



ORDINANCE 2020-03

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN (WALL SIGNS, TEMPORARY SIGNS AND TEMPORARY CONSTRUCTION SIGNS)

Purpose: The purpose of this Ordinance is to amend the current Zoning Code to amend the regulations for wall signs on single-tenant buildings and the placement of both temporary and temporary construction signs, including, but not limited to, the size of said signs, the length of time a sign may be displayed, and the process for appeal.

The Village Board of the Village of Hobart, Brown County, Wisconsin, does ordain as follows:

Section 1: Section 295-361 (H) (3) (Commercial, industrial, park and institutional uses - Permitted Signs – Regulation of Signs) of Article XXXIII (Site Review/Development and Design Standards) of Chapter 295, Zoning, of the Code of the Village of Hobart, is hereby amended to read as follows:

(3) Commercial, industrial, park, and institutional uses. For all commercial, industrial, park, and nonreligious institutional uses, only the following signs are hereby allowed, subject to issuance of a permit in accordance with Subsection C of this section.

(a) Wall signs.

[1] Number.

[a] Single-tenant buildings. There shall be not more than one wall sign for each principal building within the B-1, C-1, I-1 and I-2 Zoning Districts. Buildings visible from more than one public roadway may be permitted to have a second wall sign on a second building wall elevation with specific approval from the Site Review Committee, taking into account the physical and spatial environment, traffic patterns, and overall integration into the neighborhood and surrounding development. Wall signs within the B-2 (Office) District shall be prohibited.

[b] Multitenant buildings shall have not more than one wall sign per tenant and it shall be located at the primary entrance within the B-1, C-1, I-1 and I-2 Zoning Districts. Corner of building tenant spaces and buildings having access to more than one public roadway may be permitted to have a second wall sign on a second building wall elevation with specific approval from the Site Review Committee, taking into account the physical and spatial environment, traffic patterns, and overall integration into the neighborhood and surrounding development. Wall signs within the B-2 (Office) District shall be prohibited.

[2] Area.

[a] Single tenant. Except in the case of multitenant buildings as regulated in this chapter, the gross surface area of a wall, including doors and windows, to which the sign is to be affixed for buildings containing more than 20,000 square feet shall not exceed 10% of the area of the tenant building wall or 300 square feet whichever is less and for buildings containing 20,000 square feet or less shall not exceed 20% of the area of the tenant building wall or 150 square feet whichever is less. No sign design height shall exceed one-half the overall height of the building wall to which the sign is affixed. The Site Review Committee, with specific approval, may increase the maximum allowable square footage by not more than 50% for any permitted sign when taking into account the physical and spatial environment, traffic patterns, and overall integration into the neighborhood and surrounding development

[b] Multitenant common entrance. For common entrance multitenant buildings, the gross surface area of a wall sign shall not exceed 10% of the area of the tenant building wall, including doors and windows, to which the sign is to be affixed or 60 square feet, whichever is smaller.

[c] Multitenant dedicated access. For multitenant buildings with a dedicated exterior access, the gross surface area of a wall sign shall not exceed 10% of the area of the tenant building wall, including doors and windows, to which the sign is to be affixed or 60 square feet, whichever is smaller. Signs shall be affixed to the wall with the primary entrance.

[3] Location. A wall sign may be located on the outermost wall of any principal building but shall not project more than 10 inches from the wall to which the sign is to be affixed unless NEC standards require a greater distance.

[4] Height. A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed. A wall sign shall not exceed 20 feet in height from the base of the building wall to which the sign is affixed.

(b) Freestanding ground signs.

[1] Number. There shall not be more than one freestanding ground sign for each principal building except as follows:

[a] Properties with street frontage on State Highway 29 shall be permitted one ground sign to be installed in the street yard fronting State Highway 29 in addition to a ground sign located in a street yard facing a Village street. In no case may more than one ground sign be placed in any street yard.

[b] Corner properties with frontage on two public roadways may have no more than two such signs located so there is one sign per roadway when specifically approved by the Site Review Committee taking into account the physical and spatial environment, traffic patterns, and overall integration into the neighborhood and surrounding development.

[2] Area. The gross surface area of a ground sign shall not exceed 50 square feet of area per sign or per side except as follows:

[a] One hundred square feet of area per sign or per side for signs located in yards fronting roads with a posted speed limit of 45 miles per hour or more.

