



156 East First Street
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September 28, 2016

TO ALL PLAN COMMISSION MEMBERS:

Fred Horne	Ron Volkert
Jim Zajkowski	David Wilford
Mike Kastens	Kyle Hinrichs
MaryKay Rice	Sarah Skinner (ex officio)

This is to notify you that there is a Plan Commission meeting scheduled for Tuesday, October 4, 2016 at 5:00 p.m. in the Council Chambers of the Civic Center, 156 East First Street, City of New Richmond, WI.

AGENDA:

- 1. Roll Call**
- 2. Adoption of Agenda**
- 3. Approval of the Minutes of the Previous Meeting, September 6, 2016**
- 4. Public Hearing**
 - a. An Amendment of the City of New Richmond Official Map to consider interchange alignments at WI HWY 64/North Fourth Street/Wall Street (CR CC).**
- 5. Action on Public Hearing Agenda**
- 6. Amendment of Section 121-44 of the Zoning Ordinance Regulating Signs**
- 7. Communications and Miscellaneous**
- 8. Adjournment**

**Fred Horne
Mayor**

cc:

**The News
Nick Vivian
Tom Rickard
Craig Yehlik**

**Northwest Cable
Mike Demulling
Dan Licht
Beth Thompson**

**City Website
Bob Meyer
Jim VanderWyst
Steve Skinner**

PLAN COMMISSION MEETING
SEPTEMBER 6, 2016 - 5:00 P.M.

Members Present: Fred Horne, Ron Volkert, Mike Kastens, Jim Zajkowski and Sarah Skinner (ex-officio)

Members Absent: David Wilford, MaryKay Rice and Kyle Hinrichs

Others Present: Beth Thompson, Tanya Batchelor, Noah Wiedenfeld, Jeremiah Wendt, Jeff Moberg, Jeff Abboud, and James Koenig.

Fred Horne called the meeting to order and roll call was taken.

Jim Zajkowski moved to adopt the agenda as presented, seconded by Mike Kastens and carried.

Mike Kastens moved to approve the minutes of the previous meeting on August 23, 2016, seconded by Jim Zajkowski and carried.

Department of Transportation Presentation – Jug Handle Concepts

Jeremiah Wendt explained several concepts regarding the jug handle. The original concept included an overpass and closing the Wall Street crossroad. Staff has been working with the DOT and stakeholders in that area to come up with a solution that everyone can support. Several public meetings were held to gather information from property owners along with individual meetings with affected landowners. The solution that everyone supports includes an overpass that is west of Wall Street and connects at North Fourth Street and Wall Street north of the National Guard building and adjacent pond. Discussion followed. The next step is to modify the Official City map of right-of-way. A Public Hearing will be held at a future Plan Commission meeting, and a recommendation from the Plan Commission can be given to the City Council for their action. A new Memorandum of Agreement will need to be signed between the City and DOT regarding cost sharing at each stage of the process. Discussion followed. Representatives from the DOT will also be present at the Public Hearing.

Petition for Annexation from Jeff Moberg

Fred Horne declared the Public Hearing open to discuss the following:

- a. A Petition for Annexation from Jeff Moberg for property located at 1428 Highway 64, New Richmond, Wisconsin and described as: Sec 30 T31N R17W 1.38 Acres. Commencing at the intersection of the north right-of-way of the highway with the west line of the SE ¼ of the SW ¼ section 30. Thence north along the west line 300 feet, thence east parallel with said right-of-way line 200 feet, thence south 300 feet to said right-of-way line, thence west 200 feet to the point of beginning.

Beth Thompson explained the area to be annexed from Stanton Township. The annexation fits in with our long range plan for this area and complies with the comprehensive plan. The proposed zoning is Z3 Multi-Use/Corridor District, which is the same as the surround area. Discussion followed. The State of Wisconsin has given approval to this annexation. Fred Horne declared the Public Hearing Closed. Mike Kastens moved to approve the Petition for Annexation from Jeff Moberg with the site zoned Z3 Multi-Use/Corridor District, seconded by Jim Zajkowski and carried.

Certified Survey Map from City of New Richmond for East Fourth Street

Jeremiah Wendt explained that Staff is requesting to vacate a portion of East Fourth Street along the sports center and to create a new CSM. The street abuts City property on both sides and really serves no purpose. In order for the Hockey Center to develop, it makes sense to vacate this street. They would like to construct an accessory building for the outside rink. This accessory building would align with the existing hockey arena. Vacating this street would also bring the hockey center building more into compliance with our ordinances. The next step for the Hockey Association would be to go to the Park Board and the DRC with their proposal. Jim Zajkowski moved to approve the Certified Survey Map on

the condition that the proposed CSM shall identify drainage and utility easements at the perimeter of the lot as required by Section 117-41.C.1 and over any in-place utilities within the existing East 4th Street right-of-way to be vacated, subject to review and approval of the Public Works Director. Motion was seconded by Mike Kastens and carried.

