
3. Day care centers
4. Permanent outdoor display and sales of merchandise.

E. Setback, Yard and Area Regulations.

Table of Setbacks, Yards, and Area for C-4 Zoning District				
Minimum Open Space	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
Twenty (20) percent of net site area.	Ten (10) feet	Stand-alone buildings shall have a ten (10) foot side yard setback, except on the street side of a corner lot, a side yard setback of fifteen (15) feet is required.	No rear yard is required, except when the C-4 District parcel abuts a residentially zoned property, then a twenty-five (25) foot setback is required.	2 stories not to exceed thirty-five (35) feet

F. District Regulations.

1. No merchandise or equipment shall be stored or displayed outside a building. However, the Zoning Administrator may issue a permit for outdoor display and sales of merchandise four times a year for a period of seven days for each sale.
2. All buildings shall provide a facia (surface covering material) composed of stone, brick, wood, custom siding, tile, or a combination of these materials.
3. Landscaping materials, open space buffering, and/or screening materials are required for all buildings in the C-4 District regardless of adjacent uses.
4. Building tones and scale shall be in keeping with the general appearance of neighboring properties.

G. Site Plan Approval.

1. See Article 10 for Site Plan Requirements.
2. In addition, any redevelopment, renovation of existing buildings or new development shall be in conformance with the Downtown Core Design Guidelines contained in the Downtown Edgerton Plan dated February 22, 2018.
3. If application is made for a building or structure which is not required to be submitted for site plan approval in Article 10 and whose style or exterior materials in the opinion of the Zoning Administrator varies substantially from such style and materials which have previously used on said building or neighborhood, does not meet the Downtown Core Design Guidelines or is not of the quality acceptable to

the Zoning Administrator, the plans for such building or structure shall be submitted to the Planning Commission for site plan approval in accordance with Article 10.

H. Parking and Loading. See Article 16 for Parking and Loading Regulations.

I. Signs. See Article 12 for sign regulations.

Article 5

Industrial Zoning Districts

Section 5.1	B-P Business Park District
Section 5.2	L-P Logistics Park District
Section 5.3	I-G General Industrial District
Section 5.4	I-H Heavy Industrial District

5.1 B-P Business Park District

- A. Purpose.** This district is created to allow a mix of office, research, wholesaling, light industrial and limited ancillary retail and service uses in a designed business park setting. This district is designed to provide for high quality and master planned development with increased site amenities and open space. The district is intended for areas designated business park or industrial in the comprehensive plan, which is primarily located along the I-35 corridor, and provided adequate public infrastructure and services are available.
- B. Use Restrictions.** In District B-P, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for those listed as permitted or conditional and contained below.
- C. Permitted Uses.**
1. Auditoriums, convention centers, **event spaces** and conference facilities.
 2. Building and construction contractor offices, including display areas.
 3. Business and trade schools.
 4. Colleges and universities.
 5. Commercial pick-up and delivery services.
 6. Display or catalog showrooms.
 7. Laboratories and research facilities.
 8. Manufacturing, processing, fabrication or assembly of commodity - **limited-light**
 9. Motion picture production stations.
 10. **Mobile food vendors subject to licensing and mobile food vendors rules and regulations.**
 11. **Office warehouse**
 12. Photographic processing facilities.
 13. Printing and publishing.
 14. ~~Public or private golf courses, tennis or other courts, and swimming pools.~~
 15. Public parks and recreation facilities.
 16. Radio and television broadcasting stations.
 17. Research establishments of industrial, medical or scientific nature.
 18. Restaurants, not including drive-up or drive-thru services.
 19. Warehousing.
 20. Mailing, packaging and parcel service **and storage.**
 21. Printing, communications, mail orders.
 22. ~~Sales outlets.~~
 23. Retail sales in conjunction with a manufacturing or fabrication use.
 24. Health and hospital supplies; office supplies.
 25. Copy, printing and duplication services.
 26. Internet service providers.
 27. Sale, servicing, and repair of electrical and other electronic devices.

28. Government facilities.
29. ~~Retail and~~ Wholesale of furniture and home furnishings, carpet, paint and wallpaper, and plumbing and lighting fixtures.
30. Sales and installation of cellular phones, stereos, radios and similar electronic equipment for vehicles.
31. ~~Veterinary hospitals and clinics.~~
32. Accessory uses.

D. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a conditional use permit obtained pursuant to the provisions of Article 7 of **the Unified Development Code:**

1. Communication transmission towers ~~over sixty (60) feet~~, subject to the provisions in Article 7.

E. Setback, Yard and Area Regulations.

Table of Site Development Standards B-P District				
Use	Minimum District Size	Minimum Open Space	Maximum Building Height	Parking lot setback
Principal Buildings	Ten (10) acres	25%	Forty-five (45) feet	Thirty (30) feet from all property lines

- ~~1. All buildings or structures shall be set back a minimum of 50 feet from any public right-of-way forming the peripheral property line of the business park.~~
2. All buildings, structures **or parking** shall be set back a minimum of 30 feet from any ~~internal~~ street right-of-way **or other property line.**
- ~~3. All buildings or structures shall be set back a minimum of 45 feet from the property line of any residentially-zoned property, where such property is already developed for residential use or is designated for residential on the comprehensive plan.~~
- ~~4. All buildings or structures shall be set back a minimum of 20 feet from any peripheral property line other than a street right-of-way line or residentially-zoned property.~~
- ~~5. All buildings, structures or parking areas shall be set back a minimum of 15 feet from the lot line of any lot within the business park where such lot line does not abut a street right-of-way or the property line of another property other than the business park property.~~

F. District Regulations.

1. All buildings with a metal exterior shall provide a **facia façade** material composed of brick, stone, wood, or a combination of these materials that extends to **three four** walls of the building. ~~unless modified by the Planning Commission.~~
2. All operations, ~~other than limited storage of motorized machinery and equipment, materials, products or equipment~~, shall be conducted within a fully enclosed building.

3. All storage of motorized machinery and equipment, materials, products or equipment shall be within a fully enclosed building, ~~or in a storage area or yard. Said storage shall be limited to twenty percent (20%) of the ground floor area of the building or tenant space. All storage materials shall be one hundred (100) percent screened from public view, except when adjacent to another storage area, which is one hundred (100) percent screened from public view. For the purposes of this section, the phrase "screened from public view" means not visible at eye level from adjoining properties or any street right of way. Use of landscaping materials is encouraged in lieu of privacy fencing. All storage areas shall be paved or surfaced.~~

G. Design Guidelines.

1. When more than one (1) building is planned for business park district property, the development plan shall demonstrate integration and coordination of the architectural design for buildings, structures, ~~and~~ landscaping and open space.
2. Buildings should be oriented so that the front or side of the building faces the public street frontage of the property. ~~The Planning Commission will consider an exception to orient a rear elevation towards a public street for unique situations due to the configuration of the lot.~~
3. The Planning Commission may require that loading and service areas are screened from public view with landscaping, berming, ~~facade~~ walls, or fencing.
4. The Planning Commission may require a solid or semi-solid fence, or wall at least six feet (6'), but not more than eight feet (8') high, and having a density of not less than eighty percent (80%) per square foot be provided adjacent to an adjoining residential ~~district property~~ unless the adjacent residential ~~district property~~ and the ~~office~~ development are separated by a street right-of-way. The wall shall incorporate architectural elements ~~and materials~~ similar to what the primary buildings are constructed with, such as stone or masonry. The fence design should vary in order to break up long expanses of single material in a straight line. For example, brick or rock walls may be varied in pattern or location, including offsets; wooded privacy fences may be varied through use of brick, rock, or wrought iron details. The owner or owners of the property in the B-P District shall maintain the fence or wall in good condition.
5. ~~When development is proposed adjacent to any existing residential development,~~ Site plan approval, including building elevations, landscaping, and screening shall be ~~reviewed and~~ approved ~~by the Planning Commission in accordance with Article 10.~~
6. Pedestrian access within a development ~~shall be coordinated with pedestrian access on~~ ~~and~~ adjacent public and private property ~~and~~ shall be considered as a component to the design of an employment center.

H. Parking and Loading.

1. ~~Each establishment shall provide sufficient off-street parking spaces for all employees, customers, visitors and others who may spend time at the establishment during working hours. Such parking space shall be at least nine (9) feet by twenty (20) feet.~~
2. ~~One (1) off-street parking space shall be provided for each 1,000 square feet of gross storage area in warehousing~~
3. ~~One (1) off-street parking space shall be provided for each two hundred fifty (250) square feet of service floor area in office and research buildings.~~

4. ~~All parking areas shall be set back a minimum of thirty feet (30') from any street right-of-way~~
5. ~~All parking areas shall be setback a minimum of 30 feet from the property line of any residentially owned property, where such property is already developed for residential use or is designated for residential on the Comprehensive Plan.~~
6. ~~All parking areas shall be setback a minimum of 30 feet from the right-of-way of a public street.~~
7. ~~All parking areas shall be set back a minimum of 10 feet from any peripheral property line other than a street right-of-way line or residentially zoned property line.~~
8. ~~Each establishment shall provide adequate loading space within a building or in a side or rear yard, in such a way that all storage, standing and maneuvering of trucks shall be off the public right-of-way.~~
9. ~~No portion of a parking or loading space, including maneuvering areas, except the necessary drives, shall be located closer than 30 feet from a public street right-of-way.~~
10. ~~All parking shall be on a surface prepared from concrete or asphalt.~~
11. ~~All commercial buildings shall provide a designated off-street space for the loading and unloading of goods and merchandise.~~
12. See Article ~~10~~ **16** for ~~additional~~ parking requirements.

I. Signs. See Article 12 for sign regulations.

J. Site Plan Approval.

1. Site Plan approval is required see Article 10 Site Plans and Design Standards for District Requirements.
2. If application is made for a building or structure which is not required to be submitted for site plan approval in Article 10 and whose style or exterior materials in the opinion of the Zoning Administrator varies substantially from such style and materials which have previously used on said building or is not of the quality acceptable to the Zoning Administrator, the plans for such building or structure shall be submitted to the Planning Commission for site plan approval in accordance with Article 10.

5.2 L-P Logistics Park District

- A. Purpose.** The purpose of the Logistics Park, L-P District is to create a limited multimodal industrial zone that provides for a modern type of industrial uses or industrial park created to support activities related to trade and rail and other transport services. Limitations are placed on the uses in this district to significantly restrict the outside activities and outside storage of materials, noise, vibration, smoke, pollution, fire and explosive hazard, glare and other potentially adverse influences.

This zone is intended for industrial parks and larger, cleaner types of industries. The manufacturing uses should be conducted within a totally enclosed building. Any activities conducted outside should be screened and buffered, and external effects such as excessive noise or odor should not extend beyond the property lines. Residential uses should be discouraged from locating near the L-P District to protect the industries from residential complaints.

Areas should not be zoned to the L-P District unless they are located adjacent or near to arterial thoroughfares capable of carrying commercial and truck traffic, as

well as being located close to major truck routes. It is the general intent of this District to provide for a mutually beneficial, economically viable, well-planned development poised for long-term success including:

1. To provide for the distribution of and appropriate relationships between various land uses and to minimize conflict between land uses;
2. To describe desired future physical conditions within the L-P District;
3. To manage growth in an orderly manner; and
4. To serve as a basis for future development recommendations within the L-P District and set the precedent for sound planning and sustainable development practices throughout the L-P District area of influence.

B. Compliance with Code Required. All development of land within the boundaries of the L-P District herein shall conform to the requirements of the L-P District ~~Code~~, and the UDC and no person may use, occupy, sell or develop land, buildings or other structures, or authorize or permit the use, occupancy, sale or development of land, buildings or other structures under his/her control, except in accordance with all applicable provisions ~~of this Code~~. District and the UDC.

C. Diagrams and Drawings. The L-P District contains diagrams and drawings. When diagrams and drawings appear in this ~~Code~~ District, they are presented for explanation purposes only. ~~unless otherwise specified in the text of this Code~~. The text governs over any diagram or drawing when any discrepancy exists. The provisions of this Section do not extend to concept plans or site plans which are required and approved under ~~this Code~~ the UDC.

D. Use Restrictions. In L-P District, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for those ~~uses~~ listed as permitted or conditional and contained below.

E. Permitted Uses.

1. Building and construction contractor offices, including display areas.
2. Business and trade schools.
3. Commercial pick-up and delivery services.
4. Display or catalog showrooms.
5. Laboratories and research facilities.
6. Manufacturing, processing, fabrication or assembly of commodity - ~~limited~~.light
7. ~~Mobile food vendors subject to licensing and mobile food vendors rules and regulations.~~
8. Motion picture production studios and stations.
9. Photographic processing facilities.
10. Printing and publishing.
11. Radio and television broadcasting stations.
12. Research establishments of industrial, medical or scientific nature.
13. Restaurants, including drive-up or drive-thru services.
14. Warehousing/Distribution centers, including trucking and courier services; public warehousing and storage; and motor freight transportation terminals and maintenance facilities.
15. Mailing, packaging and parcel services. ~~and storage~~.
16. Printing, communications, mail orders.

17. ~~Sales outlets and~~ Wholesale trade.
18. Retail sales in conjunction with a manufacturing or fabrication use.
19. Health and hospital supplies; office supplies.
20. Copy, printing and duplication services.
21. Internet service providers.
22. Sale, servicing, and repair of electrical and other electronic devices.
23. Government facilities.
24. ~~Retail and~~ Wholesale of furniture and home furnishings, carpet, paint and wallpaper, and plumbing and lighting fixtures.
25. Sales and installation of cellular phones, stereos, radios and similar electronic equipment for vehicles.
25. ~~Veterinary hospitals and clinics.~~
26. Accessory uses
27. Agricultural.
28. ~~Auto and truck motor fuel facilities and repair.~~
29. ~~Auto and truck washing.~~
30. Recreational vehicle sales and service.
26. ~~Towing and impound yard.~~
31. Trailer or truck sales and rental.
32. ~~Building materials yard and lumber yard.~~
33. Mini-Warehouse and self-storage.
34. ~~Recycling collection center.~~
35. Similar uses.

F. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a conditional use permit obtained pursuant to the provisions of Article 7 **of the Unified Development Code.**

1. Communication transmission towers ~~over sixty (60) feet~~, subject to the provisions in Article 7.
2. Truck stops with fuel and accessory services;
3. Private or public owned playgrounds, playfields, and recreational facilities (e.g. public ~~or private golf courses~~, tennis or other courts, and swimming pools) open for public or commercial use;
4. Auditoriums, convention centers, **event spaces** and conference facilities
5. Colleges and universities.
6. Transportation storage and trucking yards.
7. Cargo container storage, repair or maintenance.

G. Setback, Yard and Area Regulations.

~~Table of Site Development Standards~~

<p>Table of Site Development Standards LP District</p>

Use	Minimum District Size	Minimum Open Space	Maximum Building Height
Principal Buildings	No minimum lot area, depth, or width	50% lot coverage by structures and parking garages over one story	One hundred and ten (110) feet

1. **Lot Dimensions.** There shall be no minimum lot area, lot width or lot depth for the LP ~~Sub~~-district.
2. **Floor Area Ratio (FAR).** The maximum FAR, as defined ~~by the City of Edgerton~~, in Article 15 Definitions shall be 3:1.
3. **Building Coverage.** The maximum building coverage shall be 50%. ~~Parking structures under one story shall be excluded from building coverage calculations.~~
4. **Setbacks**
 - a. **Front.** The minimum front building setback shall be ~~fifty (50) feet with an allowed reduction to twenty five (25) feet~~ **thirty (30) feet**. ~~only adjacent to two-lane collectors or thoroughfares.~~
 - b. **Side (Typical).** The minimum side setback shall be ~~twenty five (25)~~ **thirty (30)** feet, **except**, the minimum side building setback for buildings adjacent to any ~~single-family~~ residential **property use** shall be fifty (50) feet for buildings in excess of twenty (20) feet in height and one hundred (100) feet for buildings in excess of forty-five (45) feet in height. Setback distances are measured from the finished **foundation wall grade**. There shall be no minimum side setback requirement for buildings adjacent to a rail line or a rail spur.
 - c. **Side at Street (Typical).** The minimum side building setback adjacent to a roadway shall be ~~fifty (50) feet, with an allowed reduction to twenty five (25)~~ **thirty (30)** feet. ~~only adjacent to two-lane collectors or thoroughfares any internal street right-of-way.~~
 - d. **Rear.** The minimum rear setback shall be ~~twenty five (25)~~ **thirty (30)** feet, **except** the minimum rear setback for buildings adjacent to any ~~single-family~~ residential **property use** shall be fifty (50) feet for buildings in excess of twenty (20) feet in height; one hundred (100) feet for buildings in excess of forty-five (45) feet in height. Setback distances are measured from the finished **foundation wall grade**. There shall be no minimum rear setback requirement for buildings adjacent to a rail or a rail spur.
5. **Maximum Building Height.** The maximum height of any building within the L-P ~~Sub~~-District shall be one hundred ten (110) feet, as measured from the average elevation of the finished grade along the front of the building to the highest point of the roof of the building if it is a flat, mansard or shed roof; or to the midpoint of the roof if it is gable, hip or gambrel roof.
 - a. Height ~~Exceptions~~ **Exemptions**. The following structures shall be exempt from the height limitations set forth in this Section.
 - Container cranes;
 - ~~Church spires, religious domes, and religious ornamentation attached to a place of worship;~~
 - Water towers;

- Ornamental towers and spires;
 - Chimneys;
 - Elevator bulkheads;
 - Smoke stacks;
 - Conveyors;
 - Flag poles;
 - Aircraft control towers;
 - Aircraft navigation aids;
 - Accessory radio towers;
 - Amateur Radio and Television Antennas;
 - Communication Towers, **antennas and related equipment**; and
 - Parapet screening of mechanical equipment.
 - **Lightning detection systems.**
6. **Building Separation.** A minimum building separation of twenty (20) feet shall be provided between structures, or as required by fire code, if greater.
7. **Architectural Design Guidelines.** All provisions pertaining to Architectural Design Guidelines are contained in Section 5.2. **J. Architectural Design Standards and Article 10 Site Plans and Design Standards.** ~~Design Guidelines for Logistics Park Special District Section I, below, Design Guidelines.~~
8. **Accessory Building and Structure Regulations.** ~~Accessory uses shall only be permitted in accordance with the Use Regulations set forth in Exhibit 1, Use Matrix, for the LP Sub-district.~~ Any accessory building shall have façades similar in character with the façades of the main building, including the utilization of similar fenestration (**doors, windows, etc.**) and materials. ~~In no case shall the façade of an accessory building consist of metal where the accessory building directly faces a public street, residential use or public open space.~~

H. District Regulations.

1. ~~All buildings with a metal exterior shall provide a façade material composed of brick, glass, stone, wood, or a combination of these materials that extends to three walls of the building unless modified by the city.~~
2. All operations, other than limited storage of motorized machinery and equipment, ~~materials, products or equipment,~~ shall be conducted within a fully enclosed building.
3. All storage of **semi-trailers and cargo containers shall be stored in a designated area as shown on the site plan.** ~~motorized machinery and equipment, materials, products or equipment shall be within a fully enclosed building. or in a storage area or yard. Said storage shall be limited to twenty percent (20%) of the ground floor area of the building or tenant space. All storage materials shall be one hundred (100) percent screened from public view, except when adjacent to another storage area, which is one hundred (100) percent screened from public view. For the purposes of this section, the phrase "screened from public view" means not visible at eye level from adjoining properties or any street right of way. Use of landscaping materials is encouraged in lieu of privacy fencing. All storage areas shall be paved or surfaced.~~

I. Design Guidelines.

1. **Introduction.** The purpose of these guidelines is to encourage development that will contribute to the overall aesthetics of the L-P District as a unique place by

enhancing the built environment. These guidelines are intended to ensure that new development and redevelopment will be compatible and will enhance the overall appearance of the L-P District.

