

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, 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.
9. Motion picture production stations.
10. Photographic processing facilities.
11. Printing and publishing.
12. Public or private golf courses, tennis or other courts, and swimming pools.
13. Public parks and recreation facilities.
14. Radio and television broadcasting stations.
15. Research establishments of industrial, medical or scientific nature.
16. Restaurants, not including drive-up or drive-thru services.
17. Warehousing.
18. Mailing, packaging, parcel service and storage.
19. Printing, communications, mail orders.
20. Sales outlets.
21. Retail sales in conjunction with a manufacturing or fabrication use.
22. Health and hospital supplies; office supplies.
23. Copy, printing and duplication services.
24. Internet service providers.
25. Sale, servicing, and repair of electrical and other electronic devices.

26. Government facilities.
27. Retail and wholesale of furniture and home furnishings, carpet, paint and wallpaper, and plumbing and lighting fixtures.
28. Sales and installation of cellular phones, stereos, radios and similar electronic equipment for vehicles.
29. Veterinary hospitals and clinics.
30. 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 transmission towers over sixty (60) feet, subject to the provisions in Article 7.

E. Setback, Yard and Area Regulations.

Table of Site Development Standards			
Use	Minimum District Size	Minimum Open Space	Maximum Building Height
Principal Buildings	10 acres	25%	45'

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 or structures shall be set back a minimum of 30 feet from any internal street right-of-way.
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 material composed or brick, stone, wood, or a combination of these materials that extends to three 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 unless the adjacent residential district and the office development are separated by a street right-of-way. The wall shall incorporate architectural elements 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 approved by the Planning Commission.
6. Pedestrian access within a development and adjacent public and private property 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 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 for additional parking requirements.

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 service. 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 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.

C. Diagrams and Drawings. The L-P District contains diagrams and drawings. When diagrams and drawings appear in this Code, 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.

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 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.
7. Motion picture production studios and stations.
8. Photographic processing facilities.
9. Printing and publishing.
10. Radio and television broadcasting stations.
11. Research establishments of industrial, medical or scientific nature.
12. Restaurants, including drive-up or drive-thru services.
13. Warehousing/Distribution centers, including trucking and courier services; public warehousing and storage; and motor freight transportation terminals and maintenance facilities.
14. Mailing, packaging, parcel service and storage.
15. Printing, communications, mail orders.
16. Sales outlets and wholesale trade.
17. Retail sales in conjunction with a manufacturing or fabrication use.
18. Health and hospital supplies; office supplies.
19. Copy, printing and duplication services.
20. Internet service providers.
21. Sale, servicing, and repair of electrical and other electronic devices.
22. Government facilities.
23. Retail and wholesale of furniture and home furnishings, carpet, paint and wallpaper, and plumbing and lighting fixtures.
24. Sales and installation of cellular phones, stereos, radios and similar electronic equipment for vehicles.
25. Veterinary hospitals and clinics.
Accessory uses.
26. Agricultural.
27. Auto and truck motor fuel facilities and repair.
28. Auto and truck washing.
29. Recreational vehicle sales and service.
30. 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.

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, 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

Table of Site Development Standards			
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	110'

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, 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 only adjacent to two-lane collectors or thoroughfares.
 - b. **Side (Typical).** The minimum side setback shall be twenty-five (25) feet. The minimum side building setback for buildings adjacent to any single-family residential 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 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) 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) feet. The minimum rear setback for buildings adjacent to any single-family residential 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 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.** 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; and
 - Parapet screening of mechanical equipment.
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, 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 a façade similar in character with the façade of the main building, including the utilization of similar fenestration 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 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 may require that loading and service areas are screened from public view with landscaping, berming, facade walls, or fencing.
 - d. The City 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 unless the adjacent residential district and the office development are separated by a street right-of-way. The wall shall incorporate architectural elements 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. 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.
 - f. Pedestrian access within a development and adjacent public and private property shall be considered as a component to the design of an employment center.

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. 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 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 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 where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, 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.