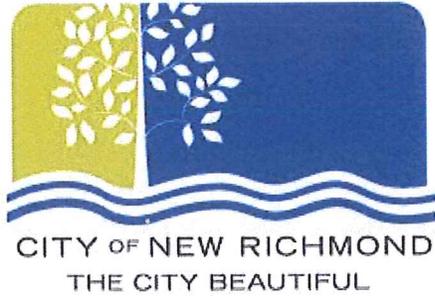
Possible Vacation of a Portion of East Fourth Street

Mike Kastens moved to proceed with the vacation of this portion of East Fourth Street, seconded by Jim Zajkowski and carried.

Jim Zajkowski moved to adjourn the meeting, seconded by Mike Kastens and carried.

Meeting adjourned at 5:35 p.m.

Tanya Batchelor
City Clerk



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TO: Plan Commission

FROM: Jeremiah Wendt, Public Works Director

DATE: September 28, 2016

RE: Amendment of Official Map

Background

City Staff and DOT have been working together, in cooperation with property owners in the STH 64 corridor over the last two years to modify and refine the DOT's planned future "Jug Handle" intersection at STH 64 and N 4th Street/Wall Street. City staff and DOT presented the proposed Jug Handle Concept to the Plan Commission at their meeting on September 6, 2016. The next step was to have the Public Hearing on October 4, 2016. Formal Action will take place after the Public Hearing.

Recommendation

Staff recommends approval of the amendment to the Official Map as presented.



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MEMORANDUM

TO: Beth Thompson

FROM: D. Daniel Licht, AICP

DATE: 28 September 2016

RE: New Richmond – Zoning Ordinance; Sign Regulation Update

TPC FILE: 164.01

BACKGROUND

The Plan Commission held a public hearing on 23 August 2016 to consider comprehensive revision of Section 121-44 regulating signs. There was no public comment hearing and the public hearing was closed. The Plan Commission discussed the provisions of Section 121-D.8 of the draft Zoning Ordinance amendment regarding the allowed duration of temporary signs. Action on the draft amendment was tabled to allow City staff to provide alternative language.

Exhibits:

- A. Draft Zoning Ordinance amendment

ANALYSIS

Members of the Planning Commission were concerned that the limit of 60 days for display of a temporary sign in Section 121-44.D.8(b) of the draft Zoning Ordinance may be too limiting, citing one business adjacent to TH 64 that has continuously displayed such a sign.

City staff reviewed the issue and determined that this business would be allowed a secondary free standing sign as provided for by Section 121.44.D.6 of the draft Zoning Ordinance as the property abuts WIDoT right-of-way for Highway 64 without direct access. The second sign may be up to 64 square feet in area and 16 feet in height, which is larger and taller than the

temporary sign allowed by Section 121-44.D.8 of the draft Zoning Ordinance. The entire area of the secondary sign may be constructed as manual or electronic changeable copy.

City staff reviewed these sign provisions with the owners of Farm & Home. The business owner was agreeable to the proposed sign ordinance as written allowing them a second freestanding sign while limiting use of a temporary free standing sign to 60 days.

RECOMMENDATION

Our office and City staff recommends the Plan Commission approve the draft sign regulations as presented.

POSSIBLE ACTIONS

- A. Motion to **recommend City Council approval** of an ordinance amending the City Code and Zoning Ordinance regulating signs in the form presented.
- B. Motion to **table**.

- c. Mike Darrow, City Administrator
Nick Vivian, City Attorney
Noah Wiedenfield, Management Analyst
Sarah Skinner, Building Inspector
Tanya Reigel, City Clerk

ORDINANCE #__

THE COMMON COUNCIL OF THE CITY OF NEW RICHMOND DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 46 of the City Code (Licenses, Permits and Miscellaneous Business Regulations) is hereby amended to add the following provisions:

ARTICLE VIII - DYNAMIC DISPLAY SIGNS

Sec. 170-1: -Purpose.

- (a) The City has established the fundamental basis for the regulation of signs generally in Section 121-44 of the City Code.
- (b) The City finds that dynamic display signs are highly visible from long distances and at very wide viewing angles both day and night and are designed to attract the attention of persons in their vicinity and hold it for extended periods of time and that if the operation of such signs is not regulated, there is potential for significant harm to public health, safety and welfare.
- (c) It is not the purpose or intent of this Article to regulate the message displayed on any dynamic sign but to:
 - (1) Allow for operation of dynamic signs in compliance with the standards set forth in this Article to lessen the impact of such signs on the environment and the public health, safety and welfare.
 - (2) Provide for the administration and enforcement of provisions regulating the operation of dynamic display signs as set forth in this Chapter.