~~2. **Exemptions.** Government or public Facility Buildings shall not be required to conform to the requirements set forth in this Section.~~

3. General

- a. When more than one (1) building is planned for L-P district property, the development plan shall demonstrate integration and coordination of the architectural design for buildings, structures, ~~and~~ landscaping and open space.
- b. Buildings should be oriented so that the front or side of the building faces the public street frontage of the property. ~~The City will consider an exception to orient a rear elevation towards a public street for unique situations due to the configuration of the lot.~~
- c. The **City Planning Commission** may require that loading and service areas are screened from public view with landscaping, berming, ~~facade~~ walls, or fencing.
- d. The **City Planning Commission** may require a solid or semi-solid fence, or wall at least six feet (6'), but not more than eight feet (8') high, and having a density of not less than eighty percent (80%) per square foot be provided adjacent to an adjoining residential **property district** unless the adjacent residential **district property** and the **office** development are separated by a street right-of-way. The wall shall incorporate architectural elements **and building materials** similar to what the primary buildings are constructed with, such as stone or masonry. The fence design should vary in order to break up long expanses of single material in a straight line. For example, brick or rock walls may be varied in pattern or location, including offsets; wooded privacy fences may be varied through use of brick, rock, or wrought iron details. The owner or owners of the property in the L-P District shall maintain the fence or wall in good condition.
- e. All fencing visible from a public right-of-way shall be either masonry of a type and style complementary to the primary materials of the building, wrought iron, decorative metal, living plant material or a combination of these **and between 6' to 8' in height. Black vinyl coated chain-link fencing between 6' to 8' in height is also permitted provided the mesh is not greater than one inch when adjacent to residential property and not greater than a two-inch mesh in other locations.** Fencing containing barbed wire, razor wire, or an equivalent shall be prohibited. No fencing visible from a public right-of-way shall be located within a Parkway Buffer or a Right-of-Way Buffer as ~~described~~ **defined** in **this Section O Landscape Standards.**
- f. ~~When development is proposed adjacent to any existing residential development, site plan approval, including building elevations, landscaping, and screening shall be approved by the City.~~
- g. Pedestrian access within a development **shall be coordinated with pedestrian access on** ~~and~~ adjacent public and private property shall be considered as a component to the design of an employment center.
- h. All dumpsters and compactors visible from public right-of-way and/or abutting residential, commercial, public, or civic property shall be **fully** screened with a consistent six (6) foot opaque screening wall with a solid metal gate **and**

said screening wall shall be constructed with permanent building materials that are similar to or complement the building materials and colors used on the principal building on the site. Chain link fences or wooden fences are not acceptable-allowed. Dumpsters shall be set back a minimum of ~~twenty-five (25)~~ thirty (30) feet from adjacent residential ~~uses~~ property.

J. Architectural Design Standards

1. **Building Massing and Scale.** A building's massing is defined as its exterior volume. The height, width and depth of a structure create the overall massing of a building. A building's scale is the relationship of its overall size and its component parts with its adjoining spaces and buildings.
2. **Large Expanses.** Large expanses of blank walls of any material or metal siding are not allowed. ~~Design standards should~~ avoid long, repetitive, monotonous facades – particularly those that repeat the same design element several times along the same elevation. Building facades over one hundred feet (100') long facing public right of way or residential property shall break up massing of buildings by dividing building façade into smaller components utilizing all ~~with a minimum of three (3)~~ of the following elements;
 - a. Articulating details around doors, windows, balconies, plate lines, providing details such as “belly-bands,” recessed design elements, interesting cornice treatment details, exposed expansion joints, reveals, change in texture, or other ~~such methods of visual relief~~;
 - ~~b. Avoiding long, repetitive, monotonous facades — particularly those that repeat the same design element several times along the same elevation~~
 - c. Use of darker building color and varied wall treatments;
 - d. Varying roof lines (see Vertical Articulation section); and
 - e. Change of wall plane (see Horizontal Articulation section).
3. **Building Materials.** One hundred percent (100%) of the surface of each exterior wall (excluding doors and windows) facing a public street, residential ~~property use~~ or public open space shall consist of materials including but not limited to stone, brick, glass block, tile, cast metal, cast or cultured stone, concrete (tilt-up walls), glass, or a combination of these materials.

The use of other cementitious products (e.g. stucco, Hardy Plank, or other similar materials) shall be limited to fifty percent (50%) of the buildings' exterior finishes. ~~This may be approved only~~ where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, ~~cementitious products~~ ~~stucco~~ may not be located in the first eight feet (8') above grade on a façade visible from a public right-of-way or a ~~public area~~. ~~residential property~~.

~~Exceptions to this requirement may be allowed on a case by case basis by the City upon submission and approval of elevation drawings of the subject structure, and material samples~~

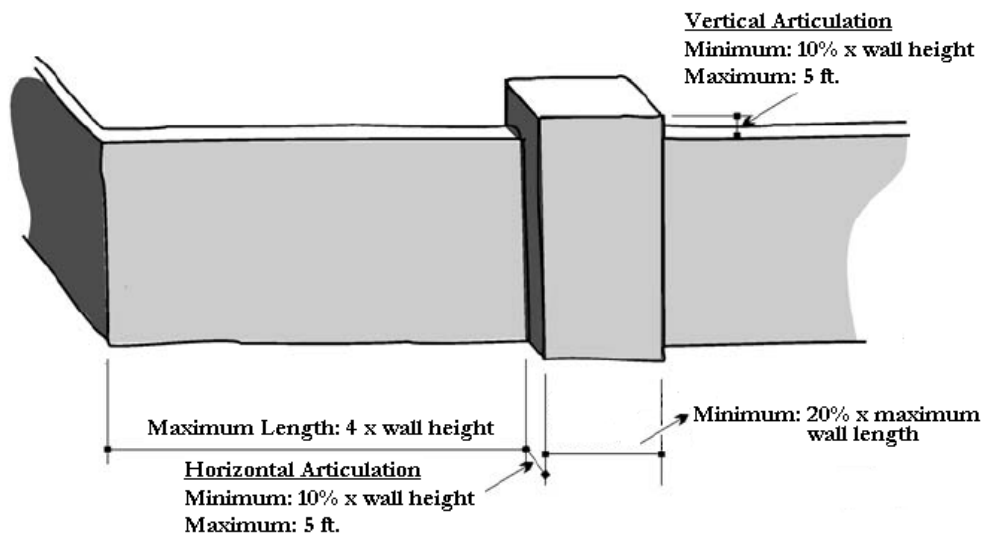
4. Façade Guidelines

- a. **Horizontal Articulation.** ~~Walls~~ **Building facades** facing a public right-of-way or a residentially ~~zoned~~ property shall not extend for a distance greater than four (4) times the ~~wall's~~ **building façade's** height without ~~having~~ **changing the façade by** an off-set of ten percent (10%) of the wall's height (maximum of five (5) feet); ~~the new plane shall extend for a distance equal to a minimum of twenty percent (20%) of the maximum length of the first plane~~ . ~~The City may allow exceptions to this requirement upon review and approval of a typical façade elevation.~~ **See Figure 1 for details.**

~~Walls~~ **Building facades** not facing a public right-of-way or a ~~residentially zoned~~ **residential** property and loading dock doors are exempt from the horizontal articulation requirement.

- b. **Vertical Articulation.** ~~Walls~~ **Building facades** facing a public right-of-way or a residentially ~~zoned~~ property shall not extend for a distance greater than four (4) times the height of the ~~wall~~ **building façade** without changing height by a minimum of ten percent (10%) of the wall's height (maximum of five (5) feet). ~~The City may allow exceptions to this requirement upon review and approval of a typical façade elevation site plan.~~ **See Figure 1 for details.**
- c. **The applicant shall provide calculations and dimensions on the plan for both horizontal and vertical articulation.**
- d. ~~Walls~~ **Building facades** not facing a public right-of-way or ~~residentially zoned~~ **residential** properties are exempt from the vertical articulation requirement.

Figure 1. Horizontal and Vertical Articulation



- c. **Screening of Rooftop and Ground Located Equipment.** For buildings within the L-P District, all rooftop mounted **and ground located equipment** **including, but not limited to** mechanical, air conditioning, electrical, and satellite dishes ~~equipment~~ shall not be visible. Rooftop equipment shall be screened from ground and street level view with parapets or other architectural design features constructed of the same materials used on the

exterior walls. The screening for ground located equipment shall be shown on the submitted Site Plan.

- d. **Color Palette.** Earth tones, muted hues, and natural tones are permitted as structures' basic colors. Brighter hues are permitted only as an accent color on building elements such as awnings, doors, and trim. A mixed color palette on a single building should be carefully selected so all colors harmonize with each other. Full color elevations of all sides of the building shall be submitted as part of the Site Plan review.

Accent colors should be applied using the following guidelines:

	Required	Allowed
1st Accent Color	10%	20%
2nd Accent Color	0%	10%
3rd Accent Color	0%	10%

*Percentage calculations shall utilize the entire façade area. Calculation of accent color application shall be submitted with the elevations for staff review.

K. Parking and Loading. The purpose of this Section is to ensure the provision of functionally adequate, aesthetically pleasing and safe off-street parking, on-site circulation, driveways, loading, and access. Specific requirements are as follows:

1. ~~General.~~

2. ~~Specific Requirements.~~

- Each establishment shall provide sufficient off-street parking spaces for all employees, customers, visitors and others who may spend time at the establishment during working hours. Such parking space shall be at least nine (9) feet by twenty (20) feet.
- One (1) off-street parking space shall be provided for each 1,000 square feet storage area in non-warehousing uses.
- One (1) off-street parking space shall be provided for each ~~two-three-hundred-fifty (250)~~ (300) square feet of ~~service~~ gross floor area in office and research buildings.
- All parking areas shall be set back a minimum of thirty feet (30') from any street right-of-way ~~or property line.~~
- ~~All parking areas shall be set back a minimum of 30 feet from the property line. of any residentially zoned residential property, where such property is already developed for residential use or is designated for residential on the Comprehensive Plan.~~
- ~~All parking areas shall be set back a minimum of 10 feet from any peripheral property line other than a street right-of-way line or residentially zoned residential property line.~~
- Each establishment shall provide adequate loading space within a building or in a side or rear yard, in such a way that all storage, standing and maneuvering of trucks shall be off the public right-of-way.
- No portion of a parking or loading space, including maneuvering areas, except the necessary ~~entrance and exit~~ drives, shall be located closer than 30 feet from a public street right-of-way ~~or property line.~~
- All parking shall be on a surface prepared from concrete or asphalt.

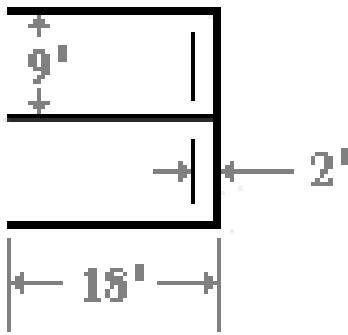
10. All commercial buildings shall provide a designated off-street space for the loading and unloading of goods and merchandise.
11. See Article ~~10~~ **16 Parking and Loading Regulations** for additional parking requirements.

Exception for Warehouse/Distribution Center and Large Building Parking Space Requirements. ~~Parking shall be required per City standard based upon individual land use, except~~ Warehouse or Distribution Center **portions of a building land uses, which** shall require one (1) space per two thousand (2,000) square feet of building area. Buildings in excess of one hundred thousand (100,000) square feet or users with specific parking needs ~~may~~ **shall** provide an independent parking study to the ~~City~~ **Planning Commission** for approval.

L. Off-Street Parking Standards.

1. **Maneuvering**
 - a. All maneuvering of vehicles shall take place on site or within a mutual access easement. No public right-of-way shall be used for backing or maneuvering into or from a parking space, or for circulation within the parking lot.
 - b. When off-street parking facilities are located adjacent to a public alley, the width of said alley may be assumed to be a portion of the maneuvering space requirement.
2. **Parking Spaces and Aisle Surfaces.** All parking spaces, aisles and maneuvering areas shall ~~have an all-weather surface, whether enclosed or unenclosed,~~ **be paved with asphalt or concrete** and shall be connected by ~~an all-weather surfaced~~ **a similarly paved** driveway to a street or alley.
3. **Parking Space and Aisle Dimensions.** All parking spaces and aisle dimensions shall conform to **this section and to Article ~~10-2,~~ 16 Parking and Loading Standards,**~~unless specifically approved by the City.~~
5. **Wheel Stops.** All passenger vehicle parking spaces on private property shall have a vehicle stopping device installed so as to prevent parking of motor vehicles in any required landscaped areas and to prevent any parked vehicle from overhanging a public right-of-way line or public sidewalk. The requirement shall apply only where spaces are adjacent to walks, rights-of-way, and required landscaping. Wheel stops shall be installed a minimum of two (2) feet from the end of the parking space.
6. **Semi-Truck Tractor and Trailer Parking.** Semi-truck tractors and/or trailers shall not be allowed to park in automobile parking spaces.
7. **Trailer doors.** Semi- trailers shall keep rear doors closed when they face a street or adjacent property.

