

ORDINANCE NO. 23-24

An Ordinance Amending Title 15 Chapter 6 “Regulation of Signs, Billboards and other Advertising Medium” of the Code of Ordinances of the City of Glendale

At a regular meeting of the City Council of the City of Glendale, WI, Milwaukee County, held on this 11th day of December 2023, a quorum being present and a majority of the Council voting therefore, said Common Council finds:

WHEREAS, signs are a critical tool for economic development, business attraction, and tourism; and,

WHEREAS, the proper regulation of signs serves to preserve and enhance the natural beauty and unique physical characters of the city as a community in which to live and work; and

WHEREAS, it is necessary to promote healthy and properly designed business environment; and

WHEREAS, to safeguard the general public from damage and injury which may be caused by the faulty and uncontrolled construction of signs within the city; and

WHEREAS, Promote the public safety, welfare, convenience, and enjoyment of travel and the free flow of traffic within the City of Glendale.

Now, therefore, the City Council does ordain as follows:

SECTION 1

That Title 15, Chapter 6, Section 15.6.4 Definitions is amended to add and modify the following definitions alphabetically to the Ordinance as follows:

Digital or electronic billboard – Bulletin Style. A digital billboard that is 14 feet high by 48 feet wide offering 672 Square feet of advertising space.

Digital or electronic billboard – Poster Style. A digital billboard that is 10 feet high by 22 feet wide offering 220 Square feet of advertising space.

Digital or electronic billboard – Junior Style. A digital billboard that is 6 feet high by 12 feet wide offering 72 Square feet of advertising space.

Interchange. An interchange of a highway, freeway is defined by the beginning or ending of payment widening at the exit from or entrance to the main traveled way or as otherwise defined by the State of Wisconsin Department of Transportation.

Legal nonconforming sign. A sign that did meet code regulations when it was originally erected, either by adherence to the previous sign ordinances of the City of Glendale or by a variance granted but does not comply with all the present regulations of this chapter.

Meaningful open space. Meaningful open space shall be no less than 250 square feet unless otherwise specified and shall be landscaped. In instances where a freestanding sign is being

placed in an area where 250 square feet is not possible then the meaningful open space shall complement the conditions of the property.

Monument signs. A monument sign is a large, free-standing sign that sits close to ground level, has no space between the sign and the ground. A monument sign has a distinctive base that matches the architecture of the property, which may have materials such as brick, stone, rock, manmade masonry materials, concrete, or metal.

Window Pain. A framed sheet of glass in a window or door.

Window sign. Any sign placed inside or upon an interior or exterior window surface, and which is usually intended to be seen from the exterior.

SECTION 2

That Title 15 Chapter 6, Section 15.6.5 (b) REVOCATION OF PERMITS is repealed and recreated as follows:

- (b) Notwithstanding any of the foregoing provisions, free-standing signs erected prior to July 1, 2002, shall be exempt from conformance to the provisions of this code until such time as replaced, repaired, or altered as set forth in Subsection (a)(1) above, or upon a change of ownership of the premises, or there is a change in 50 percent or more of the identifying information on the sign. After July 1, 2002, free-standing signs are prohibited except as part of a planned sign program or as allowed by State Statutes regulating political signs, or as temporarily allowed by the provisions of this code regulating temporary signs.

SECTION 3

That Title 15, Chapter 6, Section 15.6.6 (d) REVOCATION OF PERMITS is repealed and recreated as follows:

- (d) If no appeal has been made by the end of the 15-day appeal period, then the permit is revoked, and the sign is illegal. The community development department official then shall initiate the procedure for the removal of the illegal sign.

SECTION 4

That Title 15 Chapter 6, Section 15.6.7 Removal of signs is repealed and recreated as follows:

15.6.7 Removal of signs.

- (a) *Responsible official.* The Community Development Director or designee or designated official is hereby authorized to require removal of any illegal sign as defined by this chapter.
- (b) *Notice (Public Right-of-Way).* The Community Development Director and Public Works Director or designee(s) shall remove any illegal sign located within any public right of way withing the City of Glendale without written or verbal notice.
- (c) *Notice (Private Property).* Before bringing an action to require removal of any illegal sign on private property, the Community Development Director or designee shall give written notice to the owner of the sign and the owner of the premises on which such sign is located. The notice shall state the reasons and grounds for removal, the deficiencies or

defects in such sign, the violations charged and specify that the sign must be removed or made to conform with the provisions of this chapter within the notice period provided below. Service of notice may be made personally on the owner or lessee of the premises at the address specified in the permit or the last known address.