Sec. 170-2: -Definitions: The following words and terms, wherever they occur in this Article, shall be interpreted as herein defined:

APPLICANT: The owner, their agent or person having legal control, ownership and/or interest in land for which the provisions of this Chapter are being considered or reviewed.

CHANGEABLE MESSAGE SIGN, ELECTRONIC: A sign or portion thereof that displays electronic, non-pictorial text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays. Electronic changeable copy signs include projected images or messages with these characteristics onto buildings or objects. Electronic changeable copy signs do not include official signs.

DYNAMIC DISPLAY: Any characteristics of a sign that appear to have movement or that appear to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure or any other component of the sign. This includes displays that incorporate technology or methods allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components as well as any rotating, revolving, moving, flashing, blinking or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, digital ink or any other method or technology that allows the sign face to present a series of images or displays.

ELECTRONIC GRAPHIC DISPLAY SIGN: A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings or other objects.

ILLUMINATED SIGN: Any sign which contains an element designed to emanate artificial light internally or externally.

MULTIVISION SIGN: Any sign composed in whole or part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time one of two (2) or more images.

OFFICIAL SIGN: Signs protecting the safety of pedestrians, drivers, and passengers, including, safety signs, traffic signs, direction to public facilities for the health, welfare, and safety.

SIGN: Any letter, word or symbol, poster, picture, statuary, reading matter or representation in the nature of advertisement, announcement, message or visual communication, whether painted, posted, printed, affixed or constructed, including all associated brackets, braces, supports, wires and structures, which is displayed for informational or communicative purposes.

VIDEO DISPLAY SIGN: A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames that gives the illusion of motion, including, but not limited to, the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects.

ZONING ADMINISTRATOR: The person designated by the City Administrator to be the Zoning Administrator for the City of New Richmond.

Sec. 170-3: -License Required: Display or operation of a dynamic display sign within the City of New Richmond shall require approval of a valid license issued by the City pursuant to this Article.

Sec. 170-4: -Issuance of License:

- (a) Application. An application for a license must be submitted by the property owner or their authorized agent on a form provided by the Zoning Administrator.
- (b) Fees. The applicant shall pay the license fee as adopted by the City Council by resolution for the application to be accepted.
- (c) Required Information. The application shall include all of the following information unless specifically exempted by the Zoning Administrator:
 - (1) Names and addresses of the sign contractor and owners of the sign and lot.
 - (2) Written consent of the owner or lessee of any site on which the sign is to be erected.
 - (3) The address at which any signs are to be erected.
 - (4) The lot, block and addition at which the signs are to be erected and the street on which they are to front.
 - (5) Type and size of sign and type of dynamic display.
 - (6) The specifications of the signs related to illumination and brightness.
 - (7) Specifications for controls needed to regulate the display both for normal operation and in the event of a malfunction.
 - (8) Any electrical permit required and issued for the sign.
 - (9) Any and all other information as may be requested by the Zoning Administrator to determine compliance with this Article.
- (d) Zoning Administrator Review:
 - (1) The Zoning Administrator shall approve or deny an application for a license within forty (45) days of a complete application being submitted.

- (2) The Zoning Administrator shall issue a license as provided for by this Article or shall state in writing the reasons for an application for a license having been denied. The applicant may resubmit an application for a license in accordance with the procedures in this Section or, within ten (10) days of the Zoning Administrator's decision, submit an appeal in accordance with Section 170-6(e) of this Article.
- (e) Transferability: Licenses are issued to the applicant only and for one (1) location, and such licenses are nontransferable between property owners, tenants, or locations.

Sec. 170-5: -License Expiration and Renewal.

- (a) Licenses shall not expire except due to a change in property owners, sign owners, tenants, location, or removal of the dynamic display sign.
- (b) A license that will expire under the provisions of this subsection may be renewed only by making application as provided in Section Sec. 170-4 of this Article.

Sec. 170-6: -Administration.

- (a) This Article shall be administered by the Zoning Administrator.
- (b) Inspections.
- (1) Any licensee shall, at all times during the term of the license, allow the Zoning Administrator to enter the premises for the purpose of verifying compliance with the requirements of this Article.
- (2) The licensee shall provide certification as to compliance with Section 170-7(b) of this Article to the City upon request by the Zoning Administrator.

(c) Suspension. The Zoning Administrator may suspend a license for a period not to exceed thirty (30) days following written notice and an opportunity to be heard if the Zoning Administrator determines that a licensee has violated or is not in compliance with this Chapter.

(d) Revocation:

(1) The Zoning Administrator shall issue a written statement of intent to revoke a license if a cause of suspension in Section 170-6(d)(2) of this Article occurs.