~~**Figure 2. Typical Parking Stall with Wheel Stop**~~



5. Typical Off-Street Parking Modules

Figure 3. 60° Layout with One-Way Traffic

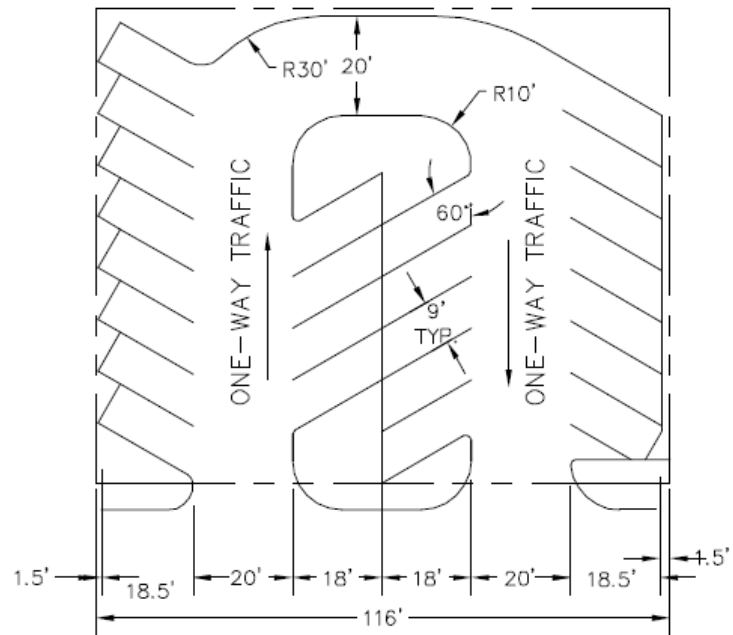


Figure 4. 60° Layout with Two-Way Traffic

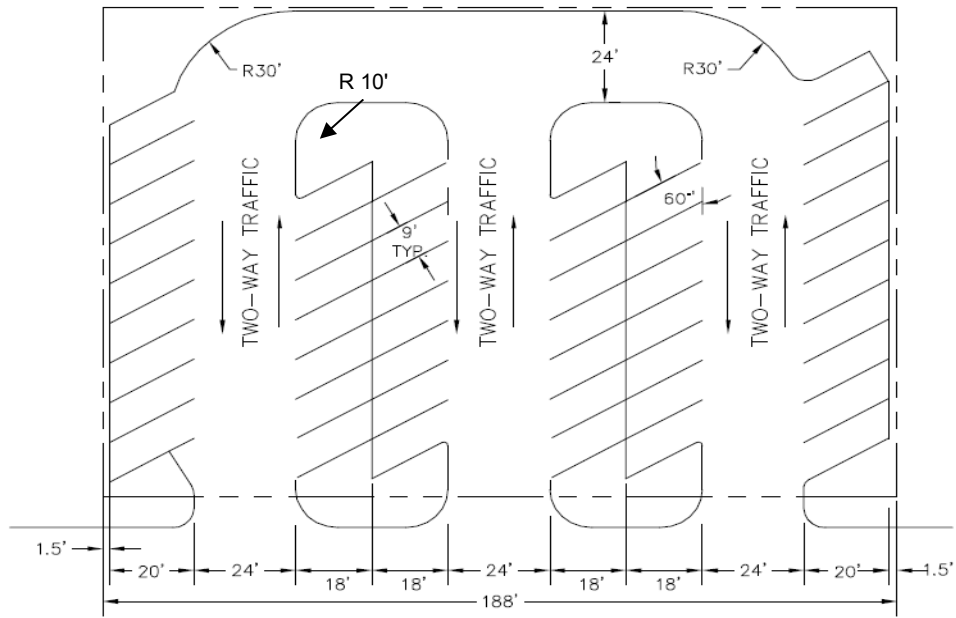
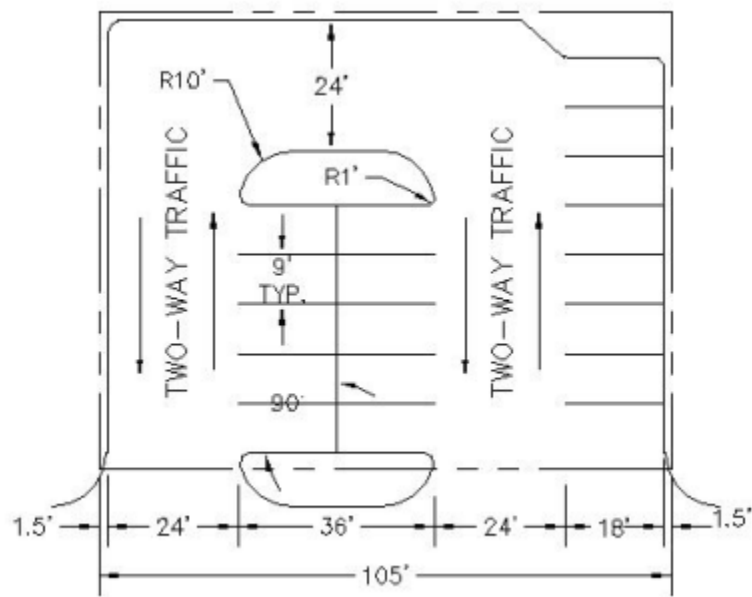


Figure 5. 90° Layout with Two-Way Traffic



M. Off-Street Loading Standards ~~Applicability.~~ Loading standards shall apply to all uses within the L-P District that contain a gross floor area of 10,000 square feet or more. Each such use shall provide and maintain off-street loading facilities adjacent

to the building being served and shall be located on the same lot. ~~The requirement for loading spaces shall not be construed to include office uses.~~

1. Definitions:

- a. **Loading Space.** A loading space shall be defined as a location adjacent to a building where a vehicle is temporarily parked to perform loading and unloading operations. Loading doors are typically at grade in a standard loading space.
- b. **Loading Dock.** A loading dock shall be defined as any location where three (3) or more loading spaces are adjacent to one another and oriented perpendicular to the building being serviced such as the case in a typical rehousing/distribution use. Loading doors are typically elevated from finished grade (or finished grade is depressed below) in a standard loading dock. Please refer to Figure 6, Typical Loading Dock, for an example.

Figure 6. Typical Loading Dock



- c. **Access.** Off-street loading facilities shall be located adjacent to a public access-way or private service drive, in accordance with the following requirements:
 - 1. Any loading dock or loading space must provide a maneuvering area located entirely on private property, shall not utilize any public right-of-way, and shall not block any drive, aisle or fire lane.
 - 2. Loading docks that are within three-hundred (300) feet of any residential ~~use property~~ shall be screened from those residential ~~lots properties~~.
- d. **Minimum Loading Space Dimensions.** Loading spaces shall be a minimum of twelve (12) feet in width, sixty-five (65) feet in length, and fourteen (14) feet in height ~~except as may otherwise be approved by the City.~~

- e. **Use of Loading Spaces.** Off-street loading spaces shall be used only for temporary loading/unloading operations and shall not be used for storage or display of boats, trailers, campers, motor vehicles or other goods, materials or products.
- f. **Number of Loading Spaces Required.** Any use that receives or distributes material, supplies or merchandise by motor vehicle shall provide off-street loading in accordance with Table 4, Off-Street Loading Requirements, ~~unless otherwise approved by the City based on the anticipated size and type of use.~~

Table 4. Off-Street Loading Requirements

Gross Floor Area (square feet)	Minimum Loading Spaces Required
0 – 9,999	None
10,000 - 50,000	1
50,001 - 100,000	2
100,001 +	1 additional space per 100,000 sq. ft

- g. **Temporary Outdoor Storage Regulations for Cargo Containers, Operational-Semi-Trailers, and Tractors.** The temporary storage of cargo containers, operational trailers and tractors shall be allowed in the L-P District for a period of up to 30 days. Outdoor parking or storage spaces for cargo containers, operational trailers and tractors shall be screened from view by either a masonry wall of a type and style complementary to the primary materials of the building, wrought iron ~~fencing~~, decorative metal, living plant material or a combination of these. The height of the screening shall be sufficient to block view of the equipment or vehicles from a public right-of-way. Where a masonry wall is used to satisfy this requirement, foundation planting shall be provided on the exterior face of the wall. These spaces shall be clearly demarcated solely for ~~cargo containers and~~ tractor and trailer storage. The storage or display of boats, trailers, campers, motor vehicles or other goods, materials or products for sale is prohibited in these spaces.

N. Photometrics

1. **General.** All ~~outdoor~~ lighting shall be designed in accordance with applicable Illuminating Engineering Society of North America (IESNA) practices as applied to specified applications within the L-P Special District. All lighting facilities shall provide proper site lighting as well as being designed with ~~cutoff illumination shields~~ to ~~reflect-deflect~~ the illumination away from any adjacent property. Additional design provisions and considerations are presented below.
2. **Submittal Process and Review.** ~~Photometric plans shall graphically depict illumination layout and foot candle values within area being lighted as well as along all adjacent property lines. In lieu of the requirements set forth in this Section, an alternative photometric plan may be submitted to the City for its approval. An alternative photometric plan shall include innovative design techniques in response to the unique characteristics of a particular site. The~~

photometric plan shall meet the requirements of Article 10 Site Plans and Design Standards Section 10.1.F.6.e.

3. Types of Lighting Systems

- a. Street Lighting. Lighting designed in accordance with IESNA Standards to provide illumination of that portion of the street used by vehicular traffic. Street Lighting shall conform at a minimum to the Kansas Department of Transportation Highway Illumination Manual in addition to requirements set forth by the City.
- b. Pedestrian Lighting. Lower level lighting intended to illuminate the pedestrian walkway that generally runs parallel to that portion of the street parallel to vehicular traffic or traverses a parking lot along a clearly demarcated walkway.
- c. Parking Lot. Lighting designed in accordance with IESNA Standards to provide illumination for both vehicular parking areas and vehicular access tracts. **The maximum height for luminaries shall not exceed 25 feet as measured between the bottom of the luminaire and grade.**
- d. Loading Space/Loading Dock. Lighting designed to provide illumination for loading operations typically associated with warehouse/distribution operations.
- e. Industrial Uses. Lighting designed in accordance with IESNA Standards to provide illumination for industrial uses/operations.
- f. Commercial Uses. Lighting designed in accordance with IESNA Standards to provide illumination for commercial uses/operations.
- g. Security. Lighting designed to provide to illuminate portions of a site at minimum levels to aid in surveillance during non-operational business hours.
- h. Signage. Lighting designed solely to illuminate signage.
- j. Parking Lot Lighting Facilities. ~~Parking Lot lighting facilities shall provide illumination within parking areas not to exceed a maintained average of one and one half (1.5) foot candles at ground level, and shall not distribute more than one half (0.5) foot candles of light at the property line and two tenths of one (0.2) foot candles of light upon any adjacent single family residential property. For uses with 24-hour operations or uses that operate during the evening and night, a maximum maintained average of two and one half (2.5) foot candles at ground level shall be allowed; such uses shall distribute not more than one half (0.5) foot candles of light at the property line and two tenths of one (0.2) foot candles of light upon any adjacent single family residential property. A minimum average of the greater of either one (1) foot candle (maintained) or that required by applicable IESNA practice shall be required to be maintained.~~

- 4. Sign Lighting.** All sign lighting shall be designed to minimize uplight. The use of floodlights to illuminate signage shall be done in a manner that eliminates

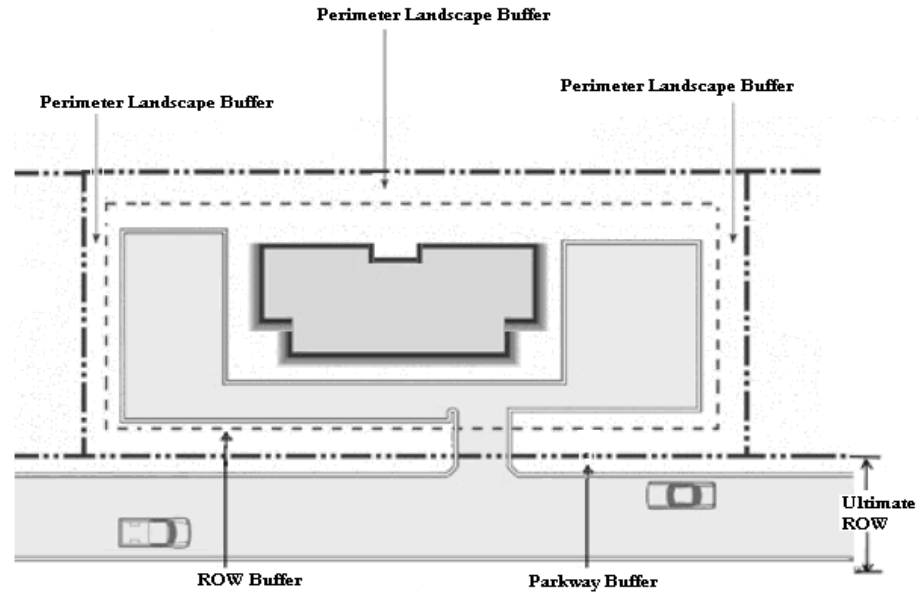
glare along adjacent roadways and properties and does not exceed photometric requirements.

5. **Maximum Height of Lighting ~~Facilities~~ Fixtures.** The maximum height of external lighting ~~facilities~~ fixtures on a building shall not be greater than 180 feet the height of the building measured from ground level to the top of the structure.
6. **Light Trespass Control Measures**
 - a. **Luminaire Design and Location.** Any luminaire whose distance from a lot line is less than three (3) times its height shall be shielded so that all direct light cast in the direction of streets or abutting residential-lots property is cut off at an angle no more than seventy (70) degrees measured from a vertical line directly below the luminaire. This requirement shall apply to all sides of the luminaire that emit light toward a lot line that is less than three (3) times the height away from the luminaire. The cut-off may be accomplished either by the luminaire photometric properties or by a supplementary external shield. All external luminaires shall meet the photometric requirements of Article 10 Site Plans and Design Standards.
 - b. **Lighting Shield Design.** Additional shields that are installed to control light trespass and glare as required herein shall be designed so that the parts of the shields that are exposed to the direct light of the luminaire and visible from streets or abutting residential lots shall have a flat-black, low reflectivity finish.
 - c. ~~Electrical Design. All electrical systems shall be designed in accordance with the National Electrical Code (NEC).~~

O. Landscape Standards.

1. **Definitions**
 - a. Parkway Buffer. A continuous area of land that is generally defined as that portion of the right-of way spanning from the property line adjacent to the right-of-way to the back of the curb adjacent to the road pavement. There shall be no minimum width requirement for a parkway buffer.
 - b. Right-of-Way Buffer. A landscape buffer that is wholly contained within private property with the purpose of providing a buffer between a land use and the adjacent street or thoroughfare and is adjacent to public Right-of-Way
 - c. Perimeter Buffer. A landscape buffer that is wholly contained within private property, is adjacent to internal property lines, and does not abut a public right-of-way.

Figure 7. Landscape Buffer Types



2. **Maintenance.** All landscaping shall be planted and perpetually maintained by the property owner, except where maintained by another entity such as a Property Owner's Association (POA). **Dead landscaping (trees or shrubs) shall be replaced by the property owner within 30 days after notification. If notification does not occur during a planting season, it must be done during the next available planting time.**
3. **Parkway Buffer Planting Requirements.** Planting other than **seed grass** or another equivalent groundcover **shall not** may be required **by the Planning Commission** within the parkway buffer.
4. **Right-of-Way Buffer Width Requirements.** The total width of the right-of-way buffer shall depend on the width of the adjacent right-of-way, as indicated in Table 1, Right-of-Way Buffer Requirements. Additionally, required trees within the Right-of-Way buffer shall be provided in accordance with the guidelines in Table 1, Right-of-Way Buffer Requirements. See Tables **1 and 3, Buffer Planting Standards**, for minimum planting requirements **of trees and shrubs**.

Table 1. Right-of-Way Buffer Requirements

Street Type	Buffer Width	No. of Trees Required ⁴
2 Lane / 4 Lane Undivided	40 30 feet	1 tree per 50 LF of ROW frontage Minimum Spacing: 12 feet Maximum Spacing 50 feet
4 Lane Divided	45 30 feet	
6 Lane Divided	20 30 feet	

The clustering of trees shall be allowed and encouraged to create a more natural appearing environment.

5. **Perimeter Landscape Buffer Requirements.** Perimeter landscape buffers shall be determined based upon adjacent land uses. Table 2, Perimeter Landscape Buffer Requirements, defines the required buffer to be provided. See Table 3,

Buffer Planting Standards, for minimum planting requirements for trees and shrubs.

Table 2. Perimeter Landscape Buffer Requirements

Adjacent Use	Required Buffer ¹	Width	Minimum Screen Height ²
Industrial	Type 1	5 30 feet	3 feet
Utilities/Transportation	Type 1	5 30 feet	3 feet
Agricultural	Type 2	10 30 feet	3 feet
Public/Civic	Type 3	15 feet	4 feet
Commercial/Retail	Type 3	15 feet	4 feet
Residential Property	Type 4	20 30 feet	6 feet

- a. Type 1 and Type 2 Buffers shall not be required along rear property lines or along interior side (not abutting public right-of-way) property lines behind the front face of the building **unless adjacent to a residential property**.
- b. In cases where landscape material is used to provide screening, the material used must provide a continuous opaque screen within ~~one~~(1) five growing seasons. Minimum screen height may be achieved solely through planting material or a combination of berming and plant material. (and/or decorative fencing and walls comprised of stone and painted metals).

6.Buffer Composition Requirements. Required **trees and shrubs** ~~plant material~~ within each type of landscape buffer shall be **installed** in accordance with the provisions set forth in Table 3, Buffer Planting Standards.