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**

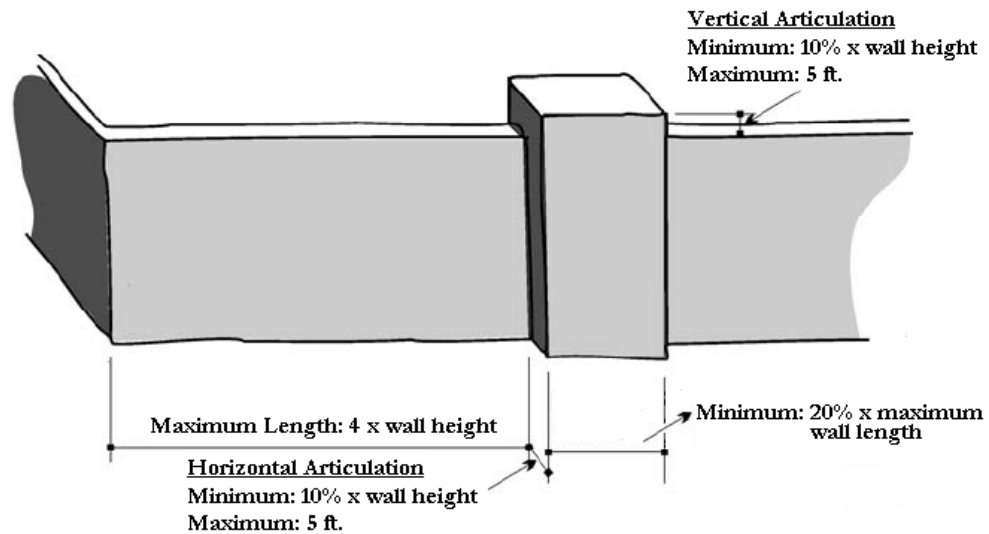
- a. **Horizontal Articulation.** Walls facing a public right-of-way or a residentially zoned property shall not extend for a distance greater than four (4) times the wall's height without having an off-set of ten percent (10%) of the wall's height (maximum of five (5) feet); the new plane shall extend 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.

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

- b. **Vertical Articulation.** Walls 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 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.

Walls not facing a public right-of-way or residentially zoned properties are exempt from the vertical articulation requirement.

Figure 3. Horizontal and Vertical Articulation



- c. **Screening of Rooftop Equipment.** For buildings within the L-P District, all rooftop mounted mechanical, air conditioning, electrical, and satellite dish 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.
- 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.

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.

K. Parking and Loading.

1. **General.** 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.
2. **Specific Requirements.**
 - a. 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.

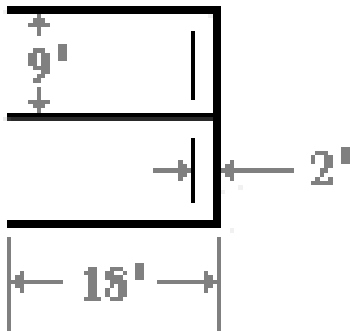
- b. One (1) off-street parking space shall be provided for each 1,000 square feet storage area in non-warehousing uses.
 - c. One (1) off-street parking space shall be provided for each two-hundred-fifty (250) square feet of service floor area in office and research buildings.
 - d. All parking areas shall be set back a minimum of thirty feet (30') from any street right-of-way.
 - e. All parking areas shall be set back a minimum of 30 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.
 - f. 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.
 - g. 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.
 - h. 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.
 - i. All parking shall be on a surface prepared from concrete or asphalt.
 - j. All commercial buildings shall provide a designated off-street space for the loading and unloading of goods and merchandise.
 - k. See Article 10 for additional parking requirements.
3. **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 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 provide an independent parking study to the City 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, and shall be connected by an all-weather surfaced driveway to a street or alley.
- 3. **Parking Space and Aisle Dimensions.** All parking spaces and aisle dimensions shall conform to Article 10.2, Parking and Loading Standards, unless specifically approved by the City.
- 4. **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.