(2) The Zoning Administrator may initiate action to revoke a license if the Zoning Administrator determines that:

i. The license has been suspended two (2) times within the preceding twelve (12) months.

ii. A licensee has knowingly operated an electronic sign during a period of time when the licensee's license was suspended.

iii. A licensee is delinquent in payment to the City for ad valorem taxes or other taxes or fees related to business.

(e) Appeals:

(1) Process:

i. Within ten (10) days of receipt of such notice of an application being denied, suspension, or intent to revoke, the applicant or licensee may provide to the Zoning Administrator, in writing, a response that shall include a statement of reasons why the license should not be suspended or revoked.

ii. Within three (3) days of the receipt of licensee's written response, the Zoning Administrator shall notify the respondent in writing of the hearing date on the application denial or the license suspension or revocation proceeding.

- iii. Within forty-five (45) working days of the receipt of applicant or license's written response, the City Council shall conduct a hearing on licensee's appeal of the Zoning Administrator's decision.
 - iv. Hearings on the appeal shall be open to the public and the applicant or licensee shall have the right to appear and be represented by legal counsel and to offer evidence in its behalf.
- (2) City Council Action. At the conclusion of the hearing, the City Council shall make a final decision.
- i. If a response is not received by the City in the time stated or, if after the hearing, the City Council finds that grounds as specified in this Article exist for denial, suspension, or revocation, then such denial, suspension or revocation shall become final three (3) days after the City sends written notice that the license has been denied, suspended, or revoked; such notice shall include a statement advising the applicant or licensee of the right to appeal such decision to a court of competent jurisdiction.
 - ii. If the City Council finds that no grounds exist for denial, suspension, or revocation of a license, then within three (3) days after the hearing, the Zoning Administrator shall withdraw the intent to suspend or revoke the license, and shall so notify the licensee in writing of such action.

Sec. 170-7: -Performance Standards:

- (a) Allowed Signs: Only those dynamic display signs defined and identified herein shall be allowed to be operated within the City in accordance with this Article and the Zoning Ordinance:
 - (1) Electronic changeable copy signs.
 - (2) Electronic graphic display signs.

- (b) The operation of a dynamic display sign allowed by this Article shall conform to the following requirements:
- (1) The display shall change display not more often than once every ten (10) seconds.
 - (2) The display sign shall not include scrolling, flashing, animation, or other effects.
 - (3) The display must be static and the transition from one static display to another must be instantaneous without any special effects.
 - (4) The display must be complete in themselves, without continuation in content to the next image or message.
 - (5) Brightness:
 - i. The brightness of the sign shall not exceed five thousand (5,000) NITS after sunrise and before sunset or five hundred (500) NITS after sunset and before sunrise each day.
 - ii. The sign shall be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness to comply with the requirements of this subsection.
 - (6) Malfunctions:
 - i. The display must be designed and equipped to freeze the device in one position if a malfunction of the electronic display occurs.
 - ii. The display must be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the electronic display when notified by the City that it is not complying with the stipulations of this section.
 - (7) The sign shall comply with Section 121-44 of the Zoning Ordinance.

Sec. 170-8: -Severability. If any section, sentence, clause or phrase of this Article is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Article. The City Council hereby declares that it would have adopted the Article and each subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Section 2. Section 121-15 of the City Code (Zoning Ordinance - Definitions) is hereby amended to repeal the following sign related definitions:

Area of Copy.

Area of Sign.

Business Identification Sign.

Construction Sign.

Directional Sign.

Gross Area.

Height of Sign.

Real Estate Sign.

Time and Temperature Sign.

Section 3. Section 121-15 of the City Code (Zoning Ordinance - Definitions) is hereby amended to add the following sign related definitions:

Balloon Sign: A sign consisting of a bag made of lightweight material supported by helium, hot, or pressurized air.

Dynamic Display: Any characteristics of a sign that appear to have movement or that appear to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure or any other component of the sign.

This includes displays that incorporate technology or methods allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components as well as any rotating, revolving, moving, flashing, blinking or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, digital ink or any other method or technology that allows the sign face to present a series of images or displays.

Freestanding Sign: Any sign which has supporting framework that is placed on, or anchored in, the ground and which is independent from any building or other structure.

Motion Sign: Any sign which revolves, rotates, swings, has moving parts, or gives illusion of motion.

Off Premises Sign: A sign that directs the attention of the public to a use, activity, or goods at a location not on the same lot where such sign is located, including easements and other appurtenances that shall be considered to be outside of such lot and any sign located or proposed to be located in an easement or other appurtenance shall be considered an off premises sign for the purposes of this Ordinance.

Pylon Sign: A freestanding sign mounted on top of a single post.

Shimmering Sign: A sign which reflects an oscillating sometimes distorted visual image.

Section 4. Section 121-15 of the City Code (Zoning Ordinance - Definitions) is hereby amended to revise the following sign related definitions:

Banner: Attention getting devices which resemble flags and are of a paper, cloth or plastic-like consistency.

