



A Toolkit for Modern, Functional (and Legal) Sign Ordinances

Wisconsin APA

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Best in Class Sign Ordinance How To

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Our Why

- The majority of sign ordinances weren't working
 - Not content-neutral
 - Not enforceable
 - Not user-friendly
 - Not internally consistent
 - Not conducive to effective business operations



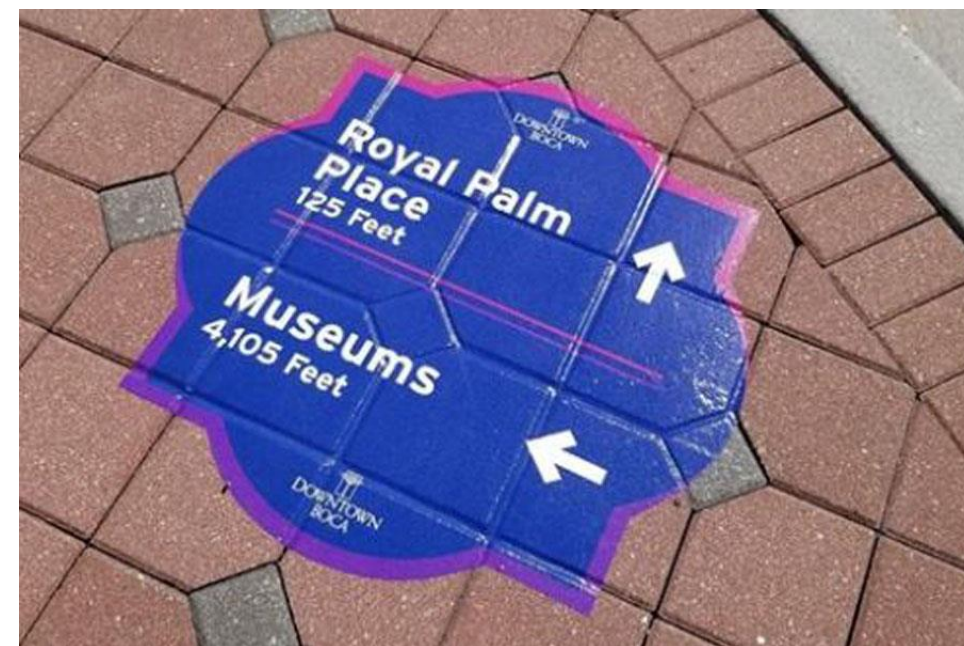
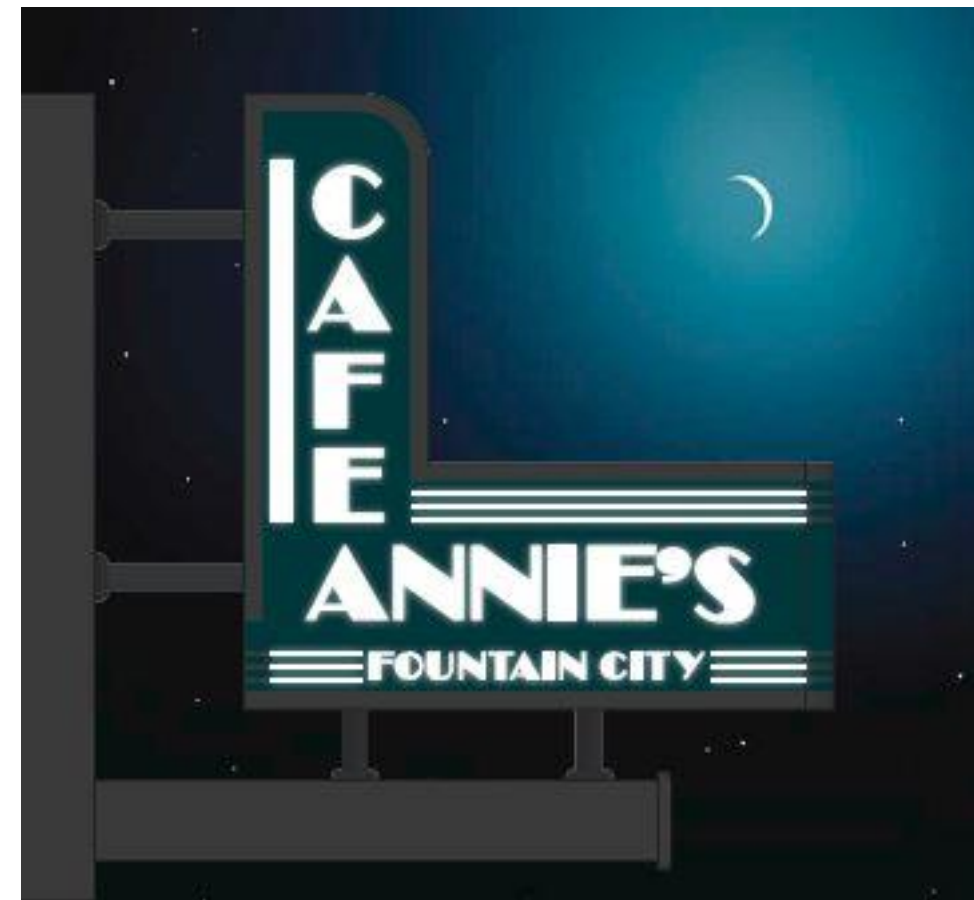
To avoid this