Figure 5. Typical Parking Stall with Wheel Stop



5. Typical Off-Street Parking Modules

Figure 6. 60° Layout with One-Way Traffic

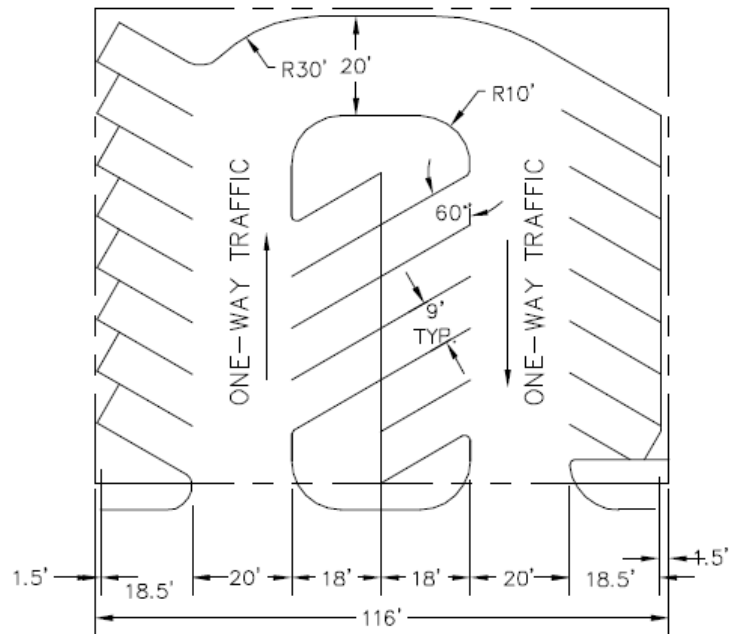


Figure 7. 60° Layout with Two-Way Traffic

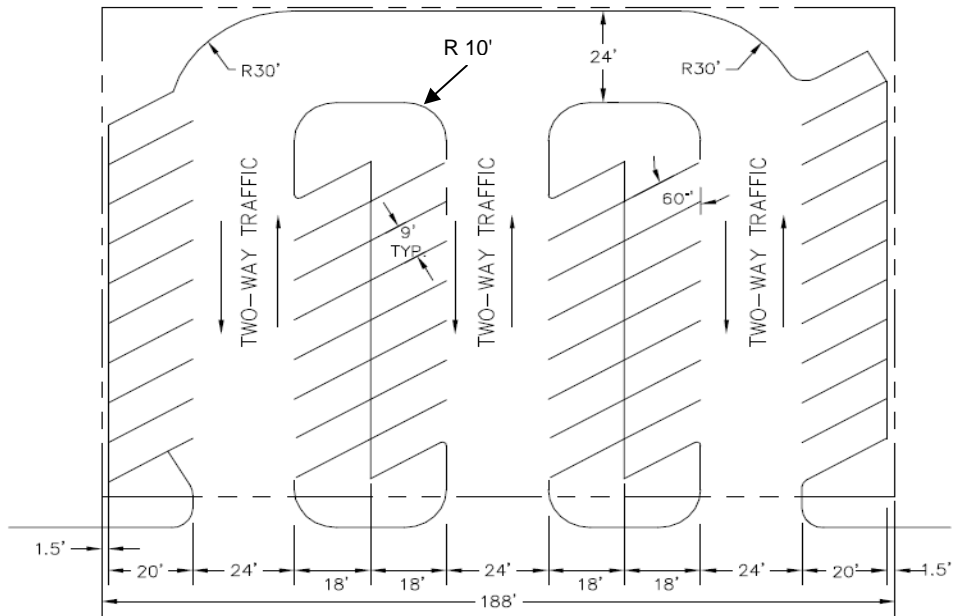
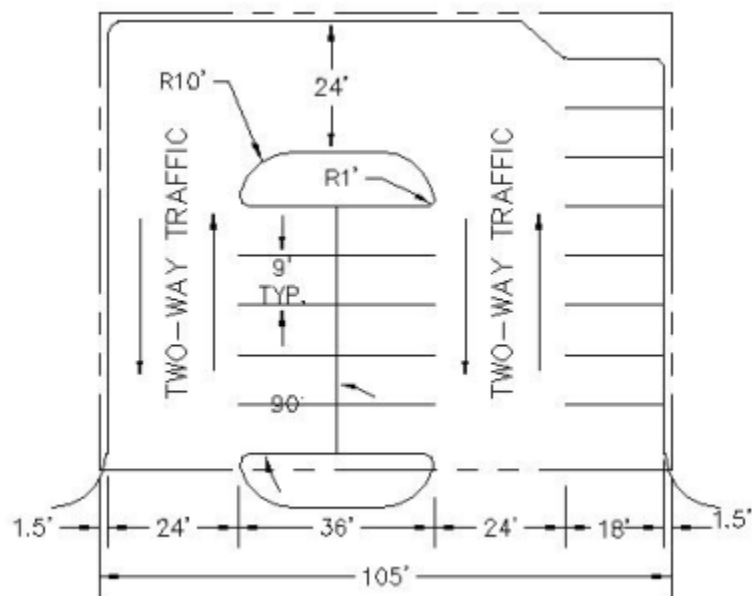


Figure 8. 90° Layout with Two-Way Traffic



M. Off-Street Loading Standards

1. **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.

2. 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 warehousing/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 2, Typical Loading Dock, for an example.

Figure 2. 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

shall be screened from those residential lots.

- 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 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, 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 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 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 to reflect 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.

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.
- 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.
- 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.
- i. Street Lighting. 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.
- 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 candle 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 candle 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.

5. **Maximum Height of Lighting Facilities.** The maximum height of lighting facilities shall be 180 feet 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 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.