Table 3. Buffer Planting Standards

Buffer Type	Plant Type	Maximum Spacing at Installation	Minimum Height/Caliper Inches at Installation	Minimum Percentage of landscaping within Buffer Area	Minimum Height at Maturity ¹
Type 1 Perimeter Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	25%	36 inches
Type 2 Perimeter Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	35%	36 inches
Type 3 Perimeter Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	75%	36 inches
Type 4 Perimeter Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	100%	36 inches
ROW Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	25%	36 inches

- a. ~~Hedges/Shrubs must achieve their minimum height within three (3) growing seasons.~~
 - b. No single species of trees ~~or plant material~~ shall comprise more than 30% of the cumulative total of ~~plantings~~ ~~all trees~~ on a site ~~and similarly, no single species of shrubs shall comprise more than 30% of the cumulative total of all shrubs on a site.~~
 - c. ~~The clustering of trees and shrubs shall be allowed and encouraged to create a more natural appearing environment.~~
7. **Screening from Adjacent to Residential Property Uses.** Property adjacent to or across from residential ~~property uses~~ shall be landscaped in accordance the standards set forth in this Section for ~~a Type 4 Perimeter Buffer.~~
 10. ~~Alternative Landscape Plan.~~ In lieu of the requirements set forth in Section 1.I., Landscaping Standards, an Alternative Landscape Plan (ALP) may be submitted to the Planning Commission for approval. An ALP shall utilize an innovative use of plant materials and design techniques in response to the unique characteristics of a particular site. At a minimum, an ALP shall contain equivalent landscaping as is required by these regulations.
 11. ~~Xeriscaping Credit.~~ Landscape Plans developed with sound xeriscaping principles as outlined in Kansas Smartscape® or other published materials shall be eligible for a reduction of landscaping up to 20% of the overall requirements. Applicants wishing to request credit must prepare an ALP, clearly outlining the xeriscaping principles being utilized. The final determination of credit granted shall be discretionary and

~~based upon the final determination made by the City Administrator or designee~~

P. Signage

1. **General.** The intent of this ~~article~~ **section** is to promote the health, safety, welfare, convenience, and enjoyment of the public, and in part, to achieve the following:
 - a. The safety of the citizens of the City by prohibiting signs which create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles, or to read traffic signs.
 - b. To preserve landscape quality in the protection of the public welfare and to enhance the appearance and economic value of the landscape by providing that a sign does not create a nuisance to occupancy of adjacent and contiguous property by its brightness, height, size, or movement.
2. **Applicability and Effect.** A sign may be erected, placed, established, painted, created or maintained in the L-P District only in conformance with the standards, procedures, exemptions and other requirements of this ordinance. These regulations apply to all signs and their effect is:
 - a. To establish a permit system to allow a variety of types of signs subject to the standards and the permit procedures of ~~the code~~ **this Article and Article 12 Signs**; and
 - b. To prohibit all signs not expressly permitted by these regulations., ~~except as approved through the appeals process established by these regulations.~~
 - c. Entrance onto Property. The Building Official or any duly authorized agent **of the City** may enter upon private property which is accessible to the public for the purposes specified in this Sub Section to examine signs or their location, obtain information as to the ownership of such signs and to declare the sign to be a violation pursuant to this Sub-Section.
3. **Exempted Signs.** The following signs shall be exempt from the requirements of this article with the exception of set back from property lines.
 - a. Signs of a duly constituted governmental body, including traffic or similar regulatory services, legal notices, warnings at railroad crossings, and other institutional or regulatory signs having to do with health, hazards, parking, swimming, dumping and of a similar nature.
 - b. Scoreboards, ~~municipal golf course tee signs~~, sports field fencing, and park signs.
 - c. Signs ~~incorporated on~~ **located** inside of the building/lease space on a window that is not readable from right-of-way.
 - d. Permanent signs designating historic tours, permanent direction signage, government facility or operation locations.
 - e. ~~All City and State directional and traffic control signs.~~
 - f. One temporary sign not exceeding twelve (12) square feet in area.
 - g. The changing of messages or copy of signs designed and intended to be changed on a regular basis provided the sign is not altered. Examples of these ~~type signs are theater marquees, menus, fuel prices, directories, and the like.~~
 - h. Signs which display date, time and temperature are permitted, providing they do not exceed six (6) square feet in addition to other signage on the property.
 - i. ~~On-site directional signs necessary for the movement and circulation of traffic~~

~~which are three (3) square feet or less in size.~~

- j. Signs which display "help wanted," and do not exceed six (6) square feet and three feet in height limited to one per tenant.

4. **Prohibited Signs.**

- a. Off-Premise Billboards. Off-premise pole signs and billboards are prohibited in the L-P District.
- b. Trailer Mounted and Portable ~~Read-a-Board~~ Signs. Trailer mounted and portable ~~read-a-board~~ signs are strictly prohibited, and subject to the following:
 - 1. **Enforcement.** The owner or occupant of any property upon which there is located a trailer mounted, or non-trailer mounted, portable ~~read-a-board~~ sign in violation of this Sub-Section or the owner or lessee of any trailer mounted, or non-trailer mounted, portable sign which is in violation of this Sub-Section as herein defined shall be given notice by the Building Official or designee, stating the nature of the violation and ordering that the violation be corrected or removed from said property within seventy two (72) hours.
 - 2. **Notice.** Notice shall be given by one of the following methods:
 - a. A written notice may be attached to the sign in violation of this Sub-Section, or
 - b. Verbal notification may be made by telephone or in person, or
 - c. **Notice may be sent by email.**
 - d. No Response. If the owner, lessor, lessee, or the representative of the lessor of the trailer mounted or non-trailer mounted portable sign fails to remove such sign within seventy-two (72) hours of the notification, the owner, lessor or lessee shall be issued a citation.
- c. Obscene and Immoral Matter. It shall be unlawful for any person to display upon any sign any obscene, indecent or immoral behavior., ~~as defined in the Black's Law Dictionary Fifth Edition.~~
- d. Painting or marking on streets, sidewalks or utility poles. No person shall attach any sign, paper or other material, or paint, stencil or write any name, number (except address numbers) or otherwise mark on any sidewalk, curb, gutter, street, utility pole, public building, fence or structure except as otherwise allowed by the code.
- e. Hand Bills and Placards. No person, firm, corporation or association of persons, shall paste, stick, tack, nail or otherwise place any advertisement, handbill, placard or printed, pictured or written matter or thing for any purpose upon any fence, railing sidewalk or public telephone, electric or other utility pole, or any other public property, including trees thereon.
- f. Flashing Signs. Signs of any type with flashing, revolving or rotating lights shall not be permitted.
- g. Pole Signs/Pylon Signs. Pole signs/**pylon signs** shall be prohibited in the L-P District.
- h. Illuminated signs are permitted ~~in nonresidential districts~~, provided that they Shall not be erected within ~~one hundred (100)~~ **thirty (30)** feet of any residential ~~zoning district unless~~ property and adequately shielded so that light from such sign is not directed toward ~~such said residential district~~ **property.**
- i. In no case can a sign be placed closer than ~~fifteen (15)~~ **thirty (30)** feet from a residential property.

- j. No high intensity lights shall be permitted as part of a sign display visible from an adjacent street **or property**.
- k. ~~No sign shall be illuminated to intensity greater than two hundred (200) foot-Candles. The restrictions of luminance in this Sub-Section shall be determined from any other premise or from any public street right-of-way other than an alley.~~
- l. The maximum size of any temporary construction/development sign, that is not adjacent to a highway, is ninety (90) square feet per side, with a maximum height of twenty (20) feet and a maximum length of fifteen (15) feet.
- m. The maximum size of a temporary construction/development sign adjacent to a highway is three hundred twenty-five (325) square feet per side, with a maximum height of ~~thirty (30)~~ **twenty-five (25)** feet and maximum length of fifteen (15) feet.
- n. No sign shall be located as to obstruct the vision or sight distance of vehicle operators or pedestrians at any intersection or street crossing. In order to maintain visual clearance and sight distance for vehicle operators and pedestrians:
 - 1. A 20' x 20' ~~Visibility~~ **Sight** Triangle shall be provided.
 - 2. A sign in direct line of vision of any signal light, traffic control sign, or any other such device from any point in a moving traffic lane must be at least fifty (50) feet from such device, unless the ~~Superintendent of Public Works~~ **Director** or designee approves the placement of such sign.
- o. No sign shall be constructed nearer than three (3) feet from any public or private ~~underground utilities~~ **easement**. No ground sign or accessories to such sign shall be located within ten (10) feet vertically and six (6) feet horizontally of electrical 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.
- p. ~~Signs Posted on Poles and Fences. No sign shall be posted upon any tree, utility pole fence post, or any style or type of fence. No detached sign shall be suspended over any building, or structure.~~
- q. No cloth, paper, banner, flag, device, or other similar advertising matter shall be permitted to be attached, suspended from or allowed to hang loose from any sign, building, or structure. except as allowed ~~by other provisions of this Section~~ **P.5.e. of the L-P District**. Such advertising matter shall be a violation of this Section and shall be removed immediately upon notice by the ~~Building Official~~ **Zoning Administrator**. No person shall place on, or suspend from any building, pole, structure, sidewalk, parkway, driveway, or parking area, any goods, wares, merchandise, or other advertising object or structure for the purpose of advertising such items, ~~except as otherwise permitted~~.
- r. No portion of any sign shall be erected upon or over public property or public right-of-way, ~~except as otherwise specifically permitted~~.
- s. No signs shall be attached to a motorized vehicle, where the primary use of such vehicle is for sign purposes. Signs attached to or upon any motorized vehicle shall be prohibited where any such vehicle is allowed to remain parked in the same location or in the same vicinity, at frequent or extended periods of time where the intent is apparent to be one of using the vehicle for signage. ~~Vehicles operating under a City franchise shall be excluded from this provision.~~ This provision does not restrict the identification signing or vehicles used for delivery service, **professional or business services**, interstate commerce, or any bona fide transportation activity.

- t. Signs ~~or signs~~ with moving parts. ~~shall be approved by the Planning Commission.~~

5. Specific Sign Regulations

a. Site Circulation Signs.

- 1. Site circulation signs shall be allowed in the L-P District, require a permit and are categorized as follows:

- i. **On-site directional signage** necessary for the movement and circulation of traffic (i.e., deliveries, receiving, etc.);

- Maximum area allowed: Four (4) square feet of sign area

- Placement: Out of public right of way and out of sight triangle

- Height: Four (4) feet at top of sign

- Number allowed: One per street driveway entrance

- Installation: 2" solid metal post(s)

- ii. **Identification of services signage** necessary to indicate pedestrian movement (i.e., office or employee entrance, emergency services entrance, evacuation meeting place, truck parking etc.)

- Maximum area allowed: Four (4) square feet of sign area

- Placement: Attached to building, adjacent to interior drive, or on interior green space

- Height: Four (4) feet at top of sign

- Number allowed: One per building side

~~a. Directional Signs.~~

- ~~1. Directional signs shall be allowed in the L-P District subject to the following:~~

- ~~a. Directional signs shall be limited to six (6) square feet in area for institutional uses, with one (1) sign per street entrance allowed.~~

- ~~b. Identification of services Information is permitted on such a said signs, such as "emergency services entrance." Such signs are limited to two (2) square feet or less in area for non-institutional uses, with no limit on the number of signs permitted for such uses. For non-institutional uses, identification of services is not permitted on such signs.~~

b. Monument Signs.

Monument Signs		
Attribute		Requirement
Number		<ul style="list-style-type: none"> One (1) monument sign is permitted for each property. On property of more than thirty (30) acres in size and with more than one (1) street frontage, a second monument sign is permitted on the additional street frontage. Platted private roads may be considered a second street frontage.
Location		<ul style="list-style-type: none"> 45-30 feet from all property lines. Outside of site triangles and easements. No closer than 400 feet to another freestanding sign located on the same property and on the same street.
Size	Sign Face	<ul style="list-style-type: none"> No element of a sign shall not exceed eight (8) feet above natural or average grade (including base, support structure or other architectural elements). The sign face area shall not exceed one square foot per ten (10) lineal feet of street frontage up to a maximum of 60 square feet per sign.
	Base & Support Structure	<ul style="list-style-type: none"> Base must be a minimum of two feet in height. The base shall extend a minimum of ¾ the entire length of the sign. The total area of the base and support structure shall be at least 75% of the sign face area. The base and support structure shall not exceed the sign face area by more than 10 percent.
Material & Design	Sign face	<ul style="list-style-type: none"> Cabinet-type signs with translucent panels or panels with reflective surfaces, including but not limited to acrylic fiberglass, plastic, or metal or channel letter signs with translucent backlit panels are prohibited. Artistic elements to the sign may include small areas of translucent, backlit surfaces that exceed no more than 5% of the total sign face. Sign face shall provide individually cut letters including channel letter signs (may be Halo lit); stenciled panels with three-dimensional push-through graphics; cast letters and logos; cast metal; or engraved. Background of Sign face is encouraged to be comprised of natural design materials that are compatible with the building façade. Electrical transformer boxes and raceways shall be concealed from public view.
	Base & Support Structure	<ul style="list-style-type: none"> Natural flagstone, rock, stone, river rock, brick, limited areas of cementitious stucco, concrete and similar materials designed to match the look of the building in texture and color are considered appropriate materials. Architectural elements should be provided on the top and/or sides of the sign
Illumination		<ul style="list-style-type: none"> The use of backlit (halo), individually cut reverse channel letter signs, or stenciled panels with three-dimensional push-through graphics or flush ground installed lights are is strongly encouraged. The use of external lighting sources is permitted. External lighting shall be designed so that the light source is directed away or shielded from passersby, adjacent properties and motorists.
Landscaping		<ul style="list-style-type: none"> The base of a monument sign shall be softened with landscaping sufficient to cover an area extending not less than 2½ feet around the base of the sign. The applicant shall designate the area and type of plantings in the sign permit application. Said landscape area shall be landscaped appropriately. Landscaping shall not obstruct the sign face. – Ordinance No. 1044, 2017

- c. **Wall Signs. ~~Attached Sign~~.** A sign attached to, painted on, or erected against a wall of a building which extends no more than twelve (12) inches from the wall surface upon which it is attached and whose display surface is parallel to the face of the building to which the sign is attached and may not extend above the roof line or roof façade, and must be at least eight (8) feet ~~from above~~ grade.
 1. Construction: ~~Attached Wall~~ signs that are illuminated internally shall be constructed only of materials that are noncombustible or slow burning in the case of plastic inserts and faces.
 2. Maximum height: A wall sign shall not extend above the roofline or facade of a building.
 3. Maximum area:
 - a). Frontage: Total square footage is equal to one (1) times the length of the building frontage or lease space frontage.;
 - b). Sides: Total square footage is equal to one half (0.5) times the length of the side wall of building.
 4. ~~Minimum area: A wall sign shall be a minimum of twenty four (24) square feet.~~
 5. Depth: A wall sign shall not extend more than twelve (12) inches from the building wall to which it is attached.
 6. Placement: ~~Wall signs, may be~~ painted or attached directly on the wall surface of a building ~~and are~~ intended to be viewed from the ground. Signs above roofline, ~~fascia, façade,~~ or top of roofs are strictly prohibited.
- d. **Portable Signs, Temporary Banners, Flags, or Inflatable Signs.** Prior to the use or placement of any portable sign, temporary banner, flags or inflatable signs, a permit must be obtained from the ~~City Zoning Administrator~~. The maximum size of any such sign ~~is 12~~ shall ~~not exceed~~ 500 square feet. A permit for such signs can only be issued for a maximum continuous period of fourteen (14) days, and for a maximum number of four (4) times per calendar year. A minimum time of sixty (60) days must be elapsed between expiration and issuance of such permits. None of these signs shall be located in city rights-of-way, in any ~~Visibility Sight~~-Triangle, or in any other location so as to impair traffic or pedestrian vision or safety. All such signs must be set back a minimum distance of five (5) feet from the property line. Such signs may be internally lighted; however, such lighting shall not be flashing or intermittent. Temporary electrical requirements shall be subject to the adopted electrical code.
 1. Banners and other wind devices shall be securely attached to a wall surface or building element and shall not project above the ~~apparent building façade,~~ roof or building eave line. A fence or railing shall not be considered to be a building element. A banner shall not be used in lieu of a permanent sign, except in the case of new businesses where it may be used for a period not exceeding thirty (30) days. Banners shall be secured at all points of attachment. Torn or severely weathered banners shall ~~be removed and shall~~ not be permitted.
 2. ~~The number of banners displayed on any premises shall not exceed two (2)~~
 3. ~~No individual banner shall contain more than forty (40) square feet of area.~~
 4. Banners found in violation of this Section must be removed or made to conform within 24 hours of notification.

e. **Kiosk Signs.**

1. Kiosk signs provide a uniform, coordinated method of providing information while minimizing the negative impacts to the City and its residents. A Kiosk sign is a sign containing individual panels and is generally used to provide direction to **amenities or businesses within a development**. ~~residential subdivisions from major thoroughfares or to provide direction to schools, amenities, information centers, community facilities and neighborhoods within a residential subdivision. Kiosk signs shall conform to the requirements set forth below.~~ A "Sign Panel" is an individual sign placard displaying directional information on a kiosk sign.
2. **The design and location of** All kiosk signs must have approval by the Planning Commission **prior to issuing a permit**. Placement of Kiosk signs shall not distract traffic or create a traffic hazard. The ~~Superintendent of~~ Public Works **Director** must approve the placement of all kiosk signs prior to installation. Kiosk sign structures shall not exceed 12 feet in height and 4 feet in width. Kiosk sign structures shall be ladder type with individual sign panels of uniform design. The color **and design** of all kiosk sign structures and panel background color ~~will~~ **shall** be approved by the ~~City. Planning Commission the City Governing Body may, by a duly executed services contract, grant to a qualified person or company the right to design, erect and maintain directional kiosk signs within the City. LP district.~~
6. **Maintenance of Signs.** All signs ~~and sign support structures~~, together with all of their support **structures**, braces, guys and anchors, shall be maintained in a ~~proper state of preservation~~ **safe and good condition**. No sign will be allowed to be kept in a dilapidated or deteriorated condition. Signs with broken or missing faces shall be repaired or replaced within fifteen (15) days of notice by the Building Official.
 - a. Freestanding sign panels advertising a business that has vacated the premises must be replaced with the new business or a blank panel within thirty (30) days of vacancy.
 - b. Any sign which the Building Official determines no longer serves a bona fide use conforming to this code, shall be removed by the owner, agent or person having the beneficial use of the land, buildings or structure upon which such signs is located within fifteen (15) days after written notification to do so from the Building Official. Upon failure to comply with such notice, the Building Official is hereby authorized to cause the removal of such sign, and any expense incident thereto shall be paid by the owner of the land, building or structure to which such sign is attached or upon **the land** where it is erected.
 - c. If the Building Official shall determine that any sign is unsafe or unsecure, or is a menace to the public, he shall give written notice to the person or persons responsible for such sign. If the permittee, owner, agent or person having the beneficial use of the premises fails to remove or repair the sign within ~~fifteen (15)~~ **thirty (30) calendar** days after such notice, such sign may be removed by the Building Official at the expense of the permittee or owner of the property upon which it is located. The Building Official may cause any sign that is an immediate hazard to persons to be removed summarily and without notice.
7. **Illegal Signs.** An illegal sign is any sign that meets any of the following criteria:
 - a. A sign erected without first obtaining a permit from the ~~City~~ **Zoning Administrator**

and complying with all regulations in effect at the time of its construction or use;

- b. A sign that was legally erected but whose use has ceased because the business it identifies is no longer conducted on the premises;
- c. ~~A nonconforming sign for which the amortization period has expired;~~
- d. A sign that was legally erected but which later became nonconforming and then was damaged to the extent of 50% or more of its current replacement value;
- e. A sign that is a danger to the public or is unsafe; or
- f. A sign that pertains to a specific event that has not been removed within five (5) days after the occurrence of the event.