Flashing Sign: A directly or indirectly illuminated sign or portion thereof that exhibits changing light or color effect by any means, so as to provide intermittent illumination that changes light intensity

in sudden transitory bursts and creates the illusion of intermittent flashing light by streaming, graphic bursts showing movement, or any mode of lighting which resembles zooming, twinkling or sparkling.

Ground Sign. Any freestanding sign with its sign face mounted on the ground or mounted on a base at least as wide as the sign.

Portable Sign: A sign so designed as to be temporary and movable from one location to another and which is not permanently attached to the ground, sales display device or structure.

Projecting Sign: A sign, other than a wall sign, which is affixed to a building and which extends perpendicular from the building wall.

Roof Sign: A sign erected, constructed or attached wholly or in part upon or over the roof of a building.

Section 5. Section 121-44 of the City Code (Sign Regulations) is hereby repealed in its entirety and amended to read as follows:

Sec. 121-44: -Sign Regulations

A. Findings, Purpose, and Interpretation:

1. Findings: The City finds:

- (a) Exterior signs have a substantial impact on the character and quality of the environment.
- (b) Signs provide an important medium through which individuals may convey a variety of messages.
- (c) Signs can create traffic hazards and aesthetic concerns, thereby threatening the public health, safety and welfare.
- (d) The City's zoning regulations have included the regulation of signs in an effort to provide adequate means of expression in accordance with the First Amendment and promote economic viability, while protecting the city and its citizens from a proliferation of signs of a type,

size, location and character that would adversely impact upon the aesthetics of the community and threaten the health, safety and welfare of the community. The regulation of the physical characteristics of signs within the city has had a positive impact on traffic safety and the appearance of the community.

2. Purpose: It is not the intent of this Chapter to regulate the message displayed on any sign; nor is it the intent of this Chapter to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building. The purpose of this Chapter is to:
 - (a) Regulate the number, location, size, type, illumination and other physical characteristics of signs in order to promote the public health, safety, and welfare.
 - (b) Maintain and enhance the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community.
 - (c) Improve the visual appearance of the City while providing for effective means of communication, consistent with First Amendment rights and the City's goals of public safety and aesthetics.
 - (d) Provide for consistent enforcement of the sign regulations set forth herein under the zoning authority of the City.

3. Interpretation: A sign may be erected and displayed if it is in conformance with the provisions of this Chapter. The effect of this Chapter, as more specifically set forth herein, is to:
 - (a) Allow a wide variety of sign types, subject to the standards set forth in this Chapter.
 - (b) Allow certain small, unobtrusive signs incidental to the principal use of a site for all uses when in compliance with the requirements of this Chapter.

- (c) Prohibit signs when the location, size, type, illumination or other physical characteristics negatively affect the environment and where the communication can be accomplished by means having a lesser impact on the environment and the public health, safety, and welfare.
- (d) Provide for the administration and enforcement of the provisions of this Chapter, which must be interpreted in a manner consistent with the First Amendment guarantee of free speech; the content of the message or speech displayed on the sign shall not be reviewed or considered in determining whether to approve or deny a sign permit.

B. General Provisions

- 1. Signs shall be allowed in all zoning districts as accessory uses for the purposes of, and subject to the provisions of this Chapter.
- 2. Area calculations:
 - a. The area within the frame of a sign shall be used to calculate its area, and if such letters or graphics are mounted directly on a wall or in such way as to be without a frame the dimensions for calculating the square footage shall be the area formed around such letters or graphics in a plane figure bounded by straight lines connecting the outermost points thereof.
 - b. Each surface utilized to display a message or to attract attention using symbols, flags, pictures, wording, figures or other forms of graphics shall be measured as a separate sign and shall be calculated in the overall area.
 - c. A freestanding sign shall be allowed to have two sign faces each with the maximum area allowed in the applicable zoning district provided that the sign faces are constructed back-to-back with an angle less than 20 degrees separating the sign faces.
- 3. Height:

- a. The top of any sign mounted on a building shall not project above the roofline the building.
 - b. The height of a freestanding sign shall be measured from the ground at the base to the highest-most part of the structure.
4. Setbacks:
- a. Ground signs shall be setback 10 feet from any property line.
 - b. Pylon signs located closer to a property line than 10 feet shall maintain a minimum of 14 feet of clearance below the sign.
 - c. No freestanding sign shall encroach upon the traffic visibility zone required by Section 121-53.
5. Illumination:
- a. Illuminated signs shall be shielded to prevent lights from being directed at oncoming traffic so as not to impair the vision of drivers, not interfere with traffic signs and signals, or illuminate adjacent properties, buildings, or streets.
 - b. All external light sources shall be hooded with a 90-degree horizontal cut-off and downcast onto the sign face in compliance with Section 121-51.
 - c. Signs using fluorescent, neon or incandescent light sources shall not exceed 12 watts per square foot of sign surface area.
 - d. No sign incorporating LED lighting may be illuminated in any way so as to exceed a maximum intensity of 5,000 NITS during daylight hours or 500 NITS from sunset to sunrise measured at the sign face at maximum brightness; Signs incorporating LED lighting shall be equipped with a mechanism that automatically adjusts the brightness to ambient lighting conditions to conform to the requirements of this subsection.

e. The installation of illuminated signs shall be subject to the State electrical code; All electrical service to such signs shall be installed underground.