- (1) *Notice period.*
 - a. The notice period for permanent signs shall be 15 days.
 - b. The notice period for temporary signs shall be 12 hours.
- (2) *Re-erection of sign.* Re-erection of any sign or substantially similar sign on the same premises or on any other premises after a compliance notice has been issued shall be deemed a continuance of the original violation.
- (d) *Abandoned signs.* Signs advertising or identifying a business or organization which is either defunct or no longer located on the premises must be removed within 30 days of the vacancy. The property owner and sign owner are responsible for the removal of the abandoned signs.
- (e) *Violations.* If the owner or lessee of the premises upon which the sign is located has not demonstrated to the satisfaction of the community development planner that the sign has been removed or brought into compliance with the provisions of the chapter by the end of the notice period, then the community development planner shall certify the violations to the city attorney for prosecution. Violators shall be subject to Section 1.1.7 of this Code of Ordinances. Each act of violation shall be subject to a forfeiture of no less than \$50 per day.
- (f) *Removal of any sign.*
 - (1) The community development planner is authorized to cause the removal of any sign existing in violation of this section, provided actual notice has been provided as required by subsection (c). All the actual costs and expenses of any such removal by the Community Development planner shall be borne by the owner of such sign installation and the owner of the premises on which located, both of whom shall be required to affix their signatures to the application for the sign permit, which shall provide that they agree to be bound by the terms of this chapter. Both shall be jointly and severally liable therefore.
 - (2) Both shall be subject to the penalties provided by the provisions of this chapter.

SECTION 5

That Title 15 Chapter 6, Section 15.6.8 Requirements and procedures is repealed and recreated as follows:

- (a) *Requirement of permit.*
 - (1) A sign permit shall be required before the erection, re-erection, construction, alteration, repairs, replacement, maintaining or locating of all signs regulated by this chapter. Where signs are illuminated electrically, a separate electrical permit shall be obtained as required by the Electrical Code of the City of Glendale. Upon renewal of any sign permit, or application for any sign permit subsequent to June 1, 2000, such permit shall be

inclusive for any and all signs on a single parcel. Thereafter, the permit shall be subject to each individual sign complying with the requirements of this chapter.

- (2) A permit shall not be required for the following signs, provided, however, that such signs shall be subject to any and all applicable provisions of this chapter, including the building board approval:
 - a. Name plate signs as allowed under Section 15.6.9(a).
 - b. Any sign four square feet or less in an area not otherwise prohibited by this chapter.
 - c. Repainting without changing wording, composition, or colors; or minor nonstructural repairs of less than \$250.00 (except electrical repair).
 - d. Relocation of a sign as required by city.
 - e. Political signs permitted as provided herein.
 - f. Window signs of a temporary nature in section 15.6.10(k).
 - g. Residential sale and lease signs six square feet or less.
 - h. Temporary construction signs. (See section 15.6.1)
 - i. Address marker/signs that exceed four square feet in area require approval of the Plan Commission.
- (3) Nothing contained herein shall prevent the erection, construction, and maintenance of official traffic, fire and police signs, signals, devices, and marking of the State of Wisconsin and the City of Glendale or other public authorities, or the posting of notices required by law.

(b) *Permit application and expiration.*

- (1) To obtain a permit, the applicant shall file an application on a form furnished by the city. All applications shall be accompanied by the written consent of the lessee and owner/agent or trustee having charge of the property on which the sign is proposed.
- (2) Sign Expiration, Renewal, or Extension.
 - a. Every sign permit issued by the Community Development Director or designee or the Plan Commission under the provisions of this chapter shall expire by limitations and become null and void if the work authorized by such permit is not begun within six (6) months and completed within twelve (12) months from the date of such permit. Before such uncompleted work can be continued, a new permit shall be first obtained to do so.
 - b. It shall be the responsibility of the property owner, sign owner, or tenant to apply for a renewal of the permit prior to the end of the periods. The fee shall be as defined in section (c) below.
 - c. Only one extension of 6 months shall be permitted. Expiration of a permit will require a new application, fee, review, and approval.
- (3) Digital Billboard Expiration, Renewal, Extension.
 - a. Every digital billboard sign permit issued by the community development director or designee or the Plan Commission under the provisions of this chapter shall expire by limitations and become null and void if the work authorized by such permit is not begun within six (6) months and completed within eighteen (18) months from the date of such

permit. Before such uncompleted work can be continued, a new permit shall be first obtained to do so.

- b. It shall be the responsibility of the property owner, sign owner, or tenant to apply for an extension of the permit prior to end of period. The fee shall be as defined in section 15.6.8 (c) below.
- c. Only two extensions of 6 months shall be permitted, each with a maximum of 6 months. Extension of a permit will require a new application, fee, review, and approval.

- (4) **Application Completeness.** Applications are not considered complete until all application materials have been submitted, fees paid, and a preliminary review has occurred by staff. A determination that an application is complete does not indicate that a permit can be issued. The Community Development Director or designee or the Plan Commission may request revisions, additional information or materials prior to a formal approval.

(c) *Permit fees.*

- (1) Before issuing any sign permit required by this Chapter, the City shall collect a fee in accordance with the following schedule for new or replacement individual signs:
 - a. An administrative fee of 40 percent shall be added to each permit application (up to 500 SF) in addition to:

Sign Dimensions in Square Feet (Sq. Ft.)					
4—25	26—50	51—100	100—150	150—500	>500
\$50	\$75	\$100	\$150	\$1,000	7% of the sign's cost

- b. *Temporary signs.* Notwithstanding Section 15.6.8(c)(1)a, new or renewed temporary sign permit applications shall solely be charged \$50 regardless of size and without an additional administrative fee.
- (2) **Planned Sign Program (PSP) Fees.** For properties with three or more tenants a planned sign program is required. The application for review by the Plan Commission shall be as noted in the following schedule:

New Planned Sign program (PSP)	
New	\$150.00 for whole property
Revisions	\$100.00

Encroachment	
New and Revisions	\$300.00 + reimbursement of any engineering and legal fees associated with the review and processing.

