



16-0903

Standing Committee: Plan Commission

Document Name: Revision to Zoning Code 15.450 to allow the Plan Commission authority to vary maximum size of animated signs with Special Use Permit approval. PC 33 – 2016.

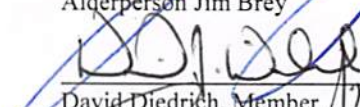
Consent

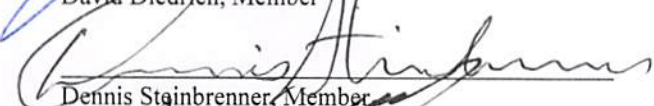
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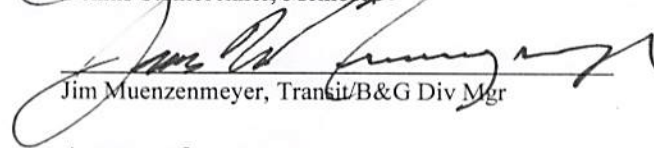
Recommendation: Adoption of the proposed ordinance amendments, based on the lack of clarity in the existing language of the animated sign section of the Zoning Code,

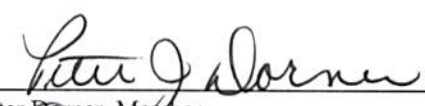
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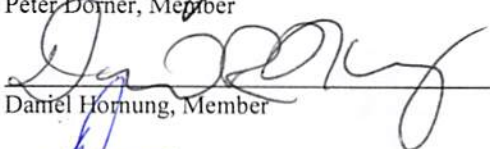

Aldersperson Jim Brey

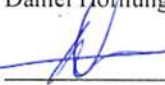

David Diedrich, Member

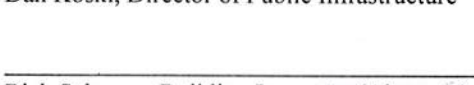

Dennis Steinbrenner, Member


Jim Muenzenmeyer, Transit/B&G Div Mgr


Peter Dorner, Member


Daniel Hornung, Member


Dan Koski, Director of Public Infrastructure


Rick Schwarz, Building Inspector (Alternate)

Approved:

Justin M. Nickels
Mayor

Date

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Report to the Manitowoc Plan Commission

Meeting Date: September 28, 2016

Report Print Date: September 21, 2016; 5:30 PM

Request: PC 33 – 2016: Revision to Zoning Code 15.450 to allow the Plan Commission authority to vary maximum size of animated signs with Special Use Permit approval.

Reason for Request: The Plan Commission was approached by Superior Discount Liquor on the Calumet Avenue Frontage Road. Due to their location, they are interested in having an animated sign that is larger than 30 square feet. The Zoning Code currently does not clearly allow for variations in maximum sign size, so a draft amendment to the Code is presented here.

Comprehensive Plan: The City of Manitowoc Comprehensive Plan offers little guidance on zoning and design standards for commercial signage. The Economic Development element includes the following recommendation under the strategy “Adopt Design Standards for Commercial and Industrial Development”:

All of these new standards should be incorporated into the City's Zoning Ordinance, and strictly adhered to during site plan and/or land division review processes. For new and expanded commercial uses, the standards listed below and illustrated in the following Figure 7.11 are advised:

1.- 8.

9. Signage that is high quality, and not excessive in height or total square footage.

Consistency Analysis

There is no further definition of what constitutes high quality, non-excessive sign design in the Comprehensive Plan. The proposed Zoning Code amendment in itself does not conflict with, nor is it contrary to, any relevant policies or recommendations of the Comprehensive Plan, and could therefore be considered to be consistent. The burden to maintain consistency with the goals and intent of the Comprehensive Plan would then fall to careful implementation/administration of the proposed provisions.

Report: Section 15.450(18) of the Zoning Code establishes standards for animated signs. The particular standard in question sets the maximum size of an animated sign as no more than 30 square feet and no more than 30% of the allowed sign face area. In many cases, the fixed ceiling at 30 square feet is the lesser of the two limits. For reference, the specific language of the provision follows:

15.450 Sign Ordinance.

(18) Animated Signs.

(h) Structural and Display Regulations.

2. Animated signs shall comprise no more than the lesser of 30 percent of the sign's total allowed sign face area (subsection (14) of this section), or 30 square feet in area per sign face.

