



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appletonwi.gov

Meeting Agenda - Final City Plan Commission

Wednesday, August 13, 2025

3:30 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Pledge of Allegiance
3. Roll call of membership
4. Approval of minutes from previous meeting

[25-0914](#) City Plan Minutes from 7-23-25

Attachments: [City Plan Minutes 7-23-25.pdf](#)

5. Public Hearing/Appearances

6. Action Items

[25-0916](#) Request to approve Certified Survey Map #13-25 for the combination of City-owned parcels and vacated right-of-way [row] (a portion of N. Oneida Street row and all of an unnamed alley row) located north of Washington Street and south of Franklin Street for the Transit Center development in accordance with Wis. Stat. §62.23(5) pertaining to the alteration of land (changing the parcel lot lines) for public grounds, as shown on the attached map and subject to Common Council adoption of S. Oneida Street and unnamed alley discontinuance

Attachments: [Memo PlanCommission Transit Center CSM For08-13-25.pdf](#)

7. Information Items

[25-0917](#) Proposed draft text amendments to the Municipal Code Chapter 23 Zoning relating to Article XIV. Signs

Attachments: [Sec 23-500 Sign Code Amendments_Zoning Ord_Staff Memo_For08-13-25.pdf](#)

[Draft Sign Code With Strikeouts 8_6_25.pdf](#)

[Draft Sign Code Clean Version 8_6_25.pdf](#)

8. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Any questions about items on this meeting are to be directed to Kara Homan, Director, Community Development Department at 920-832-6468.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.



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Meeting Minutes - Final City Plan Commission

Wednesday, July 23, 2025

3:30 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order by Chair Mayor Woodford at 3:33 p.m.

2. Pledge of Allegiance

3. Roll call of membership

Present: 6 - Palm, Robins, Mayor Woodford, Neuberger, Fenton and Carpenter

Excused: 1 - Uitenbroek

Others present:

Jonathan Glassco, NAI Pfefferle

Greg Landwehr, NAI Pfefferle

Devon Pittman, Briohn Building

Shane Vondracek, YMCA of the Fox Cities

4. Approval of minutes from previous meeting

[25-0818](#)

City Plan Minutes from 6-25-25

Attachments: [City Plan Minutes 6-25-25.pdf](#)

Robins moved, seconded by Fenton, that the Minutes be approved. Roll Call.

Motion carried by the following vote:

Aye: 6 - Palm, Robins, Mayor Woodford, Neuberger, Fenton and Carpenter

Excused: 1 - Uitenbroek

5. **Public Hearing/Appearances**

[25-0819](#)

Special Use Permit #4-25 for a new automobile, RV, truck, cycle and boat sales and display lot located at 3275 E. Winslow Avenue Suite 100 (Lot 1 of CSM #9-25 - Future Tax Id #31-1-5900-01), as shown on the attached development plan and per attached plan of operation, to run with the land subject to the conditions in the attached staff memo and approve attached Resolution (Associated with Action Item #25-0820)

Attachments: [PublicHearingClass2NoticeNewspaper_3275EWinslowAve_SUP4-25.pdf](#)
[PublicHearingNoticeNeighborhood_3275EWinslowAve_SUP4-25.pdf](#)

This public hearing was held and no one spoke.

This public hearing was held, and no one spoke on the item.

[25-0821](#)

Zoning Ordinance Text and Map Amendments to Article X Floodplain Zoning of Chapter 23 of the Municipal Code relating to Section 23-205(b) (2) General provisions; Official maps and revisions; Official maps based on other studies related to LOMR - Case #24-05-0370P, as identified in the attached staff memo (Associated with Action Item #25-0822)

Attachments: [NoticeofPublicHearing_AmendFloodplainOrd_LOMR_24-05-370P.pdf](#)

This public hearing was held and no one spoke.

This public hearing was held, and no one spoke on the item.

[25-0823](#)

Rezoning #7-25 for land generally located west of the intersection of North French Road and East Apple Creek Road (Tax Id #31-1-9202-00), including the adjacent street right-of-way, as shown on the attached maps, from AG Agricultural District to R-1B Single-family District, R-3 Multifamily District and P-I Public Institutional District (Associated with Action Item #25-0824)

Attachments: [PublicHearingClass2NoticeNewspaper_GlenmorePark_Rezoning7-25.pdf](#)
[PublicHearingNoticeNeighborhood_GlenmorePark_Rezoning7-25.pdf](#)

This public hearing was held and no one spoke.

This public hearing was held, and no one spoke on the item.

6. Action Items

[25-0820](#)

Request to approve Special Use Permit #4-25 for a new automobile, RV, truck, cycle and boat sales and display lot located at 3275 E. Winslow Avenue Suite 100 (Lot 1 of CSM #9-25 - Future Tax Id #31-1-5900-01), as shown on the attached development plan and per attached plan of operation, to run with the land subject to the conditions in the attached staff memo and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffMemo_3275EWinslowAve_SUP_4-25_For_07-23-25.pdf](#)

Associated with and contingent upon approval of File #25-0699 Comprehensive Plan Future Land Use Map Amendment #2-25, File #25-0701 Rezoning #6-25, and File #25-0702 Certified Survey Map #9-25.

Fenton moved, seconded by Robins, that Special Use Permit #4-25 be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Robins, Mayor Woodford, Neuberger, Fenton and Carpenter

Excused: 1 - Uitenbroek

[25-0822](#)

Request to approve Zoning Ordinance Text and Map Amendments to Article X Floodplain Zoning of Chapter 23 of the Municipal Code relating to Section 23-205(b) (2) General provisions; Official maps and revisions; Official maps based on other studies related to LOMR - Case #24-05-0370P, as identified in the attached staff memo

Attachments: [StaffMemo_AmendFloodplainOrd_Applefields_LOMR_For07-23-25.pdf](#)
[FEMA Letter4-30-25_24-05-0370P-555542-CL.pdf](#)
[FEMA Map Panel 336of500_24-05-0370P-555542.pdf](#)

Neuberger moved, seconded by Carpenter, that the Zoning Ordinance Text and Map Amendments to Article X Floodplain Zoning be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Robins, Mayor Woodford, Neuberger, Fenton and Carpenter

Excused: 1 - Uitenbroek

[25-0824](#)

Request to approve Rezoning #7-25 for land generally located west of the intersection of North French Road and East Apple Creek Road (Tax Id #31-1-9202-00), including the adjacent street right-of-way, as shown on the attached maps, from AG Agricultural District to R-1B Single-family District, R-3 Multifamily District and P-I Public Institutional District

Attachments: [StaffMemo_GlenmorePark_Rezoning_For07-23-25.pdf](#)

Carpenter moved, seconded by Fenton, that Rezoning #7-25 be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Robins, Mayor Woodford, Neuberger, Fenton and Carpenter

Excused: 1 - Uitenbroek

[25-0825](#)

Request to approve the Glenmore Park Preliminary Plat as shown on the attached maps and subject to the conditions in the attached staff memo

Attachments: [StaffMemo_GlenmorePark_PrePlat_For07-23-25.pdf](#)

Fenton moved, seconded by Neuberger, that the Glenmore Park Preliminary Plat be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Robins, Mayor Woodford, Neuberger, Fenton and Carpenter

Excused: 1 - Uitenbroek

[25-0826](#)

Request to approve the Mission Ridge North Preliminary Plat as shown on the attached maps and subject to the conditions in the attached staff memo

Attachments: [StaffMemo_MissionRidgeNorth_PrePlat_For07-23-25.pdf](#)

Carpenter moved, seconded by Fenton, that the Mission Ridge North Preliminary Plat be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Robins, Mayor Woodford, Neuberger, Fenton and Carpenter

Excused: 1 - Uitenbroek

[25-0827](#)

Request to approve the street discontinuance to vacate a portion of North Oneida Street public right-of-way and all of an unnamed historic alley right-of-way located north of Washington Street and south of Franklin Street and adopt the Initial Resolution and exhibit map

Attachments: [StaffMemo_NOneidaSt+UnmdAly_StVac_For07-23-25.pdf](#)

Carpenter moved, seconded by Palm, that the street discontinuance to vacate a portion of North Oneida Street public right-of-way and all of an unnamed historic alley right-of-way be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Robins, Mayor Woodford, Neuberger, Fenton and Carpenter

Excused: 1 - Uitenbroek

7. Information Items

8. Adjournment

Palm moved, seconded by Fenton, that the meeting be adjourned at 3:51 p.m. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Robins, Mayor Woodford, Neuberger, Fenton and Carpenter

Excused: 1 - Uitenbroek



CITY OF APPLETON

MEMORANDUM

Date: August 13, 2025
To: Plan Commission
From: Colin Kafka, Principal Planner
Subject: Alteration of Land by Certified Survey Map for Future Transit Center per Wis. State Statute 62.23(5)

Purpose:

Wisconsin State Statute 62.23(5) states that the alteration of land for public grounds (changing the parcel lot lines) shall be referred to the City Plan Commission for its consideration and report before final action is taken by the Common Council.

Background:

In 2024, Valley Transit (City of Appleton) was the recipient of a Federal Transit Administration (FTA) grant to redevelop parcel #31-2-0393-00 (Valley Transit Center) and parcel #31-2-0384-00 (vacant parcel) into a mixed-use development. The redevelopment also proposes to include N. Oneida Street right-of-way located between E. Franklin Street and E. Washington Street. The right-of-way and the aforementioned parcels are all owned by the City of Appleton.

On May 28, 2025, the City of Appleton Plan Commission recommended approval of the acquisition of parcel #31-2-0384-00 (vacant parcel) from the Appleton Redevelopment Authority (ARA). The City of Appleton Common Council approved the acquisition of the parcel on June 4, 2025.

On July 21, 2025, the City of Appleton Municipal Service Committee recommended approval of the discontinuance of N. Oneida Street right-of-way located between E. Franklin Street and E. Washington Street and unnamed alley located on parcel #31-2-0393-00 (Valley Transit Center).

On July 23, 2025, the City of Appleton Plan Commission recommended approval of the discontinuance of N. Oneida Street right-of-way located between E. Franklin Street and E. Washington Street and unnamed alley located on parcel #31-2-0393-00 (Valley Transit Center).

On September 17, 2025, the Common Council will hold a public hearing and take action on the vacation of N. Oneida Street right-of-way located between E. Franklin Street and E. Washington Street as well as all of an unnamed alley located on parcel #31-2-0393-00 (Valley Transit Center).

The attached Certified Survey Map (CSM) is currently under review by City staff. The proposed CSM alters the parcel lot lines of parcel #31-2-0393-00, parcel #31-2-0384-00, and all of vacated N. Oneida Street and unnamed alley for the purpose of creating one lot to facilitate the redevelopment of the site.

PLAN COMMISSION RECOMMENDED ACTION:

In accordance with Wis. State Statute 62.23(5), staff recommends that alteration of land (changing the parcel lot lines) for public grounds, as shown on the attached Certified Survey Map, **BE APPROVED**, subject to Common Council adoption of S. Oneida Street and unnamed alley discontinuance.

CERTIFIED SURVEY MAP NO. _____

All of Lots 1, 2, 6, and 7, Block 37, **Appleton Plat (aka Second Ward Plat)**, according to the Assessor's Map of the City of Appleton, and vacated N. Oneida Street, and a 14' wide vacated Alley, being located in the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) and the Northwest Quarter (NW ¼) of the Southeast (SE ¼) of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin.

SURVEYOR'S CERTIFICATE:

SHEET 2 OF 3

All of Lots 1, 2, 6, and 7, Block 37, Appleton Plat (aka Second Ward Plat), according to the Assessor's Map of the City of Appleton, and vacated N. Oneida Street, and a 14' wide vacated Alley, being located in the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) and the Northwest Quarter (NW ¼) of the Southeast (SE ¼) of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 1.576 Acres (68,664 sq. ft.) of land and being described by:

Commencing at the Southwest corner of N. Oneida Street and E. Franklin Street and being the point of beginning;
Thence North 89°59'05" East 206.43 feet along the North line of said Block 37 and being coincident with the South line of East Franklin Street;

Thence South 00°01'06" East 332.45 feet to the North line of E. Washington Street;

Thence South 89°56'31" West 206.56 feet coincident with the North line of E. Washington Street to the West line of vacated N. Oneida Street;

Thence North 00°00'15" East 332.60 feet coincident with the West line of vacated N. Oneida Street to the point of beginning.

Said lands subject to all easements and restrictions of record.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the City of Appleton subdivision ordinance in surveying, dividing and mapping the same. That this map is a correct representation of all exterior boundaries of the land surveyed and the division or combination thereof.

Dated this _____ day of _____, 2025.

Wisconsin Professional Land Surveyor: Thomas M. Kromm

This Certified Survey Map is all of tax parcel 31-2-0384-00 and 31-2-0393-00.

The land on this Certified Survey Map is Zoned CBD.

This Certified Survey Map is contained within the property described in the following recorded instruments:

Document No. 158037, 760268, 949178, and 2341685.

The owner of record is the City of Appleton.



CITY OF APPLETON

MEMORANDUM

Date: August 13, 2025
To: City Plan Commission
From: Lindsey Smith, Principal Planner & Darrin Glad, Assistant City Attorney
Subject: Informational Presentation of Draft Municipal Code Text Amendments – Chapter 23 Zoning: Article XIV. Signs

PURPOSE OF MUNICIPAL CODE TEXT AMENDMENTS

Periodic revisions to the Municipal Code are essential to maintain consistency with the Wisconsin State Statutes including Section 62.23(7) Zoning and recent federal court decisions after *Reed v. Town of Gilbert*, 576 U.S. 155 (2015).

GENERAL INFORMATION

The City Attorney's Office and Community Development Department Planning staff collaborated with the Inspections Division on the proposed draft Chapter 23 Zoning text amendments.

The proposed text amendments include:

- Removed, reworded, and added definitions to be content neutral.
 - Remove duplication of standards found elsewhere in the Municipal Code or policies (Public Art Policy & Signs in the Right-of-Way).
-

PROPOSED DRAFT TEXT AMENDMENTS

The text recommended to be added is underlined. The text recommended for deletion is identified by ~~strikethrough~~.