We created this

Intent ≠ Outcomes

Signs we had to fight for



Signs allowed by right



Process



What we heard

Online survey, focus groups of property owners and municipal staff

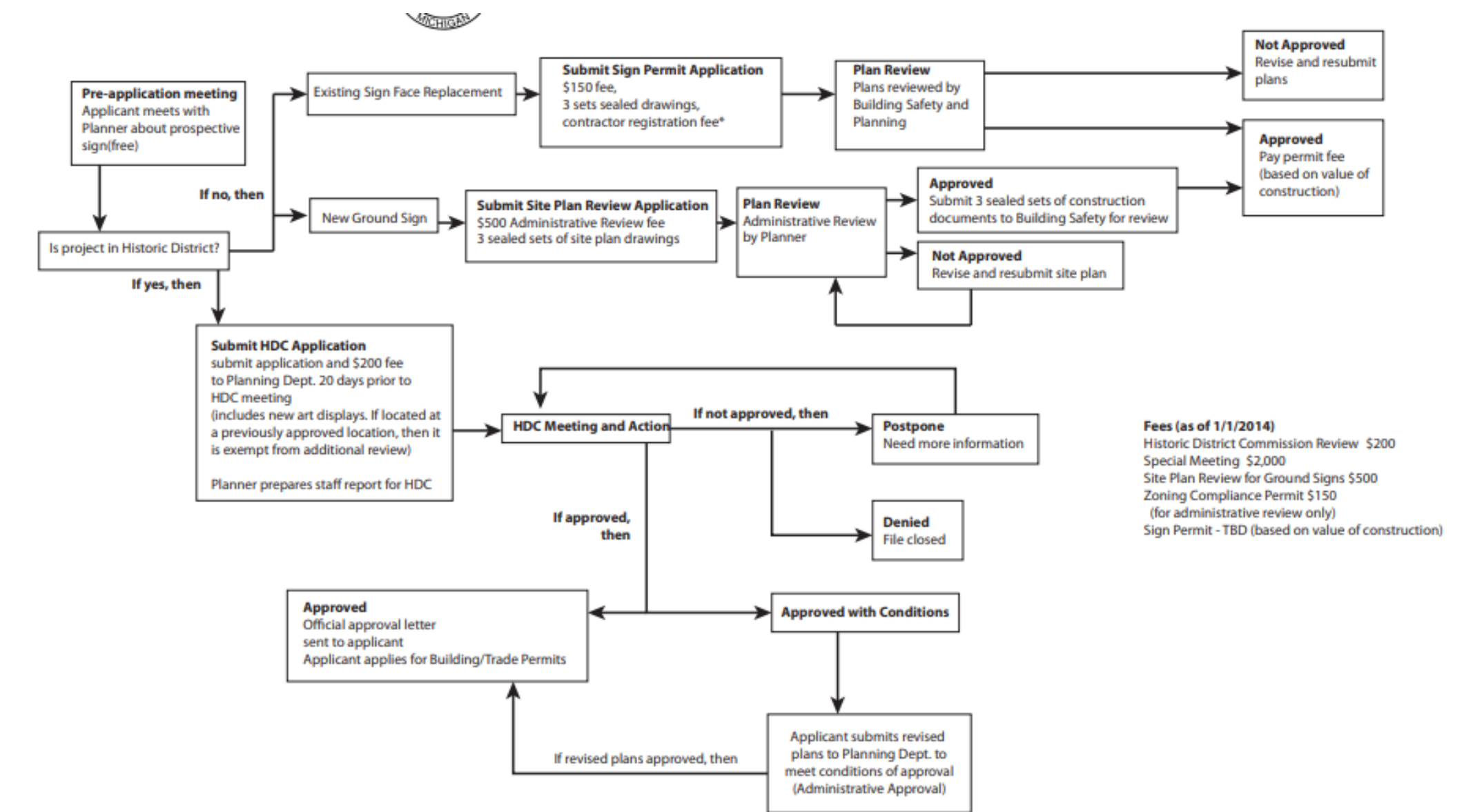
- Wide variety of committee/council and staff-led processes
- Not always clear what is being reviewed
- Enforcement is a key challenge, tools and capacity
- Ordinances written piecemeal, not always updated to adapt to changes
- Signage is the most often mentioned challenge in businesses surveys
 - Lack of transparency/clear guidelines/process
 - Presence of non-conforming signs