Further investigation of this question found that there is a provision in the Animated Sign section of the Zoning Code that could be interpreted to allow the Plan Commission to vary the maximum size as part of the special permit review process. However, it is not clear that this provision applies to all zoning districts. As a result, the proposed amendment would clarify that the related paragraph is a preamble to the entire section that follows by removing the district-specific provisions and moving them to their own paragraph. We would also recommend adding some review criteria for such variations. The proposed revisions are detailed below:

(g) Locational Regulations.

~~1. Animated signs shall not be permitted in "P-1," "R-1," "R-2," "R-3" and "R-4" Zoning Districts, except for properties meeting the requirements of subsection (18)(c)(11) of this section; and properties eligible for adaptive re-use conditional use permits pursuant to MMC 15.370(29). Where permitted by this subsection, animated signs shall only be approved with the issuance of a special permit by the Plan Commission.~~ If the City Plan Commission approves a special permit for an animated sign hereunder, the Commission reserves the right to reduce or waive sign height, sign size, the size of the animated portion of the sign, and setback requirements based upon its evaluation of the proposed location and characteristics of the sign. The following criteria shall be considered at a minimum:

A. The necessity of a greater size or height or a lesser setback based on the physical features of the property that affect visibility of the sign from the adjacent streets.

B. The impact of the variation on the surrounding area in terms of surrounding land uses, building scale, and aesthetic quality.

C. Any potential negative impacts on pedestrian and traffic safety potentially caused by distractions, hazards or obstructions.

2. Animated signs shall not be permitted in "P-1," "R-1," "R-2," "R-3" and "R-4" Zoning Districts, except for properties meeting the requirements of subsection (18)(c)(11) of this section; and properties eligible for adaptive re-use conditional use permits pursuant to MMC 15.370(29).

23. Animated signs shall be permitted in the "R-5," "R-6," "B-1" and "B-2" Zoning Districts, subject to compliance with the following conditions:

A. A sight distance of at least 150 feet between any existing single- and two-family residential land uses as measured from the edge of the proposed animated sign to the lot line of such a residential land use; and

B. The animated portion of an animated sign shall not exceed 30 percent of any sign permitted for the same zoning district pursuant to subsection (14) of this section.

34. Animated signs shall be permitted in the "B-3" Zoning District, subject to compliance with the following conditions:

A. A sight distance of at least 100 feet between any existing single- and two-family residential land uses as measured from the edge of the proposed animated sign to the lot line of such a residential land use; and

B. The animated portion of an animated sign shall not exceed 30 percent of any sign permitted for the same zoning district pursuant to subsection (14) of this section.

45. Animated ground signs shall be permitted in the "R-7" and "B-4" Zoning Districts, and the 8th Street Historic District, subject to compliance with the following conditions:

A. Located in a public park or landscaped area which is not less than five times the area of the sign structure as measured from its four corners; and

B. The animated portion of an animated sign shall not exceed 30 percent of any sign permitted for the same zoning district pursuant to subsection (14) of this section.

56. Animated signs shall be permitted in the "C-1," "I-1" and "I-2" Zoning Districts, subject to compliance with the following conditions:

A. A sight distance of at least 100 feet between any existing single- and two-family residential land uses as measured from the edge of the proposed animated sign to the lot line of such a residential land use; and

B. The animated portion of an animated sign shall not exceed 30 percent of any sign permitted for the same zoning district pursuant to subsection (14) of this section.

67. Animated signs located in the 8th Street Historic District shall be permitted to be a marquee sign if such design was part of the original design or structure of any property in said Historic District.

78. In zoning districts where minimum spacing and separation distances from existing residential land uses apply, a permitted animated sign display shall be oriented so that no portion of the sign face is visible from the existing residential structures utilized in the spacing/separation measurement.

89. Minimum spacing and separation requirements shall be maintained and required unless a reduction in the spacing and separation distance is specified by the City Plan Commission under a special permit.

910. An animated sign shall not be located within 100 feet from an existing intersection, or a future intersection as identified on the City's Official Map pursuant to Wis. Stat. § 62.23(6), as measured from any portion of the sign or sign structure to the closest traffic control or warning light as required under subsection (8)(f) of this section. However, the City Plan Commission reserves the right to reduce or waive the 100-foot separation requirements hereunder based upon its evaluation of the proposed location of the sign, and a determination that the proposed sign will not promote visual clutter, will not have an adverse effect on nearby property, and will not create a safety hazard.

Recommendation: Based on the lack of clarity in the existing language of the animated sign section of the Zoning Code, the Community Development Department recommends adoption of the proposed ordinance amendments.