RECOMMENDATION

Based upon the above analysis, staff recommend the Plan Commission review the draft Municipal Code text amendments included in this report, discuss and receive public input on the proposed changes, and direct staff to make any revisions and prepare the necessary public hearing notices for the proposed text amendments to Chapter 23 Zoning.

NOTE: Chapter 23 Zoning text amendments initiated by Plan Commission will be processed in accordance with Section 23-65(c), Zoning Text Amendments. This process would include future review and action by Plan Commission (after public hearing), as well as review and action by Common Council.

ARTICLE XIV. SIGNS*

DIVISION 1. INTRODUCTORY INFORMATION

Sec. 23-500. Purpose.

Because signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation, there exists a need to uniformly regulate signs in the City of Appleton. The purpose of this Article is to regulate the size, illumination, movement, materials, location, height, and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values, the character of neighborhoods, the creation of a convenient, attractive and harmonious community, protection against destruction of or encroachment on historic convenience to citizens and encouraging economic development.

This Article allows adequate communication through signage while encouraging aesthetic quality in the design, location, size, and purpose of all signs. This Article must be interpreted in a manner consistent with the First Amendment guarantee of free speech. The purpose of these sign regulations is to provide comprehensive and balanced sign regulations that will intended to preserve the right of free speech and expression; avoid excessive levels of visual clutter or distraction that are potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance; ensure that signs are well-constructed and maintained and expressive of the identity of individual activities and the community as a whole; and provide a procedure for fair and consistent enforcement and to implement the applicable policies and objectives as identified in the Appleton Comprehensive Plan.

This Article does not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the City of Appleton. Rather, these regulations are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above. These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs. These regulations are not intended to and do not apply to signs erected, maintained or otherwise posted, owned or leased by the State of Wisconsin, Outagamie County, Calumet County, Winnebago County, the federal government, or the City of Appleton. The inclusion of “government” in describing some signs does not intend to subject the government to regulation, but instead helps illuminate the type of sign that falls within the immunities of the government from regulation.

(Ord 34-18, §1, 4-10-18)

Sec. 23-501. No discrimination against non-commercial signs or speech.

The owner of any sign which is otherwise allowed under this Article ~~XIV~~ may substitute noncommercial copy in lieu of any other commercial or noncommercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial copy over any other noncommercial copy. This provision prevails over any more specific provision to the contrary. This provision does not create a right to increase the total amount of signage in terms of size and number on a parcel or within a development or allow the exchange of an off-site-premises commercial message in place of an on-site-premises commercial message.

(Ord 34-18, §1, 4-10-18)

Sec. 23-502. Severability.

If any portion of this Article ~~XIV~~ or any regulation contained herein is held to be invalid or unconstitutional by a court of competent jurisdiction, it is the City’s specific legislative intent that said portion or regulation is to be deemed severed from this Article ~~XIV~~ and should in no way affect or diminish the validity of the remainder of Article ~~XIV~~ or any other sign regulation set forth herein.

(Ord 34-18, §1, 4-10-18)

Sec. 23-503. Reserved.

Editor’s Note: Chapter 14 – Signs was repealed by Ord 9-00, published 1-22-00. New ‘Sign Code’ was created by Ord 10-00, published 1-22-00

Editor’s Note: Art. XIV, Signs, was repealed and recreated by Ord 34-18, adopted by the Common Council on April 4, 2018 and becoming effective April 10, 2018.

ZONING

DIVISION 2. DEFINITIONS

Sec. 23-504. Definitions and interpretation.

Words and phrases used in this Article shall have the meanings set forth in this section. The definitions identified in this section shall apply to this ~~Article~~ and shall prevail with respect to signs in the event any inconsistency exists between these definitions and the definitions set forth in any other part of the Appleton Municipal Code Article II of this chapter. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this ordinance.

Abandoned sign means a sign located on a lot that contains any land use discontinued for more than a twelve (12) month period.

Animated means the movement of any light used in conjunction with a sign such as motion picture, blinking, flashing, or changing degree of intensity of any light movement other than ~~burning~~ continuously light emission.

Area of sign means the area of the largest single sign face within a perimeter formed by the outside shape, including any frame that forms an integral part of the display. This would not include the necessary supports or uprights of the sign. If the sign consists of more than one (1) section or module, all areas are totaled. Any writing, representation, emblem, logo, symbol or other display that has no background or is irregular in shape shall be computed based on squares or rectangles which enclose the extreme outer limits of the advertising message, announcement or decoration.

Athletic scoreboard means a sign accessory to an athletic playing field and/or its associated fences and walls, ~~used to report scores and often to promote businesses to viewers of the events.~~

Automobile, RV, truck, cycle, boat sales and dealerships signs means a ground sign located on a property with a valid/lawful certificate of occupancy for automobile, RV, truck, cycle, boat sales and dealerships as defined in Section 23-22.

Awning sign means a sign with a rigid-framed, roof-like structure attached to a wall running parallel to the exterior wall of a building and composed of a covering or non-rigid materials and/or fabric, vinyl or canvas that may be either permanent or retractable.

Banner means a temporary sign of lightweight fabric, vinyl, polypropylene, polyester mesh, cloth, plastic, or similar flexible material that can be mounted to a structure with cord, rope, cable, hardware or similar method or that may be supported by stakes or poles in the ground. ~~National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.~~

Beacon means any light with one (1) or more beams directed into the atmosphere or directed at one (1) or more points not on the same lot as the light source; also, any light with one (1) or more beams that rotate or move.

Billboard ~~means an off-premise sign.~~ See off-premises sign definition.

Building marker sign means any sign ~~indicating a building's name, date, or any incidental information about its construction~~ that is engraved into a masonry surface or made of bronze or other permanent material.

Changeable copy sign means a permanent sign, whether electronic or manual, where copy changes. See **Electronic message board**.

Commercial message means any sign with wording, logo, or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service, profession, commodity, event, person, institution, or other commercial activity or otherwise contains commercial speech.

Commercial speech means any message proposing a commercial transaction or related to the economic interests of the speaker and its intended audience. Commercial speech does not include false or misleading information, or advertises or promotes an illegal product or activity.

APPLETON CODE

Construction sign means a temporary sign on a lot that has a valid building permit issued by the City of Appleton, private property describing a construction or improvement project that includes the names of the contractors, architects, engineers, investors and/or future tenant(s).

Copy means the wording or graphic content on a sign surface.

Department in this article means the City of Appleton Inspections Division.

Display time means the amount of time words, symbols, figures, or images are displayed on an electronic message board.

Directional Driveway sign means a ground sign located adjacent to the driveway as defined in Section 23-22, providing general information, such as “no parking”, “parking areas”, “entrance”, “exit”, “truck and passenger loading/unloading areas”, “identification names”, “numbers or names of occupants”, “signs posted on private property relating to private parking or warning the public against trespass or danger of animals”, “neighborhood crime watch signs” or other messages or symbols necessary to direct vehicles or pedestrians to, through or within a site. Company names and logos may be displayed on directional signs.

Directory sign means a wall or ground sign placed adjacent to the publicly used entrance to the building, listing the names, use or location of business, tenants, owners, renters and/or activities with a building or group of buildings or multi-tenant building or development.

Educational institution sign means a permanent ground or wall sign located on a property with a valid/lawful certification of occupancy permit for educational institution as defined in Section 23-22.

Electronic message board means a permanent wall or ground sign capable of displaying words, symbols, figures, or images that can be electronically changed by remote or automatic means. Such signs shall include the modes of operations pursuant to Sec. 23-530 of this Article.

Electric sign means any sign containing electrical wiring which is attached or intended to be attached to an electrical energy source.

Event sign means a temporary sign that directs attention to an occurrence generally regarded and acceptable as important, newsworthy and of public service that can reasonably be expected to cause a public gathering that is not part of the normal course of business at the location or otherwise an event issued a City Special Event License.

Flag means a sign made of fabric, bunting, or similar material, attached along one side to a single pole. The pole is either freestanding or attached to a building, piece of fabric having distinctive colors and patterns used as a symbol of a government, political subdivision or other entity.

Flashing sign means a sign or part thereof, operated so as to create flashing; change in light intensity, color or copy or intermittent light impulses more frequent than one every ten seconds and further provided that electronic message boards as defined herein shall not constitute flashing signs. It is further provided that a sign which creates intermittent light impulses which convey time of day and/or temperature only shall not constitute a flashing sign.

Frame means a complete, static display screen on an electronic message board sign.

Freeway means Interstate Highway 41 and State Highway 441.

Freeway-oriented on-premises sign means any on premises sign whose property abuts a freeway and primarily identifies a business or company to freeway users.

Frontage means that boundary of a lot that abuts a dedicated public street. The public right-of-way may include frontage roads.

ZONING

Ghost sign means a hand-painted sign that remains from an earlier time or ~~advertises the use of a building wall that was in existence on or before January 22, 2000, and is still present on the wall, indicating a previous use of the building, or advertising a product or activities of the community.~~

Governmental Sign means any sign that is:

- (a) constructed, placed, or maintained by the federal, state, or local government; or
- (b) constructed, placed, or maintained on a federal, state, or local government building, structure, or property
- (c) required to be constructed, placed or maintained by the federal, state or local government either directly; or to enforce a property owner's rights;

Governmental signs include: signs erected by, or on behalf of, a governmental unit, including legal notices, traffic signs, or other similar regulatory devices, building address numbers, directional signs, wayfinding signs, warnings at railroad crossings, and other instructional or regulatory signs pertaining to health hazards, parking, swimming, dumping, and such emergency or non-advertising signs as may be approved by the Traffic Engineer for safety purposes or other signs approved by the Common Council.

Ground sign- means any sign supported by structures or supports placed on or anchored in the ground and independent from any building or other structure.

Height of sign or sign height means the vertical distance measured from the normal grade to the highest point of the sign.

Historic marker signs means a sign located on or within a ~~identifying~~ a historical structure, site, or district pursuant to Article XVII. of this chapter or approved by the Wisconsin Historic Society pursuant to the Wisconsin Historical Markers Program.

Home occupation sign means a wall sign located on a property that has a valid/lawful ~~advertising a legally permitted~~ home occupation pursuant to §23-45 of this chapter.

Hospital sign means a permanent sign located on a property with a valid/lawful certification of occupancy for hospital use as defined in Section 23-22.

~~**Interpretive signs** mean a sign providing information that interprets a natural, historical or cultural resource, event or site. Such signs shall be located only on sites directly related to the information contained in the sign.~~

Inspections Supervisor means the City of Appleton Inspections Supervisor or designee.

Interior Signs means a sign located inside an exterior window, walls, or door of any building, mall, courtyard, stadium (including athletic scoreboards and fences), or enclosed lobby, when such signing is intended for interior viewing only.

Marquee means any permanent, roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Menu board means a structure ~~providing menu items and prices associated with a drive-through window or walk-up service window.~~

~~**Monument signs** means a ground sign with the bottom of the sign a maximum of twelve (12) inches from normal grade.~~
~~**Multi-tenant** means a building with more than one (1) tenant that utilizes wall, projecting, canopy or ground signage.~~

Mural means a picture, illustration, design, representation and/or copy painted or drawn directly onto the surface of an exterior building wall ~~that does not contain commercial messages or commercial speech.~~ Definition of Mural- does not include :

1.—Public art and/or murals installed or located, and approved in accordance with the City of Appleton Public Arts Policy.
~~**Mural sponsorship signs** means a sign located on or attached to an exterior building wall that identifies a person's name, business name, association, logo, and/or corporate slogan displayed at the site of a mural that identifies a sponsor in recognition of the sponsor's financial support of the mural.~~

APPLETON CODE

Neighborhood and subdivision identification signs means a wall or ground sign that is located at the entrances of identifies a neighborhood or subdivision park that is officially designated as a registered neighborhood by the city or approved pursuant to the City of Appleton Land Division and Subdivision Ordinance.

Noncommercial message copy means any message copy which is not a commercial message as defined herein.

Noncommercial speech mean any message speech -which is not commercial speech as defined herein.

Nonconforming sign means any sign that does not conform to the requirements of this Article.

Normal grade shall be construed to be the newly established grade after construction, exclusive of any filling, berming, molding or excavating solely for the purpose of locating the sign.

Off-site or off-premises sign means a sign that directs attention to a business, profession, commodity, service, or entertainment conducted, sold, or offered at a location other than where the sign is located. This definition shall include, but is not limited to, billboards, posters, panels, painted bulletins, and similar advertising displays. An off-site-premises sign meets any one of the following criteria and includes only commercial messages:

- A permanent structure sign which is used for the display of off-premises site commercial messages;
- A permanent structure that constitutes a principal, separate, or secondary use, as opposed to an accessory use, of the parcel on which it is located; or
- An outdoor sign used as advertising for hire, e.g., on which display space is made available to parties other than the owner or operator of the sign or occupant of the parcel (not including those who rent space from the sign owner, when such space is on the same parcel or is the same development as the sign), in exchange for a rent, fee, or other consideration.

On-site or on-premises sign means any sign identifying or advertising persons, entities, activities, business goods, products, facilities or services located on the lot where the sign is installed and maintained.

Painted wall sign means a picture, illustration, design, representation and/or copy painted or drawn directly onto the surface of an exterior building wall that contains commercial messages or commercial speech. Definition of painted wall sign does not include:

1. Public art and/or murals installed or located, and approved in accordance with the City of Appleton Public Arts Policy.

Party wall means a wall without openings located on a lot line between adjacent buildings.

Person means any individual, association, company, corporation, firm, organization, or partnership, singular or plural, of any kind.

Personal expression signs means an on-premises sign that expresses an opinion, interest, position, or other non-commercial messa **Plot plan** means a scaled drawing of a parcel that depicts all elements on and surrounding the parcel.

Places of worship, community living arrangements serving 16 or more persons, assisted living and retirement home serving 16 or more person, residential care apartment complex serving 16 or more persons and nursing home sign means a permanent ground or wall sign located on a property with valid/lawful certificate of occupancy permit for place of worship, community living arrangement serving 16 or more persons, assisted living and retirement home serving 16 or more persons, residential care apartment complex serving 16 or more persons and nursing home as defined in Section 23-22.

Portable sign means a temporary sign lit or unlit designed to be transported, including, but not limited to, signs designed to be transported by means of wheels.