What we saw

Review of sample existing ordinances

- Majority of codes not content neutral
- Terms not defined, or wrong terms defined
- Permit requirements lacking/inconsistent
- Elements not enforced/enforced consistently
- Users must flip to multiple sections of the ordinances to review allowable types and sizes.
- Maintenance and removal not often addressed
- No appeal process/criteria



The Outcome

- **Model Ordinance Language in Choose-Your-Own-Permissiveness Language (permissive, restrictive, and prescriptive)**

Wisconsin Economic Development Corporation Model Sign Ordinance

7. **Business Identification.** Allow for adequate signage for business identification and other commercial speech, non-commercial speech, and dissemination of public information, including but not limited to, public safety information and notification as may be required by law.
8. **Foster Economic Development.** Ensure that signs are located in a manner that does not cause visual clutter, blight, and distraction, but rather promotes identification and communication necessary for sustaining and expanding economic development in [XX].
9. **Recognize Unique Areas.** Acknowledge the unique character of certain districts, and establish special time, place and manner regulations that reflect the unique aesthetic, historical, and/or cultural characteristics of these areas.

Allow Nonconforming Signs to Remain in Place. Permit nonconforming signs remaining in [XX – name of municipality] at the time of this ordinance’s adoption to continue and be altered so long as they remain functional and safe.

Gradually Discontinue Nonconforming Signs. Require nonconforming signs remaining in [XX – name of municipality] at the time of this ordinance’s adoption to be removed or replaced at the time of site plan approval or updates to the signs in question.

Require the Removal of Nonconforming Signs. Require the removal of nonconforming signs in the [XX – municipality] at the time of this ordinance’s adoption by a date set forth herein.

Protect and Preserve Historical Landmark Signs. Establish a process for the protection and perpetuation of signs with historical significance that may otherwise not be in compliance with the standards of this ordinance.

Applicability

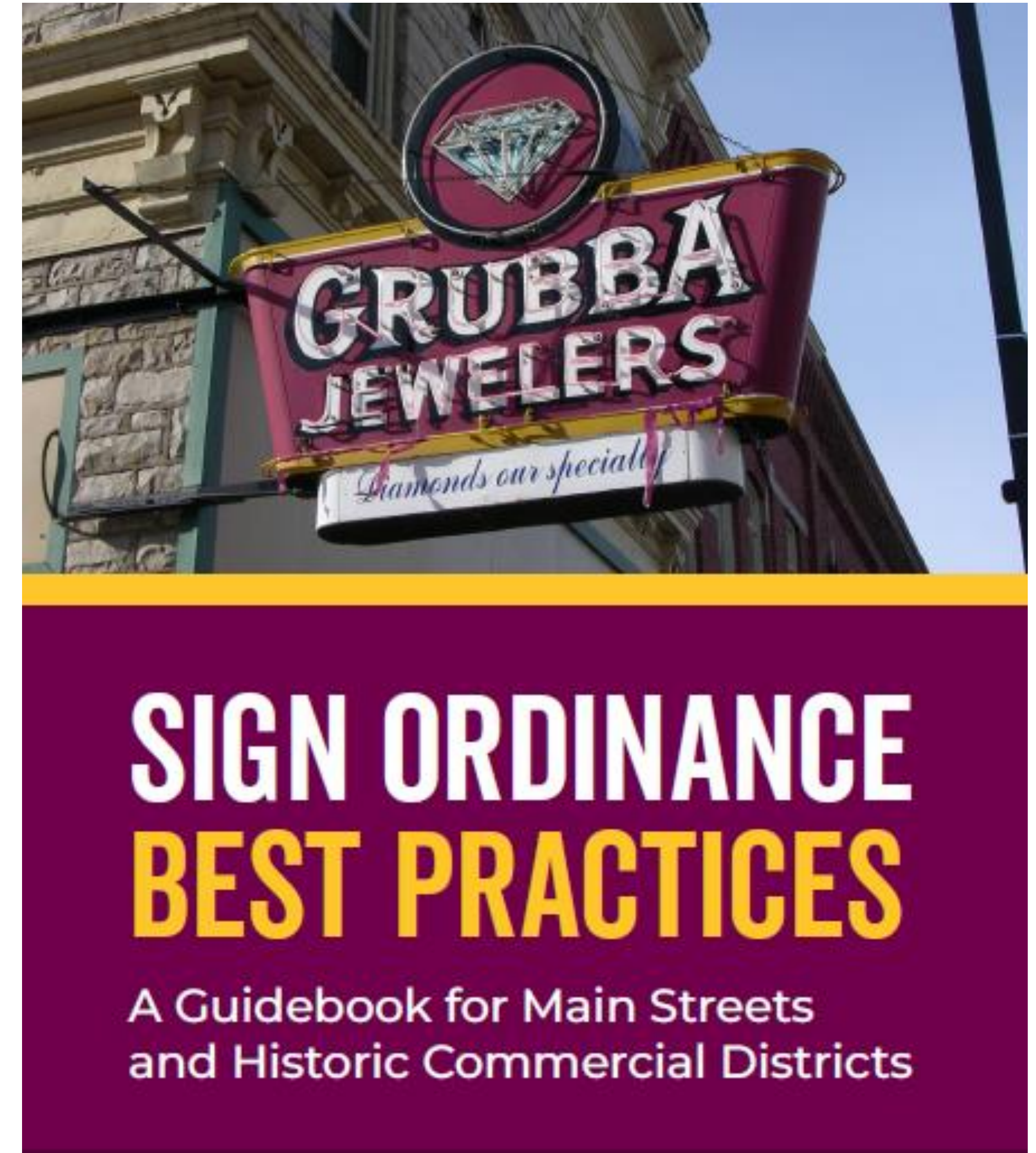
- A. **Applicability.** The regulations of this ordinance shall apply to all signs visible from a public right-of-way, private road, public park, or residentially zoned property. No person shall display, construct, enlarge, erect, alter, use or maintain any sign, except in conformity with this chapter. Public wayfinding, emergency, or traffic-related signs owned by [municipal], county, state or federal government agencies are not regulated by this ordinance. Where the provisions of this ordinance are in conflict with any other ordinance, or where two provisions of this ordinance are in conflict with each other, the more restrictive provision shall control.

