



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 4/11/2018

To: Mayor and Plan Commission Members

From: City Development Department, Division of Planning and Redevelopment

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Subject: Proposed amendments to Section 114-1033 of the Municipal Code related to electronic message signs, specifically those placed within residential zone districts for office or institutional facilities.

BACKGROUND AND SUMMARY: Consider recommending to the Common Council that an ordinance be prepared and public hearing scheduled related to the proposed codification of common exceptions granted to Section 114-1033 regarding separation of electronic signs from residential properties, and to install other amendments to Section 114-1033 to better mitigate potential negative impacts to residential properties.

ANALYSIS:

Electronic message signs (EMS) require a Conditional Use Permit (CUP) prior to installation and approximately 26 such signs have been reviewed and approved by the City Plan Commission. There are believed to be more than 26 of these type of signs in the City as they are often installed in conjunction with another conditional use, such as a filling station or restaurant with drive thru, or as a part of a planned development. In any event, review by the City Plan Commission is required.

This review is important because EMS have the potential to detrimentally impact surrounding properties and those passing by, especially to drivers of vehicles. The placement of EMS on institutional uses within residential zone districts has the possibility of disrupting the peace and harmony generally associated with residential areas, where institutional uses commonly locate. EMS

glare and night brightness has the potential to disrupt light levels on properties within view of the installation site. When the signage changes the coloring of the message board panel and how the content of the signage is graphically displayed can be disruptive to an area. Furthermore, how often this occurs and at what speed or rate the message changes also can be impactful on adjacent properties.

While night time disruption can occur, when ambient light levels are much less than during the day, an EMS can also lead to distractions for those driving on roadways. Constantly changing messages with animation, motion, videos and scrolling or flashing text is distracting to drivers; driving while distracted presents a safety risk to other motorists, pedestrians, bicyclists and those who own property should a collision occur.

Recently technological advances have made these types of signs easier to control and the cost of the technology has become more affordable than in the past. These types of signs do offer the convenience of sharing multiple messages without requiring someone to manually update the message on the sign by changing the letters.

The Plan Commission has recently heard several requests for EMS for institutional uses within residential zones, many of the requests required exceptions, or deviations from the adopted code to be installed. The Plan Commission was able to formulate conditions which would mitigate some of the potential adverse impacts of these EMS which required exceptions. Best practice dictates that these regulations come under review for possible modification if exceptions are often needed to fully comply with zoning ordinance requirements.

When a recent application for a CUP for an EMS, requiring some exceptions to zoning ordinance requirements was submitted, it was staff's recommendation to review these EMS provisions for possible changes so that in the future, exceptions from the ordinance to allow installation of EMS would be less frequent. On March 28th the Plan Commission directed City Development staff to examine the current requirements and draft some proposed changes.

PROPOSED ORDINANCE LANGUAGE:

The draft ordinance language in its entirety is included in this memo as an attachment, below is a brief summation of the intent behind the change.

114-1033 (a)(2) Illumination of signage. This is new language to set criteria for brightness and dimming of all electronic message signs. The intent of this language is to ensure signage is not distractingly bright and is not a nuisance to adjacent properties or motorists. The numbers for brightness are measured in nits and based on examination of other EMS ordinances and field calculations of signage brightness.

114-1033 (a)(3) electronic message per sign face. This regulation exists now, but is only applicable to institutional uses. The height maximums are based upon speed limits and accepted standards from the United States Sign Council (USSC). Since the speed limits are the same regardless of the use of the property, these numbers should be uniformly applied throughout the community.

114-1033 (a)(5) audio speakers are prohibited in association with signage. While it is doubtful anyone would incorporate audio into a sign, this provision exists to ensure it is not allowed. Sound from a sign would be an added distraction and possible nuisance for adjacent property owners and users of the right-of-ways.

114-1033 (b)(3) Setback and location standards have been adjusted based on the proposed illumination standards. The intent of this section is for signage to be placed in a manner within institutional and office uses, (which are often adjacent to residential uses) to ensure minimal impact on residential uses.

114-1033 (b)(4) this time was formerly 60 seconds per message. The ordinance language specifies 12 seconds per message which would allow no more than 5 message changes per minute. This change will make these types of signs more effective and a sign could display what would formerly take 5 minutes in just one.

114-1033 (b)(5) Screen requirements. This section of the ordinance specifies requirements (again, only applicable for office and institutional uses) to ensure that impact on residential properties is minimal. Multiple colors on words per message face with varying color backgrounds can be distracting to adjacent residential properties. A black background makes the message portion of the signage stand out a bit more when contrasted with color text; additionally, the black background reduces brightness of the sign to passersby and neighboring properties.

114-1033 (b)(6) Hours of operation. Under each circumstance, the Plan Commission may adjust the hours of operation based upon surrounding topography, conditions or other factors. However as a general rule, EMS would be allowed to operate between the hours of 7AM and 10PM. This range would cover not all, but the vast majority of persons travelling through an area where the signage is located. This provision only exists for institutional and office uses and is necessary due to the close proximity of residential uses.

POSSIBLE ACTIONS FOR THE PLANNING COMMISSION

1. Recommend to Common Council that the ordinance be prepared and public hearing scheduled to consider the proposed amendments; or
2. Modify the proposed amendments and recommend to the Common Council that a public hearing be scheduled to consider the amendments; or

3. Defer the request to allow staff more time to draft proposed ordinance language for the Plan Commission to review.

STAFF RECOMMENDATION: That the Plan Commission recommend to the Common Council that an ordinance be prepared and public hearing scheduled related Section 114-1033 regarding separation of electronic signs from residential properties, and to install other amendments to Section 114-1033 to better mitigate potential negative impacts to residential properties.

ATTACHMENTS:

- 1) Draft ordinance language for a new Section 114-1033 – Electronic message signs ([click here](#)).