Principal building means the building in which is conducted the principal use of the lot on which it is located. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages and other clear accessory uses shall not be considered principal buildings.

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Projecting sign means a sign, normally double-faced, which is attached to a structure or building perpendicular to the wall and extending more than six (6) inches. The area of projecting signs is calculated on one (1) face only.

Projection sign means a temporary sign created by projecting light, images, or video onto a building, structure, or surface.

Public art means artwork that is installed or located, and approved in accordance with the City of Appleton Public Arts Policy.

Public institutional identity signs means a sign ~~located used on to identify the name, address of and/or services provided by a lot that has a valid/lawful certificate of occupancy permit to any public institutional use(s) occupying the premises as defined in Section 23-22.~~

Real Estate Marketing Sign means a temporary ground sign during valid building permit on the lot.

Real Estate Sign means a temporary wall or ground sign located on a lot where real property is for sale or rent.

Right-of-way is all public property used or intended for use as a travelway and the public property that is adjacent to the travelway.

Roof sign means a sign erected upon, against or above a roof and extending above the highest point of the roof. If the sign does not extend above the highest point of the roof and is single-faced, it is a wall sign.

Sandwich board sign means a temporary sign that is self-supported and moveable, typically A-shaped with two visible sides.

Setback means the required distance a sign must be located from a lot line, easement, right-of-way line, adjacent building or other feature as indicated in this Article.

Sign means any device, fixture, placard, or structure that uses any writing, image, representation, emblem, logo, symbol or other display illuminated or non-illuminated to advertise, announce the purpose of, or identify the purpose of a person or entity to attract attention, or to communicate information of any kind to the public, visible from any public way or public street. For the purpose of removal, signs shall also include all sign structures as well as the sign itself. Signs located entirely within an enclosed building and not legible capable of being read from a outside of the building shall not be considered a sign.

1. Athletic scoreboards, flags, holiday decorations, menu boards, streamers, pennants, umbrellas, balloons and inflatable figures and anything else not containing copy, used for advertising purposes or otherwise meeting the definition of a sign are not considered signs. ~~In addition signs located entirely within an enclosed building and not legible from a street shall not be considered a~~ **Sign contractor** means any person engaged in whole or in part in the erection or maintenance of signs, ~~excluding the business that the sign advert~~

Sign structure means any structure or material that supports, has supported, or is capable of supporting or helping maintain a sign in a stationary position, including decorative covers.

Street frontage means the distance for which a lot line of a lot adjoins a street, from one (1) lot line intersecting said street to the furthest distant lot line intersecting the same street. Corner or double frontage lots will have more than one (1) street frontage.

Suspended sign means a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Swinging sign means a sign installed on an arm, mast, or spar that, ~~in addition,~~ is not permanently fastened to an adjacent wall or upright pole.

Temporary sign means a sign intended to display either a commercial or non-commercial message for a limited time and is not permanently mounted or does not have footings. A banner, pennant, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and that appears to be intended or is determined by the code official to be displayed for a limited period of time (rather than permanently attached to the ground or a structure).

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Transition means -visual effect used on an electronic message board to change from one message, symbol, figure, and/or image to another.

Vehicle Sign means a sign on a licensed and operable truck, bus, trailer, or other vehicle.

Wall area means the vertical exterior wall surface of a building, not including the area of a party wall, consisting of the solid portion that forms the sides of the building envelope, including walls, doors and window area, that is not the roof or floor.

Wall sign means any sign attached parallel to, and within six (6) inches of, a wall or erected and confined within the limits of an outside wall of any building. The sign is supported by such building.

Wave banner means a free-standing temporary sign typically constructed of a lightweight vinyl, polypropylene, polyester mesh, fabric, cloth, plastic, or similar flexible material and mounted on a flexible pole driven in the ground with an attached pennant that is vertically elongated and attached to the pole.

Wayfinding signage means signs with maps or other graphics that do not contain commercial messages or commercial speech, that are part of a City-sponsored and coordinated program for the purpose of directing pedestrian and vehicular traffic to local destinations.

Window sign means a permanent or temporary sign that is placed inside a window and is visible from the exterior. A window sign does not supersede the transparent purpose of the window.

Yard sign means a temporary, on-premises sign that is either free-standing or mounted on one (1) or two (2) stakes or posts.

(Ord 2-15, §1, 1-27-15; Ord 34-15, §1, 3-24-15; Ord 34-18, §1, 4-10-18)

DIVISION 3. GENERAL PROVISIONS

Sec. 23-505. Prohibited signs.

All signs not expressly permitted or exempt under this article are prohibited in any location in the City. Prohibited signs include, but are not limited to:

(a) Signs that employ intermittent or flashing illumination, animation, motion picture, laser projection, sound emission (except electronic message boards and projection signs as defined in this Article).

(b) Beacons. ~~(c) Billboards.~~

~~(d)~~ (e) Off-premises signs.

~~(e)~~ (f) Roof signs.

~~(f)~~ (g) A sign or advertising device attached to or painted onto a parked vehicle or trailer and being used as an on-premises or off-premises sign. ~~(g)~~ (h) Signs marked, tacked, or otherwise affixed to trees or other vegetation.

~~(h)~~ (i) Signs containing statements, words, or pictures of an obscene or pornographic nature.

~~(i)~~ (j) Signs which purport to be, or are an imitation of, or resemble an official traffic sign or signal, or which bear the words “stop”, “caution”, “warning”, or similar words and/or colors normally associated with official signs.

~~(j)~~ (k) Swinging and alternating signs.

(Ord 3-15, §1, 1-27-15; Ord 34-18, §1, 4-10-18)

Sec. 23-506. Legal, nonconforming signs.

(a) *Existing Nonconforming Signs*

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- (1) Signs lawfully existing at the time of the adoption or amendment of this chapter or located in an area annexed to the city of Appleton may be continued although the use, size, or location does not conform to the provisions of this chapter. However, it shall be deemed a nonconforming sign, and the provisions of this chapter shall apply to specific nonconforming rights.
- (2) Any nonconforming sign hereafter relocated, moved, reconstructed, extended, enlarged, changed in shape or use (not including changing the copy), altered, or modified shall be made to comply with the provisions of this chapter.
- (3) Maintenance of nonconforming signs including changing the sign face of existing advertising areas, replacing light bulbs or wiring, and painting is permitted.
- (4) If damaged or destroyed, a nonconforming sign may be replaced within one year after the calamity to the size, location, and use that it had immediately before the damage or destruction occurred, if the damage or destruction was caused by violent wind, vandalism, fire, flood, ice, snow, mold, or infestation.
- (5) A conforming sign does not become nonconforming due to City, County or State acquisition of right-of-way according to §23-42(e) of this chapter.

(Ord 34-10, §1, 4-10-18)

Sec. 23-507. Signs not requiring a permit.

(a) The following signs are allowed in all zoning districts without the need for a sign permit, unless otherwise stated in this ~~a~~Article. Such signs shall not count as part of the maximum permitted sign area, maximum number of signs per lot, or building, but shall comply with sign setbacks, height and vision corner requirements, unless otherwise stated in this ~~a~~Article.

(1) ***Banners and Wave Banners.***

Subject to the following requirement:

- a. ~~Maximum display time limit: Each banner and/or wave banner shall be allowed on a lot for no more than a total of one hundred twenty (120) consecutive days per calendar year.~~ Sign area: single and two-family residences shall not exceed thirty-two (32) square feet.

(2) ***Building marker sign.***

Subject to the following requirement:

- a. Sign area: ~~Maximum~~ Shall not exceed four (4) square feet.

(3) ***Construction signs.***

Subject to the following requirements:

- a. Sign number: One (1) construction sign per street frontage is allowed.
- b. Sign location: This sign shall be placed on the lot that the building permit was issued by the City of Appleton, where work is under construction and shall identify persons or companies involved in the design, construction, demolition, financing or project developm
- c. Sign timeframe: Such signs shall not be erected prior to the beginning of work for which a valid building or demolition permit has been issued, and shall be removed within ten (10) days of completion of the work or the expiration of the permit, whichever is sooner.
- d. Sign area: ~~Construction signs for~~ single and two-family residences shall not exceed sixteen (16) square feet.

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- e. Sign area: ~~Construction signs for~~ commercial, public institutional, industrial, multi-family, traditional or planned developments shall not exceed ninety-six (96) square feet.

(4) ***Driveway Directional signs.***

Subject to the following requirements:

- a. Sign area: ~~Directional signs s~~shall not exceed six (6) square feet.
- b. Sign number and placement: No more than one (1) ~~driveway directional~~ sign is permitted per each side of driveway. Must be located within the ten (10) feet of the nearest lot line.
- ~~b.c. Driveway signs are prohibited for single and two-family residences.~~
- e. ~~Sign limitations: Directional signs shall not be composed solely of company names and/or logos. Company names and/or logos, shall not exceed two (2) square feet per sign face.~~

(5) ***Directory signs.***

Subject to the following requirements:

- a. Sign area: Shall not exceed Maximum thirty-two (32) square feet.
- b. Sign height: If a ground sign, maximum eight (8) feet.
- c. Sign placement: ~~Wall or ground mounted sign. In addition,~~ shall be placed adjacent to publicly used entrance to the building.
- d. Sign number: One (1) per building unless the building has more than one entrance or direct frontage on more than one street, in which case two (2) signs are allowed.
- ~~d.e. Directory signs are prohibited in single and two-family residences.~~

(6) ***Governmental signs.*** ~~Subject to the following requirements:~~

- ~~a. signs erected by, or on behalf of, a governmental unit, including legal notices, traffic signs, or other similar regulatory devices, directional signs, warnings at railroad crossings, and other instructional or regulatory signs pertaining to health hazards, parking, swimming, dumping, and such emergency or non-advertising signs as may be approved by the Traffic Engineer for safety purposes or other signs approved by the Common Council.~~

(7) ***Historic marker signs.***

Subject to the following requirements:

- a. Sign placement: A sign sign may be a ground sign or placed flat against a building, monument stone, or other permanent surface.
- b. Sign size: ~~This sign s~~shall not exceed twenty-seven (27) square feet in area or shall not exceed the size limitations established by the State Historic Markers Program Administered by the Wisconsin State Historical Society, whichever is greater less.

(8) ***Home occupation signs.***

~~e.~~ Subject to the following requirements:

- a. Sign number: One (1) wall sign.
- ~~d.b. Sign number and illuminance: One (1) sign~~ The sign associated with an otherwise lawful home occupation complying with the provisions of this chapter, provided such signs are non-illuminated wall sign.

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cb. Sign size and placement: ~~Maximum~~ Shall not exceed two (2) square feet, ~~in area and mounted parallel to~~
the wall

(9) **Projection Sign.**

Subject to the following requirements:

- a. Sign Placement: If projecting across right-of-way, the projection must be a minimum of 15' above street grade at all points over the right-of-way. No height restriction if projection is included in an approved special event permit or street occupancy permit and the right-of-way is closed during projection.
- b. If the temporary projection sign is located on a nearby property and projects over a right of way onto another property, the light trespass ordinance will not apply when all the affected property owners consent to the temporary projection sign.

(10) **Public Institutional identity signs.**

Subject to the following requirements:

- a. ~~Sign number and size: One (1) sign, not exceeding sixty (60) square feet.~~
- b. Sign size: Shall not exceed sixty (60) square feet.
- c. Sign setback: This sign must be located a minimum of ten (10) feet from the right-of-way line.
- a. ~~**Interior signs.** Subject to the following requirement~~ Sign placement: Signs located inside exterior windows, walls or doors of any building, mall, court yard, stadium, enclosed lobby, when such signing is intended for interior viewing only.

(11) **Model home signs.** Subject to the following requirement:

- a. ~~Sign size: Signs not exceeding six (6) square feet identifying a non-occupied dwelling unit used as a demonstrator for selling or renting other dwelling units in the same complex~~

(12)(11) **Neighborhood and Subdivision park identification signs.**

Subject to the following requirements:

- a. Sign location: Sign must be located at entrances of neighborhoods or subdivisions on private property and comply with setbacks set forth. A sign, masonry wall, landscaping or other similar material and feature may be combined to form a display for neighborhood or tract identification at all entrances.
- b. ~~Sign type and size and height: Neighborhood and park identification signs~~ Shall be limited to ground signs not exceeding eight (8) feet in height and forty-eight (48) square feet per sign face, and meet all other design standards in Division 4.

(13) **Political Election Campaign signs.** As provided in §12.04 of the Wisconsin Statutes, election campaign signs are permitted subject to the following requirements:

- a. ~~Sign timeframe: The sign shall not be erected prior to the first day of the "election campaign period" as defined in the Wisconsin Statutes, and shall be removed within ten (10) days following the election.~~
- b. ~~Sign area: Election signs shall not exceed sixteen (16) square feet in area per lot unless the sign is affixed to a permanent structure; does not extend beyond the perimeter of the structure, and does not obstruct a window, door, fire escape, ventilation shaft, or other area which is required by the City Building or Fire Code to remain unobstructed.~~
- c. ~~Sign location: No election campaign sign shall be placed within a public right of way.~~

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- d. ~~Sign removal: The Inspections Supervisor and/or the Police Chief, or their designee, are authorized to remove any signs in violation of this subsection.~~

~~(14)~~(12) ***Real estate signs.*** Subject to the following requirements:

- a. ~~Sign number: One (1) real estate sign per street frontage of a lot, advertising the sale or lease of that lot or premises.~~
- b. ~~Sign location and area: Such signs shall not be located in the public right of way, nor be directly illuminated, nor exceed eight (8) square feet for residential districts, thirty-two (32) square feet for public institutional and commercial districts, or sixty-four (64) square feet for industrial districts.~~
- c. Sign Illumination: Sign cannot be illuminated.
- d. ~~Sign removal: Real estate signs shall be removed within fifteen (15) days after the sale, rental, or lease has been accomplished.~~

~~(15)~~(13) ***Personal expression Yard signs.*** Yard signs are subject to the following requirements:

- a. Sign number: Each lot shall be limited to five (5) yard signs.
- b. Sign Area: -Each sign shall not exceed sixteen (16) square feet (16 sq ft).
- c. Sign Height: No yard sign may be higher than four feet (4ft).
- d. Cumulative Sign Area: The cumulative total yard sign area for any lot is sixty (60) square feet.
- e. Exception: Paragraphs (a – d) do not apply to on-premises signs placed on residential property pursuant to Wis. Stat. § 12.04 (2023-24, and as amended from time to time). To ensure traffic and pedestrian safety, signs :
- i. May not be larger than eleven square feet (11 sq ft) in area.
- ii. May not have any electrical, mechanical, or audio auxiliary.
- f. Subparagraph (e)(i) does not apply to a sign which is affixed to a permanent structure and does not extend beyond the perimeter of the structure, if the sign does not obstruct a window, door, fire escape, ventilation shaft or other area which is required by an applicable building code to remain unobstructed.