- (3) **Appeals, Variance, and Special Exceptions Fees:** The cost associated with an appeal, variance or special exception shall be as follows:

Appeals, Variance, and Special Exceptions	
Appeals and Variances	\$300 + reimbursement of any engineering and legal fees associated with the review and processing.
Special Exception	\$300 + reimbursement of any engineering and legal fees associated with the review and processing.

- (4) Renewal and Extension Fee: The cost associated with a sign permit where work has not begun, or is incomplete, and a request for a renewal or extension is being requested then the fees shall be as follows:

Renewal and Extension Fee for uncompleted work	
Signs	Half the original application cost.
Digital Billboards	The 1 st 6-months extension: 1/8 of the original fee A second 6-month extension: 1/4 of the original fee.

- (5) Modifications to an Application: Modifications to previously approved application where the applicant is requesting a modification to the location, size, design, number of faces, etc. of previously approved application where the proposed sign is located on the same property as previously approved shall be as follows:

Modification to a previously approved application.	
Signs	Within 9 months of issuance of permit, half the original application cost.
Digital Billboards	Within 9 months of issuance of permit, \$1,000. After 9 months modifications would require resubmittal of a new application.

- (6) Work Without a Permit: Where work, for which a permit is required by this chapter, is begun before a permit has been obtained, the fees above specified shall be quadrupled. The payment of such quadrupled fee shall not relieve any persons from complying fully with the requirements of this chapter in the execution of the work from any penalties prescribed herein.

- (d) *License requirements.* A license for billboards and electronic billboards is required under Title 7, Chapter 23 of the Municipal Code. This is a yearly license.

- (e) *Requirement of plans.*

a. Plans, renderings, or other pictorializing of non-residential signs and specifications shall be submitted with the application for each sign in excess of four-square feet regulated by this chapter. Such plans shall show complete details; size of the sign in feet and inches and square feet, the method of attachment or support; locations and materials to be used; and the name, address of the person preparing the plans and specifications of such sign. Plans for supports for any sign subject to excessive stresses as determined by the community development director or designee shall be accompanied by structural computations. Sufficient data shall be submitted to show that supporting surfaces and other members of an existing building to which the sign is to be attached are in good condition and are adequately strong to support the load, including the proposed sign.

(f) *Approval.*

- (1) Permits for signs requiring a permit, shall be reviewed by the community development director or designee. The community development director or designee may refer any sign to the Plan Commission. The Community Development Director or designee shall not issue a permit unless:
- (2) All requirements of the Glendale Building Code are complied with and;
 - a. Approved by a majority vote of the Plan Commission, if required, and;
 - b. Are granted a special exception by the Plan Commission through the sign special exception process.
- (3) Design standards. The Community Development Director or designee and Plan Commission shall determine that the sign by its color, size, placement, or other design factors is not a detriment in terms of its general harmony with the property or building on which it will be placed, or with other properties or buildings in the immediate neighborhood. Among the other design factors which shall be weighed, without limitation because of enumeration, are:
 - a. Overall excellence in sign design and appropriate usage of materials for the type of use and related architectural compatibility, and, in the case of monument signs, conformity to the requirements for the structural base as set forth in Section 15.6.4 of this Chapter.
 - b. Sign placement in relation to street grade or property topography; parcel shape; primary and secondary streets; customer or other parking or loading; varying setbacks to avoid monotony along the street frontage;
 - c. Effective use of required landscaping, and of graphic symbols.
- (4) Through the approval process monument signs shall be the only style of signs to be approved along the N. Port Washington Road and W. Silver Spring Drive corridors even where legal non-conforming free-standing signs remain. The Plan Commission shall further encourage, and may place reasonable conditions to effectuate, uniformity of theme as to the signage in the N. Port Washington Road and W. Silver Spring Drive corridors.
- (5) Through the approval process monument signs shall be the only style of signs to be approved along N. Green Bay Avenue, and W. Good Hope Road, even where legal non-conforming free-standing signs remain. The Plan Commission shall further encourage,

and may place reasonable conditions to effectuate, uniformity of theme as to the signage in these corridors.

- (5) Notwithstanding any of the foregoing provisions, and as from time to time designated by the common council, the provisions of this title and chapter may be assigned to and applied by and under the jurisdiction of the community development authority as to all signage in redevelopment areas selected by the common council of the City of Glendale. The Community Development Authority shall then have all procedural and approval authority as granted by this chapter only as to the extent provided in this Chapter, and subject to all zoning regulations as from time-to-time adopted by the Common Council of the City of Glendale.

(g) *Construction requirements.*

- (1) *Wind pressure, live load and dead load requirements.* All signs and other advertising structures shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square foot of area; and shall be constructed to receive all live and dead loads as required in the building code or other ordinances of the City of Glendale.
- (2) *Lighting.* Illumination shall be so installed to avoid any glare, spill, or reflection into any adjacent property, or onto a street or alley to create a traffic hazard. Any sign creating a nuisance will be reviewed by the community development director or designee or the police department for possible modifications or removal.