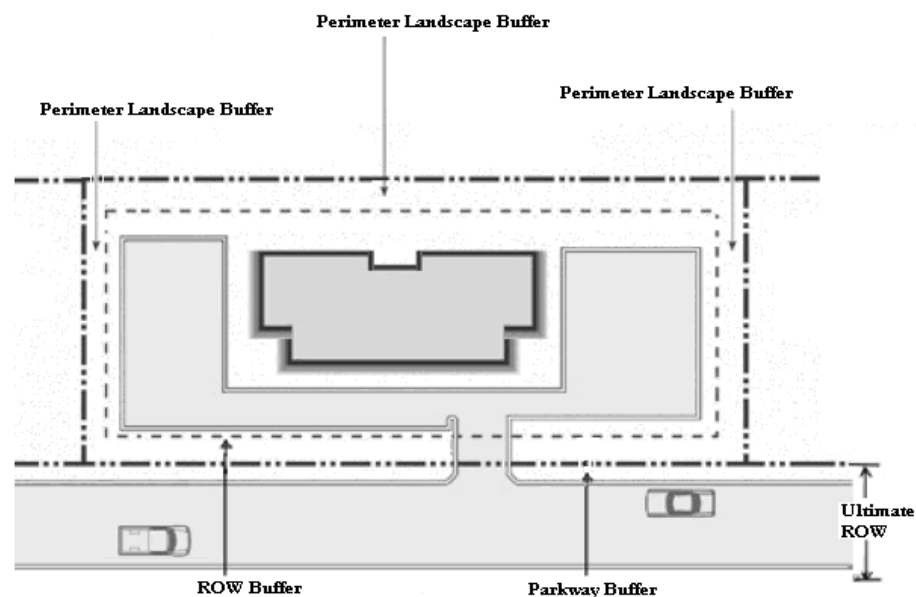
- b. **Lighting Shield Design.** Additional shields that are installed to control light trespass and glare as required herein shall be designed so that the parts of the shields that are exposed to the direct light of the luminaire and visible from streets or abutting residential lots shall have a flat-black, 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. 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.
- c. 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.

Figure 1. 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).

3. **Parkway Buffer Planting Requirements.** Planting other than sod or another equivalent groundcover shall not be required 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 Table 3, Buffer Planting Standards, for minimum planting requirements.)

Table 1. Right-of-Way Buffer Requirements

Street Type	Buffer Width	No. of Trees Required 1
2 Lane / 4 Lane Undivided	10 feet	1 tree per 50 LF of ROW frontage Minimum Spacing: 12 feet Maximum Spacing 50 feet
4 Lane Divided	15 feet	
6 Lane Divided	20 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.)

Table 2. Perimeter Landscape Buffer Requirements

Adjacent Use	Required Buffer ¹	Width	Minimum Screen Height ²
Industrial	Type 1	5 feet	3 feet
Utilities/Transportation	Type 1	5 feet	3 feet
Agricultural	Type 2	10 feet	3 feet
Public/Civic	Type 3	15 feet	4 feet
Commercial/Retail	Type 3	15 feet	4 feet
Residential	Type 4	20 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.
- b. In cases where landscape material is used to provide screening, the material used must provide a continuous opaque screen within one (1) growing season. 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 plant material within each type of landscape buffer shall be 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 tree or plant material shall comprise more than 30% of the cumulative total of plantings 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 Residential Uses.** Property adjacent to or across from residential uses shall be landscaped in accordance the standards set forth in this Section.
8. **Dumpster and Compactor Screening.** All dumpsters and compactors visible from public right-of-way and/or abutting residential, commercial, public, or civic property shall be screened with a consistent six (6) foot opaque screening wall with a solid metal gate. Chain link fences or wooden fences are not acceptable. Dumpsters shall be set back a minimum of twenty-five (25) feet from adjacent residential uses.
9. **Fencing.** 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. Fencing containing barbed wire, razor wire, or an equivalent shall be prohibited where adjacent to a residential use or visible from a public right-of-way. No fencing visible from a public

right-of-way shall be located within a Parkway Buffer or a Right-of-Way Buffer as described in this Section.

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 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; and
 - b. To prohibit all signs not expressly permitted by these regulations, except as approved through the appeals process established by these regulations.
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 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.

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.
 - c. 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.
 - d. Entrance onto Property. The Building Official or any duly authorized agent may enter upon private property which is accessible to the public for the purposes specified in this SubSection 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.
- 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 or 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 shall be prohibited in the L-P District.