Personal expression signs means an on premises sign that expresses an opinion, interest, position, or other non-commercial message.

Subject to the following requirements:

~~Sign number and area: One (1) sign is allowed per lot and shall not exceed two (2) square feet~~

~~(16)~~***Events signs.***

Event sign means a temporary sign that directs attention to an occurrence generally regarded and acceptable as important, newsworthy and of public service that can reasonably be expected to cause a public gathering that is not part of the normal course of business at the location or otherwise an event issued a City Special Event License.

Subject to the following requirements:

- a. ~~Sign area: Signs shall not exceed thirty two (32) square feet.~~
- b. ~~Initial installation time period: Signs shall not be erected earlier than thirty (30) days before an event.~~
- e. ~~Sign removal: Signs shall be removed within two (2) days after the event.~~

~~(17)~~(14) ***Window signs.*** Subject to the following requirements:

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- a. Sign ratio: Temporary window signs shall not exceed fifty percent (50%) of the gross window area of any given wall or ten percent (10%) of the glass on any door.
- b. Sign area: The square footage of permanent window signs shall be included in the maximum allowable square footage of wall sign pursuant to Sec. 23-523(c).

(15) *Vehicle signs, used in normal course of business.*

~~Subject to the following requirements: a. Truck, bus, trailer, or other vehicle signs, while the vehicle is operating in the normal course of business, but is not parked in such a way that it acts as an advertising sign on a parking lot, driveway (Ord 34-18, §1, 4-10-18)~~

Secs. 23-508 – 23-521. Reserved.

DIVISION 4. DESIGN STANDARDS

Sec. 23-522. Number of signs.

(a) **One (1) ground sign.** One (1) permanent ground sign is permitted for each lot unless specified elsewhere in Section 23-529 and this Article.

(b) **Two (2) ground signs.** Two (2) permanent ground signs may be permitted if a parcel has a second street frontage subject to the following regulations:

- (1) For corner lots, each street frontage must be at least two hundred (200) feet before two (2) signs are allowed;
- (2) Double frontage lots must have at least three hundred (300) feet of lot depth.
- (3) Maximum size of the two (2) signs are one hundred eighteen (118) square feet for the primary sign and thirty-two (32) square feet for the secondary sign.
- (4) In no case will two (2) ground signs be allowed on the same street frontage for the same business or parcel.

(c) **Temporary signs.** One (1) temporary sign per street frontage is allowed within the minimum principal building front yard setback requirement, unless otherwise specified and provided the setback and clearance requirements of this Article are complied with.

- (1) There is no limit to the number of temporary signs on the remainder of the property.

(Ord 34-18, §1, 4-10-18)

Sec. 23-523. Sign face calculation.

(a) **Ground signs.** The maximum area of a permanent ground sign shall not exceed one hundred fifty (150) square feet per sign face unless specified elsewhere in Section 23-529 and this Article.

(b) **Multiple-faced signage.** The surface area of a sign shall be calculated only on the basis of adding together the area of the sign face(s) that can be read by one (1) viewer at a time. Where two (2) identical sign faces are both faces cannot be read by any one (1) viewer simultaneously, only one (1) of the faces shall be calculated for purposes of determining sign surface area.

(c) **Wall sign calculation.** For purposes of maximum area for wall signs, this calculation shall include awning, marquee, ~~canopy~~, permanent window and projecting signs.

- (1) In the P-I, C-O, C-1, C-2, and CBD zoning districts, the maximum area of wall signage shall be calculated as follows:
 - a. For each building wall, thirty-five percent (35%) of the building wall area or three hundred fifty (350) square feet whichever is less.
- (2) In the M-1 and M-2 zoning districts, the maximum area of wall signage shall be calculated as ten percent (10%) of each building wall.

(d) **Changeable copy signs (manual and electronic message boards).** The maximum area cannot exceed forty-eight (48) square feet and shall counts towards the total allowable ground or wall area.

(e) **Sandwich board signs and similar temporary signs.** ~~The Sandwich board sign standards include a maximum height is three and one-half (3½) feet height, maximum width is two and one-half (2½) feet width, and maximum leg support height is six (6) inches high maximum leg supports.~~

(f) **Portable signs.** ~~The maximum size is four (4) feet by eight (8) feet.~~

(Ord 4-15, §1, 1-27-15; Ord 34-10, §1, 4-10-18)

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Sec. 23-524. Ground sign height.

(a) **Total height.** The height of a ground sign shall not exceed twenty-eight (28) feet in height unless specified elsewhere in Section 23-529 and this Article.

(b) **Computation of height.** Sign height shall be computed as the distance from the base of the sign or sign structure at normal grade to the top of the highest attached component of the sign. Where 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 street or the grade of the land at the principal entrance to the principal building, whichever is lower.

Sec. 23-525. Setback and clearance.

(a) **Signs located in the right-of-way.** The closest point of a sign shall not encroach into the public right-of-way, including public sidewalks and terraces unless a street occupancy permit is obtained. Approval of Application for this permit must be obtained from the Public Works Department. Signs in the right-of-way may have different dimensional standards.

(b) **Side lot line.** A sign shall be located no closer than five (5) feet from the side lot line.

(c) **Within fifteen (15) feet of right-of-way and driveway.** A ground or temporary sign, any part of which is closer than fifteen (15) feet to the right-of-way and driveway, shall have a minimum vertical distance of ten (10) feet between the bottom of the sign and the grade at the right-of-way line or shall not be more than three (3) feet in height above the grade at the right-of-way line unless specified elsewhere in Section 23-529 and this Article.

(d) **Intersections/driveways.** Any ground, temporary or portable, sign within twenty-five (25) feet of an intersection or fifteen (15) feet of a driveway shall maintain a minimum vertical distance between the bottom of the sign and the grade at the right-of-way line of ten (10) feet or shall be not more than three (3) feet in height above grade.

(e) **Projecting signs.** Projecting signs shall maintain a minimum vertical distance between the bottom of the sign and the normal grade of eight (8) feet. The maximum height between the top of the sign and the normal grade shall not exceed sixteen (16) feet.

(f) **Parking area/driveway clearance.** Any sign located over a parking area or driveway shall have a minimum vertical clearance of fourteen (14) feet.

(g) **Electrical lines.** All signs shall be so located so as to avoid any contact with above or underground electrical and communication lines. ~~Sec. 23-526. Portable sign display limits.~~

~~A portable sign may be displayed for a total of one hundred twenty (120) days per calendar year with a minimum of thirty (30) consecutive day blocks. The entire thirty (30) consecutive day block will count towards the one hundred twenty (120) day total even if all thirty (30) days are not used.~~
(Ord 34-18, §1, 4-10-18)

Sec. 23-527. Awning, canopy and marquee signs.

For this section, awning includes marquees unless otherwise specified.

(a) The sign copy area shall not be larger than the maximum wall sign area restrictions in Sec. 23-523(c). The copy area shall count as part of the maximum wall sign area calculation, ~~but shall only include those areas with text or company logos. The total awning sign area shall be the sum of all sides of the awning with such text or company logos.~~

(b) An awning sign shall meet the following conditions:

(1) An awning shall not extend more than five (5) feet from the face of a building.

(2) The support structure shall ~~not be closer than two (2) feet from the street curb line~~ extend into the right-of-way without obtaining a street occupancy permit.

(3) Minimum clearance for an awning sign shall be ~~eight feet (8')~~ seven feet six (7'6") inches from the lowest edge of the awning material to the ~~closest point of a sidewalk normal grade.~~

(4) The valance shall not exceed nine (9) inches, and letters on the valance shall not exceed six (6) inches in height. ~~Any awning sign that extends into public right of way (including a public sidewalk) shall be required to obtain a street occupancy permit. Application for this permit must be obtained from the Public Works Department.~~

(5) If illuminated, a light source shall meet all national and local electrical codes.
(Ord 34-18, §1, 4-10-18)

Sec. 23-528. Sign lighting.

Signage may be internally lighted or may have external illumination mounted on the sign, building, or ground. However, no external light source shall be positioned as to interfere or be seen by vehicular traffic or adjacent residential uses.

Sec. 23-529. Design standard and exceptions.

(a) ~~*Hospital sign exceptions.*~~ The following design standard exceptions are permitted for AG, R-1A, R-1B, R-1C, R-2, R-3, and NC zoned lots:

- (1) ~~Ground sign number and location:~~ One (1) ground sign for every five hundred (500) feet of frontage subject to size, height and setback restrictions in accordance with Division 4 of this ~~a~~Article.
- (2) ~~Driveway Directional sign number, area and location:~~ One (1) directional driveway sign shall be permitted per side of driveway at each driveway entrance and not exceed seventy (70) square feet in area. All height and setback restrictions in accordance with Division 4 of this ~~a~~Article shall be complied with.
- (3) ~~Directory sign number and area:~~ One (1) directory sign shall be permitted at each entrance door to the hospital or clinic, a ground and wall signs shall not exceed forty (40) square feet in area.
- (4) Sign illuminance: All hospital related signs may be lighted for nighttime identification.

~~(b) *Skywalks within the right of way.* The following design standard exceptions are permitted:~~

- (1) ~~The maximum sign area shall be twenty percent (20%) of the wall area of the pedestrian skywalk, unless an increase in sign area is requested and approved pursuant to the street occupancy permit procedure. Applications for this permit must be obtained from the Public Works Department.~~

(b) ***41 and 441 freeway exceptions.*** The following ground sign design standard exceptions for P-I, C-O, C-1, C-2, M-1, and M-2 zoned lots apply to freeway-oriented, on-premises signs.

- (1) A ground sign may exceed twenty-eight (28) feet in height by two (2) feet for each additional foot the sign is set back from a minimum of ten (10) feet from the freeway right-of-way. No ground sign shall exceed sixty (60) feet in height above the abutting freeway's centerline grade.
- (2) A ground sign may exceed one hundred fifty (150) square feet in area by ten (10) square feet for each additional foot the sign is set back from a minimum of ten (10) feet from the freeway right of-way. No ground sign shall exceed two hundred (200) square feet in area per sign face.
- (3) If a single parcel exceeds nine (9) acres, a second ground sign not exceeding twenty-eight (28) feet in height and one hundred fifty (150) square feet in size shall be allowed within the front yard opposite the freeway provided the setback and clearance requirements of this Article are complied with.

(c) ***Places of worship, community living arrangement serving 16 or more persons, assisted living and retirement home serving 16 or more persons, residential care apartment complex serving 16 or more persons and nursing home exceptions signs.*** The following design standard exceptions are permitted for AG, R-1A, R-1B, R-1C, R-2, R-3, and NC zoned lots:

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- (1) Ground sign ~~number and area~~: One (1) ground sign not to exceed sixteen (16) feet in height and forty-eight (48) square feet per sign face for each street frontage as calculated for multiple-faced signage pursuant to Sec. 23-523(b).
- (2) Wall Sign: One (1) wall sign will also be allowed per street frontage subject to design standards pursuant to Division 4.

(d) **Educational institution signs.** The following design standard exceptions are permitted for AG, R-1A, R-1B, R-1C, R-2, R-3, and NC zoned lot:

- (1) Number of wall signs: One (1) wall sign will also be allowed per street frontage subject to design standards pursuant to Division 4
- (2) A substitute for the one (1) wall sign may be a changeable copy sign, attached to the exterior wall of the school building, not to exceed forty-eight (48) square feet in area.
- (3) Number of ground signs: One (1) ground sign or one (1) changeable copy sign affixed to the ground as calculated for multiple-faced signage pursuant to Sec. 23-523(b), provided a changeable copy sign does not exist as a wall sign.
- (4) Ground sign placement: A twenty (20) feet minimum setback from the public right-of-way.
- (5) Ground sign height: Maximum: Fifteen (15) feet in height.
- (6) Ground sign area: Maximum: Forty-eight (48) square feet per sign face.

(e) **Automobile, RV, truck, cycle, boat sales and dealerships signs.** The following design standard exceptions are permitted:

- (1) Ground sign number and area: Dealerships selling new and/or used vehicles shall be allowed one (1) ground sign for each fifty thousand (50,000) square feet of hard-surfaced designated for the outdoor display of vehicles for sale.

(f) **Real estate marketing sign.** The following design standard exceptions are permitted for real estate marketing sign the purpose of marketing a new subdivision, apartment, condominium, mixed use, business/industrial park, or planned development:

- (1) Number of ground signs: One (1) ground sign per street frontage.
- (2) Ground sign area: Maximum eighty (80) square feet in area.
- (3) Such permit will be issued for one (1) calendar year and may be renewed for one (1) additional calendar year.

(g) **Ghost Sign.** The following design standard exceptions are permitted:

- (1) Ghost signs that existed on a building wall prior to January 22, 2000, as on file with the Inspections Division, still present on the wall, are exempt from these requirements and deemed conforming. Ghost signs may be maintained, restored and repainted but no size alterations, new information or images may be added to the existing sign. Prior to a permit being issued for restoration of a ghost sign, documentation of the sign's existence shall be provided to the Inspections Supervisor. This may include photographs or permits originally issued for the sign.

(Ord 34-18, §1, 4-10-18)

Sec. 23-530. Electronic message boards.

- (a) Minimum display (static) time: Eight (8) seconds.
- (b) Transition time between messages and/or message frames: Three (3) seconds or less.

(c) The following modes of operation shall be allowed:

- (1) Static: Signs which include no animation or effects simulating animation.
- (2) Fade: Signs where static messages are changed by means of varying light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.
- (3) Dissolve: Signs where static messages are changed by means of varying light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneous to the gradual appearance and legibility of the subsequent message.
- (4) Travel: Signs where the message is changed by the apparent horizontal movement of the letters or graphic elements of the message.
- (5) Scrolling: Signs where the message is changed by the apparent vertical movement of the letters or graphic elements of the message.

