

Amendatory Ordinance No. 5-0816

To the Honorable Iowa County Board of Supervisors:

Whereas the Iowa County Planning & Zoning Committee undertook a review of the exiting sign regulations contained within the Iowa County Zoning Ordinance for consistency with the U.S. Supreme Court Case *Reed v. Town of Gilbert* relating to free speech; and

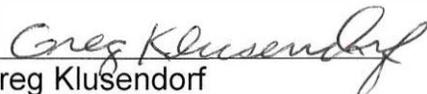
Whereas said Committee determined revisions were necessary to be consistent with the Court's ruling and that the sign regulations contained within Section 8.0 of the Iowa County Zoning Ordinance should be reviewed and updated to provide additional signage opportunities and flexibility; and

Whereas a public hearing, designated as zoning hearing number **2833**, was held on **July 28, 2016** with notice provided to all Iowa County Townships, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to revise the county's sign regulations as outlined in Attachment A.

Now therefore be it resolved that Section 8.0 of the Iowa County Zoning Ordinance containing sign regulations be rescinded and replaced with those outlined in Attachment A.

Respectfully submitted by the Iowa County Planning & Zoning Committee.

I, the undersigned Iowa County Clerk, hereby certify that the above Amendatory Ordinance No. was X approved as recommended; _____ approved with amendment: _____ denied as recommended; _____ rereferred to the Iowa County Planning & Zoning Committee by the Iowa County Board of Supervisors on **August 16, 2016**. The effective date of this ordinance shall be **August 16, 2016**.


Greg Klusendorf
Iowa County Clerk

Date: 8/17/16

Attachment A: Section 8.0 of the Iowa County Zoning Ordinance

SECTION 8.0 SIGNS

The purpose of this section is to protect the public health, safety and general welfare by:

1. Promoting well maintained and attractive signage within the County;
2. Providing for adequate business identification, advertising, and communication for promoting a healthy economy, and;
3. To foster public safety along public and private streets within the community by assuring that all signs are in safe and appropriate locations.
4. To have administrative review procedures that are the minimum necessary to:
 - a) Balance the county's objectives and regulatory requirements with the reasonable advertising and way finding needs of business.
 - b) Allow for consistent enforcement of these regulations.
 - c) Minimize the time required to review a sign application.
 - d) Provide flexibility as to the number and placement of signs to the regulations are more responsible to business needs while maintaining the county's standards.

8.1 Permit Required and Permit Exempt

No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, repaired or structurally altered without a sign permit, unless excepted within this section, without being in conformity with the provisions of this Ordinance. The fee for a sign permit shall be set by County Board resolution. All sign permits shall expire 12 months from the issue date of the permit unless a Certificate of Compliance is issued before said 12-month period expires. The permit holder is responsible to contact the Office of Planning and Development for said Certificate of Compliance to avoid the expiration of the sign permit. Any sign located, erected, moved, reconstructed, extended, enlarged, repaired or structurally altered without a valid sign permit shall be removed or, if an after-the-fact permit can be issued, said after-the-fact permit shall include a late fee as established by County Board Resolution.

Any sign proposed that is not described or defined in this section may be considered for approval by the Iowa County Planning & Zoning Committee, either as a temporary or permanent sign. Any such sign that is approved shall:

- be subject to all applicable provisions within this section and ordinance, such as size and placement requirements
- be compatible with surrounding permitted signs to the extent as to not create a competitive advantage or disadvantage for competing business operations
- require a permit

The following signs do not require a permit and are allowed in any zoning district:

1. Signs giving the name of a farm, company or business or the farm, company or business owner or farm directory signs on premises of the owner where the farm, company or business is located, provided:
 - a) no such sign exceeds 32 square feet in display area
 - b) one such sign is allowed per premises
2. Agricultural test plot signs, provided the specifications of Section 8.3 are met.
3. Private property protection signs, such as but not limited to: no trespassing; warning; no hunting; blasting area; etc., provided no such sign is greater than 2 square feet in display area.
4. Signs advertising the sale of agricultural products produced on the premise the sign is located, not to exceed 32 square feet of display area for single-sided sign and 64 square feet for multi-sided sign, provided:

- a) There is no more than one sign per direction of travel
 - b) Any such sign is located within ¼ mile of the premise selling the advertised produce
 - c) Any such sign is erected no sooner than 30 days before the advertised produce is available and removed within 30 days after the advertised produce is no longer available
5. Memorial signs, tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of metal and affixed flat against a structure
 6. Residential owner or occupant signs stating the names of the property owner and/or occupant of the residence on the property where the sign is located, provided no such sign exceeds six (6) square feet
 7. Temporary Signs, being any sign installed for a period to not exceed 30 consecutive days in a 60-day period, with up to 16 square feet of display area for a single-sided sign and 32 square feet for multi-sided sign. No more than one temporary sign shall be allowed per tax parcel or lot. Examples where temporary signs may be employed include special events or real estate signs.
 8. Election/campaign/political signs, provided no such sign is placed within a public road right-of-way

8.2 General Sign Regulations

The regulations contained in this section shall apply to signs in all zoning districts. The regulations set forth in this section do not supersede the requirements set forth in section 8.3.