[3] Location. A ground sign may not be located closer than 10 feet to any property line, right-of-way or driveway.

[4] Height. A ground sign shall not project higher than 10 feet, as measured from finished construction surrounding grade at the base of the sign except as follows:

[a] Twenty feet for signs located in street yards fronting State Highways 54 and 172.

[b] Thirty feet for signs located in street yards fronting State Highway 29.

[5] Width. No ground sign shall exceed 20 feet in width.

(c) Awning, canopy, and marquee signs.

[1] Number. Except for the case of the multitenant buildings as regulated in this section, there shall not be more than one awning, canopy, or marquee sign exceeding an aggregate gross surface sign area of four square feet for each principal building. Awning, canopy, and marquee signs which are four square feet or less in aggregate gross surface area are exempt from the provisions of this chapter as specified in this section.

[2] Area. The gross surface area of an awning, canopy or marquee sign shall not exceed 50% of the gross surface area of the face of the awning, canopy, or marquee to which such sign is to be affixed or 30 square feet in area, whichever is less.

[3] Location. A sign may be affixed to or located upon any awning, canopy, or marquee.

[4] Height. An awning, canopy, or marquee sign shall not project higher than the top of the awning, canopy, or marquee to which such sign is to be affixed.

(d) Window signs.

[1] Neon signs. Each business tenant shall be allowed to display on each public street it fronts one neon sign not exceeding five square feet in size or 50% of the window area, whichever is less. Neon signs shall emit a steady light and only be illuminated during business hours. Blinking, flashing, strobe or other light animation shall not be allowed.

[2] Temporary signs. Temporary, nonilluminated window signs covering less than 25% of the individual window area shall be allowed.

(e) Changeable letter and electronic message center signs.

[1] Changeable letter or electronic message center signs shall be per ground sign subject to the following limitations.

[2] Changeable letter signs shall meet the following:

[a] Shall be part of a permanent ground sign;

[b] Shall not exceed 32 square feet in area;

[c] Shall be allowed in addition to the ground sign square footage.

[3] Electronic message centers shall meet the following:

[a] Shall be part of a permanent ground sign.

[b] Shall not exceed 32 square feet in area.

[c] Shall be allowed in addition to the ground sign square footage.

[d] Are permitted to contain individual letters and/or graphics (such as snowflakes falling, clouds moving, flags waving, etc.) only. Animation such as video is prohibited.

[e] Any individual letter or graphic scrolling or otherwise displayed on an electronic message center shall remain illuminated and visible for a minimum of two seconds.

[f] The message shall not flash. Any message that remains visible for less than two seconds shall be considered as flashing.

[g] Regardless of the light source, undue brightness is prohibited, and compliance with § 295-361D is required. For the purpose of enforcing this provision, "undue brightness" will be construed to mean illumination of a white portion of the sign in excess of the following intensity levels: daylight hours: 10,000 nits; night hours: 750 nits. Additionally the following provisions shall be provided:

[i] The light source shall be governed by a properly functioning ambient light measurement tool or device such as a photocell.

[ii] The sign shall have an automatic phased proportional dimmer, which shall be used to reduce nighttime brightness levels (compared to daytime brightness levels).

[iii] Prior to the issuance of a permit for an electronic message center sign, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the levels specified in this section, and the intensity level is protected from being manipulated or altered by other than the manufacturer through the use of password-protected software or other method as deemed appropriate by the Zoning Administrator.

[iv] Prior to issuance of a permit for an electronic message center sign, the owner of the sign shall provide a signed authorization permitting the Village to contact the sign manufacturer and/or successors having authority to adjust the light intensity, at any time in the future, to verify the settings for the light intensity.

[h] Electronic message centers may also be subject to additional state and federal regulations.

(f) Tenant board signs. One multitenant board sign not exceeding 25 square feet in size and six square feet in height shall be allowed to be placed in front of each individual building in the B-2 (Office) Zoning District.

(g) Directory sign:

[1] Can be a pedestal, ground sign or off-premises sign, and all regulations apply.

[2] Size of sign shall not exceed 80 square feet per side, 10 feet in height, and eight square feet per tenant.

(h) Temporary sign. In addition to the permanent signs allowed under this section, temporary signs, as defined in this chapter, for the purpose of announcing or promoting a new building, development, occupant, or special events, shall be permitted for limited periods of time in any district subject to the following:

[1] Number: A property/business owner is limited to two (2) signs per lot using such signage.