(d) All electronic message boards must be equipped with automatic light sensors to adjust sign brightness and shall comply with light trespass requirements of Sec. 23-53(g) of this chapter.
(Ord 34-18, §1, 4-10-18)

Sec. 23-531. Murals.

(a) Murals are permitted in the following zoning districts:

- (1) C-1, C-2, C-O, CBD, P-I, M-1 and M-2.

(b) **Permit requirements.** A permit must be applied for and received pursuant to Sec. 23-540 of this ~~a~~Article. In addition, all provisions of Division 5 of the ~~A~~article shall apply to murals.

~~(c) Exemptions. Murals are not subject to size limitations applicable to wall or painted wall signs and shall not count as part of the maximum permitted sign area.~~

(d) **Compliance.** Issuance of a permit does not exempt the permittee and/or property owner from complying with any other applicable requirements of the City of Appleton Municipal Code.

~~**Mural sponsorship signs** means a sign located on or attached to an exterior building wall that identifies a person's name, business name, association, logo, and/or corporate slogan displayed at the site of a mural that identifies a sponsor in recognition of the sponsor's financial support of the mural.~~

~~(e) **Mural Sponsorship Sign requirements:**~~

- ~~(1) Sign number: One (1) for each mural.~~
- ~~(2) Sign area: Maximum nine (9) square feet.~~
- ~~(3) Sign placement: Wall mounted.~~

(Ord 34-18, §1, 4-10-18)

Secs. 23-532 – 23-539. Reserved.

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DIVISION 5. ADMINISTRATIVE PROCEDURES

Sec. 23-540. Sign permit.

(a) **Permit required.** A permit from the Inspections Supervisor shall be required for any person to erect, place, replace, move, establish, paint, construct, install, convert, substantially alter, rebuild, enlarge, remodel, relocate, or illuminate any sign, unless exempted under Sec. 23-507. Repainting, routinely maintaining, or changing the message on a sign will not be considered a substantial alteration and will not require a permit.

(b) **Permit fee.** The fee for sign permits shall be established by the Common Council and on file in the Office of the City Clerk. Permit fees shall increase to three (3) times the amount if a permit is applied for after the work is started.

(c) **Permit application.** Before construction of any sign requiring a permit, an application must be filed with the Inspections Supervisor. Applications for a sign permit shall include a set of mandatory submittals as listed in this section. In addition, optional submittals may be required by the Inspections Supervisor if deemed necessary due to the character of the particular proposal under consideration. Applications will not be processed until all required submittals have been provided to the Inspections Supervisor. All applications shall be submitted upon a fully completed application form and shall be accompanied by payment of the applicable fee to defray the cost of reviewing and processing the application.

(d) **Mandatory submittals for a sign permit.**

- (1) Every applicant for a sign permit shall submit an application form as prescribed by the Inspections Supervisor
- (2) The application form shall be fully completed and contain the name and/or signature of the applicant.
- (3) Electrical signs are required to be listed. On the sign permit, state if the sign is to be electrical and listed.
- (4) The depiction showing the elevation of the proposed sign(s) needs to contain the following information:
 - a. Maximum dimensions of the sign(s) including dimensions of the supports, total height, and normal grade to bottom of sign.
 - b. The materials of which the sign's structural supports and all other elements are constructed.
 - c. Structural supports or visible methods of attaching the sign with dimensions to include the total height of the sign.
 - d. Calculations showing the structure meets the requirements of this section for wind pressure load.
 - e. If required, the Inspections Supervisor may require plans, specifications and calculations be signed and sealed by a Wisconsin registered architect or engineer.
- (5) A scaled drawing, showing the location and dimensions of the sign being applied for, along with the sign's relation to lot lines, streets (with identified names), any existing signs, and structures on the premises.

(Ord 86-06, §1, 7-11-06; Ord 34-18, §1, 4-10-18)

Sec. 23-541. Denial of sign permit.

If a sign permit is denied, the applicant can, within ten (10) days, request in writing the reasons for denial. The Inspections Supervisor shall then prepare a brief written statement of the reasons for denial.
(Ord 34-18, §1, 4-10-18)

Sec. 23-542. Variances and appeals.

(a) **Appeals.** Any aggrieved person adversely affected by the denial of a permit by the Inspections Supervisor may appeal such denial to the Board of Appeals pursuant to Sec. 23-67 of this Chapter provided the appeal is submitted in writing to the Inspections Supervisor in ten (10) calendar days after the receipt of his/her/their decision.

(b) *Variations*. Variations to any provisions within this Article shall follow Sec. 23-67 of this chapter. (Ord 121-05, §1, 10-25-05; Ord 87-06, §1, 7-11-06; Ord 34-18, §1, 4-10-18)

Sec. 23-543. Reserved.

This section deleted with Ord 34-18, §1, 4-10-18.

Sec. 23-544. Indemnification of the city for sign installation and maintenance.

All persons engaged in the business of installing or maintaining signs involving the erection, alteration, relocation, or maintenance of a sign within or near public right-of-way or public property shall agree to ~~hold harmless and indemnify~~ indemnify, defend, and hold harmless the City or its officers, agents, and employees from any and all claims.

Sec. 23-545. Reserved.

This section deleted with Ord 34-18, §1, 4-10-18.

Sec. 23-546. Construction specifications.

(a) All signs shall comply with the provisions of Chapter 4 of this Municipal Code, the provisions of the National Electrical Code as amended, and the additional construction standards set forth in this section where applicable.

(b) All ground structures shall be self-supporting and permanently attached to sufficient foundations based on the height and size of sign.

(c) Electric service to ground signs shall be concealed.

(d) All signs, except those attached flat against the wall of the building, shall be constructed to withstand wind loads of thirty (30) pounds per square foot on the largest face of the sign and structure.

(e) No sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement that could cause wear on supporting members or connections. (Ord 34-18, §1, 4-10-18)

Sec. 23-547. Maintenance required; abandoned signs.

(a) *Maintenance and repair*. All signs and murals shall be maintained in a safe, legible and good condition.

(1) Safety. All signs shall be maintained to the same structural standards by which they were approved or, in the case of nonconforming signs and murals, the standard by which they would have otherwise been approved. All metal parts which are subject to rust or corrosion shall be painted at all times, all anchors and other fastenings shall be maintained in a secure and functioning condition capable of sustaining the loads for which they were designed.

(2) Legibility. All signs shall be maintained in a legible condition (except when a weathered or natural surface is intended). Painted signs and murals shall be repainted at such times as the deterioration of the paint results in illegibility or disfiguration.

(3) Condition. All materials that comprise the sign face shall be replaced if broken. All electrical components, switches, lamps, relays, fuses and similar devices shall be maintained in good working order. Faded, torn, frayed, ripped, dirty, stained, or discolored materials shall be replaced.

(b) *Discontinued or abandoned signs*.

(1) If any sign is discontinued or abandoned for a period of at least six (6) consecutive months in a twelve (12) month period, such sign shall be considered a public nuisance affecting or endangering surrounding property

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values and will be considered to be detrimental to the public health, safety and general welfare of the community.

- (2) All discontinued or abandoned signs and sign messages shall be removed by the owner or lessee of the premises when the business ~~they advertised~~ is no longer conducted there ~~or the sign message contains obsolete advertising matter~~, except if any period of involuntary discontinuance occurs during the temporary closing of a street for road repair. If the owner or lessee fails to remove the sign, the Inspections Supervisor shall give the owner sixty (60) days written notice to remove the sign.

- (3) The Inspections Supervisor, may take any appropriate legal action necessary to obtain compliance, including issuing citations. Removal of the sign in question includes the removal of the sign structure and sign cabinet.

(Ord 34-18, §1, 4-10-18)

Sec. 23-548. Payment for sign removal.

When it becomes necessary for the Inspections Supervisor to remove or cause to be removed or taken down, a defective, unsafe, or dangerous sign, the cost thereof shall be placed on the tax roll as a special charge and become a lien against the benefited property, unless paid sooner.

Sec. 23-549. Penalty.

Any person who shall violate or cause to be violated any provisions of this section shall, upon conviction thereof, forfeit not less than fifty dollars (\$50) ~~dollars~~ nor more than five hundred dollars (\$500) ~~dollars~~, together with the costs of prosecution. Each day a violation exists, or continues, shall constitute a separate offense.

Secs. 23-550 – 23-559. Reserved.

DIVISION 6. SIGNS ALLOWED BY ZONING DISTRICTS

Sec. 23-560. ~~Reserved. –Zoning district restrictions and exemptions.~~

(a) ~~**Residential districts.** Signs not requiring a permit listed in Sec. 23-507 are signs permitted in the AG, R-1C, R-1A, R-1B, R-2, R-3 residential zoning districts. For design standard exceptions, see Sec. 23-529. For permitted and prohibited signs by type and zoning district, see Sec. 23-505 and Sec. 23-561.~~

(b) ~~**Commercial and industrial districts.** Signs permitted in the C-O commercial office, C-1 neighborhood mixed use, C-2 general commercial, M-1 industrial park and M-2 general industrial zoning districts are signs not requiring a permit listed in Sec. 23-507, ground, temporary, electronic message board, changeable copy, sandwich board, portable, projecting, wall, window, marquee, awning and canopy signs. For design standard exceptions, see Sec. 23-529. For permitted and prohibited signs by type and zoning district, see Sec. 23-505 and Sec. 23-561.~~

(c) ~~**Central business district.** Signs permitted in the CBD central business district are the same as in paragraph (b). For design standard exceptions, see §23-529. For Permitted and Prohibited Signs by Type and Zoning District, see §23-505 and §23-561.~~

(d) ~~**Planned development districts.** Signs in a PD overlay district will be based on the permitted signage within the underlying zoning district. For permitted and prohibited signs by type and zoning district, see Sec. 23-505 and Sec. 23-561.~~

(e) ~~**Public Institutional district.** Signs permitted in the P-I Public Institutional district are the same as in paragraph (b). For design standard exceptions, see Sec. 23-529. For permitted and prohibited signs by type and zoning district, see Sec. 23-505 and Sec. 3-561.~~

(f) ~~**Nature conservancy district.** Signs not requiring a permit listed in Sec. 23-507 are signs permitted in the NC Nature conservancy district. For design standard exceptions, see Sec. 23-529. For permitted and prohibited signs by type and zoning district, see Sec. 23-505 and Sec. 23-561.~~

~~(g) **Exemptions:**~~

~~(1) The following shall be exempt from the provisions of this aArticle:~~

~~___ a. Athletic score boards.~~

~~b. Building address numbe~~

~~e. Flags.~~

~~d. Interpretative signs or wayfinding signs.~~

~~e. Menu boaf. Official legal notices.~~

~~g. Public Art.~~

~~h. Umbrellas with commercial or non-commercial messages or speech.~~

(Ord 89-06, §1, 7-11-06; Ord 34-18, §1, 4-10-18)

Sec. 23- 561. Table 3. Allowed and Prohibited Signs by Type and Zoning District.

Include, but are not limited to, the following:

Sign Type	AG	R-1A, R-1B, R-1C & R-2	R-3, NC	P-I & C-O	C-1 & C-2	CBD	M-1	M-2
Ground	A ^a	A ^a	A ^a	P	P	P	P	P
Building								

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Awning	X	X	X	P	P	P	P	P
Building Marker	A	A	A	A	A	A	A	A
Canopy	X	X	X	P	P	P	P	P
Ghost	P	P	P	P	P	P	P	P
Marquee	X	X	X	P	P	P	P	P
Projecting	X	X	X	P	P	P	P	P
Roof	X	X	X	X	X	X	X	X
Suspended	X	X	X	P	P	P	P	P
Swinging	X	X	X	X	X	X	X	X
Wall	A ^a	A ^a	A ^a	P	P	P	P	P
Window	A	A	A	A	A	A	A	A
Miscellaneous								
Animated, flashing illumination, motion picture, laser projection, or sound emission	X	X	X	X	X	X	X	X
Banners and Wave Banners	A	A	A	A	A	A	A	A
Beacons	X	X	X	X	X	X	X	X
Changeable Copy (manual and electronic message board)	X	X	X	P	P	P	P	P
Construction	A	A	A	A	A	A	A	A
Driveway Directional	A	X A	A	A	A	A	A	A
Directory	A	X A	A	A	A	A	A	A
Governmental	A	A	A	A	A	A	A	A
Historical Marker	A	A	A	A	A	A	A	A
Home Occupation	A	A	A	A	A	A	A	A
Interior	A	A	A	A	A	A	A	A
Neighborhood and Park Subdivision Identity	A	A	A	A	A	A	A	A
Off-Premises	X	X	X	X	X	X	X	X
Yard Personal Expression	A	A	A	A	A	A	A	A
<u>Real Estate Marketing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Mural</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Painted</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Sign Type	AG	R-1A, R-1B, R-1C & R-2	R-3, NC	P-I & C-O	C-1 & C-2	CBD	M-1	M-2
Public Institutional Identity	A	A	A	A	A	A	A	A
Real Estate	A	A	A	A	A	A	A	A
Sandwich Board	X	X	X	P	P	P	P	P
Vehicle	A	A	A	A	A	A	A	A

A – Allowed without a permit (§23-507).

P – Permit required.

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X – Prohibited sign (§23-505).

a - Ground and wall signs are allowed only as identified in §23-507 and §23-529.

Secs. 23-562 – 23-569. Reserved.

ARTICLE XIV. SIGNS*

DIVISION 1. INTRODUCTORY INFORMATION

Sec. 23-500. Purpose.

Because signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation, there exists a need to uniformly regulate signs in the City of Appleton. The purpose of this Article is to regulate the size, illumination, movement, materials, location, height, and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values, the character of neighborhoods, the creation of a convenient, attractive and harmonious community, protection against destruction of or encroachment on historic convenience to citizens and encouraging economic development.