8. Non-Conforming Signs.

- a. Non-conforming signs, except as otherwise provided by these regulations, may be continued subject to the following limitations:
 - 1). The owner of a non-conforming sign, upon receipt of a notice of non-conformity, may register the sign with the **City Zoning Administrator** as an existing, non-conforming sign.
 - 2). Registered, non-conforming signs may be maintained and repaired with like materials and the sign message may be changed, provided that there is no extension, enlargement, change in location, or structural modification to any non-conforming aspects of the sign.
 - 3). When a non-conforming sign is demolished or damaged to the extent that the cost of repairing the sign is more than 60% of the cost of erecting a new sign of the same type at the same location, such sign shall be eliminated or made to conform to the current sign regulations.
- b. Removal of Non-conforming Signs. The following non-conforming signs shall be eliminated or made to conform to the current sign regulations within thirty (30) days of the receipt of a notice of nonconformity. Signs subject to this Section are those whose characteristics constitute a public safety hazard.
 - 1). Signs that violate the sight triangle provision.
 - 2). Signs using the words "stop," "slow," "caution," "danger" or any other word, phrase, symbol or character in such a manner as is reasonably likely to be confused with traffic, directional and regulatory signs.
 - 3). Signs erected so that by their location, color, nature or message are likely to be confused with or obstruct the view of traffic signals or signs, or is likely to be confused with the warning lights or an emergency or public safety vehicle.
 - 4). Strings of lights not permanently mounted to a rigid background.
 - 5). Signs affixed to trees or utility poles.
 - 6). Temporary and portable signs, except those provisionally exempt signs listed in this Section as Exempted Signs, which violate building code provisions for wind loading, structural stability, electrical wiring or other code provisions.

- 9. **Forfeiture of Signs.** Any sign, **except political signs**, installed or placed on public property, except in conformance with the requirements of these regulations, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

10. Computation of Area of Individual Signs

- a. The area of a sign shall be computed as the entire advertising area of the sign, ~~including~~ **excluding** any framing or trim, contained within the respective sign cabinet. For the purposes of this computation the sign cabinet shall be defined as the structure or border used to differentiate a sign face from the structure against which a sign face is placed.
- b. Where a sign consists of individual letters, words or symbols attached to a surface, building, canopy, awning or wall and all such elements are located in the same plane, the sign area shall be the area of the smallest rectangle which completely encompasses all such letters, words or symbols and any accompanying background of a color different than the natural color of the wall.
- c. The permitted area for all monument signs shall not include the sign base or sign structure. In no case shall the overall sign structure, including the base, exceed the maximum allowed height nor the maximum allowed sign area. ~~In no case shall the sign face of a monument sign exceed 50% of the overall sign structure~~

11. Computation of Area of Multi-faced Signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are substantially similar, and when such sign faces are part of the same sign structure the sign area shall be computed by the measurement of one of the faces.

12. Computation of Height. The height of a sign shall be computed as the mean distance from the base(s) of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of existing grade prior to construction or the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

13. Computation of Sign Setback. ~~The computation of the sign setback shall be calculated as~~ **the spacing between a sign and a lot line or the distance between two (2) signs.** The distance is measured horizontally from a vertical plane at the ~~outer extremity of each sign.~~ **base of the signs.**

14. Computation of Maximum Number of Signs. Pursuant to the standards provided in the L-P District, each lot is allocated the maximum number of signs allowed. ~~Where indicated, additional signs beyond the identified allowance shall be determined by the lineal frontage of the lot or of the "artificial lot".~~

15. Sign Permits, Applications and Inspections.

- a. It shall be unlawful for any person to paint on any wall or surface, construct, erect, alter, enlarge or repair any sign within the legal boundary of the L-P District without first obtaining a permit from the ~~Building Official~~ **Zoning Administrator** and paying the fee as listed elsewhere in the City Code.
- b. Signs to be illuminated are subject to the electrical code, permit and fee requirements.

- c. Applications for **sign** permits shall be made upon forms provided by the **Building Official Zoning Administrator**, and shall contain **all information requested**. ~~or have attached thereto the following information:~~
 - 1). ~~Name, address and telephone number of the applicant.~~
 - 2). ~~Location of building, structure, or lot to which or upon the sign or other advertising structure is to be attached or erected.~~
 - 3). ~~Two (2) sets of plans to scale shall be submitted showing the sign location in relation to nearby buildings or structures, signs, property lines, driveways, public streets, fences, and sidewalks, and two sets of plans and specifications showing method of construction and attachment to the building or ground, size, type, height, construction materials, and such other information as the Building Official may require. The plans shall be one eighth inch (1/8") to one foot (1'). Signs over ten (10) feet in height shall be engineered design.~~
 - 4). ~~Name and address of person, firm, corporation, or association erecting any structure.~~
 - 5). ~~Electrical permit shall be required for illuminated sign.~~
 - 6). ~~Zoning classification carried by the property.~~
 - 7). ~~Such other information as the Building Official may require in order to show full compliance with this and all other laws and ordinances of the city and state.~~
- d. The **Building Official Zoning Administrator** may require plans to be prepared by a registered professional engineer. Original signature of engineer required. Engineer shall be certified by the State of Kansas.
- e. It shall be the duty of the **Building Official Zoning Administrator** upon the filing of an application for a sign permit to examine such plans and specifications and other data and the premises upon which it is proposed to erect the sign- ~~and~~ If it ~~shall~~ appears that the proposed structure is in compliance with all the requirements contained in the building code, and all other laws and ordinances of the City of Edgerton, the **Building Official Zoning Administrator** shall then issue the sign permit. If the work authorized under a sign permit has not been completed within ninety (90) days after issuance, the said permit shall become null and void.
- f. The **Building Official Zoning Administrator** shall be notified by the permittee when erection of the sign is complete and he shall make an inspection to determine if the sign conforms to city ordinances and codes.
- g. Signs shall meet all adopted building codes and fire codes.
- h. Signs in excess of fifty (50) square feet in area and taller than ten feet in height shall be designed by a structural engineer registered in the State of Kansas; these signs shall be constructed to withstand a minimum wind load of thirty (30) pounds per square foot and a minimum dead load as required by the adopted building code.
- i. **For additional requirements see Article 12 Signs.**

Q. Diesel Emission Requirements The following diesel emission requirements shall apply to warehouse/distribution, manufacturing including heavy duty diesel trucking and courier services, warehousing and storage, and motor freight transportation

terminals, truck stops, and maintenance facilities located within the L-P (Logistics Park Zoning) District:

1. Except for loading/unloading operations, heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds shall be restricted from idling on-site for no more than 5 minutes in any 60-minute period. For loading/unloading operations, idling shall be restricted to no more than 30 minutes in any 60-minute period. The following exceptions shall apply to this section:
 - a. Emergency vehicles performing their emergency duties;
 - b. Vehicles that must idle to operate auxiliary equipment to accomplish the intended use of the vehicles such as mixing, refrigerating, or operating a hydraulic lift. The exemption does not apply when the vehicle idling is solely for cabin comfort or to operate non-essential equipment such as air conditioning, heating, microwave ovens, or televisions except in the case of a safety or health emergency;
 - c. Vehicles in extreme hot or cold weather;
2. One electrical hook-up shall be provided for “trucker plug-ins” equal to a minimum of one-third (1/3) of the total number of truck bays at the facility to eliminate excessive idling by heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds. Approval to use alternative technologies to eliminate excessive idling may be requested **as part of site plan approval** but shall not be approved unless the applicant demonstrates that they are at least as effective as electrical hook-ups.
3. Signs shall be posted by owner(s) of the facility at each vehicle entrance to the facility notifying drivers of heavy-duty diesel vehicles with a gross vehicle weight of over 14,001 pounds to turn-off engines when not in use;
4. The operation and idling of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds, including circulation, shall be restricted within 300 feet of any ~~property zoned for or committed to~~ residential **use property**, or the owner/developer shall provide alternative measures including the possible installation of a wall or other mitigating measures to assure buffering of residences from heavy-duty truck operations, unless the owners of property located adjacent to said heavy duty diesel truck operations consent and agree, in writing to:
 - a. Allow the location of heavy-duty diesel truck operations within 300 feet of ~~their property zoned for and committed to~~ residential **use property**, and
 - b. Restrict areas of their property located within 300 feet of adjacent trucking operations to only non-residential uses;
5. Warehouse managers and employees shall be trained by the employer(s) or operator(s) of the facility to use efficient scheduling and load management to eliminate unnecessary operation, queuing, or idling of heavy-duty diesel vehicles with a gross vehicle weight of over 14,001 pounds.
6. Warehouse managers and employees shall be provided by the employer(s) or operator(s) of the facility with information about the possible effects of diesel emissions on their own health and the importance of being a good neighbor by

minimizing idling and avoiding other potentially adverse impacts on adjacent or nearby residences.

7. Where feasible, on-site services should be made available to vehicle drivers to reduce idling. These services may include restroom facilities, seating for drivers waiting for their cargo to be loaded or unloaded, and/or food/beverage vending machines.
8. Where feasible, any motorized equipment used within the proposed development should utilize clean technology propulsion and/or alternative fuels such as electricity or propane.
9. Where feasible and, if fuel dispensing facilities are provided on-site, alternative clean fuels should be provided at these dispensing facilities. (Ord. 888, 2010)

R. Site Plan Approval.

- a. Site plan approval is required see Article 10 Site Plans and Design Standards for requirements.
- b. If application is made for a building or structure which is not required to be submitted for site plan approval in Article 10 and whose style or exterior materials in the opinion of the Zoning Administrator varies substantially from such style and materials which have previously used on said building or is not of the quality acceptable to the Zoning Administrator, the plans for such building or structure shall be submitted to the Planning Commission for site plan approval in accordance with Article 10.

5.3 I-G General Industrial District

- A. Purpose. This district is intended primarily for basic industry; warehousing, distributing, processing, and assembly of goods and products. The activities found in this district are typically conducted so that noise, odor, dust, and glare are confined within the district. The size and volume of the materials, finished products, and freight generated by the uses of this district are such that they can be located adjacent to non-industrial uses.
- B. Use Restrictions. In District I-G, no building, structure, land or premises shall be used, and no building or structure shall be erected, constructed, reconstructed, moved, or altered, except for uses listed as permitted or conditional. ~~or special.~~
- C. Permitted Uses. The following uses shall be permitted within I-G-General Industrial District.
 1. ~~Automotive~~ Automobile and equipment repair and service.
 2. Auction yards and auction houses.
 3. Bottling works; food and beverage packaging.
 4. Building materials and lumber yards.
 5. Bus storage buildings or lots.
 6. Building construction trades.
 7. Fabrication and assembly, building materials.
 8. Distribution center; freight.
 9. Manufacturing, ~~limited~~ light and general

- ~~10. Warehouse and processing, limited.~~
11. Laundry, cleaning and dyeing works.
12. Sign shops and service.
13. Printing and publishing; paper products.
14. Research facility
15. **Veterinary hospitals and clinics.**
16. **Welding shop.**
17. Any other industries or businesses that are in keeping with the intent of the district and are compatible with the permitted uses.
18. Accessory Uses

D. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a conditional use permit obtained pursuant to the provisions of Article 7.

1. Communication towers greater than 60 feet in height (exclusive of antenna).
2. Transportation storage and trucking yards
3. Recycling center
4. Construction equipment storage
5. Chemical and allied products – manufacturing and storage
6. Solid waste transfer stations.
7. Mining or quarrying
8. Oil and gas extraction.
9. Salvage yards.
10. **Asphalt and concrete plants.**
11. **Automobile body shop.**

E. Property Development Regulations. The following regulations shall apply to each site in the I-G, General industrial District.

Table of Setbacks, Yards, and Area for I-G District					
Use	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height	Minimum parking setback Open Space
Principal Buildings	30 feet.	No side yard shall be less than 10', except when adjacent to a residential district property then 20' shall be required.	No rear yard shall be less than 15', except when adjacent to a residential district property then 20' shall be required.	35 feet.	30 ft. -25%

F. Appearance Codes. All new industrial uses established after the effective date of this ordinance shall comply with the following requirements:

1. Scrap materials, non-operative motor vehicles or machinery, dis-assembled machinery, debris, solid waste containers, construction materials or equipment, and used machinery parts must be stored within a defined area behind a screening fence. At a minimum, the screen must be a solid six-foot wood or slat filled metal fence. ~~the Zoning Administrator~~ In addition, the Planning Commission may also require ~~is authorized to substitute~~ shrubbery, trees, or earth-berms, or any combination of these elements' methods. ~~The Board of Zoning Appeals is authorized to grant waivers when unusual conditions prevent storage and screening.~~
2. All parking, drives, and entrances shall be surfaced with asphalt, or concrete except that parking lots located in the rear yard of the principal building used exclusively for the storage of vehicles, or for remote, reserve parking may use recycled asphalt. ~~or gravel on compacted earth.~~
3. ~~Reserved for future change.~~
4. All entrances to the public right-of-way shall maintain a clear vision triangle calculated 45° either direction measured twenty (20) feet from the point of intersection to the delineated stop line.
5. All outdoor lighting must be shielded and focused to direct light onto the premises and away from adjoining residential properties as set out in Article 10.
6. Multiple businesses in one structure are permitted provided that adequate parking and circulation are maintained.

G. Parking and Loading.

- ~~1. Each establishment shall provide sufficient off street parking spaces for all employees, customers, visitors, and others who may spend time at the establishment during working hours. Such parking spaces shall be at least nine (9) feet by twenty (20) feet.~~
- ~~2. Light manufacturing shall provide one parking stall per one hundred (100) sq. ft and general manufacturing shall provide one parking stall per one hundred fifty (150) sq. ft; and, heavy manufacturing shall provide one parking stall per 200 sq. ft.~~
- ~~4. Minimum parking standards may be adjusted to greater or lesser capacities or lesser to account for location, expected circulation flows, and conversion probabilities, by the Planning Commission or Zoning Administrator. Each establishment shall provide adequate loading space within a building or in a side or rear yard, in such a way that all storage, standing and maneuvering of trucks shall be off the public right-of-way.~~
- ~~5. No portion of a parking or loading space, including maneuvering areas, except the necessary drives, shall be located closer than 30 feet from a public street right of way.~~
- ~~6. All parking shall be on a surface prepared from concrete or asphalt.~~
- ~~7. All commercial buildings shall provide a designated off street space for the loading and unloading of goods and merchandise.~~
8. See Article 10 16 for additional parking requirements.

H. Site Plan Approval.

1. Site plan approval is required see Article 10 Site Plans and Design Standards for requirements.

2. If application is made for a building or structure which is not required to be Submitted for site plan approval in Article 10 and whose style or exterior materials in the opinion of the Zoning Administrator varies substantially from such style and materials which have previously used on said building or is not of the quality acceptable to the Zoning Administrator, the plans for such building or structure shall be submitted to the Planning Commission for site plan approval in accordance with Article 10.

I. Signs. See Article 12 for Sign Regulations.

5.4 I-H Heavy Industry District.

- A. Purpose and Intent. This district is designed to accommodate heavy industrial uses not otherwise provided for in the I-G General Industrial district. The intensity of uses permitted in this district requires separation from residential and commercial uses.
- B. Uses Permitted. The following uses shall be permitted in the I-H, Heavy Industrial District:
 1. Any use permitted in the I-G District
 2. Agricultural storage and processing facilities, including elevators and dehydrators.
 3. Sale and bulk storage of agricultural fuels, feed, fertilizers, and pesticides.
 4. Asphalt, ~~cement~~ and concrete plants.
 5. Heavy construction trades.
 6. Manufacture and processing of chemicals.
 7. Pottery and porcelain products (bulk manufacturing).
 8. Public safety services.
 9. Public utilities or facilities.
 10. Scrap metal storage yard.
 11. Stone products.
 12. Transfer station, solid waste.
 13. Welding shop.
 14. Wire rope and cable.
 15. Any manufacturing (light, general or heavy), processing, or fabrication activity that involves substantial heat, light, and glare from welding, pressing, stamping, food preparation, assembly lines, or excessive noise from moving, machinery, or assembly.
 16. Any other use similar in character to the above as approved by the Planning Commission.
- C. Uses Permitted by Condition (Conditional Use). The following uses may be permitted with a conditional use permit obtained pursuant to the provisions of Article 7 of the Unified Development Code.
 1. Acid manufacture or reclamation.
 2. Pesticide or herbicide manufacture.
 3. Explosives manufacture or storage.
 4. Slaughtering, rendering, packing operations
 5. Fertilizer manufacture.
 6. Petroleum refinery.
 7. Smelting of base metals.