Definitions

- A. **Interpretation.** The following words, terms and phrases, when used in this [ordinance/chapter], shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. “Shall” means will or must. It indicates a mandatory requirement.
- B. **Definitions.** The following terms shall have the following meanings when used in this ordinance:
1. *A-Frame Sign.* A movable sign made of wood, plastic, metal, or other similar rigid material having the

The Outcome

- Model Ordinance Language in Choose-Your-Own-Permissiveness Language (permissive, restrictive, and prescriptive)
- Narrative on enforcement strategies and decision factors for elected officials and committees
- Visual illustrations of signs ‘in the wild’ for reference
- Addresses modern sign types such as projected, ground signs, and freestanding letters
- Final product in a word document with an associated image folder for ease of use



Items for Consideration - Business

- In a traditional downtown, businesses need multiple sign types to cater to different audiences
- Signs are an expression of the identity of the business – creativity should be encouraged, even if façade design guidelines are restrictive
- Corner businesses, or businesses with a rear entrance, will need multiple signs
- Illustrations in ordinance, or in permit guide help businesses comply



Multiple sign types create a cohesive look

Items for Consideration - Policy

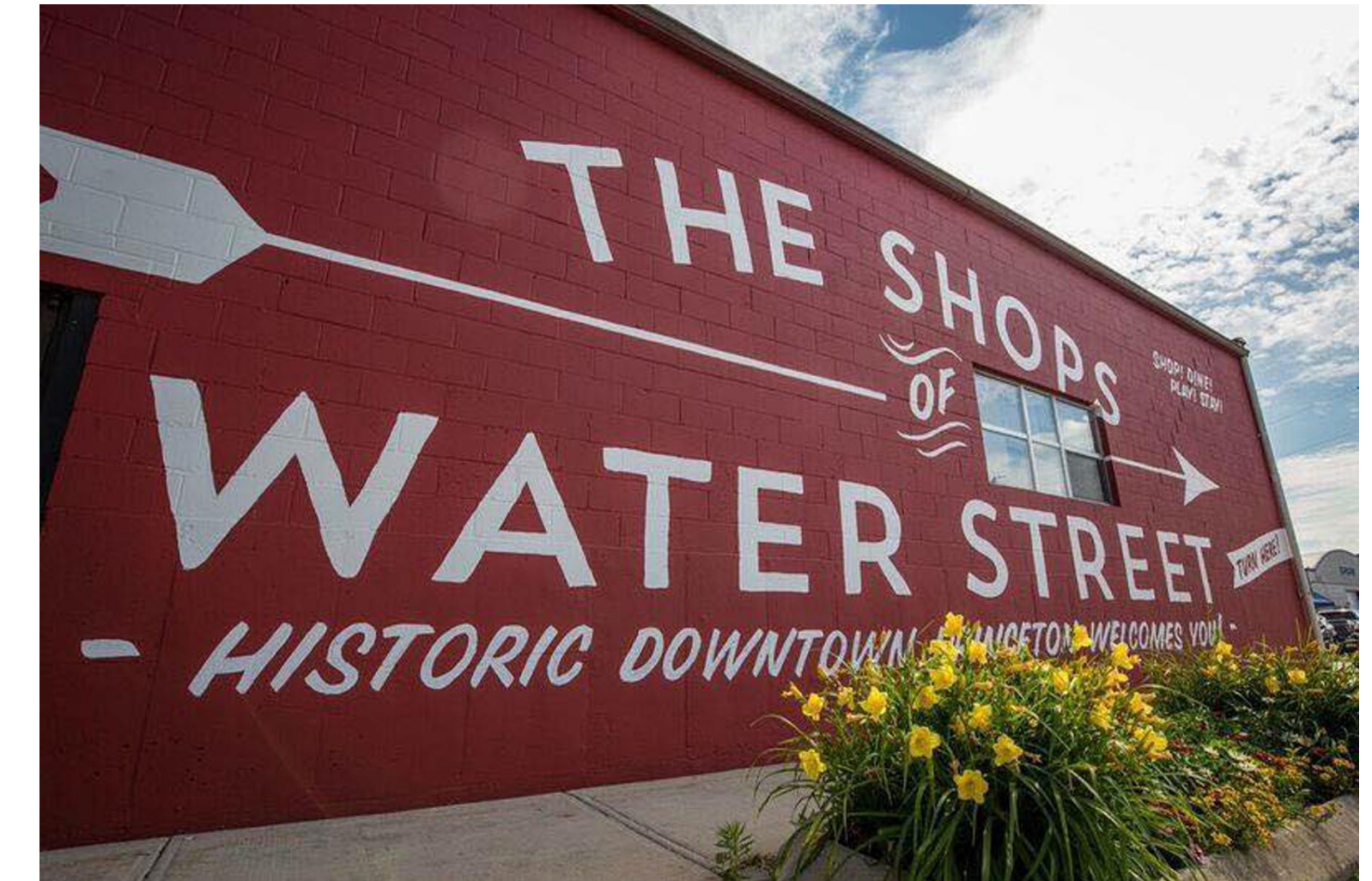
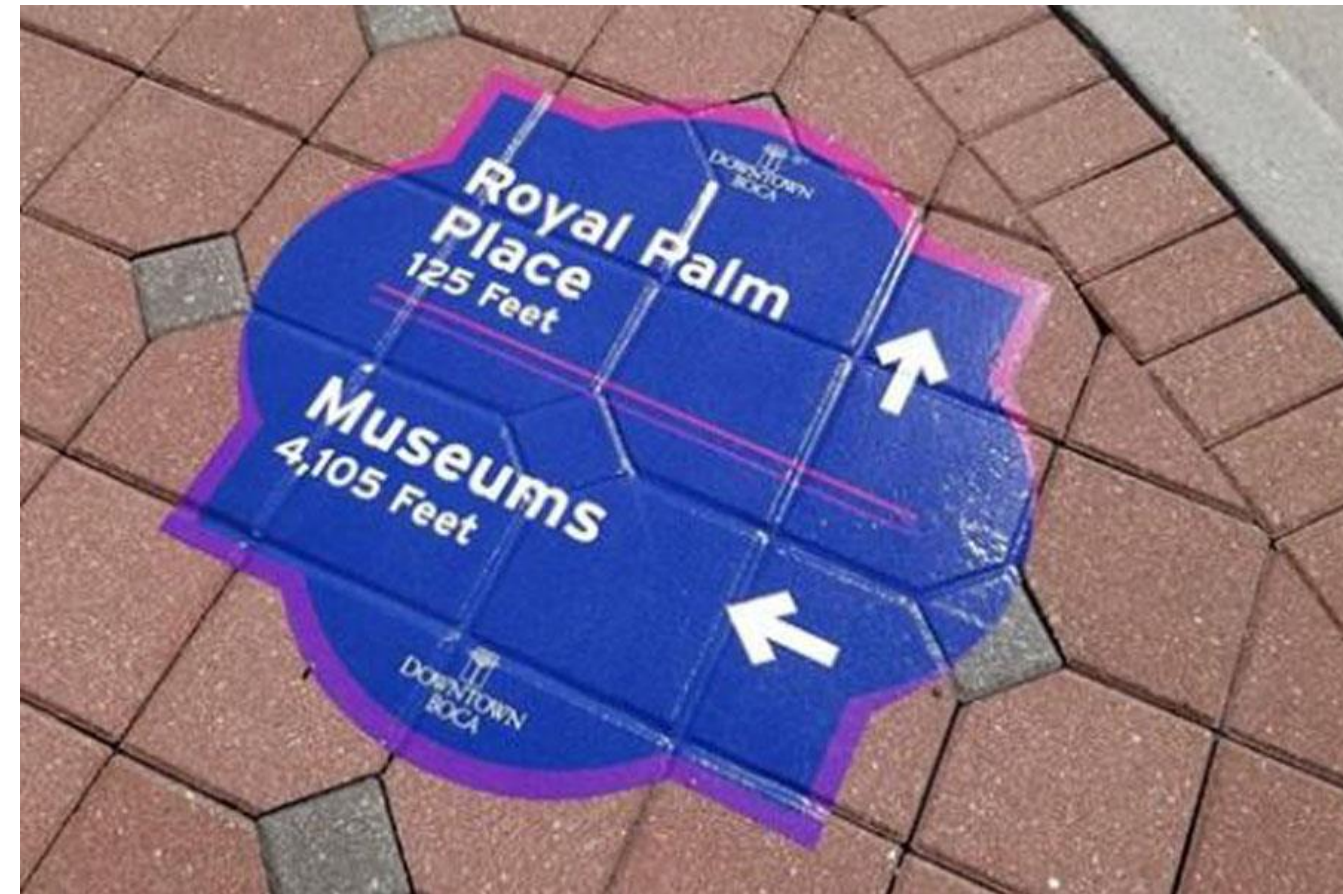
- Language stating intent is important and can inform new ordinance elements as needed
- The decision to be permissive or prescriptive depends on the goals of the community and the capacity to enforce
- Illustrations can help commission members visualize size relative to space – often, default is small ineffective signs
- Help various players (HPC, commissioners, staff) understand roles and allowable considerations



Internally lit signs are not all equivalent

Signage Trends

- Vinyl clings
- Murals as signs
- Projection Signs
- Sculptural Signs



The purpose of signage is changing, too.