- (h) *Required signs.* Every building or group of buildings must be identified by a street number visible from the public right of way during the day and night.

(i) *Location requirements.*

(1) *Proximity to street right-of-way.*

- a. No permanent sign or part thereof shall be located or project closer than ten feet from the established street right-of-way line, except approved traffic directional signs.
- b. No sign within a plan development district shall be in a location other than that approved through the development agreement. If the location of the sign is not part of a planned development, then the sign shall meet the standards of Subsection (i)(1)(a) above.
- c. When a sign is in a zoning district where the building set back is zero feet to 15 feet or a build to line exist of zero feet to 15 feet then the sign may be located closer to the street right of way based upon site constraints. In such case the sign shall be designed at a pedestrian scale.

(2) *Encroachment agreements.*

- a. When a right-of-way is wide and not fully used or planned not to be fully used in the near future, and the sign would be required to be an unusual distance from the street (such as more than ten feet from where a public sidewalk is located) the applicant may request to have the sign located within the public right-of-way upon approval of the adoption of a resolution from city council for the encroachment of a private structure into the public right-of-way.

- b. The resolution shall contain language that the municipality or other state or federal agency may remove the sign at any time for maintenance, repair, construction or reconstruction of the transportation facilities, or utility infrastructure. The removal of such structure will not require replacement.
 - c. The resolution shall also contain language that the moving of any said structure to another location onto private property is at the cost of the property owner.
 - d. The resolution shall be recorded with the register of deeds.
- (3) *Obstruction of exits.* No sign shall obstruct any door, window, or fire escape of any building.
- (4) *Signs prohibited within limits of any street or highway.*
- a. No sign of any type whatsoever, shall be erected, placed, located, or maintained within the right-of-way limits of any street or highway, unless an encroachment agreement has been approved by city council and recorded as noted in (2) above. Highway limits include all the dedicated rights-of-way, encompassing the traveled portion of the highway, the shoulders, ditches, and adjacent dedicated areas. This prohibition applies to free standing signs whether or not such sign predates enactment of this section, and those placed on trees, utility poles, fence post stakes, and all other structures within the highway limits on which signs might be posted or placed.
 - b. Failure to comply with the provisions of this section shall be a violation of Wis. Stat. § 86.19, as well as this Chapter, and shall be subject to the penalties as provided by Section 1.1.7 of the Glendale Code. In addition, if the sign is placed by a business entity as defined in Wis. Stat. § 13.62(5), or any successor legislative enactment or amendment thereto, or the sign advertises or promotes a business, a business telephone number, or an internet website, there is a rebuttable presumption that the business identified therein caused the sign to be placed and is responsible for any violation of this chapter. Each alleged sign shall be deemed a separate violation, and each day of placement, per sign, shall also be deemed a separate violation, of this provision.
 - c. Any sign violating this section shall be summarily removed by the department of public works or the police department.
 - d. This prohibition shall not apply to signs placed within the limits of streets or highways by duly constituted municipal, county, or state authorities for the guidance or warning of traffic, as provided in Wis. Stat. §§ 86.19(1) and (4). Nor shall it apply to mailboxes and paper boxes.
- (5) *Construction over public property.* No person, firm, or corporation shall erect or cause to be erected any sign which projects over any public sidewalk, street, alley or a public place without proper approvals, easements, or agreements from the city.
- (6) *Signs on vehicles.* No sign shall be erected or attached to any vehicle except for signs painted directly on the surface of the vehicle, magnetic signs, and bumper stickers. The primary use of such vehicles shall be in operation of the business and not in advertising or identifying the business premises. The vehicle shall be parked in a designated parking space, but shall not be parked in the right-of-way. Vehicles parked in a manner considered by the community development director or designee as a means of

advertising shall be in violation of this chapter. Cartop carrier signs of a political nature are not excluded by this section.

- (j) *Inspections.* Unless waived by the community development director or designee, all signs for which a permit is required shall be subject to the following inspections:
 - (1) Electrical inspection on all illuminated signs.
 - (2) Electrical inspections for any installation of indirect lighting for a sign.
 - (3) Site inspection to ensure the sign has been constructed according to approved application and valid sign permit.
 - (4) All digital billboards shall be inspected by a third-party engineer, mutually agreed upon by the owner of said structure and the city, who shall verify and provide written documentation that the structure and appurtenances meet State, local, and federal requirements. The third-party inspection shall be reimbursed at the applicant cost prior to operation of the digital billboard.
- (k) *Maintenance.*
 - (1) Each sign, including those specifically exempted from this Code in respect to permits and permit fees, shall be maintained in good structural condition at all times. All signs shall be kept neatly painted, including all metal parts and supports thereof that are not galvanized or of rust-resistant material. The community development director or designee shall have authority to inspect and shall have the authority to order the painting, repair, alteration, or removal of a sign which shall constitute a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, or obsolescence.
 - (2) The Community Development Director or designee shall follow the same procedure of notification described in section 15.6.7 "Removal of Signs".