8. Adhesive manufacture.
9. Incineration.
10. Stockyards.
11. Wholesale/storage (bulk) of gasoline and other petroleum products.
12. Concrete plant.
13. Towing and vehicle impound yard.
14. Recycling collection center.

D. Setback, Yard and Area Regulations.

Table of Setbacks, Yards, and Area for I-H District				
Use	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
Principal Buildings	30 feet 35'	20 30 feet, except that a 40-foot setback shall be established on all parcels adjacent to a residential zone or use.	25-30 feet setback shall be established for structures and parking with access or service from the rear. Within this setback an alley, service court or drive is allowed.	45 feet 40'

E. Special Regulations. The use of all property and buildings in the I-H district shall be conducted in a manner such that all operations, display or storage of material shall be screened by ornamental fences, walls and/or permanent tree plantings. ~~in accordance with Section 6-9.~~

1. Parking and Loading.

- ~~1. Each establishment shall provide sufficient off-street parking spaces for all employees, customers, visitors, and others who may spend time at the establishment during working hours. Such parking spaces shall be at least nine (9) feet by twenty (20) feet.~~
- ~~2. Light manufacturing shall provide one parking stall per one hundred (100) sq. ft.; general manufacturing shall provide one parking stall per one hundred fifty (150) sq. ft.; and, heavy manufacturing shall provide one parking stall per 200 sq. ft.~~
- ~~3. Minimum parking standards may be adjusted to greater or lesser capacities amounts to account for location, expected circulation flows, and conversion probabilities by recommendation of the Planning Commission to the Governing Body or Zoning Administrator. Each establishment shall provide adequate loading space within a building or in a side or rear yard, in such a way that all storage, standing and maneuvering of trucks shall be off the public right of way.~~
- ~~4. No portion of a parking or loading space, including maneuvering areas, except the necessary entrance and exit drives, shall be located closer than 30 feet from a public street right-of-way or property line.~~
- ~~5. All parking shall be on a surface prepared from constructed of concrete or asphalt.~~

- ~~6. All commercial buildings shall provide a designated off-street space for the loading and unloading of goods and merchandise.~~
7. See Article ~~40~~ 16 for additional parking requirements.

G. Site Plan Approval.

1. Site plan approval is required see Article 10 Site Plans and Design Standards for requirements.
2. If application is made for a building or structure which is not required to be submitted for site plan approval in Article 10 and whose style or exterior materials in the opinion of the Zoning Administrator varies substantially from such style and materials which have previously used on said building or is not of the quality acceptable to the Zoning Administrator, the plans for such building or structure shall be submitted to the Planning Commission for site plan approval in accordance with Article 10.

H. Signs. See Article 12 for Sign Regulations.

Article 10

Site Plans and Design Standards

Section 10.1	Site Plans
Section 10.2	Parking and Loading
Section 10.2	Streets and Access Drives
Section 10.3	Building Permit
Section 10.4	Final Approved Site Plan

10.1 Site Plans

- A. Obligation.** The site plan, ~~a scaled drawings map~~ of ~~existing and~~ proposed buildings, structures, ~~landscaping, outdoor lighting,~~ parking areas, ~~utilities,~~ easements, roads and other city requirements used in physical development, when approved by the Planning Commission ~~or the Governing Body, when required,~~ shall create an enforceable obligation to build and develop in accordance with all specifications and notations contained in the site plan instrument. The applicant prior to the issuance of any development ~~or building~~ permit shall sign all site plans. ~~A final site plan filed for record shall indicate that the applicant shall perform all obligations and requirements contained therein.~~
- B. Site Plans Are Required** in all of the following application procedures: ~~unless specifically waived by the Planning Commission:~~
1. All ~~development~~ applications involving mixed-use development (when more than one type of land use is to be integrated into one site); ~~including~~ Planned Unit Development; Multi-family residential; ~~Office;~~ Commercial; ~~and~~ Industrial ~~projects. Districts. and when required by the specific provisions of this Unified Development Ordinance.~~
 2. All new buildings and proposed expansions and enlargements of more than ten percent (10%) of the existing floor area of the existing building or structure except single-family dwellings, two-family dwellings, group homes and residential designed single-family and two-family manufactured homes shall prepare and submit a site plan for Planning Commission approval in accordance with Article 10 prior to the issuance of a building permit
 3. When required by the specific provisions of this Unified Development Code, and
 4. A change in use, when in the opinion of the Zoning Administrator a site plan needs to be submitted.
- C. Public Hearing.**
1. A public hearing is required for all Site Plan applications.
 2. Notice of the public hearing shall be published in the official city newspaper at least twenty (20) days prior to the date of the hearing.
 3. The public hearing shall be conducted in accordance with Article 8.1.F The conduct of Hearings, paragraphs 1.,2, and 3.
 4. The Planning Commission may approve the site plan, deny it or approve it with conditions. For site plans, the Planning commission vote is not advisory or a recommendation, except when alterations are requested by an applicant and then the final decision on alterations is made by the Governing Body

D. Submission Requirements.

1. A Site Plan Fee, established within the Fee Schedule for the Unified Development Code, shall be submitted with the site plan application.
2. ~~Three~~ **Two** copies of the site plan **plus an electronic copy** must be submitted to the Zoning Administrator at least ~~thirty (30)~~ **forty-five (45)** ~~working calendar~~ days in advance of a scheduled Planning Commission ~~or Board of Zoning Appeals~~ hearing. One copy shall be made available for public inspection at least ~~fourteen (14)~~ **twenty (20)** days in advance of a public hearing.
3. All ~~(FINAL)~~ Site Plans must be submitted on superior quality paper in a ~~24 X 36~~ **30 X 40** inches format (or a format specified by the Zoning Administrator). The scale shall be a professionally acceptable standard suitable to the area of the proposed project.

E. Certifications. Unless otherwise specified, each site plan shall contain the following ~~information:~~ **certifications on the front sheet of the submittal:**

CERTIFICATE:

Received and placed on record this _____ day of _____, _____
(Zoning Administrator)

Approved by the Edgerton City Planning Commission this _____ day of _____,
'_____',
Chair of the Planning Commission _____

~~Permission for parking to encroach within setback lines by the Planning Commission is~~ _____ ~~is not~~ _____ granted. ~~according to my marked notations:~~
(Zoning Admin.) _____ date

I certify that I have reviewed this SITE PLAN and will comply with all specifications, changes, **conditions required during Site Plan approval** and amendments herein, and that this instrument creates a legally enforceable obligation to build and develop in accordance with all final agreements. ☐

Applicant signature: _____ **Date:** _____

F. Contents of Site Plan Drawings.

1. ~~Front or cover sheet.~~
2. A scale vicinity map showing the relationship of the site to surrounding neighborhoods, **zoning of surrounding properties**, roads and other physical features.
3. A project title, zoning designation and ~~project sponsor~~ **applicant name**. A street, lot or tract address of the project.
4. An index to contents, and a data table which, at a minimum, includes: Acreage of the site and number of units per acre (if applicable); gross square feet of the building(s) area; the proposed use of each building; number of employees ~~and the BOCA or Uniform Building Code or NEPA 101 Life Safety Code Occupancy Design Load~~ and, the total number of parking places.
5. The name of the architect, engineer, surveyor or ~~draftsman.~~ **landscape architect, licensed in the State of Kansas, who prepared the site plan.**
~~e). The following certificates and signature blocks:~~
6. ~~Sheet #2~~
7. A landscape plan drawn to scale, showing the site, **name and size of existing trees to be retained**, building location, planting and seeding **or sodding**

schedules, refuse and outdoor storage screening and boundary screening. All landscape features shall be shown in relation to sidewalks, paths, lawns, parking areas and drives. A table entitled "Planting Schedule" which lists the common name, size and condition of all planting materials, together with a timetable for planting.

8. Sheet #3

9. A site map with the following features.

- a. Existing and proposed topography at reasonable including contours at two (2) foot intervals unless the property is too flat and then spot elevations shall be provided.
- b. Exterior lot lines with any survey pins.
- c. Location of buildings.
- d. Parking areas, paths, walks with sizes and surface material specifications.
- e. Exterior lighting specifications including a preliminary photometric plan. A final photometric plan will be required at the time the applicant applies for a building permit. Lighting should be installed in an effort to minimize spillover onto adjacent properties and streets. The maximum light level at any point on a property line shall not exceed 0.0 footcandles when adjacent to an agricultural or residential district or 0.2 footcandles when adjacent to a nonresidential district, measured five (5) feet above grade. Lights shall be aimed away from adjacent properties and streets and may need to be shielded to meet the footcandle requirements. The maximum height for luminaries shall not exceed 25 feet as measured between the bottom of the luminaire and grade.
- f. Site entrance and connections to streets.
- g. The location of existing and proposed easements.
- h. Connection point for utilities and the location and size of all utility lines including but not limited to sewer lines and manholes; water lines and fire hydrants; telephone cable, fiber, and electrical systems; and storm drainage systems including inlets, catch basins, lines and other appurtenances, existing and proposed.
- i. Vehicular and pedestrian circulation within the site, entrances and exits, loading and unloading areas, and adjacent curb cuts.
- j. Storm Drainage Systems and Facilities shall be provided in connection with the proposed development of land in accordance with the Kansas City Metropolitan chapter of the American Public Works Association Construction and Material Specifications Section 5600 Storm Drainage Systems and Facilities. Said site plan shall show, by use of directional arrows, the proposed flow of storm drainage from the site. A summary table shall be provided on the site plan in the following format:

<u>PROPERTY SURFACE SUMMARY</u>			
<u>Summary of Existing Conditions</u>		<u>Summary after project completion</u>	
<u>Total Buildings</u>	<u># ft.²</u>	<u>Total Buildings</u>	<u># ft.²</u>
<u>Total Pavement</u>	<u># ft.²</u>	<u>Total Pavement</u>	<u># ft.²</u>
<u>Total Impervious</u>	<u># ft.²</u>	<u>Total Impervious</u>	<u># ft.²</u>
<u>Total Pervious</u>	<u># ft.²</u>	<u>Total Pervious</u>	<u># ft.²</u>
<u>Total Property Area</u>	<u># ft.²</u>	<u>Total Property Area</u>	<u># ft.²</u>

A Storm water Pollution Prevention Plan (SWPPP) shall also be provided and shall meet the known requirements of the National and Kansas General Permit. A signed and dated copy of the NOI shall be provided to the City prior to any disturbance of the soil on the construction site.

- k. ~~A sketch~~ Scale drawings of all proposed signage including location, height, size, area, materials and design ~~the entry sign, and all other free standing, façade, and building signs~~ to be used on the premises. Construction drawings will be required when applying for a sign permit.
 - l. Features to facilitate handicapped access.
 - m. Profile and detail for roads ~~the location and width of sidewalks and the location of trails~~ (if required by the Zoning Administrator).
10. ~~Sheet #4~~
- a. Scale drawing of building floor plans with dimensions and square foot calculations.
 - b. ~~Dimensions and use of rooms and areas.~~
 - c. ~~Dimensions of entrances/exits and corridors~~
 - d. ~~Interior specifications for handicapped accessibility as required by ANSI 117.1 and this ordinance.~~
11. ~~Sheet #5 (if requested)~~
- a. Scale drawings in full color with dimensions of all building facades or elevations including the labeling of exterior materials and color.
 - b. Roof pitch and materials.
 - c. ~~Building façade elevations including siding type, and materials, exterior materials and color. including facie~~
 - d. Location, line of site and full screening of roof top and ground HVAC units, other utility boxes and other above ground facilities from view of the street and adjacent properties. Ground-based mechanical equipment shall be located away from property lines adjacent to public streets and residential zoned areas and screened from view at the street.
 - e. Location, full screening and enclosure of all outside trash bins and dumpsters from view of the street and adjacent properties. The enclosure shall be constructed with permanent building materials that are similar to or complement the building materials and colors used on the principal building on the site. Service areas and refuse storage areas shall not front onto streets and open public places. bb. Refuse storage and pick-up areas shall be combined with other service and loading areas.
 - f. Service areas shall be located to the rear or side of buildings and screened from view from the street and/or public open space.
12. ~~Additional Requirements.~~
- a. Depending upon circumstances ~~(especially buildings used for assembly) the Planning Commission~~ the Zoning Administrator may require additional information related to operations and their impact on adjacent properties ~~.sheets for mechanical and electrical and building materials specifications The Planning Commission~~ and may also require additional information for hazardous material or other environmental impacts.
 - b. The Zoning Administrator may also require a detailed traffic impact study prepared by a Traffic Engineer, licensed in the State of Kansas, for large uses, mixed use and multi-tenant developments, or for developments in heavy traffic or congested areas to include:
 - i. The projected number of motor vehicle trips to enter and leave the site, estimated for daily and peak hour traffic levels;

- ii. The projected traffic flow pattern including vehicular traffic movements at all major intersections likely to be affected by the proposed use of the site;
 - iii. The impact of the proposed traffic upon existing, public and private ways in relation to existing and projected daily and peak hour road capacities.
 - iv. A recommendation of whether additional improvements would be needed such as turning lanes or traffic signals to accommodate the projected traffic.
 - v. Any other information as determined by the City Engineer.
 - c. Site Plan shall include the layout and design of all property designed required parking and loading areas in accordance with Article 16 of the Unified Development Code.
 - d. If applicable and allowed within the zoning designation, location of permanent outside storage including building materials which meet aesthetic guidelines must be included on the Site Plan.
 - e. If applicable and allowed within the zoning designation, placement and dimensions of Seasonal Outdoor Storage area must be shown on the Site Plan. Administrative approval for a Seasonal Outdoor Storage Permit is granted by the Zoning Administrator upon the submission of a permit application which includes, but is not limited to, parking implications, time parameters (hours of operation and duration of display), signage, pedestrian and vehicular traffic flow, lighting requirements, security, maintenance of merchandise, and fencing.
13. ~~Design Standards.~~
- a. ~~All new parking spaces shall be located within the building envelope inside the required front, side and rear yard setback. When permission to encroach into the setbacks is granted by the Zoning Administrator, a green area of no less than six (6) feet must be provided between the R.O.W. and property lines.~~
 - b. ~~Parking spaces must be on a prepared bed with either a rock, asphalt or concrete surface. Surface requirements are set by the Planning Commission and depend upon the need for dust control, amount of parking, nature and size of the vehicles, in-out traffic flow, erosion control, and visual design.~~

G. Appearance Regulations.

- 1. The Planning Commission may require additional landscape materials, open space buffering, setback from property lines and/ or screening materials for all buildings that abut residentially used or zoned parcels.
- 2. Building tones and color shall be of a quality that is compatible with other new development in the City.
- 3. All buildings with a metal exterior shall have a facade (surface covering material) composed of stone, brick, tile, custom siding or a combination of these materials which include the total surface of all sides of the building. Allowed materials may vary between districts. Check district requirements for specifics allowances.

H. Standard of Approval. The Planning Commission shall give consideration to the following criteria in approving or disapproving a Site Plan:

- 1. The site is capable of accommodating the building or buildings, parking areas and drives with appropriate open space and landscaping.
- 2. Utilities are available or can be extended to serve the proposed development.
- 3. The proposed plan provides for adequate management of stormwater runoff.
- 4. The plan provides for safe and easy ingress, egress and internal traffic circulation.

5. The plan is consistent with good land planning and site engineering design principles.
 6. An appropriate degree of compatibility will prevail between the architectural quality of the proposed building or buildings and the surrounding neighborhood.
 7. The plan provides adequate landscaping, screening and buffering for the benefit of adjacent properties.
 8. The plan represents an overall development pattern that is consistent with the Comprehensive Plan and other adopted City policies.
 9. The Planning Commission may, in the process of approving a site plan, recommend alterations of the standard requirements to the Governing Body provided any alteration is in keeping with accepted land planning principles and in the interest of efficient land development and utilization. The Governing Body may approve, deny or revise said recommendation or take such action as it deems appropriate.
- I. Improvements.** The Planning Commission may require the construction or installation of infrastructure improvements such as sidewalks, traffic signals, street widening and channelization, acceleration and deceleration lanes, storm drainage improvements and other similar improvements that are related to the proposed project and may require the dedication of trail easements.
- J. Site Plan Modifications.** Minor modifications may be made to an approved site plan by the applicant with the approval of the Zoning Administrator and without resubmittal to the Planning Commission provided that the modifications do not exceed the basic requirements of the district in which the project is located and do not:
1. Substantially change the pedestrian or vehicular flow;
 2. the juxtaposition of land uses;
 3. the relationship of open space in the development;
 4. the degree of screening or buffering and the architectural appearance and building design approved for the project;
 5. vary the proposed gross residential density or intensity by more than 5 percent;
 6. increase the floor area of nonresidential buildings by more than 5 percent;
 7. increase the ground coverage or height of the buildings by more than 5 percent;
- or
8. alter utility locations and connections that adversely affect the quality of the project.
 9. If, in the opinion of the Zoning Administrator, a Site Plan is substantially changed from the approved plan, the applicant shall resubmit the revised plan to the Planning Commission for approval.
- K. Planning Commission Action and Appeals** Building permits shall not be issued for use of any land or proposed construction in which a Site Plan Approval is required, until such time as Site Plan Approval has been granted by the Planning Commission. The Planning Commission may require revisions to the Site Plan, building designs and materials, landscaping, screening or any other element in order to improve the compatibility of the proposed project.