- App-based navigation
- Placemaking
- Public art—the dividing line can be hard to locate



Guidebook Contents

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Permissive Regulations (Generally and Selectively)

Permissive regulations are designed to allow a lot of discretion on the part of applicants as to the time, place, and manner of their sign usage. Permissive regulations typically require the least enforcement action over time, but it should be noted that permissive regulations could also negatively impact consistency and cohesiveness in terms of district-wide appearance, aesthetics, size, placement, quantity, and even safety.

Restrictive Regulations

Restrictive regulations provide a great deal more control by the municipality over the particular standard in question. Restrictive regulations generally require more enforcement resources than permissive regulations, but will typically result in a more consistent and cohesive appearance in signage district-wide.

Prescriptive Regulations

Prescriptive regulations seek to implement a specific vision for signage within a community or area. They may be most appropriate in historic areas with an existing distinctive appearance, but can also be used in other contexts, such as when a master plan calls for a specific appearance. Prescriptive regulations require the most enforcement and internal review capacity, but often help to give a particular area a unique sense of place.

Language Selection Framework

Permissive Regulations (Generally and Selectively)

- Allow applicant discretion.
- Low enforcement demand.
- Could negatively impact consistency of aesthetics, size, placement, quantity, and even safety.

Restrictive Regulations

- More control by the municipality.
- Higher enforcement demand.
- Typically lead to more consistent and cohesive appearance in signage district-wide.
- Could inhibit creativity.

Prescriptive Regulations

- Implement a specific vision for signage.
- May be most appropriate in historic areas
- Needs a robust policy basis. Require the most enforcement and internal review.

Guidebook Layout

A Note About Formatting

This guide uses a "Term. Definition." format. Your code of ordinances may use a different format for definitions across all ordinances, such as "'Term' means..." or "'Term' is a...". Generally, it is best to be consistent with your broader codebook's formatting if it has a consistent standard.

Interpretation. The following words, terms and phrases, when used in this [ordinance/chapter], shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. "Shall" means will or must. It indicates a mandatory requirement.

Sign. Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or marks, or combinations thereof, by which information is made known such as the designation of an individual, a firm, an association, a profession, a business, a commodity, or a product which are visible from any public right-of-way, private road, public park, or residentially zoned property and used as display oriented toward the outdoors. No element of an approved mural is considered a sign. A flag, as defined in this ordinance, is not a sign.

For stand-alone sign ordinances, it is a good idea to introduce definitions with a bit of clarity on their applicability and the construction of language in the ordinance.

"Sign" must be a defined term and defined broadly enough to include all signage that can be seen from off-site.

This portion mirrors the sample applicability language in the previous section.



Credit: Wisconsin Main Street

Temporary Sign. Any sign which has one or more of the following characteristics:

1. It is not securely affixed to a substantial non-portable structure, or it is affixed to a portable structure.
2. It is made of paper, cardboard or similar materials.
3. It has an expected longevity or cost which would not qualify it for depreciation under normal accounting practices or would not have a useful life of more than one year in continuous use.

A-Frame Sign. A movable sign made of wood, plastic, metal, or other similar rigid material having the capability to stand on its own support(s).

Trailer Sign. A sign mounted upon a trailer that is detachable from a vehicle with a motor. A sign mounted on a vehicle with a motor shall not be considered a trailer sign.

Feather Sign. A temporary sign mounted on the ground by a single pole, on which the pole supports a sign made of fabric, canvas, vinyl or a similar material. Feather signs are sometimes referred to as flag signs, teardrop signs, feather banners, and by various other terms.

Banner. A sign which is constructed of cloth, canvas, or other type of natural or man-made fabric, or other similar light material which can be easily folded or rolled, with only such material for backing, but not including a flag.

Portable Sign. A sign designed to be moved from one location to another, or attached to a movable structure such as a trailer.

Animated or Moving Sign. Any sign or part of a sign that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation, not including electronic display areas.

This set of definitions all speaks to signs not meant to be permanently located on a property.

Example of a temporary sign:



Credit: Wisconsin Main Street

"Feather Sign" is one of many trade names for this type of sign:



Credit: Wisconsin Main Street

Example of a banner:



Credit: Wisconsin Main Street

Note that the definition of "Portable Sign" is broad and would include the A-frame and trailer signs, as defined here. If your community wanted to broadly define "Portable Sign" but also have special A-frame regulations, that definition could be modified to say, "This definition does not include A-frame signs."