(Ord. No. 23-02, § 5, 3-8-2023; Ord. No. 23-10 §§, 3, 9, 4-24-2023)

SECTION 6

That Title 15 Chapter 6, Section 15.6.9 Permitted signs by use, is repealed and recreated as follows:

- (a) *Single family residence.* A single-family residence is allowed a name plate sign not to exceed three square feet. No business signs are permitted in a residential district. Signs in residential districts may not be illuminated. Temporary rummage sale signs are allowed. One sign may be located on the property of the sale and two additional directional signs may be located on private property with the permission of the property owner.
- (b) *Public uses, institutional uses, schools, and churches.*
 - (1) The total permanent sign area allowed for public uses, institutional uses, schools, and churches shall be determined by the Planning Commission.
 - (2) Traffic directional signs are allowed.
 - (3) Landscaping is required at the base of all freestanding/ monument signs.

- (c) *Residential subdivisions, condominiums, and apartment complexes.* Residential subdivisions, condominiums, and apartment complexes are allowed residential entry-way signs. Subdivision, condominium, and apartment complex signs shall, in addition to the requirements of this chapter, comply with the following guidelines:
- (1) *Area:* Maximum area based upon site conditions as approved by the Plan Commission generally 15-30 square feet.
 - (2) *Height:* Maximum six feet for freestanding signs and 15 feet for signs mounted on building walls.
 - (3) *Materials:* Wood, stone, copper, stainless steel, stucco, brick, or any other material approved on a case-by-case basis by the Plan Commission.
 - (4) *Lighting:* Lighting for subdivision and development signs shall be limited to ground lights directed at the sign.
 - (5) *Review:* Project name signs shall be designed to be integrated into an architectural or landscape feature. The sign(s) and landscape feature(s) shall be approved by the Plan Commission.
- (d) *Office buildings.*
- (1) Office buildings with two tenants or individually-owned condominium suites, or less, are permitted a monument sign. In lieu of a monument sign on the property, each tenant or individually owned condominium suite with a separate exterior entrance may have a wall sign.
 - (2) Office buildings with three or more tenants or individually owned condominium suites qualify for the Planned Signed Program and must meet the requirements set forth in section 15.6.10(a).
 - (3) Traffic directional signs are allowed.
 - (4) Landscaping is required at the base of all freestanding and monument signs.
- (e) *Retail establishments and shopping centers.*
- (1) Retail buildings with two tenants or less are permitted a monument sign unless otherwise provided in (3) below. In lieu of a monument sign on the property, each tenant may have a wall sign.
 - (2) Retail centers with three or more tenants qualify for the planned sign program and must meet requirements set forth in section 15.6.10(a).
 - (3) Individual retail establishments that have more than 20,000 square feet of first floor building area are permitted a monument sign and a wall sign.
 - (4) Traffic directional signs are allowed.
 - (5) Landscaping is required at the base of all freestanding and monument signs.
- (f) *Industrial uses.*
- (1) Industrial buildings with two tenants or less are permitted a monument sign unless otherwise provided in subsection (f)(3) below. In lieu of a monument sign on the property, each tenant may have a wall sign.

- (2) Industrial buildings with three or more tenants qualify for the planned sign program and must meet requirements set forth in section 15.6.10(a).
- (3) An individual industry that has more than 50,000 square feet of first floor building area is permitted a monument sign and a wall sign.
- (4) Traffic directional signs are allowed.
- (5) Landscaping is required at the base of all freestanding and monument signs.
- (g) *Corner properties.* (See definitions) Commercial establishments located on corner properties that do not qualify for the planned sign program will be allowed up to two signs. Such properties will be allowed either:
 - (1) A monument sign and a wall sign, or;
 - (2) Two wall signs to be placed on separate building fronts.
- (h) *Commercial buildings.* All other commercial establishments not covered specifically by this section will be governed by the sign restrictions provided in section 15.6.10 hereof.
- (i) *Planned developments.* Entrance markers must be approved by the Plan Commission. Signs shall be compatible with the development.
- (j) *Other developments.* Properties zoned industrial without a principal building and located south of Glendale Avenue and adjacent to Wisconsin Department of Transportation right of way for US-43 may have a sign structure that may support not more than two signs subject to compliance with section 15.6.10(o) of this Chapter.
- (k) Corporate and institutional campus signage.
 - (1) Freestanding traffic directional signs on properties 10 acres or more:
 - a. Off-street traffic directional signs on private property that direct traffic from public rights-of-way shall require permits.
 - b. There is no limit to the number of directional signs to allow for orderly traffic flow with approval of the City Planner.
 - c. The traffic directional signs shall be monument-style signs or a two-post style sign. No single post signs are permitted. For monument style signs at least a 10-inch base shall be provided. The signs shall coordinate with all other signs on the property regarding design, style, fonts, colors, etc.
 - d. The overall sign shall not exceed 16 square feet.
 - e. The traffic directional sign shall not exceed six feet, including base if a monument style sign.
 - f. The traffic directional sign shall be set back a minimum of 5 feet from any property line and shall be located so as not to impede vehicular or pedestrian traffic flow.
 - g. The traffic directional sign shall not impede vehicular or pedestrian traffic throughout the site/property.
 - (2) Wall sign traffic directional signs on properties ten (10) acres or more:

- a. Off-street traffic directional signs on private property that direct traffic from public rights-of-way to specific building entrances.
- b. The number of wall directional signs shall be limited to five for orderly traffic flow with approval of the Planner.
- c. Wall signs shall be proportional to the building element which is attached. The signs shall coordinate with all other signs on the property regarding design, style, fonts, colors, etc.
- d. The overall sign size shall not exceed 10 square feet.

