

## LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

DECEMBER 2, 2009

### ITEM VII: ORDINANCE AMENDMENT – Signs

**REQUEST:** Green Lake County Land Use Planning and Zoning Committee is requesting an amendment to the Code of Green Lake County, Chapter 350 of the Zoning Ordinance; more specifically to delete all of the existing sign regulations in ARTICLE V and replace it with new language.

**ADDITIONAL INFORMATION / ANALYSIS:** Sign regulations are intended to promote well maintained and attractive signage; and to provide for adequate business identification, advertising and communication; and to protect the safety and efficiency of the transportation system by reducing confusion or distraction to motorists.

Changes to the sign regulations include:

- 1) Signs are to be regulated by their size and location, previously they were regulated by the message on the sign.
- 2) Signs for the purpose of advertising a business, brand or product, area of interest or service available shall be subject a spacing requirement of 1,500 feet.
- 3) Language is being proposed to regulate abandoned/obsolete signs.

This proposed revision is intended to better serve the needs of enforcement and administration of the County Zoning Ordinance and the community as a whole.

Appropriate adjustments or modification that may be identified through the public hearing process can be applied to this proposal prior to being forwarded to the County Board.

Attached to this report is the language change that is being proposed.

**STAFF COMMENTS:** The Land Use Planning and Zoning Committee has several options in this regard and they are as follows:

- Forward onto the County Board with recommendation to adopt as proposed.
- Hold another public hearing to take additional public comment.
- Reject as proposed.

All of current language to be deleted.

~~§ 350-43. Conformance required.~~

~~All signs hereafter located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered shall be in conformity with the provisions of this chapter~~

~~§ 350-44. Permit required.~~

~~A permit is required for any sign except as provided in § 350-46 of this chapter. Permits shall be issued by the Surveyor/Land Development Director. The fee for permits shall be the amount established in Article XII of this chapter.~~

~~§ 350-45. Location of signs.~~

~~Signs of the type permitted within the respective districts may be located according to the following schedule:~~

<b>Zone</b>	<b>Types of Signs Permitted</b>
RC and NRG	1, 4, 7, 8 and 9
R-1, R-2, R-3 and R-4	1, 3 and 4
A-1, A-2, A-3, Ag-4, I, C-1, C-2, M-1, M-2 and AO	1, 2, 3, 4, 5, 6, 7, 8 and 9

~~§ 350-46. Types of signs.~~

- ~~A. Type 1. Official traffic control signs and informational or directional notices erected by federal, state or local units of government. Official signs may be placed within the highway right-of-way. No permit is required.~~
- ~~B. Type 2. Directory signs advertising a business or activity conducted, an area of interest, or a service available at a specific location. Such signs shall not be more than 24 feet in gross area. Such signs may be placed at the right of way line of the highway. A permit is required.~~
- ~~C. Type 3. Signs advertising a customary home occupation or professional home office. Such signs shall not exceed 12 square feet in gross area and may be placed at the right of way line of the highway. No permit is required. [Amended 12-21-2004 by Ord. No. 822-04]~~
- ~~D. Type 4. Signs advertising the sale, rent or lease of the property on which the sign is placed. Such sign shall not exceed 12 square feet in gross area and may be placed at the right of way line of the highway. No permit is required.~~
- ~~E. Type 5. Signs advertising a general brand or product, an area of interest, a business conducted, or a service available. Such signs shall not be more than 300 square feet in gross area and shall comply with the setback requirements established in Article VI of this~~

chapter. A permit is required.

- F. ~~Type 6. Signs on or attached to agricultural, commercial or industrial buildings advertising a business conducted or service available on the premises. No sign shall be higher than the maximum height permitted in the respective districts. A permit is required.~~
- G. ~~Type 7. Signs on the premises advertising a public or semipublic use. Such signs shall not exceed 14 square feet in gross area. There shall be no more than one sign for each highway upon which the property faces. Such signs may be placed at the right of way line of the highway. A permit is required.~~
- H. ~~Type 8. Signs indicating the direction to camps, campgrounds, recreation areas, resorts, residences or similar uses. Such signs shall not be more than 12 square feet in gross area. Where a common posting standard is provided, all such signs shall be attached to the standard recreational directory. The resulting composite sign shall not exceed 100 square feet in gross area. Signs may be placed at the right-of-way line of highways. A permit is required.~~
- I. ~~Type 9. Signs, such as rent a sign and message type signs, indicating a special activity, placed on a temporary basis, erected on a trailer or other readily movable vehicle. Size shall not exceed 32 square feet. Sign may be placed at right-of-way of highway. A permit is required. Maximum length of time for sign placement is 90 days. A permit to renew shall require a fee the same as the original fee. [Amended 12-21-2004 by Ord. No. 822-04]~~

**~~§ 350-47. Prohibited characteristics of signs.~~**

- A. ~~No sign, except official traffic control signs erected by governmental units, shall be so placed as to interfere with the visibility or effectiveness of any official traffic sign or signal or placed within the vision clearance triangle as defined in § 350-50 of this chapter.~~
- B. ~~No sign shall resemble, imitate, or approximate the shape, size, form or color of railroad or traffic signs, signals or devices.~~
- C. ~~No sign shall contain, include or be illuminated by flashing lights.~~
- D. ~~No sign shall contain, include or be composed of any conspicuous animated or moving part.~~
- E. ~~No sign shall make use of any rock, tree or other natural feature for support or for carrying any message, except that legal no hunting or trespassing signs or other private regulatory signs may be attached to a tree.~~
- F. ~~No sign shall exceed 300 square feet in gross area.~~
- G. ~~Signs located within 300 feet of navigable waters shall not exceed 16 square feet in area, nor shall they be erected to a height greater than 16 feet. Such signs shall be erected above the ordinary high water mark and shall not be internally illuminated.~~
- H. ~~No semitrailers shall be used as signs or as a backdrop for relating information.~~

## New language and format

### § 350-43. Signs.

The sign regulations in this Section intend to promote well maintained and attractive signage within the County; and to provide for adequate business identification, advertising and communication; and to protect the safety and efficiency of the County's transportation system by reducing confusion or distractions to motorists.