A great many ordinances define this term or a similar term specifically in order to prohibit signs with these characteristics.

Guidebook Layout

c. Backlighting for changeable copy is permitted.

☐ Backlighting for changeable copy is permitted as part of a marquee sign.

d. Exposed light sources such as neon and exposed bulbs that exist as of [the date of this ordinance's adoption] are permitted to be maintained, replaced, and operated as permitted signs.

e. Signs shall not be framed by LED light strings or otherwise employ LED strings on their surfaces.

f. Signs shall not be illuminated by uplighting.

☐ Uplighting for signs shall be directed in a manner that casts as much of the light as possible onto the surface of the sign, with minimal upward loss of light.

Backlit Changeable Copy Areas

Permissive (Generally)

Permissive (Selectively)

Permitted Existing Exposed Light Sources to Persist

Example of neon sign:



Credit: Wisconsin Main Street

LED Strings

Uplighting

Restrictive

Permissive (Selectively)

Example of uplighting:



Credit: Wisconsin Main Street

7. [-]

☐ Signs shall not be internally illuminated.

Internal Illumination

Internal illumination is a common way to draw attention to a sign in low-light conditions. Communities should consider the environment they are trying to create in their Main Street districts when determining whether to permit internal illumination. The language that follows provides permissive, restrictive, and prescriptive approaches to internal illumination.

Permissive (Generally)

The permissive approach to internal illumination is to not prohibit it.

Restrictive

Prescriptive

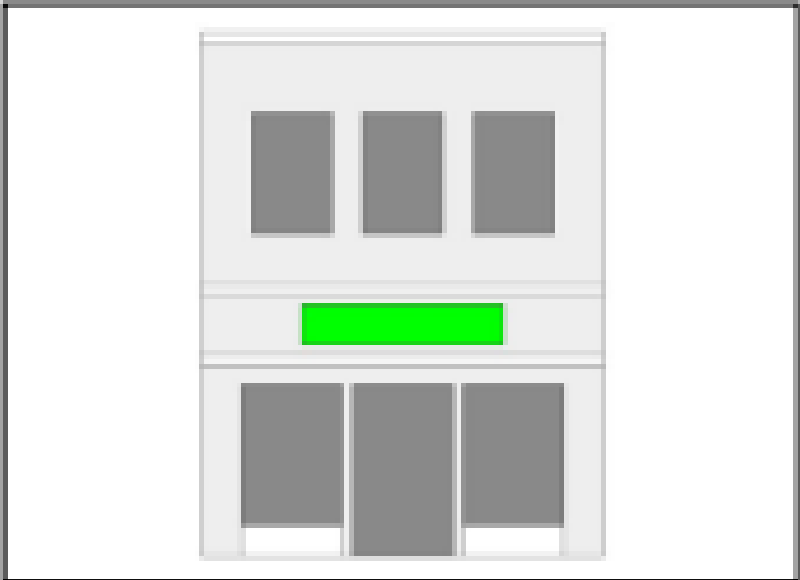
If the Main Street district's signage has or aspires to a particular character, prescriptive standards may be adopted that guide internal illumination toward a certain appearance. The photos below show a variety of different approaches to internal illumination that might be considered.

☐ Light levels from illuminated signs shall not exceed 0.3 footcandles at the residential property line (measured at five feet above grade).

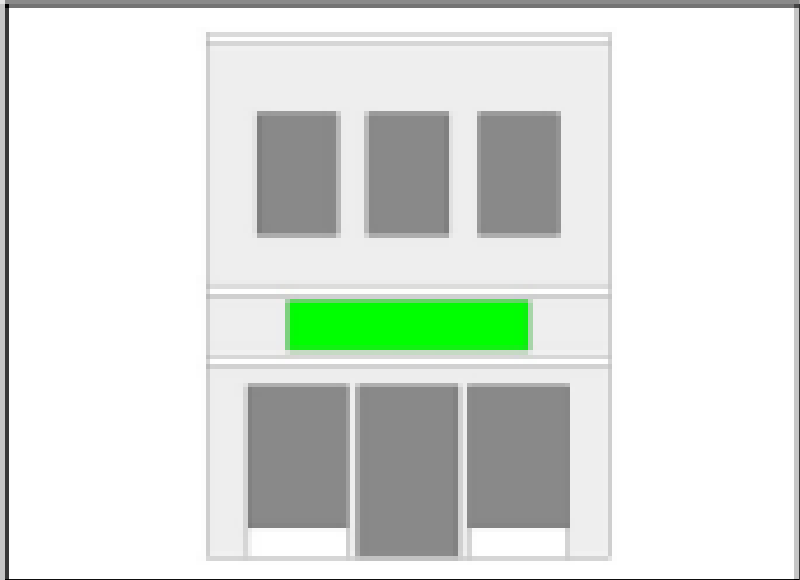


This is a typical cabinet with a single panel that is lit from behind. It would be permitted under the permissive approach. Prescriptive approaches may require or incentivize uniform colors or limited color palettes.