6. The design and construction standards as set forth in Chapter 4 of the 1997 edition of the Uniform Sign Code are hereby adopted.

C. Sign Standards By District

1. Sign allowances for properties within individual zoning districts shall be as provided for by Table 11.

Table 11			
	Single Family, Two Family, Townhouse Uses	Agriculture, Multiple Family, Business, Industrial, and Institutional Uses	
		Wall Signs	Freestanding Signs
Z1	Sec. 121-44.F and home occupations: 1 wall or window sign not to exceed 6sf.	Area: 15% of wall Per Sign: 100sf.	Number: 1 Area: 100sf. Height: 25ft.
Z2	Sec. 121-44.F and home occupations: 1 wall or window sign not to exceed 6sf.	Area: 15% of wall Per Sign: 100sf.	Number: 1 Area: 100sf. Height: 25ft.
Z3	Sec. 121-44.F and home occupations: 1 wall or window sign not to exceed 6sf.	Area: 15% of wall Per Sign: 300sf.	Number: 1 Area: 300sf. Height: 35ft.
Z4	Sec. 121-44.F and home occupations: 1 wall or window sign not to exceed 6sf.	Area: 15% of wall Per Sign: 100sf.	Number: 1 Area: 100sf. Height: 25ft.
Z5	Sec. 121-44.F and home occupations: 1 wall or window sign not to exceed 6sf.	Area: 15% of wall Per Sign: 100sf.	Number: 1 Area: 100sf. Height: 25ft.
Z6		Area: 15% of wall Per Sign: 100sf.	Number: 1 Area: 100sf. Height: 25ft.
Z7		Area: 15% of wall	Number: 1

		Per Sign: 300sf.	Area: 300sf. Height: 35ft.
All	Signs as allowed by Section 121-44.D and E		

D. Special Signs. In addition to the signs allowed by Section 121-44.C, the following additional provisions shall apply.

1. Changeable Message Signs:

a. For commercial, industrial and institutional uses, changeable messages of 64 square feet or 20 percent of the area allowed within the zoning district, whichever is greater, may be integrated within an allowed freestanding sign or as a wall sign.

b. Dynamic display of the changeable message shall be allowed provided that:

(1) The operation of the dynamic display shall require issuance of a license pursuant to Section 46, Article VIII of the City Code.

(2) Location:

(a) The sign shall be displayed only in a yard abutting an arterial, collector or local commercial/industrial street as defined by the Comprehensive Plan, except as may be allowed by approval of a conditional use permit in accordance with Section 121-31.

(b) The sign shall be set back a minimum of 50 feet from any side or rear lot line abutting a residential district.

2. Accessory Signs: Buildings with drive through facilities shall be allowed additional signs provided that:

a. A maximum of 2 freestanding signs is allowed adjacent to each access to the lot from a public street or shared private drive.

b. The maximum area of an individual sign is limited to 6 square feet.

- c. The maximum height of the sign(s) shall be 3 feet.
3. Gas stations: Signs for gas stations shall be regulated by the sign provisions for the zoning district in which the facility is located, except that:
 - a. An additional area not to exceed 24 square feet shall be allowed within a freestanding sign for continuous display of changeable copy (non-electronic or electronic).
 - b. Signage may be allowed on a detached canopy above the fuel island in lieu of wall signage on the principal structure, provided that:
 - (1) The area of the sign(s) does not exceed more than 20% of the canopy elevation facing a public right-of-way.
 - (2) The canopy elevation shall not be illuminated, except for allowed canopy signage.
4. Multiple Occupancy Commercial and Industrial Buildings: When a single principal building is devoted to 2 or more tenants having individual exterior entrances, signs shall be allowed based upon the following provisions:
 - a. A comprehensive sign plan shall be submitted that includes all of the following information:
 - (1) A site plan to scale showing the location of lot lines, buildings, structures, parking areas, existing and proposed signs, and any other physical features of the area included within the proposed comprehensive sign plan.
 - (2) Scale elevations of buildings showing the location of existing or proposed wall, canopy, or marquee signs.
 - (3) To scale plans for all existing and proposed signs of any type included within the

comprehensive sign plan indicating area, dimensions, height, materials, colors, and any means of illumination.