SECTION 7

Title 15 Chapter 6, Section 15.6.10(1)(b)(1-2) is repealed and recreated as follows:

- (b) The area of a master identification sign shall be determined by the following formula:
 - 1. Centers of 100,000 square feet of building area or under will be permitted one monument sign of no more than 150 square feet.
 - 2. Centers over 100,000 square feet of building area will be subject to restrictions imposed by the Plan Commission.

SECTION 8

Title 15, Chapter 6, Section 15.6.10(a)(5)(d) is repealed.

SECTION 9

That Title 15, Chapter 6, Section 15.6.10(c)(2)(a) is repealed and recreated as follows:

- a. In business centers containing two tenants or less, the total area of wall signs shall be computed as .8 square foot times the building lineal front foot, to a maximum of 150 total square feet.

SECTION 10

That Title 15, Chapter 6, Section 15.6.10(c)(3)(d) is repealed and recreated as follows:

- d. A wall sign is allowed on a roof surface only if the roof surface is within 25 degrees of being vertical (i.e. mansard roof).

SECTION 11

That Title 15, Chapter 6, Section 15.6.10(f) is repealed and recreated as follows:

- (f) Traffic Directional Signs. Traffic directional signs are permitted and located solely for the purpose of relieving traffic congestion and promoting the safe flow of traffic:
 - (1) One single or double-faced free-standing sign shall be permitted for each driveway. Traffic directional signs may be located up to the property line and shall be no higher than five feet above the established grade.
 - (2) The area of each side of a traffic directional sign shall not exceed six square feet.

- (3) Twenty-five percent of the area of each side of a traffic directional sign may be used for the business name or logo.
- (4) Internal traffic directional signs may be located within larger properties to direct traffic to specific site locations. Such signs may be single or double sided as needed, may be no taller than five feet, and no larger than six square feet.
- (5) Traffic directional signs shall not be illuminated but may have reflective lettering.

SECTION 12

That Title 15, Chapter 6, Section 15.6.10(k-l) are repealed and recreated as follows:

- (k) *Window signs (see definitions).*
 - (1) Permit Required. Window signs do not need a permit if less than ten percent of the window is covered. Window signs that cover over ten percent of a window require a permit to be issued in accordance with this section and in the sole discretion of the community development planner.
 - (2) Maximum Size. In no instance may more than 25 percent of an individual windowpane maybe covered.
 - (3) Location. Window signs must be placed behind a clear glazed window opening and not in unglazed openings.
- (l) *Neon signs.* Exterior neon displays may be permitted in cases where they are custom designed to be compatible with the building's architectural character and where their color has been selected to harmonize with the building's exterior colors. Lighting may use traditional neon, or neon like moder technology. Such lighting shall be subject to review and approval of the City Plan Commission.

SECTION 13

That Title 15, Chapter 6, Section 15.6.10(o) is repealed and recreated as follows:

- (o) *Digital billboards.*
 - (1) *Permit required.*
 - a. No digital billboard may be erected or placed unless a sign permit has been issued by the city. Face changes to the digital billboard shall require a new permit.
 - b. Structures where digital billboards are mounted shall require all appropriate permits such as but not limited to a budling permit and electrical permit.
 - (2) *License.*
 - a. A bill posting license is required for persons, companies, agencies, or other ownership. A bill posting license is also required for any person, company, agency, or organization that is renting, leasing, or maintaining such sign. For bill posting license refer to chapter 7 of the Municipal Code.
 - (3) *Permit application procedure.*
 - a. All applications for a digital billboard shall be made on a form furnished by the department of community development. One application form is required per digital billboard. Back-to-back signs are considered two signs. A digital billboard with two faces but enclosed in one display