5. Illuminated signs are permitted in nonresidential districts, provided that they shall not be erected within one hundred (100) feet of any residential zoning district unless properly and adequately shielded so that light from such sign is not directed toward such residential district.
6. In no case can a sign be placed closer than fifteen (15) feet from a residential property.
7. No high intensity lights shall be permitted as part of a sign display visible from an adjacent street.
8. 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.
9. 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.
10. 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) feet and maximum length of fifteen (15) feet.
11. 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:
 - a. A 20' x 20' Visibility Triangle shall be provided.
 - b. 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, or designee, approves the placement of such sign.
12. No sign shall be constructed nearer than three (3) feet from any public or private underground utilities. 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.
13. 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.
14. 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. Such advertising matter shall be a violation of this Section and shall be removed immediately upon notice by the Building Official. 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.
15. No portion of any sign shall be erected upon or over public property or public right-of-way, except as otherwise specifically permitted.
16. 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, interstate commerce, or any bona fide transportation activity.
17. **Specific Sign Regulations**
 - a. **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 grade.

b. 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 is permitted on such a sign, 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 sign.

c. Monument Signs. Such signs will be governed by the requirements set forth in the following Table:

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"> – 15 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.
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 $\frac{3}{4}$ 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.
Mater	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 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

d. **Wall Signs.**

1. Construction: Attached 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: Painted or attached directly on the wall surface on a building intended to be viewed from the ground. Signs above roofline, fascia, or top of roofs are strictly prohibited.

- e. **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. The maximum size of any such sign is 12 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 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 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 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.

f. **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 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. All kiosk signs must have approval by the Planning Commission. Placement of Kiosk signs shall not distract traffic or create a traffic hazard. The Superintendent of Public Works 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 of all kiosk sign structures and panel background color will be approved by the City. The City 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.

18. **Maintenance of Signs.** All signs and sign support structures, together with all of their supports, braces, guys and anchors, shall be maintained in a proper state of preservation. 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 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) 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.

19. **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 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.

20. 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 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.

21. Forfeiture of Signs. Any sign 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.

22. Computation of Area of Individual Signs

- a. The area of a sign shall be computed as the entire advertising area of the sign, including 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.
23. **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.
24. **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.
25. **Computation of Sign Setback.** The spacing between a sign and a lot line or two (2) signs. The distance is measured horizontally from a vertical plane at the outer extremity of each sign.
26. **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".
27. **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 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 permits shall be made upon forms provided by the Building Official, and shall contain 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 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 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 appear 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 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 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 or signs with moving parts shall be approved by the Planning Commission.
 - h. Signs shall meet all adopted building codes and fire codes.
 - i. 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.

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, 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, 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, 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)

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, conditional, or special.

C. Permitted Uses. The following uses shall be permitted within I-G-General Industrial District.

1. Automotive repair and service.
2. Auction yards and auction houses.
3. Bottling works; food and beverage packaging.
4. Bus storage buildings or lots.
5. Building construction trades.
6. Fabrication and assembly, building materials.
7. Distribution center; freight.
8. Manufacturing, limited.
9. Warehouse and processing, limited.
10. Laundry, cleaning and dyeing works.
11. Sign shops and service.
12. Printing and publishing; paper products.
13. Research facility.
14. Any other industries or businesses that are in keeping with the intent of the district and are compatible with the permitted uses.
15. 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.

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 Open Space

Principal Buildings	30 feet.	No side yard shall be less than 10', except when adjacent to a residential district then 20' shall be required.	No rear yard shall be less than 15', except when adjacent to a residential district then 20' shall be required.	35 feet.	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 is authorized to substitute shrubbery, trees, or earth-berms, or a combination of these 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.
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.; general manufacturing shall provide one park 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 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 for additional parking requirements.

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. Agricultural storage and processing facilities, including elevators and dehydrators.
2. Sale and bulk storage of agricultural fuels, feed, fertilizers, and pesticides.
3. Asphalt, cement plants.
4. Heavy construction trades.
5. Manufacture and processing of chemicals.
6. Pottery and porcelain products (bulk manufacturing).
7. Public safety services.
8. Public utilities or facilities.
9. Scrap metal storage yard.
10. Stone products.
11. Transfer station, solid waste.
12. Wire rope and cable.
13. Any manufacture, 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.
14. 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.

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.

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	35'	20 feet, except that a 40-foot setback shall be established on all parcels adjacent to a residential zone or use.	25-foot setback shall be established for structures with access or service from the rear. Within this setback an alley, service court or drive is allowed.	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.

F. 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 park 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 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.
4. 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.
5. All parking shall be on a surface prepared from 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 10 for additional parking requirements.