

VILLAGE OF LITTLE CHUTE

ORDINANCE NO. 4 , SERIES OF 2014

**AN ORDINANCE AMENDING THE ZONING CODE ARTICLE XV HIGHWAY OVERLAY
DISTRICT SECTION 44-556 OF THE VILLAGE OF LITTLE CHUTE MUNICIPAL CODE.**

WHEREAS, the Plan Commission of the Village of Little Chute has recommended the following ordinance amendments; and,

WHEREAS, the required public hearing has been held before the Village Board of Trustees, Village of Little Chute; and,

WHEREAS, the Village Board of Trustees, Village of Little Chute, finds the following ordinance amendments to be in the public interest;

NOW, THEREFORE, the Village Board of Trustees, Village of Little Chute, do ordain as follows:

Section 1. That the Zoning Ordinance, Section 44-Article XV, Section 44-556 of the Municipal Code of the Village of Little Chute are hereby amended to read as follows:

Sec. 44-556. Sign regulations.

- (a) *Purpose.* The purposes of these sign regulations are: to encourage the effective use of signs as a means of communication; to maintain and enhance the aesthetic environment and the community's ability to attract sources of economic development and growth; to improve traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and, to enable fair and consistent enforcement of these regulations. The jurisdiction of these regulations shall include all lands within 1,320 feet from the centerline of USH 41/STH 441.
- (b) *Definitions.* The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Exempt signs means signs that are clearly incidental to the principal use of the property and that is generally informational and contains no commercial message, such as "entrance," "no parking," or other similar directives. Also exempt are any public notice or warnings required by a valid and applicable federal, state or local law, regulation or ordinance.

Permitted signs means those signs used to identify a business located on-premises.

Prohibited signs means signs carry a commercial message other than the business name. Also prohibited are portable signs; beacons; tethered balloons and other inflatable signs; and, flashing signs except for time, temperature or other similar public service information.

Monument sign means a ground sign with the bottom of the sign a maximum of twelve (12) inches from normal grade and having dimensions of which are no greater than ten feet in width or ten feet in height and located more than 15 feet from any property line.

Property means all contiguous parcels or land under single ownership.

(c) *Design standards.* The design standards for signs are as follows:

- (1) *Area.* A property shall be allowed 200 square feet of on-site identification signage per 500 feet of lineal street frontage. Every property shall be allowed a minimum of 200 square feet. The maximum allowable area shall be 400 square feet. If the sign is a multi-faced sign, the allowable area shall apply to each face, as long as only one face is visible from any location at a time.
- (2) *Number.* The maximum allowable number of freestanding signs that will be permitted per property is two.
- (3) *Height.* The maximum height of a sign shall be determined by the height regulations contained within the underlying zoning classification.
- (4) *Setback.* Minimum setbacks for a sign shall be determined by the regulations contained within the underlying zoning classification. All signs shall be subject to a 50-foot setback from the USH 41/STH 441 highway right-of-way.

- (5) *Electronic Message signs.* Are subject to two categories dependent upon location. All categories are subject to the following: Signs must have automatic systems which reduce the intensity of light emitted during evening hours, No electronic message display sign may be illuminated to a degree of brightness that is greater, in the opinion of the Zoning Administrator, than necessary for adequate visibility, nor shall the sign exceed the maximum luminance level of 0.3 foot candles above ambient light levels for the location and time of day when measured at the distances recommended by the International Sign Association (ISA) and based on the digital display size, The owner or installer shall provide from the manufacturer of each electronic message display sign, prior to the issuance of a permit, a certification that the values permitted herein will not be exceeded.

(a) Locations greater than 440 feet from centerlines of USH 41/STH 441 highways. "Electronic Message Signs" Are permitted only to be located upon a Monument sign which are located greater than 440 feet from the centerlines of USH 41/STH 441 highways and meet the following:

~~(a) The restrictions for electronic message unit signs are as follows:~~

- (1) Such signs may be used only to advertise activities conducted on the premises or to present public service information.
- (2) Segmented messages must be displayed for not less than one-half second ~~or more than ten seconds.~~
- (3) Traveling messages may travel ~~no slower than 16 light columns per second and~~ no faster than 32 columns per second.
- (4) Signs shall not resemble, imitate or approximate the shape, size, form or color of traffic signs or devices. Signs shall not obstruct or interfere with the effectiveness of traffic signs, signals or devices or the safe flow of traffic. No sign shall be placed so as to obstruct or interfere with traffic visibility.

(b) Locations less than 440 feet from centerlines of USH 41/STH 441 highways. "Electronic Message Signs" Are permitted to be located on signs if less than 440 feet from the centerlines of USH 41/STH 441 highways and meet the following:

- (1) Such signs may be used only to advertise activities conducted on the premises or to present public service information.
- (2) Messages must be static and displayed for not less than 24 hours, no traveling messages are permitted.
- (3) Signs shall not resemble, imitate or approximate the shape, size, form or color of traffic signs or devices. Signs shall not obstruct or interfere with the effectiveness of traffic signs, signals or devices or the safe flow of traffic. No sign shall be placed so as to obstruct or interfere with traffic visibility.
- (4) Signs shall meet all size, height and location regulations of the zoning code.

(d) *Computations.* The following principles shall control the computation of sign area and sign height:

- (1) *Area of individual signs.* The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.
- (2) *Area of multi-faced signs.* The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces.
- (3) *Height.* The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of:
 - a. Existing grade prior to construction; or
 - b. The newly established grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign.

In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is lower.

- (e) *Maintenance.* All sign shall be maintained in an orderly condition. Any sign which is highly rusted, has peeling paint or in any other way appears unattractive or in disrepair shall be deemed in violation of this zoning chapter and shall be removed or repaired in accordance with the provisions of this zoning chapter. Any structure which is identified as being an immediate threat to public safety by the department

of community development may be removed without notice to the owner of the structure and at the owner's expense.

(f) *Nonconforming signs.*

- (1) Signs lawfully existing on the effective date of the ordinance from which this zoning chapter is derived, which do not conform to the provisions of this article shall be considered legal nonconforming signs and may remain, as follows:
 - a. Such signs shall not be enlarged, extended or structurally altered or reconstructed in any manner.
 - b. Repairs to the structure are permissible provided that they do not result in the replacement of more than 50 percent of the structure or more than 50 percent of the structure's appraised value.
 - c. A legal nonconforming sign that is damaged or destroyed to an extent exceeding 50 percent of the appraised value prior to the damage shall be removed.
- (2) Signs which did not lawfully exist prior to the effective date of the ordinance from which this zoning chapter is derived shall be considered illegal and shall be removed or made to conform to the provisions of this article. Removal shall be performed by the owner of the sign following a notice of violation. Should the owner of the structure fail to meet the requirements of the notice, the sign shall be removed by the community at the owner's expense.

Section 2. Effective Date. This Ordinance shall take effect upon the adoption and publication and enactment of the Ordinance by the Village Board of Trustees, Village of Little Chute.

Introduced: , 2014

Approved and adopted: , 2014.

VILLAGE OF LITTLE CHUTE

By: 
Michael R. Vanden Berg, Village President

Attest: 
Laurie Decker, Village Clerk