1. Signs shall not:
 - a) resemble, imitate, or approximate the shape, size, form or color of railroad or traffic signs, signals, or devices
 - b) obstruct or interfere with the effectiveness of railroad or traffic signs, signals, or devices
 - c) be placed so as to obstruct or interfere with traffic visibility, nor block or interfere with the visibility for ingress or egress of a driveway.
2. No signs may be affixed to a fence, utility pole or structure, tree, shrub or other natural object.
3. Externally illuminated signs shall:
 - a) not flash, oscillate, or rotate, except when associated with an electronic message center permitted under this ordinance
 - b) be shaded, shielded or directed away from surrounding properties and traffic, and when there is a dispute as to the adequacy of the shading or shielding from surrounding properties and/or vehicular traffic, the County's decision shall prevail.
4. All signs, including support structures, shall be constructed in accordance with local and state building and electrical codes
5. The immediate premises around a sign shall be kept free from trash and debris. However, no person may damage, trim, destroy or remove any trees, shrubs or other vegetation located within the right-of-way of any public street or road for the purpose of increasing or enhancing the visibility of any sign unless approved in writing from the highway authority. Nor shall such work be performed on property that is not under the ownership or control of the person performing or responsible for such work, unless done pursuant to the express authorization of the person owning the property where such trees, shrubs or vegetation are located. The immediate premises around the sign shall be maintained in a neat and orderly fashion.
6. No sign shall be placed in the Visual Clearance Triangle as described in Section 6.2 of this Ordinance.
7. For all signs, the height measurement shall be the distance from the mean centerline grade or ground, depending on sign type, to the top of the display area. The height is intended to include the entire sign display area, not just supports or poles.

8. No sign shall be closer than 10 feet to any property line or right-of-way line
9. No sign shall overhang a property line or right-of-way line.
10. No sign shall be placed within the right-of-way of a public road without the written approval from the highway authority and if allowed elsewhere within this ordinance.
11. The measurement of total display area shall be as described in Section 12.0 of this ordinance and, in the case of a conglomerate of signs affixed to a single support the display area shall be the total of each individual sign.
12. Distance measurements shall be measured along the pertinent right-of-way lines when determining separation between signs or distance from intersections.
13. Electronic may be allowed as on-premise signs only, except when used for official signs or public service information.
14. Any change in copy on an existing legal sign shall be allowed without need of a permit. A permit is required if said change involves a change in size or shape, or a change in position, location, construction or supporting structure of a sign.

8.3 Specific Regulations for Various Types of Signs

1. Electronic message centers (signs that utilize a screen for displaying an electronic image, which may or may not include text) may be used only to advertise activities conducted or goods and services available on the property on which the signs are located or to present public service information. Electronic message centers must comply with the following:
 - a) No message may be displayed for less than one-half second
 - b) No message may be repeated at intervals of less than 2 seconds
 - c) No segmented message may last longer than 10 seconds
 - d) No traveling message may travel at a rate slower than 16 light columns per second or faster than 32 columns per second
 - e) Any transition duration of a message shall take no more than one second
 - f) The illumination brightness shall not exceed 0.3 foot candles over ambient lighting conditions when measured at distances based on the sign size as recommended by the International Sign Association or other recognized authority at the choice of the County
2. On-premise ground signs shall not exceed 35 feet in height above the existing ground level where placed and shall not exceed 150 square feet of total display area for a single-sided sign or 300 square feet for multi-sided signs
3. Off-premise signs shall not:
 - a) exceed 35 feet in height above the existing ground level where placed or 50 feet above the mean centerline grade for the adjacent road, whichever is lesser
 - b) exceed 500 square feet of total display area for a single-sided sign or 1000 square feet for multi-sided signs
 - c) be more than 200 feet from the right-of-way line of the public road along which they are located
 - d) be permitted along a county road or town road without a conditional use permit following the process outlined in Section 4.0 of this Ordinance
 - e) be placed within 500 feet from any legally permitted residence without express written permission from the owner of said residence at the time of erection of said sign
 - f) be allowed until a lawful use has been established on the zoning lot on which the sign is to be erected
4. Wall signs placed against the exterior walls of buildings shall not:
 - a) extend more than 6 inches outside of a building's wall
 - b) exceed 15% of the building wall square footage that the sign is affixed to for display area, not to exceed 300 square feet
5. Projecting signs fastened to, suspended from, or supported by a building shall not:
 - a) exceed 100 square feet in area for any one premises

- b) be less than 10 feet from all side lot lines
 - c) exceed a height of 20 feet above the supporting building
 - d) be less than 10 feet above the sidewalk nor 15 feet above a driveway or an alley
6. Window signs shall:
- a) be placed only on the inside of commercial buildings
 - b) not exceed 25 percent of the glass area of the pane upon which the sign is displayed
7. Portable Signs shall not exceed 32 square feet of display area
8. Agricultural test plot signs used to mark test plot areas shall not exceed 3 square feet of display area or 10 feet in height from ground elevation. Such signs shall be located not less than 50 feet from the site advertised on the sign, and there shall not be more than one such sign per row of crop. Such signs are only permitted while the crop is being grown and for no more than 30 days after harvest.
9. Ground signs shall be those supported by posts or similar supports and shall not:
- a) exceed 35 feet in height above existing ground elevation or 50 feet above the mean centerline grade for the adjacent road, whichever is lesser
 - b) exceed 150 square feet of total display area for single-sided signs or 300 square feet of total display area for multi-sided signs.