This Article allows adequate communication through signage while encouraging aesthetic quality in the design, location, size, and purpose of all signs. This Article must be interpreted in a manner consistent with the First Amendment guarantee of free speech. This Article provides comprehensive and balanced sign regulations intended to avoid excessive levels of visual clutter or distraction that are potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance; ensure that signs are well-constructed and maintained and expressive of the identity of individual activities and the community as a whole; and provide a procedure for fair and consistent enforcement and to implement the applicable policies and objectives as identified in the Appleton Comprehensive Plan.

This Article does not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the City of Appleton. Rather, these regulations are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above. These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs. These regulations are not intended to and do not apply to signs erected, maintained or otherwise posted, owned or leased by the State of Wisconsin, Outagamie County, Calumet County, Winnebago County, the federal government, or the City of Appleton. The inclusion of “government” in describing some signs does not intend to subject the government to regulation, but instead helps illuminate the type of sign that falls within the immunities of the government from regulation.

(Ord 34-18, §1, 4-10-18)

Sec. 23-501. No discrimination against non-commercial signs or speech.

The owner of any sign which is otherwise allowed under this Article may substitute noncommercial copy in lieu of any other commercial or noncommercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial copy over any other noncommercial copy. This provision prevails over any more specific provision to the contrary. This provision does not create a right to increase the total amount of signage in terms of size and number on a parcel or within a development or allow the exchange of an off-premises commercial message in place of an on-premises commercial message.

(Ord 34-18, §1, 4-10-18)

Sec. 23-502. Severability.

If any portion of this Article or any regulation contained herein is held to be invalid or unconstitutional by a court of competent jurisdiction, it is the City’s specific legislative intent that said portion or regulation is to be deemed severed from this Article and should in no way affect or diminish the validity of the remainder of Article or any other sign regulation set forth herein.

(Ord 34-18, §1, 4-10-18)

Sec. 23-503. Reserved.

Editor’s Note: Chapter 14 – Signs was repealed by Ord 9-00, published 1-22-00. New ‘Sign Code’ was created by Ord 10-00, published 1-22-00

Editor’s Note: Art. XIV, Signs, was repealed and recreated by Ord 34-18, adopted by the Common Council on April 4, 2018 and becoming effective April 10, 2018.

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DIVISION 2. DEFINITIONS

Sec. 23-504. Definitions and interpretation.

Words and phrases used in this Article shall have the meanings set forth in this section. The definitions identified in this section shall apply to this Article and shall prevail with respect to signs in the event any inconsistency exists between these definitions and the definitions set forth in any other part of the Appleton Municipal Code. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this ordinance.

Abandoned sign means a sign located on a lot that contains any land use discontinued for more than a twelve (12) month period.

Animated means the movement of any light used in conjunction with a sign such as motion picture, blinking, flashing, or changing degree of intensity of any light movement other than continuous light emission.

Area of sign means the area of the largest single sign face within a perimeter formed by the outside shape, including any frame that forms an integral part of the display. This would not include the necessary supports or uprights of the sign. If the sign consists of more than one (1) section or module, all areas are totaled. Any writing, representation, emblem, logo, symbol or other display that has no background or is irregular in shape shall be computed based on squares or rectangles which enclose the extreme outer limits of the advertising message, announcement or decoration.

Athletic scoreboard means a sign accessory to an athletic playing field and/or its associated fences and walls,

Automobile, RV, truck, cycle, boat sales and dealerships signs means a ground sign located on a property with a valid/lawful certificate of occupancy for automobile, RV, truck, cycle, boat sales and dealerships as defined in Section 23-22.

Awning sign means a sign with a rigid-framed, roof-like structure attached to a wall running parallel to the exterior wall of a building and composed of a covering or non-rigid materials and/or fabric, vinyl or canvas that may be either permanent or retractable.

Banner means a temporary sign of lightweight fabric, vinyl, polypropylene, polyester mesh, cloth, plastic, or similar flexible material that can be mounted to a structure with cord, rope, cable, hardware or similar method or that may be supported by stakes or poles in the ground.

Beacon means any light with one (1) or more beams directed into the atmosphere or directed at one (1) or more points not on the same lot as the light source; also, any light with one (1) or more beams that rotate or move.

Billboard See off-premises sign definition.

Building marker sign means any sign that is engraved into a masonry surface or made of bronze or other permanent material.

Changeable copy sign means a permanent sign, whether electronic or manual, where copy changes. See **Electronic message board**.

Commercial message means any sign with wording, logo, or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service, profession, commodity, event, person, institution, or other commercial activity or otherwise contains commercial speech.

Commercial speech means any message proposing a commercial transaction or related to the economic interests of the speaker and its intended audience. Commercial speech does not include false or misleading information, or advertises or promotes an illegal product or activity.

Construction sign means a temporary sign on a lot that has a valid building permit issued by the City of Appleton.

Copy means the wording or graphic content on a sign surface.

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Display time means the amount of time words, symbols, figures, or images are displayed on an electronic message board.

Driveway sign means a ground sign located adjacent to the driveway as defined in Section 23-22.

Directory sign means a wall or ground sign placed adjacent to the publicly used entrance to the building. .

Educational institution sign means a permanent ground or wall sign located on a property with a valid/lawful certification of occupancy permit for educational institution as defined in Section 23-22.

Electronic message board means a permanent wall or ground sign capable of displaying words, symbols, figures, or images that can be electronically changed by remote or automatic means. Such signs shall include the modes of operations pursuant to Sec. 23-530 of this Article.

Electric sign means any sign containing electrical wiring which is attached or intended to be attached to an electrical energy source.

Flag means a sign made of fabric, bunting, or similar material, attached along one side to a single pole. The pole is either freestanding or attached to a building.

Flashing sign means a sign or part thereof, operated so as to create flashing; change in light intensity, color or copy or intermittent light impulses more frequent than one every ten seconds and further provided that electronic message boards as defined herein shall not constitute flashing signs. It is further provided that a sign which creates intermittent light impulses which convey time of day and/or temperature only shall not constitute a flashing sign.

Frame means a complete, static display screen on an electronic message board sign.

Freeway means Interstate Highway 41 and State Highway 441.

Freeway-oriented on-premises sign means any on premises sign whose property abuts a freeway.

Frontage means that boundary of a lot that abuts a dedicated public street. The public right-of-way may include frontage roads.

Ghost sign means a hand-painted sign that remains from an earlier time that was in existence on or before January 22, 2000, and is still present on the wall,

Governmental Sign means any sign that is:

- (a) constructed, placed, or maintained by the federal, state, or local government; or
- (b) constructed, placed, or maintained on a federal, state, or local government building, structure, or property
- (c) required to be constructed, placed or maintained by the federal, state or local government either directly; or to enforce a property owner's rights;

Governmental signs include: signs erected by, or on behalf of, a governmental unit, including legal notices, traffic signs, or other similar regulatory devices, building address numbers, directional signs, wayfinding signs, warnings at railroad crossings, and other instructional or regulatory signs pertaining to health hazards, parking, swimming, dumping, and such emergency or non-advertising signs as may be approved by the Traffic Engineer for safety purposes or other signs approved by the Common Council.

Ground sign means any sign supported by structures or supports placed on or anchored in the ground and independent from any building or other structure.

Height of sign or sign height means the vertical distance measured from the normal grade to the highest point of the sign.

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Historic marker signs means a sign located on or within a historical structure, site, or district pursuant to Article XVII. of this chapter or approved by the Wisconsin Historic Society pursuant to the Wisconsin Historical Markers Program.

Home occupation sign means a wall sign located on a property that has a valid/lawful home occupation pursuant to §23-45 of this chapter.

Hospital sign means a permanent sign located on a property with a valid/lawful certification of occupancy for hospital use as defined in Section 23-22.

Inspections Supervisor means the City of Appleton Inspections Supervisor or designee.

Interior Signs means a sign located inside an exterior window, walls, or door of any building, mall, courtyard, stadium (including athletic scoreboards and fences), or enclosed lobby, when such signing is intended for interior viewing only.

Marquee means any permanent, roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Menu board means a structure associated with a drive-through window or walk-up service window.

Mural means a picture, illustration, design, representation and/or copy painted or drawn directly onto the surface of an exterior building wall . Definition of Mural does not include Public art and/or murals installed or located, and approved in accordance with the City of Appleton Public Arts Policy.

Neighborhood and subdivision identification signs means a wall or ground sign that is located at the entrances of a neighborhood or subdivision that is officially designated as a registered neighborhood by the city or approved pursuant to the City of Appleton Land Division and Subdivision Ordinance.

Noncommercial message means any message which is not a commercial message as defined herein.

Noncommercial speech mean any speech which is not commercial speech as defined herein.

Nonconforming sign means any sign that does not conform to the requirements of this Article.

Normal grade shall be construed to be the newly established grade after construction, exclusive of any filling, berming, molding or excavating solely for the purpose of locating the sign.

Off-premises sign means a sign that directs attention to a business, profession, commodity, service, or entertainment conducted, sold, or offered at a location other than where the sign is located. This definition shall include, but is not limited to, billboards, posters, panels, painted bulletins, and similar advertising displays. An off-premises sign meets any one of the following criteria and includes only commercial messages:

- A permanent structure sign which is used for the display of off-premises commercial messages;
- A permanent structure that constitutes a principal, separate, or secondary use, as opposed to an accessory use, of the parcel on which it is located; or
- An outdoor sign used as advertising for hire, e.g., on which display space is made available to parties other than the owner or operator of the sign or occupant of the parcel (not including those who rent space from the sign owner, when such space is on the same parcel or is the same development as the sign), in exchange for a rent, fee, or other consideration.

On -premises sign means any sign identifying or advertising persons, entities, activities, business goods, products, facilities or services located on the lot where the sign is installed and maintained.

Painted wall sign means a picture, illustration, design, representation and/or copy painted or drawn directly onto the surface of an exterior building wall .

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Party wall means a wall without openings located on a lot line between adjacent buildings.

Person means any individual, association, company, corporation, firm, organization, or partnership, singular or plural, of any kind.

Places of worship, community living arrangements serving 16 or more persons, assisted living and retirement home serving 16 or more person, residential care apartment complex serving 16 or more persons and nursing home sign means a permanent ground or wall sign located on a property with valid/lawful certificate of occupancy permit for place of worship, community living arrangement serving 16 or more persons, assisted living and retirement home serving 16 or more persons, residential care apartment complex serving 16 or more persons and nursing home as defined in Section 23-22.

Principal building means the building in which is conducted the principal use of the lot on which it is located. Lots with multiple principal uses may have multiple principal buildings, but garages and other clear accessory uses shall not be considered principal buildings.

Projecting sign means a sign, normally double-faced, which is attached to a structure or building perpendicular to the wall and extending more than six (6) inches. The area of projecting signs is calculated on one (1) face only.

Projection sign means a temporary sign created by projecting light, images, or video onto a building, structure, or surface.

Public art means artwork that is installed or located, and approved in accordance with the City of Appleton Public Arts Policy.

Public institutional identity signs means a sign located on a lot that has a valid/lawful certificate of occupancy permit to any public institutional use(s) occupying the premises as defined in Section 23-22.

Real Estate Marketing Sign means a temporary ground sign during valid building permit on the lot.

Real Estate Sign means a temporary wall or ground sign located on a lot where real property is for sale or rent.

Right-of-way is all public property used or intended for use as a travelway and the public property that is adjacent to the travelway.

Roof sign means a sign erected upon, against or above a roof and extending above the highest point of the roof. If the sign does not extend above the highest point of the roof and is single-faced, it is a wall sign.

Sandwich board sign means a temporary sign that is self-supported and moveable, typically A-shaped with two visible sides.

Setback means the required distance a sign must be located from a lot line, easement, right-of-way line, adjacent building or other feature as indicated in this Article.

Sign means any device, fixture, placard, or structure that uses any writing, image, representation, emblem, logo, symbol or other display illuminated or non-illuminated to advertise, announce the purpose of, or identify the purpose of a person or entity to attract attention, or to communicate information of any kind to the public, visible from any public way or public street. For the purpose of removal, signs shall also include all sign structures as well as the sign itself. Signs located entirely within an enclosed building and not capable of being read from a outside of the building shall not be considered a sign.

1. Athletic scoreboards, flags, holiday decorations, menu boards, streamers, pennants, umbrellas, balloons and inflatable figures and anything else not containing copy, used for advertising purposes or otherwise meeting the definition of a sign are not considered signs.

Sign structure means any structure or material that supports, has supported, or is capable of supporting or helping maintain a sign in a stationary position, including decorative covers.

Street frontage means the distance for which a lot line of a lot adjoins a street, from one (1) lot line intersecting said street to the furthest distant lot line intersecting the same street. Corner or double frontage lots will have more than one (1) street frontage.

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Suspended sign means a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Swinging sign means a sign installed on an arm, mast, or spar that is not permanently fastened to an adjacent wall or upright pole.

Temporary sign means a sign intended to display either a commercial or non-commercial message for a limited time and is not permanently mounted or does not have footings. A banner, pennant, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and that appears to be intended or is determined by the code official to be displayed for a limited period of time (rather than permanently attached to the ground or a structure).

Transition means visual effect used on an electronic message board to change from one message, symbol, figure, and/or image to another.

Vehicle Sign means a sign on a licensed and operable truck, bus, trailer, or other vehicle.

Wall area means the vertical exterior wall surface of a building, not including the area of a party wall, consisting of the solid portion that forms the sides of the building envelope, including walls, doors and window area, that is not the roof or floor.

Wall sign means any sign attached parallel to, and within six (6) inches of, a wall or erected and confined within the limits of an outside wall of any building. The sign is supported by such building.

Wave banner means a free-standing temporary sign typically constructed of a lightweight vinyl, polypropylene, polyester mesh, fabric, cloth, plastic, or similar flexible material and mounted on a flexible pole driven in the ground with an attached pennant that is vertically elongated and attached to the pole.

Wayfinding signage means signs that are part of a City-sponsored and coordinated program for the purpose of directing pedestrian and vehicular traffic to local destinations.

Window sign means a permanent or temporary sign that is placed inside a window and is visible from the exterior. A window sign does not supersede the transparent purpose of the window.

Yard sign means a temporary, on-premises sign that is either free-standing or mounted on one (1) or two (2) stakes or posts.
(Ord 2-15, §1, 1-27-15; Ord 34-15, §1, 3-24-15; Ord 34-18, §1, 4-10-18)

DIVISION 3. GENERAL PROVISIONS

Sec. 23-505. Prohibited signs.