- b. Individual tenants may display separate wall signs subject to the following requirements:
 - (1) The number of individual wall signs shall be limited to 1 sign per exterior wall of the tenant space.
 - (2) The area of each sign for an individual tenant shall comply with the maximum area for individual signs allowed in the applicable zoning district.
 - c. Multiple occupancy buildings may display 1 freestanding sign that complies with the requirements of the applicable zoning district.
5. Projecting Signs: Projecting signs, including awnings, shall be allowed for buildings within the Z3, Z6 and Z7 Districts provided that:
- a. There is a minimum of 8 feet of clearance under the base of the sign to the ground below.
 - b. The sign does not project more than 5 feet beyond the wall to which it is mounted; may not project over any vehicular portion of a public street or private drive; and may not project over a public right-of-way except in the Z6 District.
 - c. Area:
 - (1) Projecting signs: 24 square feet
 - (2) Awning signs: Maximum area for individual signs allowed within the applicable zoning district.
6. Secondary Freestanding Signs. One additional ground sign shall be allowed for properties located within the Z3, Z6 and Z7 Districts abutting an arterial or collector street defined by the Comprehensive Plan but to which there is no driveway access, subject to the following:

- a. The sign shall be located in a yard abutting the street to which the lot has access.
 - b. The maximum area of the sign shall be 64 square feet.
 - c. The maximum height of the sign shall be 16 feet.
7. Subdivisions: For subdivisions or geographic areas of development of similar character or association having 3 or more lots the following signs shall be allowed:
- a. Permanent Signs: One sign ground sign shall be allowed at public street intersections:
 - (1) The maximum area of the face of each sign shall located at:
 - (a) Z1, Z2, Z4, and Z5 Districts: 32 square feet
 - (b) Z3, Z6, and Z7 Districts:
 - (i) Intersection with a collector or arterial street as defined by the Comprehensive Plan: 100 square feet
 - (ii) Intersection of two local streets: 32 square feet
 - (2) The maximum height of the sign shall be:
 - (a) Z1, Z2, Z4, and Z5 Districts: 8 feet
 - (b) Z3, Z6, and Z7 Districts: 16 feet
 - (3) The design and construction of the ground sign shall utilize the highest quality materials and workmanship and shall be compatible with nearby structures in the area; Detailed construction plans and a materials list shall be included with each sign permit application and shall be subject

to the review and approval of the Zoning Administrator.

- (4) The area around the ground sign shall be landscaped in such a manner to accent and enhance the sign while remaining sensitive to the natural features of the site; a landscape plan shall be included with each sign permit application and shall be subject to review and approval of the Zoning Administrator.
- (5) The ground sign may be illuminated but only an external light source downcast upon the sign face shall be allowed for residential subdivisions.

b. Temporary Signs:

- (1) Additional temporary signs shall be allowed upon approval of a final plat for a subdivision having 3 or more lots or zoning approval for development of one or more properties provided that:
 - (a) One sign shall be allowed per subdivision or development for each access from public streets and each frontage to a collector or arterial street.
 - (b) The maximum area of the sign face shall be 64 square feet.
 - (c) Freestanding signs shall not exceed a maximum height of 8 feet.
- (2) Individual lots within the subdivision shall be allowed the following signs:
 - (a) One freestanding sign shall be allowed per model home:
 - i. Maximum area: 32 square feet
 - ii. Maximum height: 8 feet

(b) Not more than 3 banners with a maximum area of 16 square feet per face per flag, and maximum height of 25 feet shall be allowed upon lots within the subdivision.

(3) The temporary signs and banners allowed by this Section shall only be displayed for a period not to exceed three 3 years from the date a permit is issued for the sign or banners, or until building permits have been issued for 100% of the lots within a final plat or subsequent phases of the same preliminary plat of a subdivision, whichever occurs first.

8. Temporary Signs: The use of banners, pennants, portable signs, and similar devices shall be subject to the following provisions:

(a) Not more than 1 temporary sign for each street frontage shall be displayed upon a property at any time.

(b) Temporary signs shall require a temporary sign permit valid for no more than 60 days during any calendar year for single occupancy properties or 120 days for properties having two or more principal uses or tenants.

(c) The maximum area of a temporary sign shall be 50 square feet per sign face.

(d) The maximum height of a temporary sign shall be 16 feet.

(e) Temporary signs meeting the following standards shall not require a sign permit:

(1) The maximum area of the sign shall be 4 square feet.

(2) The maximum height of the sign shall be 3 feet.

(f) Location:

- (1) A temporary sign shall not encroach upon any drainage and utility easement.
- (2) A temporary sign shall not encroach upon the traffic visibility zone required by Section 121-53.

E. Permit Required

A permit issued by the Zoning Administrator in accordance with Section 121-23 shall be obtained for a new sign to be erected or an existing sign structure modified except when changing only the face of the sign without altering the area, height or location of the sign.