8.4 Allowed Signs by Zoning District

The table below illustrates the types of signs allowed by permit within specific zoning districts, provided all applicable provisions of this Section are met. (See Section 8.1 for signs that do not require a permit and are allowed in all zoning districts.)

Zoning districts:

- A-1 Agricultural
- AC-1 Agricultural Conservancy Overlay
- C-1 Conservancy
- CR-1 Conservation Recreation
- H-1 Historical Preservation
- AR-1 Agricultural Residential
- R-1 Single Family Residential
- R-2 Multi Family Residential
- R-3 Mobile/Manufactured Home
- RB-1 Recreational Business
- AB-1 Agricultural Business
- B-1 Local Business
- B-2 Highway Business
- B-3 Heavy Business
- B-4 Industrial
- B-5 Adult Entertainment Business

	A-1	C-1	CR-1	H-1	AR-1	R-1	R-2	R-3	RB-1	AB-1	B-1	B-2	B-3	B-4	B-5
Electronic Message Center					x	x	x	x	x	x	x	x	x	x	x
On-Premise ground sign	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Off-Premise ground sign	x				x					x	x	x	x	x	x
Wall sign	x			x	x	x	x	x	x	x	x	x	x	x	x
Projecting sign	x			x	x	x	x	x	x	x	x	x	x	x	x
Window sign	x			x	x	x	x	x	x	x	x	x	x	x	x
Portable sign	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x

*Note: Signs in the AC-1 district follow the allowances of the underlying A-1 district.

8.5 Prohibited Signs

The following shall be prohibited in all zoning districts:

1. Animated, flashing, rotating signs and festoons, inflatable signs, tethered balloons, banners, pennants, searchlights, streamers, exposed light bulbs, strings of lights not permanently mounted to a rigid background, and any clearly similar features, except those permitted for a special event approved by the Iowa County Planning & Zoning Committee or electronic message centers as permitted in Section 8.3.
2. Signs on vehicles or trailers when the vehicle or trailer is placed in a location not normally expected for such vehicles or trailers, and the location apparently has the primary purpose of attracting attention or providing advertising
3. Abandoned signs, defined as a sign which for a period of at least 60 consecutive days or longer no longer advertises or identifies a legal business establishment, product or activity. This includes the advertisement or identification of an event or establishment that has ended or is no longer in operation.
4. Any signs containing any words or symbols that would cause confusion because of their resemblance to highway traffic control or directional signals or official street signs.
5. Merchandise, equipment, products, vehicles or other items which are not available for purchase, but are intended to attract attention, or for identification or advertising purposes.
6. Signs located on trees, utility poles, public benches or any other form of public property or within any public right-of-way unless explicitly permitted by the jurisdictional authority over said right-of-way.
7. Other signs or attention getting devices that raise concerns substantially similar to those listed above.

8.6 Existing Signs

For the purposes of this section, signs lawfully existing at the time of the adoption or amendment of this Ordinance shall be considered legal nonconforming structures although the use, size, or location does not conform with the provisions of this Ordinance. No such sign shall be repaired or replaced due to damage caused by vandalism, natural disaster or normal use without first obtaining a sign permit, however no permit shall be issued when said damage exceeds 50 percent of the current assessed value of said sign. If the cost of repair or maintenance exceeds 50 percent of the current assessed value of said sign, the sign shall have to be made to comply with all provisions of this Ordinance or removed.

8.7 Dilapidated, Unmaintained and Abandoned Signs

Dilapidated and Unmaintained Signs. Signs allowed by this Ordinance shall be maintained in a safe, presentable and good structural condition at all times, including replacement of defective parts, painting, repainting, cleaning and other acts required for proper maintenance of the sign. Signs that are determined by the County to be dilapidated unmaintained and/or unsafe shall be subject to the razing provisions of Section 66.05, Wis. Statutes.

Abandoned Signs shall be removed by the owner or lessee of the premises, when, for a business sign, the business it advertises is no longer conducted; and for an advertising or directional sign, when lease payment and rental income are no longer provided. If the owner or lessee fails to remove the sign, the County shall give the owner 60 days written notice to remove said sign. Upon failure to comply with this notice, the County may cause removal to be executed, the expenses of which will be assessed to the tax roll of the property on which the abandoned sign is located.