The decision of the Planning Commission may be appealed to the Governing Body by the applicant by filing a letter, setting out why it is appealing the decision, with the City Clerk within fourteen (14) calendar days after the decision has been rendered by the Planning Commission.

10.2 — ~~Parking and Loading Standards~~

- ~~A. General Provisions. When an existing structure or use is expanded, parking shall be provided in accordance with the following regulations: Parking stalls and spaces shall be used by motor vehicles in operating condition by patrons, occupants, or employees.~~
- ~~1. Parking may be located in any yard however; In residential districts no parking shall be located in a required front yard or a required side yard adjacent to a street except in the driveway.~~
 - ~~2. No major vehicle repair work or service of any kind shall be permitted in any parking facilities.~~
 - ~~3. No unlicensed or inoperable vehicle or part of such vehicle may be left, parked or stored upon any street, public or private property, or on any driveway within the city. If said violation occurs, the owner shall remove the vehicle after notice by the Police Department. Codes Enforcement Officer.~~
- ~~B. Parking Site Plan. A site plan showing shall include the layout and design of all required parking and loading areas. shall be submitted and approved by the Zoning Administrator prior to issuance of a building permit. All required spaces shall be properly designed according to standards and shall be indicated on the plan.~~
- ~~C. Number of Parking Spaces Required. Unless waived or modified by the Planning Commission Zoning Administrator, parking requirements and space development standards for all uses shall be established in accord with the following standards set forth in Table 1.~~

Average Space/Parking Requirements	
Use	Parking
Residence—single and duplex	3 spaces per dwelling unit
Residence 3—5 units	3 spaces per dwelling unit
Residence—multi family	See R-3 Zoning District
Church/Chapel	½ of Rated Occupancy
Car wash (customer holding areas)	5 spaces per stall
Hotels and motels	1 space per rental unit, plus spaces as required for restaurants.
Funeral facility	½ of Rated Occupancy
General Office	1 per 300 sq. ft.
General Office—Customer	1 per 200 sq. ft.
Service—No Sales (parts)	1 per 400 sq. ft.
Service—Merchandise Sales	1 per 200 sq. ft.
Retail—Convenience—1000 sq. ft. or less	1 per 150 sq. ft.
Retail—Convenience—1000 sq. ft. or more	1 per 125 sq. ft.
Retail/Personal Service [Video; Copying, Etc]	1 per 125 sq. ft.
Retail—General Merchandise	1 per 200 sq. ft. to 1 per 50 sq. ft.
Retail—Specialized Mercantile [Furniture; Home Sales; Housewares	1 per 400 sq. ft.
Taverns—Entertainment	½ of Rated Occupancy
Health Care	1 per 75 sq. ft.
Restaurant	½ of Rated Occupancy
Restaurant—Fast Food	½ of Rated Occupancy
Restaurant—Express	10 + employees
Govt., Utilities, Etc	1 per 400 sq. ft.
Public/semi-public assembly of any type	To be Negotiated
Manufacturing—Light	1 per 100 sq. ft.
Manufacturing—General	1 per 150 sq. ft.
Manufacturing—Heavy	1 per 200 sq. ft.
Day Care—Home	1 + employees
Day Care—Commercial	5 + employees
Recreation	To be Negotiated

~~NOTE: Minimum parking standards may be adjusted to greater or lesser capacities to account for location, expected circulation flows, and the likelihood of conversion by the Zoning Administrator. Specific uses not included in this table shall use commonly accepted parking and circulation standards promulgated by standard site design principles and anticipated occupancy loads.~~

~~The parking requirement for any use not listed in this table shall be determined by the Planning Commission based on a recommendation from staff.~~

~~When a determination of the number of off-street parking spaces required by this regulation results in a fraction, the fraction of 0.5 or less may be disregarded and the fraction of greater than 0.5 shall be counted a one parking space.~~

~~When a building or development contains a mix of uses, the parking requirement shall be calculated for each use and the total parking requirement shall be the sum of all the individual parking requirements.~~

~~**D. Design Standards and Required Dimensions:**~~

- ~~1. Access. Each required parking space shall open directly on an aisle or driveway to provide safe and efficient means of ingress and egress.~~
- ~~2. Location. All parking shall be located on the same zoning lot as the structure or use served, or an adjacent lot under the same taxpayer's name, unless special permission is granted for collective or group parking.~~
- ~~3. Lighting. All lighting used to illuminate parking areas shall be directed away or shielded from residential properties.~~
- ~~4. Bumper Guards & Pavement Marking. Parking areas shall have adequate bumper guards to prevent extension or overhang of vehicles beyond property lines or parking spaces. Parking areas shall have adequate markings for channelization and movement of vehicles. If vehicles overhang sidewalks, the sidewalks shall be widened to accommodate pedestrians as well as ADA Standards.~~
- ~~5. Screening. All parking areas containing more than six (6) spaces shall be screened on each side that adjoins any property situated in a residential district. Screening shall be by a wall, or fence, or evergreen hedge not less than six (6) feet nor more than eight (8) feet in height. Parking areas shall be arranged and designed so as to prevent damage to, or intrusion into, walls, fences, or hedges.~~
- ~~6. Regular Parking Spaces:
 - ~~a. Unless otherwise specified in this ordinance or waived by the Planning Commission and/or Zoning Administrator, overflow parking spaces shall be on a prepared surface of concrete or asphalt. If waived or modified, the parking 5" of AB-3 surface shall be prepared on compacted soil with a minimum of or 4" of gravel.~~
 - ~~b. All regular required parking and loading spaces, driveways and aisles shall be graded and paved with asphalt, concrete or asphaltic concrete and on hard surfaces shall be delineated striped using painted lines or pre-cast concrete parking blocks.~~
 - ~~c. The minimum dimension for all regular angle parking spaces shall be 9' in width and 20' in depth.~~~~

~~**E. Off-Street Loading and Unloading Requirements. On premises loading and unloading spaces shall be provided off-street in the side or rear yard for all uses involving receipt or distribution of materials or merchandise by motor vehicle or rail. All loading and**~~

~~unloading operations shall be located so as to avoid undue interference with traffic and public use of streets, alleys and walkways.~~

10.3 Streets and Access

A. General Design and Layout Criteria.

1. **Relation to Adjoining Street System.** The arrangement of streets in new subdivisions shall make provisions for the continuation of the principal existing streets in adjoining subdivisions (or their proper projection where adjoining property is not subdivided) where required by the Planning Commission or the Governing Body.
2. **Street Provisions for Future Development.** Where appropriate, ~~areas R/W~~ shall be ~~platted reserved~~ for future street usage in conjunction with the development of adjacent tracts ~~and said street shall be paved to the property line~~ ~~Areas reserved for future street usage will not be required to be improved; however, -~~ by the ~~applicant. Subdivider of the adjacent tract.~~
3. **Lot Access.** The Planning Commission may disapprove any point of ingress or egress to any lot, tract, or development from any street or highway when the proposed ingress or egress would create unsafe conditions, reduce the capacity of the adjoining street or highway, or result in substandard circulation and impaired vehicle movement.
4. **Construction Standards.** All streets shall be built to standards established by the City of Edgerton.

10.4 Building Permits

- A. No building permit shall be issued for any use of land, building, structure or addition required to have site plan approval until such time as said plan has been approved by the Planning Commission or the Governing Body when required.
- B. An application for a building permit shall include a complete set of construction drawings based on the approved site plan and if in the opinion of the Zoning Administrator, the submitted drawings are significantly different from the approved site plan, the applicant shall either revise the drawings to comply with the approved site plan or resubmit site plan to the Planning Commission for re-approval.

10.5 Final Approved Site Plan

- A. Within sixty (60) calendar days after the approval of the Site Plan by the Planning Commission or Governing Body, the applicant shall submit one set of paper drawings plus an electronic copy to the Zoning Administrator with all changes required by the Planning Commission or Governing Body and all changes shall be listed on the cover sheet.
- B. The site plan shall be approved for a period of one year from the date of Planning Commission or Governing Body approval provided the applicant has been issued a building permit for the project or has requested an extension of time from the Planning Commission. If a building permit has not been issued for the project or an extension of time has not been requested from the Planning Commission, the site plan approval shall expire and become null and void. Prior to the one-year expiration date, the applicant may request an extension of time, for a maximum of one year,

from the Planning Commission and if an extension is not granted, the approved site plan shall become null and void.

Article 12

Sign Regulations

Section 12.1	Intent and Purpose
Section 12.2	Applicability
Section 12.3	Permits
Section 12.4	Appeals
Section 12.5	Exemptions
Section 12.6	Design, Material, and Sign Construction
Section 12.7	Temporary Signs
Section 12.8	General Restrictions and Prohibited Signs
Section 12.9	Permitted Signs
Section 12.10	Special Sign Regulations
Section 12.11	Sign Terminology and Definitions
Section 12.12	Nonconforming Signs

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, **except that signs located in the L-P District must also comply with the regulations contained in that District.** 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 **Article 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.~~ **If approved in a site plan the sign shall be designed in accordance with the approved site plan.**
4. Other information as deemed necessary by ~~the Planning Commission~~ **the Zoning Administrator as** 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 **to apply for a variance or** appeal the **decision of the Zoning Administrator** to the Board of Zoning Appeals (BZA) **in accordance with the requirements set out in Article 8.** ~~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. **Identification signs.**
7. ~~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 **signs** ~~devices~~ shall be constructed of permanent materials; ~~attached to~~ **supported by** the ground, **attached to** a building, or affixed to another structure. Specifically, signs may be constructed from wood, plastic, metal and/or masonry materials, paints or stencils, or **similar** materials. ~~permitted after conditional review by~~ The Planning Commission **may as a part of site plan approval, approve other materials.**
- 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 **six months** ~~one year~~ or more, or any sign which pertains to time, event, or purpose which no longer applies, **or exists** shall be deemed to be abandoned.
- D. An abandoned sign shall be removed by its owner or the owner of the premises **within thirty (30) days of the notification from the Codes Enforcement Officer** 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 **or in disrepair** he/she shall notify the property owner in writing. If the sign is not removed **or repaired** 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)
- G. **For monument signs the area shall include the sign panel, but not the sign base on which it is mounted or the structural frame around the panel. Only one side of a double-faced sign counts toward the maximum allowable sign area.**
- H. **If a wall sign is contained in a panel, the sign area shall be the entire area of the panel. If the wall sign consists of individual letters, symbols, logos or words, either painted or mounted on the wall, the sign area shall be the smallest rectangular figure that can encompass all of the letters, symbols, logos or words.**
- I. **For band signs, the sign area shall be the width of the band times the outside extremities of the letters, symbols, logos, or words contained in the band.**

12.7 Temporary Signs

- A. **Portable Signs.** Portable signs for business advertising, **promotions**, ~~or~~ special events **or other such purposes** may be issued a temporary permit **by the Zoning Administrator** for **a maximum of 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 **and a permit shall be issued by the Zoning Administrator.**

- C. Semi-permanent leasing signs.** In office, commercial and industrial districts, one semi-permanent sign shall be permitted for the purpose of advertising the on-going leasing activities of a project or building. The sign shall not exceed twenty (20) square feet per face, shall not have more than two faces, shall not be more than six feet in height and shall be placed on private property. Said sign shall be constructed of durable materials and shall not be illuminated internally or externally. Said sign shall be located so that it relates to and complements permanent monument signs. In lieu of a separate leasing sign, said leasing sign may be combined with a monument sign and the square footage the monument sign may be increased by thirty (30) square feet.

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, business promotion, or other such purposes for a maximum of 30 days in any one year.
3. A sign 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~~ A sign that may be confused with an authorized traffic sign, signal, device, or emergency sign.
5. Pole signs (except as a Conditional Use in the C -2 and C-3 Districts).
6. Roof signs.
7. Exterior exposed neon tube signs.
8. Flashing signs and signs that convey movement.
9. Off-premises signs.
10. Billboards.
11. Signs with glaring illumination.
12. Any sign mounted on, attached or displayed on a trailer or motor vehicle, whether operable or inoperable that is placed on the premises for advertising the business, product, service or sale or lease of the property. This does not apply to trucks, delivery vehicles or other vehicles that are parked on the premises during normal operations.

13. Obscene material. Any obscene signs, flags, banners of any type are prohibited. Obscene is defined as any material that; the average person, applying contemporary community standards would find the sign, taken as a whole, appeals to the prurient interest; that the sign depicts or describes, in a patently offensive way, sexual conduct specifically defined by Kansas Statutes (K.S.A. 21-6401); and that the sign, taken as a whole, lacks serious literary, artistic, political or scientific value.

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 6 sq. ft.	exempt		Not located in the r.o.w.	no	none	
Political	exempt	exempt		Not located in the r.o.w.	no	none	Not May be located in unpaved r.o.w. public property
Lots for sale	Exempt 6 sq. ft.	exempt		Not located in the r.o.w.	no	none	On-site signs only
Auction	Exempt 6 sq. ft.	exempt		Not located in the r.o.w.	no	none	On-site and off-site signs 30 day maximum
Construction	Exempt 6 sq. ft.	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 yes	none	Rallies, picnics, fairs, festivals, displays, promotions – 30 days maximum

Future building site	20 sq. ft.	8 6 ft.		Not located in the r.o.w	yes	none	Announces future building project Monument style only
Day care or adult care Banners or Temporary signs	12 sq. ft.			Not located in the r.o.w	yes	none	Monument style; ground style or wall 30 days maximum

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	a2 required yard setback	yes	external	Monument or ground style and a sign attached to building Allowed only if required by State Statute
Institutional	36 sq. ft.	6 ft.	2 4	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)	Wall or Monument only
Subdivision name	16 36 sq. ft.	6 ft. By Review	1 By review	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 36 sq. ft.	6 ft.	1	Not located in the r.o.w. and cannot create a traffic hazard	yes	external	Monument or wall ground style only - name of apartment complex

Home Occupation	98 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 Allowed only if required by State Statute
Institutional	36 sq. ft.	6 ft.	2-4	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)	Wall or Monument only
MH Park	16 36 sq. ft.	8 6 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 PUD.

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 6 ft.	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	10-30 % signable area		3 4		yes	external or internal	1 sign per wall facing a r.o.w. a street
Wall sign - individual business	46 sq. ft. By review.		4 3		yes	external	1 logo or location sign per business The total area of all signs shall be one and a half sq. ft. of sign area for each one foot of lineal footage of the building façade facing the street.
Wall sign - accessory building - information only	16 sq. ft.		1		no	external	1 sign per accessory building
Canopy sign	35 % of canopy				No yes	external	
Window sign	30 % of window				no	external or internal	
Temporary sign or banner	12 sq. ft.			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 (CO, C-1, C-2, C-3)							
Free-standing monument, or ground, or pole sign	48 36 sq. ft. by right per sign face	height of main building plus 8-6 6-ft. Service Stations 10 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 per street frontage, A pole sign may be permitted as a conditional use in the C-2 and C-3 Districts.**
	Same as down-town commercial	Same as down-town commercial		Not located in the r.o.w. and cannot create a traffic hazard.	yes	external or internal	Same as downtown commercial. For stand-alone buildings, the total area of all signs shall be one and a half sq. ft. of sign area for each one foot of lineal footage of the building façade facing the street.

* In the C-2 Heavy Service Commercial and C-3 Highway Service Districts, the monument sign may be permitted to a height of 25 ft.

**In its review and approval of a Conditional Use for a pole sign, the Planinning Commission and Governing Body shall give consideration to the following:

1. The use of the proposed development and
2. The height of the proposed principal building and
3. The surrounding land uses and zoning districts and
4. The relationship to Interstate I-35 (the property must abut I-35 R.O.W.) and
5. The elavation of the site in relationship to the elevation of the pavement on I-35 and
6. The proposed height and signable area of the pole sign.

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
Industrial MANUFACTURING DISTRICTS							
Business Parks							
Free-standing monument and ground and pole signs	By review	By review		4 10 ft. from r.o.w. 30 ft. from all other property lines	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 monument pole sign per principal building
Industrial Districts *							
Free-standing Monument and ground or pole signs	36 -80 sq. ft.	height of principal building plus 20 ft. 6 ft.	1	4 10 ft. from r.o.w. 30 ft. from all other property lines	yes	internal or external	1 monument or, ground, or pole sign per 200 ft. of street frontage
Additional Signs	Same as commercial				yes	internal or external	Same as commercial For stand-alone buildings, the total area of all signs shall be one and a half sq. ft. of sign area for each one foot of lineal footage of the building façade facing the street.