All signs not expressly permitted or exempt under this article are prohibited in any location in the City. Prohibited signs include, but are not limited to:

- (a) Signs that employ intermittent or flashing illumination, animation, motion picture, laser projection, sound emission (except electronic message boards and projection signs as defined in this Article).
- (b) Beacons.
- (c) Off-premises signs.
- (d) Roof signs.
- (e) Signs marked, tacked, or otherwise affixed to trees or other vegetation.
- (f) Signs containing statements, words, or pictures of an obscene or pornographic nature.

(g) Signs which purport to be, or are an imitation of, or resemble an official traffic sign or signal, or which bear the words “stop”, “caution”, “warning”, or similar words and/or colors normally associated with official signs.

(h) Swinging and alternating signs.

(Ord 3-15, §1, 1-27-15; Ord 34-18, §1, 4-10-18)

Sec. 23-506. Legal, nonconforming signs.

(a) ***Existing Nonconforming Signs***

- (1) Signs lawfully existing at the time of the adoption or amendment of this chapter or located in an area annexed to the city of Appleton may be continued although the use, size, or location does not conform to the provisions of this chapter. However, it shall be deemed a nonconforming sign, and the provisions of this chapter shall apply to specific nonconforming rights.
- (2) Any nonconforming sign hereafter relocated, moved, reconstructed, extended, enlarged, changed in shape or use (not including changing the copy), altered, or modified shall be made to comply with the provisions of this chapter.
- (3) Maintenance of nonconforming signs including changing the sign face of existing advertising areas, replacing light bulbs or wiring, and painting is permitted.
- (4) If damaged or destroyed, a nonconforming sign may be replaced within one year after the calamity to the size, location, and use that it had immediately before the damage or destruction occurred, if the damage or destruction was caused by violent wind, vandalism, fire, flood, ice, snow, mold, or infestation.
- (5) A conforming sign does not become nonconforming due to City, County or State acquisition of right-of-way according to §23-42(e) of this chapter.

(Ord 34-10, §1, 4-10-18)

Sec. 23-507. Signs not requiring a permit.

(a) The following signs are allowed in all zoning districts without the need for a sign permit, unless otherwise stated in this Article. Such signs shall not count as part of the maximum permitted sign area, maximum number of signs per lot, or building, but shall comply with sign setbacks, height and vision corner requirements, unless otherwise stated in this Article.

(1) ***Banners and Wave Banners.***

Subject to the following requirement:

- a. Sign area: single and two-family residences shall not exceed thirty-two (32) square feet.

(2) ***Building marker sign.***

Subject to the following requirement:

- a. Sign area: Shall not exceed four (4) square feet.

(3) ***Construction signs.***

Subject to the following requirements:

- a. Sign number: One (1) construction sign per street frontage is allowed.
- b. Sign location: This sign shall be placed on the lot that the building permit was issued by the City of Appleton.

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- c. Sign timeframe: Such signs shall not be erected prior to the beginning of work for which a valid building or demolition permit has been issued, and shall be removed within ten (10) days of completion of the work or the expiration of the permit, whichever is sooner.
- d. Sign area: single and two-family residences shall not exceed sixteen (16) square feet.
- e. Sign area: commercial, public institutional, industrial, multi-family, traditional or planned developments shall not exceed ninety-six (96) square feet.

(4) *Driveway signs.*

Subject to the following requirements:

- a. Sign area: Shall not exceed six (6) square feet.
- b. Sign number and placement: No more than one (1) driveway sign is permitted per each side of driveway. Must be located within the ten (10) feet of the nearest lot line.
- c. Driveway signs are prohibited for single and two-family residences.

(5) *Directory signs.*

Subject to the following requirements:

- a. Sign area: Shall not exceed thirty-two (32) square feet.
- b. Sign height: If a ground sign, maximum eight (8) feet.
- c. Sign placement: shall be placed adjacent to publicly used entrance to the building.
- d. Sign number: One (1) per building unless the building has more than one entrance or direct frontage on more than one street, in which case two (2) signs are allowed.
- e. Directory signs are prohibited in single and two-family residences.

(6) *Governmental signs.*

(7) *Historic marker signs.*

Subject to the following requirements:

- a. Sign placement: A sign may be a ground sign or placed flat against a building, monument stone, or other permanent surface.
- b. Sign size: Shall not exceed twenty-seven (27) square feet in area or shall not exceed the size limitations established by the State Historic Markers Program Administered by the Wisconsin State Historical Society, whichever is greater .

(8) *Home occupation signs.*

Subject to the following requirements:

- a. Sign number: One (1) wall sign.
- b. Illuminance: The sign associated with an otherwise lawful home occupation may not be an illuminated wall sign.
- c. Sign size : Shall not exceed two (2) square feet.

(9) ***Projection Sign.***

Subject to the following requirements:

- a. Sign Placement: If projecting across right-of-way, the projection must be a minimum of 15' above street grade at all points over the right-of-way. No height restriction if projection is included in an approved special event permit or street occupancy permit and the right-of-way is closed during projection.
- b. If the temporary projection sign is located on a nearby property and projects over a right of way onto another property, the light trespass ordinance will not apply when all the affected property owners consent to the temporary projection sign.

(10) ***Public Institutional identity signs.***

Subject to the following requirements:

- a. Sign number : One (1) sign.
- b. Sign size: Shall not exceed sixty (60) square feet.
- c. Sign setback: This sign must be located a minimum of ten (10) feet from the right-of-way line.

(11) ***Neighborhood and Subdivision identification signs.***

Subject to the following requirements:

- a. Sign location: Sign must be located at entrances of neighborhoods or subdivisions on private property and comply with setbacks set forth.
- b. Sign size and height: Shall not exceed eight (8) feet in height and forty-eight (48) square feet per sign face, and meet all other design standards in Division 4.

(12) ***Real estate signs.*** Subject to the following requirements:

- a. Sign number: One (1) real estate sign per street frontage of a lot.
- b. Sign area: Shall not exceed eight (8) square feet for residential districts, thirty-two (32) square feet for public institutional and commercial districts, or sixty-four (64) square feet for industrial districts.
- c. Sign Illumination: Sign cannot be illuminated.
- d. Sign removal: Real estate signs shall be removed within fifteen (15) days after the sale, rental, or lease has been accomplished.

(13) ***Yard signs.*** Yard signs are subject to the following requirements:

- a. Sign number: Each lot shall be limited to five (5) yard signs.
- b. Sign Area: Each sign shall not exceed sixteen (16) square feet (16 sq ft).
- c. Sign Height: No yard sign may be higher than four feet (4ft).
- d. Cumulative Sign Area: The cumulative total yard sign area for any lot is sixty (60) square feet.

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- e. **Exception:** Paragraphs (a – d) do not apply to on-premises signs placed on residential property pursuant to Wis. Stat. § 12.04 (2023-24, and as amended from time to time). To ensure traffic and pedestrian safety, signs :
 - i. May not be larger than eleven square feet (11 sq ft) in area.
 - ii. May not have any electrical, mechanical, or audio auxiliary.
- f. Subparagraph (e)(i) does not apply to a sign which is affixed to a permanent structure and does not extend beyond the perimeter of the structure, if the sign does not obstruct a window, door, fire escape, ventilation shaft or other area which is required by an applicable building code to remain unobstructed.

(14) **Window signs.** Subject to the following requirements:

- a. Sign ratio: Temporary window signs shall not exceed fifty percent (50%) of the gross window area of any given wall or ten percent (10%) of the glass on any door.
- b. Sign area: The square footage of permanent window signs shall be included in the maximum allowable square footage of wall sign pursuant to Sec. 23-523(c).

(15) **Vehicle signs.**

(Ord 34-18, §1, 4-10-18)

Secs. 23-508 – 23-521. Reserved.

DIVISION 4. DESIGN STANDARDS

Sec. 23-522. Number of signs.

(a) **One (1) ground sign.** One (1) permanent ground sign is permitted for each lot unless specified elsewhere in Section 23-529 and this Article.

(b) **Two (2) ground signs.** Two (2) permanent ground signs may be permitted if a parcel has a second street frontage subject to the following regulations:

- (1) For corner lots, each street frontage must be at least two hundred (200) feet before two (2) signs are allowed;
- (2) Double frontage lots must have at least three hundred (300) feet of lot depth.
- (3) Maximum size of the two (2) signs are one hundred eighteen (118) square feet for the primary sign and thirty-two (32) square feet for the secondary sign.
- (4) In no case will two (2) ground signs be allowed on the same street frontage for the same business or parcel.

(c) **Temporary signs.** One (1) temporary sign per street frontage is allowed within the minimum principal building front yard setback requirement, unless otherwise specified and provided the setback and clearance requirements of this Article are complied with.

- (1) There is no limit to the number of temporary signs on the remainder of the property.

(Ord 34-18, §1, 4-10-18)

Sec. 23-523. Sign face calculation.

(a) **Ground signs.** The maximum area of a permanent ground sign shall not exceed one hundred fifty (150) square feet per sign face unless specified elsewhere in Section 23-529 and this Article.

(b) **Multiple-faced signage.** The surface area of a sign shall be calculated only on the basis of adding together the area of the sign face(s) that can be read by one (1) viewer at a time. Where two (2) identical sign faces are both faces cannot be read by any one (1) viewer simultaneously, only one (1) of the faces shall be calculated for purposes of determining sign surface area.

(c) **Wall sign calculation.** For purposes of maximum area for wall signs, this calculation shall include awning, marquee, permanent window and projecting signs.

- (1) In the P-I, C-O, C-1, C-2, and CBD zoning districts, the maximum area of wall signage shall be calculated as follows:
 - a. For each building wall, thirty-five percent (35%) of the building wall area or three hundred fifty (350) square feet whichever is less.
- (2) In the M-1 and M-2 zoning districts, the maximum area of wall signage shall be calculated as ten percent (10%) of each building wall.

(d) **Changeable copy signs (manual and electronic message boards).** The maximum area cannot exceed forty-eight (48) square feet, and shall counts towards the total allowable ground or wall area.

(e) **Sandwich board signs.** The maximum height is three and one-half (3½) feet, maximum width is two and one-half (2½) feet, and maximum leg support height is six (6) inches.

(Ord 4-15, §1, 1-27-15; Ord 34-10, §1, 4-10-18)

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Sec. 23-524. Ground sign height.

(a) **Total height.** The height of a ground sign shall not exceed twenty-eight (28) feet in height unless specified elsewhere in Section 23-529 and this Article.

(b) **Computation of height.** Sign height shall be computed as the distance from the base of the sign or sign structure at normal grade to the top of the highest attached component of the sign. Where 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 street or the grade of the land at the principal entrance to the principal building, whichever is lower.

Sec. 23-525. Setback and clearance.

(a) **Signs located in the right-of-way.** The closest point of a sign shall not encroach into the public right-of-way, including public sidewalks and terraces unless a street occupancy permit is obtained. Approval of this permit must be obtained from the Public Works Department. Signs in the right-of-way may have different dimensional standards.

(b) **Side lot line.** A sign shall be located no closer than five (5) feet from the side lot line.

(c) **Within fifteen (15) feet of right-of-way and driveway.** A ground or temporary sign, any part of which is closer than fifteen (15) feet to the right-of-way and driveway, shall have a minimum vertical distance of ten (10) feet between the bottom of the sign and the grade at the right-of-way line or shall not be more than three (3) feet in height above the grade at the right-of-way line unless specified elsewhere in Section 23-529 and this Article.

(d) **Intersections.** Any ground, temporary, sign within twenty-five (25) feet of an intersection shall maintain a minimum vertical distance between the bottom of the sign and the grade at the right-of-way line of ten (10) feet or shall be not more than three (3) feet in height above grade.

(e) **Projecting signs.** Projecting signs shall maintain a minimum vertical distance between the bottom of the sign and the normal grade of eight (8) feet. The maximum height between the top of the sign and the normal grade shall not exceed sixteen (16) feet.

(f) **Parking area/driveway clearance.** Any sign located over a parking area or driveway shall have a minimum vertical clearance of fourteen (14) feet.

(g) **Electrical lines.** All signs shall be so located so as to avoid any contact with above or underground electrical and communication lines.

(Ord 34-18, §1, 4-10-18)

Sec. 23-527. Awning and marquee signs.

For this section, awning includes marquees unless otherwise specified.

(a) The sign copy area shall not be larger than the maximum wall sign area restrictions in Sec. 23-523(c). The copy area shall count as part of the maximum wall sign area calculation.

(b) An awning sign shall meet the following conditions:

(1) An awning shall not extend more than five (5) feet from the face of a building.

(2) The support structure shall not extend into the right-of-way without obtaining a street occupancy permit.

(3) Minimum clearance for an awning sign shall be eight feet (8') from the lowest edge of the awning material to the normal grade.

(4) The valance shall not exceed nine (9) inches, and letters on the valance shall not exceed six (6) inches in height.

(5) If illuminated, a light source shall meet all national and local electrical codes.

(Ord 34-18, §1, 4-10-18)

Sec. 23-528. Sign lighting.

Signage may be internally lighted or may have external illumination mounted on the sign, building, or ground. However, no external light source shall be positioned as to interfere or be seen by vehicular traffic or adjacent residential uses.

Sec. 23-529. Design standard and exceptions.

(a) **Hospital sign** The following design standard exceptions are permitted for AG, R-1A, R-1B, R-1C, R-2, R-3, and NC zoned lots:

- (1) Ground sign : One (1) ground sign for every five hundred (500) feet of frontage subject to size, height and setback restrictions in accordance with Division 4 of this Article.
- (2) Driveway sign : One (1) driveway sign shall be permitted per side of driveway at each driveway entrance and not exceed seventy (70) square feet in area. All height and setback restrictions in accordance with Division 4 of this Article shall be complied with.
- (3) Directory sign: One (1) directory sign shall be permitted at each entrance door to the hospital or clinic, a ground and wall signs shall not exceed forty (40) square feet in area.
- (4) Sign illuminance: All hospital related signs may be lighted for nighttime identification.

(b) **41 and 441 freeway exceptions.** The following ground sign design standard exceptions for P-I, C-O, C-1, C-2, M-1, and M-2 zoned lots apply to freeway-oriented on-premises signs.