1. Application for a sign permit shall be filed by the property owner with the Zoning Administrator on a form provided by the City and shall be accompanied by a fee as established by City Council resolution.
2. The Zoning Administrator shall review the application for a sign permit and determine whether the proposal is in compliance with all applicable, codes, ordinances, and performance standards set forth in this Section within 45 days of submission of a complete application.
3. Application for a sign permit shall contain the following information unless waived by the Zoning Administrator:
 - a. Names and addresses of the applicant and/or owners of the sign and property.
 - b. The address at which the proposed sign(s) are to be erected.
 - c. Area and type of sign(s) to be erected (e.g., wall sign, freestanding sign, projecting sign, etc.).
 - d. A site plan to scale showing the location of lot lines, building structures, parking areas, existing and proposed signs and any other physical features.

- e. Plans, location and specifications and method of construction and attachment to the buildings or placement method on the ground.
 - f. A detailed description of any electronic or electrical components that are proposed to be added to the sign and any electrical permit required and issued for the sign.
 - g. Other information as requested by the Zoning Administrator to demonstrate compliance with this Chapter.
- 5. All signs requiring a permit shall be subject to inspection by the Zoning Administrator.
 - 6. The City reserves the right to require the removal, at the owner's expense, of any sign when the requirements of this Section are not complied with, or if a sign is not properly maintained or falls into a state of disrepair constituting a public nuisance.

F. Signs Not Requiring a Permit

- 1. The following signs shall not require a permit and are allowed in addition to those signs allowed by Section 121-44.C and D, subject to compliance with the other provisions of this Chapter.
 - a. The changing of the display surface only of an existing sign.
 - b. A sign on each principal building in all districts displaying the assigned property number at least 3 inches in height.
 - c. One sign per property not to exceed 16 square feet where the principal use is residential.
 - d. Signs may be erected during an election campaign period on the first day for circulation of nomination papers by candidates, or in the case of a referendum the first day the question is submitted to the electorate, and shall be removed not more than 5 days after the general election

in accordance with Wisconsin Statutes Chapter 12.04.

- e. Official signs including public notices, safety signs, traffic signs.
- f. One sign shall be allowed per street frontage, provided that the maximum area of a sign shall be 64 square feet with a maximum height of 12 feet.
- g. Flags.
- h. Sandwich board signs shall be allowed within the Z3, Z6 and Z7 Districts, provided that:
 - (1) Not more than 1 sign is allowed per principal building or 1 is allowed sign per tenant within a principal building having 2 or more tenants each with an exclusive exterior entrance.
 - (2) The sign shall conform to the following maximum dimensions:
 - (a) Height: 4 feet
 - (b) Width: 3 feet
 - (2) Location:
 - (a) The sign shall be located so as to maintain a minimum 5 foot pedestrian walkway and so as not to obstruct vehicular traffic.
 - (b) The sign shall be set back a minimum of 2 feet from the back of curb of a public street or private drive.
- i. Window signs limited to 40 percent of the total area of the window in which they are displayed.

G. Non-Conforming Signs

1. A nonconforming sign lawfully existing upon the effective date of this Section shall be regulated in accordance with Article IV of this Chapter.
2. When a principal use is legally nonconforming under Article IV of this Chapter, all existing or proposed signs in conjunction with that land use shall be considered conforming if they are in compliance with the sign provisions for the most restrictive zoning district in which the property is allowed.

H. Prohibited Signs

The following signs are prohibited:

1. Any sign, signal, marking or device which purports to be or imitates, or resembles any official traffic control device; railroad sign or signal; emergency vehicle signs; or which attempts to direct the movement of traffic.
2. Balloon signs.
3. Flashing signs.
4. Obscene content as defined by Wisconsin Statutes Chapter 944 Subdivision IV.
5. Off-premises signs greater than 50 square feet in area or exceeding 16 feet in height.
6. Roof signs.
7. Rotating signs.
8. Shimmering signs.
9. Signs painted, attached or in any other manner affixed to trees or similar natural surfaces, or attached to utility poles, bridges, towers, or similar public structures, or public fences.
10. Official Signs installed in the public right-of-way other than those authorized by the Wisconsin Department of Transportation, St. Croix County, or the City of New Richmond.

11. Signs affixed to vehicles or trailers intended to increase the number or area of signs displayed on a property where:

- (a) The vehicle or trailer is not licensed and in such condition so as to be operated upon public streets.
- (b) The vehicle or trailer is not parked upon the property in compliance with Section 121-52.

This ordinance shall take effect immediately upon its passage and publication as provided by law.

Passed and approved:
Published and effective:

CITY OF NEW RICHMOND

By: _____
Fred Horne, Mayor

ATTEST: _____
Tanya Batchelor, City Clerk