- cabinet is considered one sign.
- b. Application for the permit shall include:
 - 1. Scale drawing(s).
 - 2. A scale plot plan showing sign location and relevant sign features, property lines, and other site features as needed for evaluation.
 - 3. A drawing showing all property lines and building footprints within 1,000 feet or 5,000 as may be necessary
 - 4. A drawing showing the view corridor of the proposed digital billboard.
 - 5. A drawing showing the height of the sign compared with surrounding structures and the top of the tree line in the area.
 - 6. Elevations of the proposed structure and digital display board to scale.
 - 7. An illustration of the proposal to scale as well as an illustration of the proposal within context.
 - 8. Architectural details and drawings depicting design elements as required.
 - 9. Landscaping plan for surrounding area at base of sign.
 - 10. Drawings showing access locations for maintenance, including vehicle turning radius.
 - 11. Engineering drawings with engineers' stamp regarding structure design of sign.
 - 12. Any other information requested to allow proper evaluation of the proposal.
 - c. Permit applications shall be accompanied by a non-refundable fee as shown in the fee schedule published by the city and amended from time to time.
 - d.. Permits may be granted subject to conditions as deemed necessary at the discretion of the reviewer to adhere to the policy and purpose of this chapter.
- (4) *Development agreement required.* In all planned development districts south of Glendale Avenue directly adjacent to Interstate 43 (I-43), a development agreement is required per title 13, article D. When an existing development agreement has been approved by the common council, the development agreement shall be amended by the council. When a development agreement is nonexistent, then one shall be created and approved by the council. Such a development agreement shall be recorded with the register of deeds prior to issuance of any permits.
 - (5) *Municipally-owned land.* When a digital billboard is to be erected on a municipally owned property, a development agreement and lease agreement shall be approved by the common council. Such a development agreement and lease agreement shall be recorded with the register of deeds prior to issuance of any permits.
 - (6) *Bases for application denial.* Permit applications shall be granted unless, in the sole discretion of the community development director or designee:
 - a. The permit application is not complete, does not otherwise comply with the requirements of this chapter, or is not accompanied by the required fee.
 - b. The permit application indicates that the proposed digital billboard sign would not comply with this chapter.
 - c. The digital billboard sign would be aesthetically incompatible with the character of buildings, other structures, or the surroundings on or adjacent to its site.
 - d. The digital billboard sign would obstruct any views of scenic or historic importance.
 - e. The digital billboard sign would create an unreasonable restriction of light, air, or view from nearby windows.
 - f. The digital billboard sign would interfere with neighboring permitted uses such as solar panels, antennas, etc.
 - g. The digital billboard would otherwise adversely impact the health, safety, morals, or general welfare of the public.

(7) *Digital billboard sign regulations.*

- a. *Area limitations.* Digital billboards, where permitted, shall be subject to the following:
 1. Bulletin Style / Horizontal digital billboards shall not be more than 14 feet high and 48 feet wide, nor exceed 672 square feet in area.
 2. Poster digital billboards shall not be more than ten feet high and 22 feet wide, nor exceed 220 square feet.
 3. Bulletin Style / Vertical digital billboards shall not be more than 48 feet high and 14 feet wide nor exceed 672 square feet in area.
- b. *Location.* Digital billboards, where permitted, shall be subject to the following:
 1. The sign shall be freestanding only, and shall not be erected or attached to, suspended from, or supported on a building.
 2. Digital billboard signs may be located on industrial-zoned properties (M-1), located directly adjacent to Interstate 43 (I-43), located directly adjacent to and parcels south of Glendale Avenue, and north of the southern municipal boundary.
 3. Digital billboard signs may be located in a planned development district (PD) when a general development plan, specific development plan and development agreement have been approved by the common council through the requirements of title 13, article D,;
 - a) Where located directly adjacent to Interstate 43 (I-43), located south of Glendale Avenue, and north of the southern municipal boundary and within 200 feet of (I-43).
 4. Electronically illuminated digital billboards shall not be located within 200 feet of a local intersection or interstate interchange. Such dimension shall be measured by the furthest edge of pavement, barrier, or soundwall, whichever is furthest from the center line of the road.
 5. Only one digital billboard structure may be located on a property.
 6. No digital billboard shall be located within 200 feet of any residential district from which the sign face is visible. The distance shall be calculated as the shortest measurable distance between the nearest point of the sign to the edge of the residential zoning district, in a straight line and without regard to intervening structures. In situations where the digital billboard is within 200 feet of a residential district, a berm or landscaping screen may be placed to create a visual barrier. The landscape barrier shall be installed and constructed prior to installation of the sign and its support structure.
- c. *Number per structure.* A maximum of two digital billboards may be located on any one billboard structure.
- d. *Setback from property line.* Digital billboard signs shall be setback 25 feet of a property boundary, or a distance approved by the State of Wisconsin.
- e. *Limit of number of digital billboards in City.*
 1. Structures. At no time shall the total number of digital billboards located in the City of Glendale exceed five structures with a maximum of 10 display boards (2 per structure).
- f. *Permitted zoning areas.*
 1. Billboard signs are permitted in the M-1 Warehouse, Light Manufacturing, Office and Service zoning districts and PD Planned Development District when allowed by a development agreement.
- g. *Spacing between digital billboards.*
 1. Digital Billboards adjacent to and south of Glendale Avenue. No digital billboard shall be permitted within 500 feet of another billboard on the same side of Interstate 43 (I-43), or as approved by the State of Wisconsin.