- A. All signs hereafter located, erected, moved, reconstructed, extended, enlarged, or structurally altered shall be in conformity with the provisions of this Chapter and require a land use permit, unless specifically stated in this Section. Changing the existing message board of a sign with cosmetic materials such as but not limited to paint, paper or corrugated plastic does not require a land use permit
- B. Signs within this Section are as follows:
- (1) Official traffic control or traffic information or traffic directional notice signs erected by federal, state or local units of government may be placed in accordance with the highway jurisdiction. No County permit is required.
  - (2) Signs that are generally temporary and less than 3 square feet and are similar but not limited to agricultural seed plots, real estate, contractor identification, and government agency information are not regulated by this Section. No County permit is required.
  - (3) An on-site sign advertising a customary home occupation or professional home office shall not exceed 4 square feet in gross area and shall have a minimum setback of 10 feet from the right-of-way line.
  - (4) One on-site sign attached to a building structure advertising a business conducted or service available on the premises shall not exceed the height of the building structure it is attached to. Such sign shall not exceed 32 square feet in gross area.  
One on-site freestanding sign in addition to the building mounted sign to advertise a business conducted or service available on the premises shall be allowed and shall not exceed 32 square feet in gross area and shall have a minimum setback of 10 feet from the right-of-way line.
  - (5) Other off-site signs not specifically referred to in this Section shall not exceed 300 square feet in gross area. These signs are not allowed in R-1, R-2, R-3, R-4 and NRC zoning districts and shall meet the following standards:
    - (a) An off-site sign 32 square feet or less shall have a minimum setback of 10 feet from the right-of-way line.
    - (b) An off-site sign that is greater than 32 square feet and up to and including 300 square feet shall have a minimum setback from the right-of-way line as required by the zoning district in which the sign is located.
  - (6) A temporary sign, such as but not limited to rent-a-sign and message-type signs, indicating a special activity, placed on a temporary basis, erected on a trailer or otherwise readily movable means shall not exceed 32 square feet and shall have a minimum setback

of 10 feet from the right-of-way line. Maximum length of time for sign placement is 60 days prior to **the activity** through 15 days after the activity.

- C. A sign and all **its** structural components shall comply with the following setback standards:
- (1) No sign allowed in this Section shall be so placed as to interfere with the visibility or effectiveness of any official traffic sign or signal placed by a governmental unit.
  - (2) The maximum setback for any sign in this Section shall be 300 feet from the right-of-way line.
  - (3) No sign shall be placed within the vision clearance triangle as provided in § 350-50. B.
  - (4) All signs shall comply with all other setback standards of this Chapter related to side yard and rear yard based on the zoning district in which the sign is located.
  - (5) **Setbacks shall be measured from the right-of-way line or property line to the closest part of the sign or a structural component of the sign.**
- D. The height of any free standing sign not otherwise regulated in this Section shall not exceed 20 feet above the existing elevation at the site of the sign.
- E. No sign shall resemble, imitate, or approximate the shape, size, form or color of railroad or traffic signs, signals or devices.
- F. No sign shall contain, include or be illuminated by flashing lights or be composed of animated or moving parts, or be a fixed or changing digital electronic type sign. **A lighted sign shall be shielded to prevent glare or illumination onto other premises or roadways.**
- G. No combination of sign face and sign enhancement area (**border and trim**) shall exceed the square footage requirement of this Section. Back-to-back sign faces of the same size on the same support structure shall be considered as one area for the purpose of this standard. **The supporting structure is not counted in the area calculation.**
- H. No vehicle, farm implement, semi-trailer, building structure or any others similar thereto shall be used as a sign or as a backdrop for conveying information, unless specifically allowed in this Section.
- I. Signs **regulated in this Section** shall be spaced at least 1,500 feet **apart** except, signs identified in § 350-43.1.B.(1) thru (4).
- There shall be no more than two tiers of signs at the required spacing interval.
- For the purpose of this Section a “tier” shall mean a zone parallel to the right-of-way line. Each sign shall create a tier at its location**
- J. Sign regulations and standards in this Section may not be the only applicable restrictions. Other entities of jurisdiction may regulate existing and proposed signs.
- K. Progressive or accumulative message type signs shall be prohibited.
- L. An existing nonconforming sign structure shall only be allowed to be refaced with a new message using cosmetic nonstructural material. No structural or material upgrades are allowed.

- M. A sign and all its structural components shall comply with the following maintenance standards:
- (1) An abandoned/obsolete sign that identifies, displays information about or otherwise relates to a purpose, event or business that has not existed or operated for 180 days, or is so old, dilapidated, or has become so out of repair as to be dangerous or unsafe, which ever comes first, shall be removed immediately.
  - (2) All signs, supports and accessories shall be maintained in good repair. Any sign shall be removed immediately if the sign does not have a fully readable message, is in disrepair or damaged and is left without repair for a minimum of 60 days.
- N. In areas of shoreland jurisdiction a sign shall meet the 75 foot setback standard from the ordinary high water mark of navigable waters.