- For signs in the L-P District see Section 5,2.P. Signage for additional requirements

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. Where~~ ground is uneven or sloped the height of the sign shall be the average height between the top of the sign and the ground.
2. The Planning Commission ~~as a part of site plan approval~~ 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.~~
3. The Planning Commission may recommend approval of sign standards for a proposed development, as a part of Site Plan approval, that deviate from the size and location requirements of this Article, but under no circumstances may allow signs that are listed as prohibited. Any deviations must be approved by the Governing Body.
4. Where one retail establishment, a sub-tenant, leases space and conducts business within another retail establishment, primary tenant, but does not have an exterior business façade or an exterior door leading to the sub-tenant space, one wall sign may be permitted for the sub-tenant provided the sub-tenants business is a separate legal entity and not a department, division or subsidiary of the primary tenant and the total area for all the signs does not exceed the total allowable sign area. This section does not apply to enclosed shopping malls.
5. Where a retail establishment has departments such as a pharmacy, grocery, tires and battery(auto), etc. which may or may not have an exterior façade or door may have an additional two signs for individual departments provided the total area for all signs does not exceed the total allowable sign area.
6. Electronic signs may be permitted for a use permitted in the district in which it is located as a Conditional Use Permit in accordance with Article 7.

~~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 ~~or kiosk, or pole~~ sign.

D. Site Circulation Signs

Site circulation signs shall be allowed in the commercial and industrial districts and are categorized as follows:

1. **On-site directional signage** necessary for the movement and circulation of traffic (i.e., deliveries, receiving, etc.);
Maximum area allowed: Four (4) square feet of sign area
Placement: Out of public right of way and out of sight triangle
Height: Four (4) feet at top of sign
Number allowed: One per street driveway entrance
Installation: 2" solid metal post(s)
2. **Identification of services signage** necessary to indicate pedestrian movement (i.e., office or employee entrance, emergency services entrance, evacuation meeting place, truck parking etc.)
Maximum area allowed: Four (4) square feet of sign area
Placement: Attached to building, adjacent to interior drive, or on interior green space
Height: Four (4) feet at top of sign
Number allowed: One per building side

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. **Abandoned Sign.** A sign, including the base and structure, which no longer advertises a business, product or activity that is available on the premises.
2. **Awning Sign.** 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)~~ twelve (12) inches high. A logo shall not exceed 10% (ten percent) or six (6) square feet whichever is less.
3. **Band Sign.** A wall sign, typically located in a multi-tenant building, that is designed into the building for the placement of individual business signs and the length of the sign area is equal to the interior width of the business.
4. **Billboard sign.** See definition of off-premises sign.
5. **Bulletin Board Sign.** An exterior wall sign that lists the occupants of the building and events or activities occurring at said building.
6. **Electronic sign.** A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically controlled remotely or automatically.
7. **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.
8. **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.

9. **Glaring Illumination.** Light of such brilliance and so positioned as to blind or impair the vision or affect the aesthetic value of the area.
10. **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.
11. **Identification sign.** A sign giving the name and address of a building business development or establishment which may include a recognized logo or symbol.
12. **Institutional sign.** A sign identifying a club, association, school, hospital, church, fire station, cemetery, or other similar public or semi-public facility.
13. **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.
14. **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.
15. **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.
16. **Monument Sign** ~~One or more signs that lie between and by are supported two poles or beams. See also Kiosk Signs.~~ A sign independent of the building it serves supported by a base which is constructed of materials consistent with the said building and no poles or posts are visible.
17. **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.
18. **Off-premises Sign (Billboard).** A sign which displays any message directing attention to a business, product, service, profession, commodity, person, event, institution or similar matter that is not offered on the premises.
19. **On-premise Sign.** A sign which displays any message direction attention to a business, product, service, profession, commodity, person, event, institution or similar matter that is offered on premises.
20. **Pole Sign.** A sign that is permanently supported in a fixed location by a structure of poles, posts or braces from the ground and is not supported by a building or base.
21. **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.
22. **Portable Sign.** A sign not designed or intended to be permanently affixed into the ground or to a structure.

23. **Projecting (Wall Sign).** An outdoor building sign that is attached to a wall at a right angle.
24. **Promotional Sale Sign.** A temporary banner or other device promoting products, goods or services.
25. **Public Way or Right-of-Way.** Any way designed for vehicular or pedestrian use and is maintained with public funds.
26. **Roof Sign.** A sign erected, constructed or maintained on the roof of building, but does not include a sign on the parapet of a building.
27. **Safety Control Signs.** Warning, control, traffic, or required public safety signs.
28. **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.
29. **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.
30. **Sign Area.** The facing of a sign, including copy, insignia, background, and borders.
31. **Signable Area.** The signable area of a building is the square footage of each building façade. ~~that portion of a wall that lies between the top of the highest door or window and the roof edge.~~
32. **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.
33. **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 and does not project more than twelve (12) inches from said wall or project above the top of the wall on which it is attached or displayed.
34. **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.

12.12 Nonconforming Signs

Signs that were erected or established prior to the effective date of this ordinance and are not in conformance with these regulations may continue to exist subject to the following:

1. Said sign shall not be structurally altered or moved unless it conforms to these regulations. However, the sign may be maintained and repaired and the display may be changed provided it is not larger in area.

2. If any nonconforming sign is abandoned for a period of sixty (60) days, it shall be removed and any replacement sign shall be in conformance with these regulations.
3. Any nonconforming sign that has been damaged by fire, wind, explosion or other means to the extent that fifty percent (50%) or more of the sign has been destroyed shall be restored or rebuilt in conformance with the sign regulations. Any sign destroyed less than fifty percent (50%) may be restored or rebuilt to its condition prior to its damage.

Article 16

Parking and Loading Regulations

Section 16.1 General Provisions
Section 16.2 Design Standards and Required Dimensions
Section 16.3 Required Spaces
Section 16.4 Off-Street Loading and Unloading

16.1 General Provisions

- A. When an existing structure or use is expanded, parking for the expansion shall be provided in accordance with these regulations.
- B. Parking stalls and spaces shall be used by motor vehicles in operating condition by patrons, occupants, or employees.
- C. ~~Parking may be located in any yard.~~ In residential districts or developments no parking shall be located in a required front or side yard adjacent to a street except in the driveway.
- D. No major vehicle repair work or service of any kind shall be permitted in any parking facilities.
- E. No unlicensed ~~or inoperable~~ vehicle or part of such vehicle may be left, parked or stored upon any street, public or private property, or on any driveway within the city. If said violation occurs, the owner shall remove the vehicle after notice by the ~~Police Department~~ ~~Codes Enforcement Officer~~.
- F. ~~Parking site plan.~~ A site plan ~~showing~~ ~~shall include~~ the layout and design of all required parking and loading areas. ~~Shall be submitted and approved by the Zoning Administrator prior to the issuance of a building permit.~~ All required spaces shall be properly designed according to standards and shall be shown on the plan.
- G. ~~When a determination of the number of off-street parking spaces required by this regulation results in a fraction, the fraction of 0.5 or less may be disregarded and the fraction of greater than 0.5 shall be counted a one parking space.~~
- H. ~~When a building or development contains a mix of uses, the parking requirement shall be calculated for each use and the total parking requirement shall be the sum of all the individual parking requirements. If a building or tenant space changes use, parking for the new use shall be provided in accordance with Section 16.3 Required Spaces.~~
- I. ~~Each establishment shall provide sufficient off-street parking spaces for all employees, customers, visitors and others who may spend time at the establishment during working hours.~~

16.2 Design Standards and Required Dimensions

- A. **Access.** Each required parking space shall open directly on an aisle or driveway to provide safe and efficient means of ingress and egress.

- B. Location.** All parking shall be located on the same zoning lot as the structure or use served, or an adjacent lot under the same taxpayer's name, unless special permission is granted **by the Planning Commission** for collective or group parking **as part of Site Plan approval.**
- C. Lighting.** All lighting used to illuminate parking areas shall be directed away or shielded from adjacent properties. **The maximum height of a luminaire shall not exceed twenty-five (25) feet as measured from the grade to the bottom of the luminaire.**
- D. ~~Bumper guards& Pavement Marking~~** Parking areas shall have adequate **bumper guards** ~~wheel stops~~ to prevent extension or overhang of vehicles beyond property lines. ~~or parking spaces.~~ Parking areas shall have adequate markings for channelization and movement of vehicles. **If vehicles overhang sidewalks, the sidewalks shall be widened to accommodate pedestrians as well as ADA Standards.**
- E. Screening.** All parking areas containing more than six (6) spaces shall be screened on each side that adjoins any property situated in a residential **or agricultural** district. Screening shall be by a wall, or fence, or evergreen hedge not less than six (6) feet more than eight (8) feet in height. Parking areas shall be arranged and designed so as to prevent damage to, or intrusion into, walls, fences, or hedges.
- F. ~~All regular parking spaces on hard surfaces shall be delineated using painted lines or precast concrete blocks.~~** **All required parking and loading spaces, driveways and aisles shall be graded and paved with asphalt, concrete or asphaltic concrete on an approved base and said spaces shall be striped with paint or other approved striping material.** ~~Unless otherwise specified in this ordinance or waived by the Planning Commission and/or Zoning Administrator, overflow parking spaces shall be on a prepared surface of concrete or asphalt. If waived or modified, the parking5" of AB-3 surface shall be prepared on compacted soil with a minimum of 4" of gravel.~~
- G. Accessible parking spaces shall be provided in accordance with the ADA, American with Disabilities Act, Accessibility Guidelines**
- H. Minimum dimensions for parking lots:**
- 1. Aisle width one-way traffic: 90-degree 24 ft.; 60-degree 18 ft; and 45-degree 14 ft.**
 - 2. Aisle width two-way traffic: 90-degree 24 ft.; 60-degree 20 ft; and 45-degree 20 ft.**
 - 3. Parking space depth without overhang: 90-degree 20 ft.; 60-degree 20 ft; and 45-degree 20 ft.**
 - 4. Parking space depth with overhang: 90-degree; 18 ft; 60-degree 18 ft; and 45-degree 18 ft.**
 - 5. Center bay space depth: 90-degree 20 ft; 60-degree 20 ft.; and 45-degree 20 ft.**
 - 6. Parallel parking space minimum 9 ft. by 23 ft.**
 - 7. The minimum dimension for all ~~regular~~ required parking spaces shall be nine (9) feet in width. and 20' in depth.**
- I. ~~Unless a zoning district has specific parking setback requirements,~~** all new parking spaces shall be located ~~within the building envelope inside the front, side and rear setback~~ **at least ten (10) feet from the front side and rear property lines and said setback areas shall be landscaped.** ~~When permission to encroach into the setbacks~~

~~is granted by the Zoning Administrator, a green area of no less than six (6) feet must be provided between the R.O.W. and property lines.~~

- J.** A reduction in the dimensions for compact car or motorcycle spaces may be granted by the Planning Commission as part of the Site Plan approval. Said spaces shall be identified by signs or other similar methods that are clear to the users.
- K.** When parking requirements refer to the number of employees, it shall mean the the largest working-shift.
- L.** Minimum parking standards may be adjusted to greater ~~or lesser~~ capacities by the Planning Commission in the approval of the site plan to account for location, expected circulation flows and the likelihood of a use conversion.
- M.** If an unloading area is shown on the plan, a truck circulation plan shall be included showing the truck size and circulation route. All maneuvering of delivery vehicles shall be on site and no public right-of-way shall be used except an alley.
- N.** No portion of a parking or loading space, including maneuvering areas, except the necessary entrance and exit drives, shall be located closer than 30 feet from a public street right-of-way or property line.

16.3. Required Spaces. Off-street parking spaces shall be provided as follows:

~~Number of parking Spaces Required. Unless waived or modified by the Zoning Administrator, Parking requirements and space development standards for all uses shall be established in Accord with the following standards set forth in Table 1.~~

Average Space/Parking Requirements	
Use	Parking
Residence—single and duplex	3 spaces per dwelling unit
Residence 3—5 units	3 spaces per dwelling unit
Residence—multi family	See R-3 Zoning District
Church/Chapel	½ of Rated Occupancy
Car wash (customer holding areas)	5 spaces per stall
Hotels and motels	1 space per rental unit, plus spaces as required for restaurants.
Funeral facility	½ of Rated Occupancy
General Office	1 per 300 sq. ft
General Office—Customer	1 per 200 sq. ft
Service—No Sales (parts)	1 per 400 sq. ft.
Service—Merchandise Sales	1 per 200 sq. ft
Retail—Convenience—1000 sq. ft. or less	1 per 150 sq. ft.
Retail—Convenience—1000 sq. ft. or more	1 per 125 sq. ft.
Retail/Personal Service [Video; Copying, Etc]	1 per 125 sq. ft.
Retail—General Merchandise	1 per 200 sq. ft. to 1 per 50 sq. ft
Retail—Specialized Mercantile [Furniture; Home Sales; Housewares	1 per 400 sq. ft
Taverns—Entertainment	½ of Rated Occupancy

Health Care	1 per 75 sq. ft.
Restaurant	½ of Rated Occupancy
Restaurant—Fast Food	½ of Rated Occupancy
Restaurant—Express	10 + employees
Govt., Utilities, Etc	1 per 400 sq. ft.
Public/semi-public assembly of any type	To be Negotiated
Manufacturing—Light	1 per 100 sq. ft.
Manufacturing—General	1 per 150 sq. ft.
Manufacturing—Heavy	1 per 200 sq. ft.
Day Care—Home	1 + employees
Day Care—Commercial	5 + employees
Recreation	To be Negotiated

A. Dwelling Uses.

1. **Single-family through four-family dwelling units:** three spaces per dwelling unit, however, for single-family and two-family dwellings one space shall be in a garage.
2. **Multi-family (5 units and more):** two spaces per dwelling unit. Studio/efficiency 1.33; 1 bedroom 1.5; 2 bedroom 1.8; more than 2 bedrooms 2.0
3. **Nursing homes:** one space per each four beds plus one space for each employee working on the premises during the largest shift.
4. **Senior independent living:** one space per dwelling unit plus one space for each transportation bus or vehicle.
5. **Senior assisted living:** one space per four dwelling units plus one space for each employee working on the premises during the largest shift plus one space for each transportation bus or vehicle.
6. **Boarding or rooming houses:** one space per each two sleeping rooms.
7. **Manufactured homes:** three spaces per dwelling unit.

B. Business and Commercial Uses.

1. **Automobile, truck, recreational vehicle and manufactured home sales and rental lots:** one space for each 3,000 square feet of sales or lot area plus one space for each employee.
2. **Day care centers commercial:** 5+ employees one space per each 8 children plus one space for each employee plus one space for each transportation bus or vehicle.
3. **Day care home:** one + one for each employee
4. **Funeral facility Homes and mortuaries:** one space for each three seats based on the maximum designed capacity of the facility plus one additional space for each employee. ½ of rated occupancy
5. **Retail specialized mercantile (furniture, home sales, housewares and appliance stores):** one space for each 400 square feet of gross floor area.
6. **General office and research:** one space for each 200 300-square feet of gross floor area.
7. **Restaurants, private clubs and taverns:** one space for each two seats ½-rated occupancy based on the maximum designed capacity including outdoor dining areas plus consideration for oversized vehicles.
8. **Restaurants fast food:** one space for each two seats based on the maximum design capacity plus one space per each employee plus adequate stacking spaces when a drive-in or drive through is included.

9. **Restaurant express:** one space for each two seats plus one space per each employee but not less than ten (10) spaces.
10. **Retail convenience store:** one space per ~~125 less than 1000 sq. ft.; 150 greater than 1,000 sq. ft.~~ 200 square feet of gross floor area.
11. **Retail stores and shops general merchandise:** one space for each ~~200~~ 250 square feet of gross floor area.
12. **Service stations:** one space per each employee plus one space for each service bay.
13. **Hotels and motels:** one space per rental unit plus consideration for oversized vehicles.
14. **Medical services, clinics and offices:** one space per 200 sq. ft. of gross floor area.

C. Industrial Uses.

1. **Manufacturing – light:** one space per 100 square feet of gross floor area.
2. **Manufacturing – general:** one space per 150 square feet of gross floor area.
3. **Manufacturing – heavy:** one space per 200 square feet of gross floor area.
4. **Warehouse and distribution facilities:** one space for each 1,000 square feet of gross floor area.

D. Other Uses.

1. **Churches and places of worship:** one space for each ~~two~~ four seats based on the maximum design capacity of the largest meeting space including choir lofts.
2. **Elementary, junior high and equivalent private schools:** two spaces for each classroom plus one space for each employee.
3. **High schools, colleges and universities:** eight spaces per classroom plus one space for each employee.
4. **Hospitals:** one space for each four beds plus one space for each resident or doctor plus one space for each two employees.
5. **Public and semi-public offices:** one space for each 300 square feet of gross floor area or a minimum of 10 spaces plus one for each employee which ever is greater.
6. **Places of public assembly, indoors:** one space for each four seats based upon the maximum designed capacity of the facility ~~to be negotiated.~~
7. **Carwash:** 5 stacking spaces and 2 exit spaces per stall.

E. Minimum parking standards may be adjusted to greater amounts to account for location, expected circulation flows, and conversion probabilities by the Planning Commission.

F. Uses Not Listed. The parking requirement for any use not listed in Sections A, B, C and D shall be determined by the Planning Commission based on commonly accepted parking standards, recommendations from staff and a parking analysis prepared by the applicant if requested by the Zoning Administrator.

16.4 Off-Street Loading and Unloading Requirements: On premises loading and unloading spaces shall be provided off-street in the side or rear yard for all uses involving receipt or distribution of materials or merchandise by motor vehicle or rail. All loading and unloading operations shall be located so as to avoid undue interference with traffic and public use of streets, alleys and walkways.