- h. *Height of digital billboards.* The maximum height of billboards shall be 60 feet. In no event shall the maximum height of any billboard exceed the height requirements for buildings in the underlying zoning district regulations. The minimum height shall be 12 feet above grade. Architectural elements may exceed the height maximum height of 60 ft by no more than 5 feet.
- i. *Electrical permits required.* Where the digital billboard is illuminated, a separate electrical permit shall be obtained as required by the electrical code.
- j. *Building permits required.* The structure in which a digital billboard is intended to be attached shall obtain all applicable permits which may include but are not limited to building, grading, and erosion control permits for example.
- k. *Agreement For Reimbursable Services.* An agreement for reimbursable services shall be submitted with all digital billboard applications.
- l. *Electronic displays.*
 - 1. Electronically-illuminated digital billboards shall not utilize visual effects such as flashing, moving images or letters, or alternating images.
 - 2. Messages or images may change no faster than every eight seconds and the change must be made in one-half second or less.
 - 3. The electronic display portion of the billboard sign may not exceed 500 nits in design luminance at night or 3,000 nits in design luminance during daylight hours.
 - 4. Illumination shall be confined to the facing of the sign or billboard and shall not cause glare onto abutting properties.
 - 5. Digital billboards shall bear an Underwriter's Laboratories Inc. label of approval or that of any other certified agency.
- m. *Prohibitions.*
 - 1. Audio speakers and all forms of pyrotechnics are prohibited.
- n. *Vegetation.*
 - 1. Existing vegetation or vegetation that was identified on an approved site plan or planned development shall not be removed to accommodate a digital billboard or to provide better visibility of a digital billboard unless a revised site plan and landscaping plan is submitted, reviewed, and approved by the Plan Commission. Coniferous trees shall not require replacement unless they are part of a landscaping plan specifically intended to screen areas of one property to another. Replacement of deciduous trees shall be located on the property. Deciduous trees removed that are:
 - i. Each 3—7" diameter at breast height (dbh) tree shall be replaced with one 5—7" DBH tree or two 3" DBH trees;
 - ii. Each 8—11" DBH tree shall be replaced with two 5—7" DBH trees or three 3" DBH trees;
 - iii. Any 12" DBH tree or larger shall be replaced with three 5—7" DBH trees or six 3" DBH trees.
 - 2. Vegetation within the public right-of-way. Vegetation within the city, county, state, or federal rights-of-way shall not be removed. Vegetation within state rights-of-way shall follow Wisconsin Code and Statutes.
 - 3. Digital Billboard shall have landscaping at the base of the sign consisting of deciduous and evergreen trees and shrubs, as well as perennials.
 - 4. Landscaping on the site will also be required to screen the view of the digital billboard structure and equipment from local public right of ways, public sidewalks, parking areas, and view corridors from pedestrian areas and residential streets.
- o. *Design guidelines:*
 - 1. Electronic billboard structures shall be designed to have a unified structural design with architectural appeal.

2. Electronic billboard structures shall consider architectural elements that provide a strong base, middle, and top.
 3. Electronic billboard structures shall be more than just an engineering solution but shall be designed to enhance the environmental design of the community.
 4. No single architectural style is dictated by these standards. Design style shall be unique and timeless.
 5. A shroud or other architectural element shall be used around the main structural support element as well as any horizontal or cantilevered elements.
- p. *Maintenance.*
1. A structural/maintenance report shall be submitted after the first ten years of construction and then every five years thereafter to the City of Glendale. Such reports shall indicate any structural repairs necessary and provide a timeline for such repairs. Such reports shall be prepared by a licensed structural engineer. If a report is not furnished by January 1st of the tenth year or any following five-year period of the sign, then the sign permit shall be considered expired and a new permit will be required in addition to the report.

SECTION 14

That Title 15, Chapter 6, Section 15.6.11(a)(4) is repealed.

SECTION 15

That Title 15, Chapter 6, Section 15.6.11(g) is repealed and recreated as follows:

(g) *Signs for a promotional event.*

(1) Free Standing Signs and Banners:

- a. *Area:* In no event may any temporary sign exceed 40 square feet in area. The size of the sign shall be proportional to the open space in which it is placed or the building wall in which it is hung.
- b. *Time period:* Temporary signs shall be issued for a specific time period up to a maximum of four weeks. One extension may be granted upon the applicant showing compliance and the continued necessity of the sign.

(2) Window Signs

- a. *Area:* A temporary window sign may not be more than 25 percent of the windowpane area.
- b. *Time Period:* Temporary signs shall be issued for a specific time period up to a maximum of four weeks. One extension may be granted upon the applicant showing compliance and the continued necessity of the sign.
- c. *Design: Promotional event signs in windows:* Opaque background window coverage shall be considered a temporary sign

SECTION 16

That Title 15, Chapter 6, Section 15.6.12(b)(2) repealed and recreated as follows:

(2) Off-premises signs.

SECTION 17

That Title 15, Chapter 6, Section 15.6.12(9)(2)(b) repealed and recreated as follows:

- b. The owner or user of the sign shall cause such sign and parcel to be taxable for real estate tax purposes or shall enter into a payment in lieu of taxes agreement as mutually agreed with the City of Glendale.

SECTION 18

That Title 15, Chapter 6, Section 15.6.12(11) is created as follows:

(11) Digital Billboards except for geographic areas where specifically permitted.

SECTION 19

That if any Subsection, Section, or portions of this Ordinance or the application thereof to any persons as enacted hereunder is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions hereof and the validity of the Ordinance in all other respects shall not be affected thereby.

SECTION 20

That all Ordinances or parts of Ordinances conflicting with the provisions of this ordinance are hereby to such extent repealed.

SECTION 21

This Ordinance shall be in full force and effect after its passage and posting as provided by law. PASSED AND ADOPTED by the City Council of the City of Glendale, Milwaukee County, Wisconsin, this 11th Day of December 2023.

Bryan Kennedy, Mayor

Counter signed.

Megan Humitz, City Clerk