[2] Area: The gross surface area of a temporary sign shall not exceed fifty (50) square feet of area. Requests for signage over fifty (50) square feet, but no larger than seventy-five (75) square feet may be permitted by the Village's Director of Planning and Code Compliance, taking into account site and environmental factors. Any requests over seventy-five (75) square feet may be reviewed and permitted by the Site Review Committee, taking into account safety, surrounding zoning and the impact on adjacent properties and attractiveness of the village.

[3] Location: A temporary sign shall not be located closer than 10 feet to any property line, right-of-way, or driveway.

[4] Height: A temporary sign shall not project higher than twelve feet, as measured from existing grade at the base of the sign.

[5] Special conditions: Temporary signs shall be attached to ground posts or meet the definition of a mobile mounted sign. The content of the sign message must directly relate to the on-premises organization or business use and operation. Temporary signs and banners shall not be displayed for more than 30 consecutive days and shall be limited to no more than 90 days per year. A separate permit shall be required for each display period.

[6] Development "Grand Opening" signage package. New development or redevelopment shall be allowed to put forth a "Grand Opening" signage package which will allow for the placement of "Opening/Coming Soon," "Grand Opening," "Now Hiring" and/or similar/like signage for a period not to exceed six (6) months. Extensions over six (6) months may be granted by the Site Plan Review committee upon receipt of adequate reasoning/rationale. All such "Grand Opening" signage shall be removed within one (1) week of such development opening. The gross surface area of a temporary sign shall not exceed fifty (50) square feet of area. Requests for signage over fifty (50) square feet, but no larger than seventy-five (75) square feet may be permitted by the Village's Director of Planning and Code Compliance, taking into account site and environmental factors. Any requests over seventy-five (75) square feet may be reviewed and permitted by the Site Review Committee, taking into account safety, surrounding zoning and the impact on adjacent properties and and attractiveness of the village.

[7] All temporary signs, other than those identified in § 295-361L, shall obtain a permit from the Village prior to display. In addition, all temporary signs require a deposit to ensure timely removal. If such signs are not removed within the allowed time frame, the deposit shall be forfeited. If signage is removed within the allowable time frame and confirmed by the Village Zoning Administrator, the deposit shall be refunded. Forfeiture of the sign deposit does not negate the ability of the Village to issue municipal citations for failure to comply with timely removal of a temporary sign or banner.

Section 2: Section 295-361 (12) (b) (Temporary Construction Signs) of Article XXXIII (Site Review/Development and Design Standards) of Chapter 295, Zoning, of the Code of the Village of Hobart, is hereby amended to read as follows:

b. Temporary Construction Signs

[1] Number. A property/business owner is limited to two (2) signs per lot using such signage.

[2] Location. Temporary construction signs shall be located only upon the premises upon which construction either is about to occur or is occurring. Such signs shall be set back/offset a minimum of 10 feet from any abutting property line or road right-of-way.

[3] Height. Temporary construction signs shall not project higher than twelve (12) feet, as measured from preconstruction grade at the base of the sign.

[4] Area. The gross surface area of a temporary sign shall not exceed fifty (50) square feet of area. Requests for signage over fifty (50) square feet, but no larger than seventy-five (75) square feet may be permitted by the Director of Planning and Code Compliance, taking into account site and environmental factors. Any requests over seventy-five (75) square feet may be reviewed and permitted by the Site Review Committee, taking into account safety, surrounding zoning and the impact on adjacent properties and and attractiveness of the village.

[5] Time period. Temporary construction signs may be erected and maintained for a period not to exceed 30 days prior to the commencement of construction and shall be removed within 30 days of issuance of occupancy permit.

Section 3: Any Ordinance or parts thereof, inconsistent herewith are hereby repealed.

Section 4. This Ordinance shall be published as required by law after passage by the Village Board.

Passed and approved this 17th day of March, 2020.


Richard Heidel, Village President

Attest:


Aaron Kramer, Village Administrator

I, Mary Smith, am the duly qualified and acting Village Clerk of the Village of Hobart, Brown County, Wisconsin. I hereby certify that the aforementioned is a true and exact reproduction of the original ordinance or resolution adopted by the Village Board.

IN WITNESS WHEREOF, I have executed this Certificate in my official capacity on March 17th 2020.

(Seal)


Mary Smith, Village Clerk