- (1) A ground sign may exceed twenty-eight (28) feet in height by two (2) feet for each additional foot the sign is set back from a minimum of ten (10) feet from the freeway right-of-way. No ground sign shall exceed sixty (60) feet in height above the abutting freeway's centerline grade.
- (2) A ground sign may exceed one hundred fifty (150) square feet in area by ten (10) square feet for each additional foot the sign is set back from a minimum of ten (10) feet from the freeway right of-way. No ground sign shall exceed two hundred (200) square feet in area per sign face.
- (3) If a single parcel exceeds nine (9) acres, a second ground sign not exceeding twenty-eight (28) feet in height and one hundred fifty (150) square feet in size shall be allowed within the front yard opposite the freeway provided the setback and clearance requirements of this Article are complied with.

(c) **Places of worship, community living arrangement serving 16 or more persons, assisted living and retirement home serving 16 or more persons, residential care apartment complex serving 16 or more persons and nursing home signs.** The following design standard exceptions are permitted for AG, R-1A, R-1B, R-1C, R-2, R-3, and NC zoned lots:

- (1) Ground sign : One (1) ground sign not to exceed sixteen (16) feet in height and forty-eight (48) square feet per sign face for each street frontage as calculated for multiple-faced signage pursuant to Sec. 23-523(b).
- (2) Wall Sign: One (1) wall sign will also be allowed per street frontage subject to design standards pursuant to Division 4.

(d) **Educational institution signs.** The following design standard exceptions are permitted for AG, R-1A, R-1B, R-1C, R-2, R-3, and NC zoned lot:

- (1) Number of wall signs: One (1) wall sign will also be allowed per street frontage subject to design standards pursuant to Division 4
- (2) A substitute for the one (1) wall sign may be a changeable copy sign, attached to the exterior wall of the school building, not to exceed forty-eight (48) square feet in area.

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- (3) Number of ground signs: One (1) ground sign or one (1) changeable copy sign affixed to the ground as calculated for multiple-faced signage pursuant to Sec. 23-523(b), provided a changeable copy sign does not exist as a wall sign.
- (4) Ground sign placement: A twenty (20) feet minimum setback from the public right-of-way.
- (5) Ground sign height: Maximum: Fifteen (15) feet in height.
- (6) Ground sign area: Maximum: Forty-eight (48) square feet per sign face.

(e) ***Automobile, RV, truck, cycle, boat sales and dealerships signs.*** The following design standard exceptions are permitted:

- (1) Ground sign number and area: Dealerships selling new and/or used vehicles shall be allowed one (1) ground sign for each fifty thousand (50,000) square feet of hard-surfaced designated for the outdoor display of vehicles for sale.

(f) ***Real estate marketing sign.*** The following design standard exceptions are permitted for real estate marketing sign.:

- (1) Number of ground signs: One (1) ground sign per street frontage.
- (2) Ground sign area: Maximum eighty (80) square feet in area.
- (3) Such permit will be issued for one (1) calendar year and may be renewed for one (1) additional calendar year.

(g) ***Ghost Sign.*** The following design standard exceptions are permitted:

- (1) Ghost signs that existed on a building wall prior to January 22, 2000, as on file with the Inspections Division, still present on the wall, are exempt from these requirements and deemed conforming. Ghost signs may be maintained, restored and repainted but no size alterations, new information or images may be added to the existing sign. Prior to a permit being issued for restoration of a ghost sign, documentation of the sign's existence shall be provided to the Inspections Supervisor. This may include photographs or permits originally issued for the sign.

(Ord 34-18, §1, 4-10-18)

Sec. 23-530. Electronic message boards.

- (a) Minimum display (static) time: Eight (8) seconds.
- (b) Transition time between messages and/or message frames: Three (3) seconds or less.
- (c) The following modes of operation shall be allowed:
 - (1) Static: Signs which include no animation or effects simulating animation.
 - (2) Fade: Signs where static messages are changed by means of varying light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.
 - (3) Dissolve: Signs where static messages are changed by means of varying light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneous to the gradual appearance and legibility of the subsequent message.
 - (4) Travel: Signs where the message is changed by the apparent horizontal movement of the letters or graphic elements of the message.
 - (5) Scrolling: Signs where the message is changed by the apparent vertical movement of the letters or graphic elements of the message.

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(d) All electronic message boards must be equipped with automatic light sensors to adjust sign brightness and shall comply with light trespass requirements of Sec. 23-53(g) of this chapter.
(Ord 34-18, §1, 4-10-18)

Sec. 23-531. Murals.

(a) Murals are permitted in the following zoning districts:

(1) C-1, C-2, C-O, CBD, P-I, M-1 and M-2.

(b) *Permit requirements.* A permit must be applied for and received pursuant to Sec. 23-540 of this Article. In addition, all provisions of Division 5 of the Article shall apply to murals.

(Ord 34-18, §1, 4-10-18)

Secs. 23-532 – 23-539. Reserved.

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DIVISION 5. ADMINISTRATIVE PROCEDURES

Sec. 23-540. Sign permit.

(a) **Permit required.** A permit from the Inspections Supervisor shall be required for any person to erect, place, replace, move, establish, paint, construct, install, convert, substantially alter, rebuild, enlarge, remodel, relocate, or illuminate any sign, unless exempted under Sec. 23-507. Repainting, routinely maintaining, or changing the message on a sign will not be considered a substantial alteration and will not require a permit.

(b) **Permit fee.** The fee for sign permits shall be established by the Common Council and on file in the Office of the City Clerk. Permit fees shall increase to three (3) times the amount if a permit is applied for after the work is started.

(c) **Permit application.** Before construction of any sign requiring a permit, an application must be filed with the Inspections Supervisor. Applications for a sign permit shall include a set of mandatory submittals as listed in this section. In addition, optional submittals may be required by the Inspections Supervisor if deemed necessary due to the character of the particular proposal under consideration. Applications will not be processed until all required submittals have been provided to the Inspections Supervisor. All applications shall be submitted upon a fully completed application form and shall be accompanied by payment of the applicable fee to defray the cost of reviewing and processing the application.

(d) **Mandatory submittals for a sign permit.**

- (1) Every applicant for a sign permit shall submit an application form as prescribed by the Inspections Supervisor
- (2) The application form shall be fully completed and contain the name and/or signature of the applicant.
- (3) Electrical signs are required to be listed. On the sign permit, state if the sign is to be electrical and listed.
- (4) The depiction showing the elevation of the proposed sign(s) needs to contain the following information:
 - a. Maximum dimensions of the sign(s) including dimensions of the supports, total height, and normal grade to bottom of sign.
 - b. The materials of which the sign's structural supports and all other elements are constructed.
 - c. Structural supports or visible methods of attaching the sign with dimensions to include the total height of the sign.
 - d. Calculations showing the structure meets the requirements of this section for wind pressure load.
 - e. If required, the Inspections Supervisor may require plans, specifications and calculations be signed and sealed by a Wisconsin registered architect or engineer.
- (5) A scaled drawing, showing the location and dimensions of the sign being applied for, along with the sign's relation to lot lines, streets (with identified names), any existing signs, and structures on the premises.

(Ord 86-06, §1, 7-11-06; Ord 34-18, §1, 4-10-18)

Sec. 23-541. Denial of sign permit.

If a sign permit is denied, the applicant can, within ten (10) days, request in writing the reasons for denial. The Inspections Supervisor shall then prepare a brief written statement of the reasons for denial.
(Ord 34-18, §1, 4-10-18)

Sec. 23-542. Variances and appeals.

(a) **Appeals.** Any aggrieved person adversely affected by the denial of a permit by the Inspections Supervisor may appeal such denial to the Board of Appeals pursuant to Sec. 23-67 of this Chapter provided the appeal is submitted in writing to the Inspections Supervisor in ten (10) calendar days after the receipt of their decision.

(b) **Variations.** Variations to any provisions within this Article shall follow Sec. 23-67 of this chapter. (Ord 121-05, §1, 10-25-05; Ord 87-06, §1, 7-11-06; Ord 34-18, §1, 4-10-18)

Sec. 23-543. Reserved.

This section deleted with Ord 34-18, §1, 4-10-18.

Sec. 23-544. Indemnification of the city for sign installation and maintenance.

All persons engaged in the business of installing or maintaining signs involving the erection, alteration, relocation, or maintenance of a sign within or near public right-of-way or public property shall agree to indemnify, defend, and hold harmless the City or its officers, agents, and employees from any and all claims.

Sec. 23-545. Reserved.

This section deleted with Ord 34-18, §1, 4-10-18.

Sec. 23-546. Construction specifications.

(a) All signs shall comply with the provisions of Chapter 4 of this Municipal Code, the provisions of the National Electrical Code as amended, and the additional construction standards set forth in this section where applicable.

(b) All ground structures shall be self-supporting and permanently attached to sufficient foundations based on the height and size of sign.

(c) Electric service to ground signs shall be concealed.

(d) All signs, except those attached flat against the wall of the building, shall be constructed to withstand wind loads of thirty (30) pounds per square foot on the largest face of the sign and structure.

(e) No sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement that could cause wear on supporting members or connections. (Ord 34-18, §1, 4-10-18)

Sec. 23-547. Maintenance required; abandoned signs.

(a) **Maintenance and repair.** All signs and murals shall be maintained in a safe, legible and good condition.

(1) Safety. All signs shall be maintained to the same structural standards by which they were approved or, in the case of nonconforming signs and murals, the standard by which they would have otherwise been approved. All metal parts which are subject to rust or corrosion shall be painted at all times, all anchors and other fastenings shall be maintained in a secure and functioning condition capable of sustaining the loads for which they were designed.

(2) Legibility. All signs shall be maintained in a legible condition (except when a weathered or natural surface is intended). Painted signs and murals shall be repainted at such times as the deterioration of the paint results in illegibility or disfiguration.

(3) Condition. All materials that comprise the sign face shall be replaced if broken. All electrical components, switches, lamps, relays, fuses and similar devices shall be maintained in good working order. Faded, torn, frayed, ripped, dirty, stained, or discolored materials shall be replaced.

(b) **Discontinued or abandoned signs.**

(1) If any sign is discontinued or abandoned for a period of at least six (6) consecutive months in a twelve (12) month period, such sign shall be considered a public nuisance affecting or endangering surrounding property

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values and will be considered to be detrimental to the public health, safety and general welfare of the community.

(2) All discontinued or abandoned signs and sign messages shall be removed by the owner or lessee of the premises when the business is no longer conducted there, except if any period of involuntary discontinuance occurs during the temporary closing of a street for road repair. If the owner or lessee fails to remove the sign, the Inspections Supervisor shall give the owner sixty (60) days written notice to remove the sign.

(3) The Inspections Supervisor, may take any appropriate legal action necessary to obtain compliance, including issuing citations. Removal of the sign in question includes the removal of the sign structure and sign cabinet.

(Ord 34-18, §1, 4-10-18)

Sec. 23-548. Payment for sign removal.

When it becomes necessary for the Inspections Supervisor to remove or cause to be removed or taken down, a defective, unsafe, or dangerous sign, the cost thereof shall be placed on the tax roll as a special charge and become a lien against the benefited property, unless paid sooner.

Sec. 23-549. Penalty.

Any person who shall violate or cause to be violated any provisions of this section shall, upon conviction thereof, forfeit not less than fifty dollars (\$50) nor more than five hundred dollars (\$500), together with the costs of prosecution. Each day a violation exists, or continues, shall constitute a separate offense.

Secs. 23-550 – 23-559. Reserved.

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DIVISION 6. SIGNS ALLOWED BY ZONING DISTRICTS

Sec. 23-560. Reserved.

(Ord 89-06, §1, 7-11-06; Ord 34-18, §1, 4-10-18)

Sec. 23- 561. Table 3. Allowed and Prohibited Signs by Type and Zoning District.

Include, but are not limited to, the following:

Sign Type	AG	R-1A, R-1B, R-1C & R-2	R-3, NC	P-I & C-O	C-1 & C-2	CBD	M-1	M-2
<i>Ground</i>	A ^a	A ^a	A ^a	P	P	P	P	P
Awning	X	X	X	P	P	P	P	P
Building Marker	A	A	A	A	A	A	A	A
Ghost	P	P	P	P	P	P	P	P
Marquee	X	X	X	P	P	P	P	P
Projecting	X	X	X	P	P	P	P	P
Roof	X	X	X	X	X	X	X	X
Suspended	X	X	X	P	P	P	P	P
Swinging	X	X	X	X	X	X	X	X
Wall	A ^a	A ^a	A ^a	P	P	P	P	P
Window	A	A	A	A	A	A	A	A
Animated, flashing illumination, motion picture, laser projection, or sound emission	X	X	X	X	X	X	X	X
Banners and Wave Banners	A	A	A	A	A	A	A	A
Beacons	X	X	X	X	X	X	X	X
Changeable Copy (manual and electronic message board)	X	X	X	P	P	P	P	P
Construction	A	A	A	A	A	A	A	A
Driveway	A	X	A	A	A	A	A	A
Directory	A	X	A	A	A	A	A	A
Governmental	A	A	A	A	A	A	A	A
Historic Marker	A	A	A	A	A	A	A	A
Home Occupation	A	A	A	A	A	A	A	A
Interior	A	A	A	A	A	A	A	A
Neighborhood and Subdivision Identity	A	A	A	A	A	A	A	A
Off-Premises	X	X	X	X	X	X	X	X
Yard	A	A	A	A	A	A	A	A
Real Estate Marketing	P	P	P	P	P	P	P	P
Mural	X	X	X	P	P	P	P	P
Painted	X	X	X	P	P	P	P	P

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Sign Type	AG	R-1A, R-1B, R-1C & R-2	R-3, NC	P-I & C-O	C-1 & C-2	CBD	M-1	M-2
Public Institutional Identity	A	A	A	A	A	A	A	A
Real Estate	A	A	A	A	A	A	A	A
Sandwich Board	X	X	X	P	P	P	P	P
Vehicle	A	A	A	A	A	A	A	A

A – Allowed without a permit (§23-507).

P – Permit required.

X – Prohibited sign (§23-505).

a - Ground and wall signs are allowed only as identified in §23-507 and §23-529.

Secs. 23-562 – 23-569. Reserved.