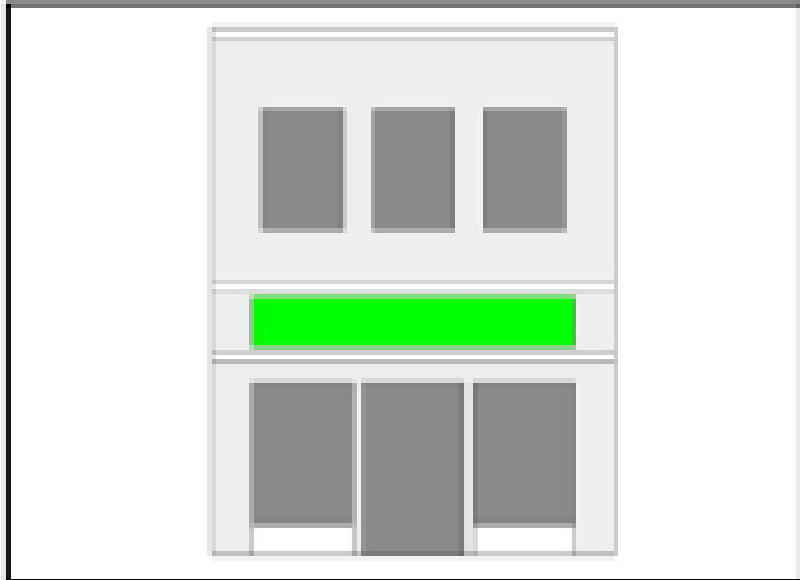
Guidebook Illustrations



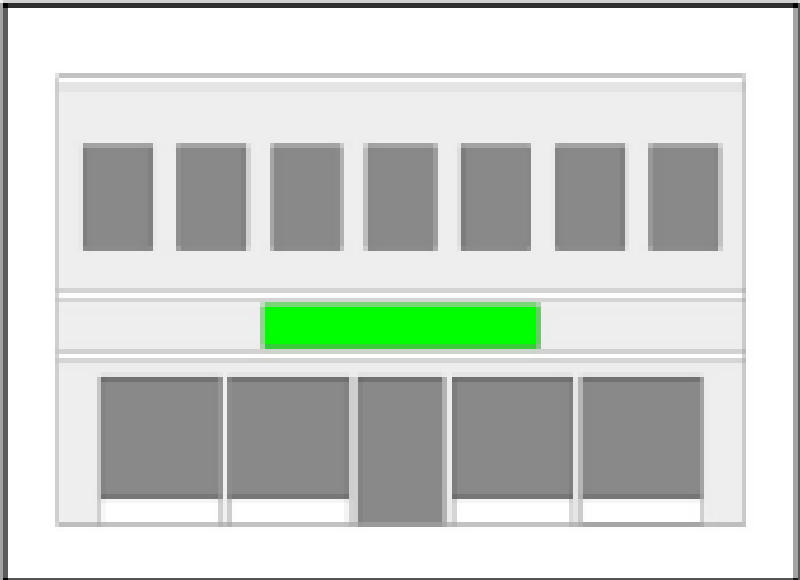
20-foot-wide building
1 sq ft wall sign permitted per 1
linear foot of building frontage



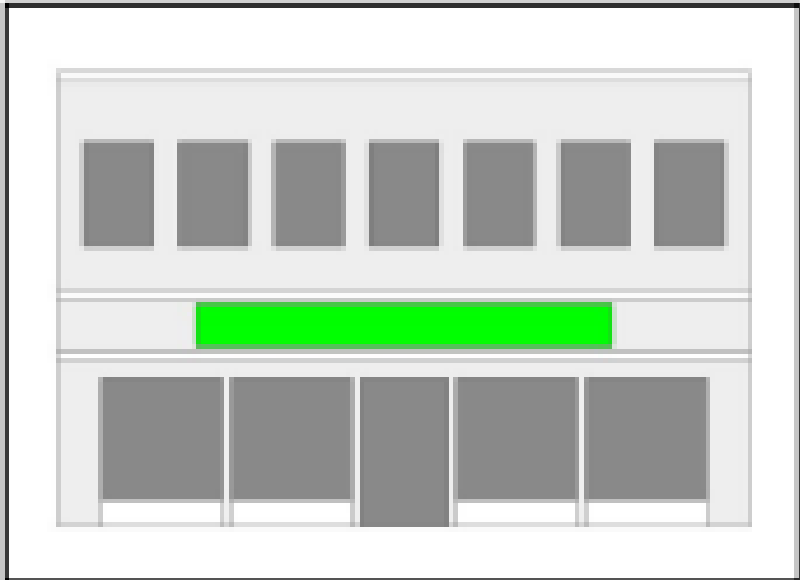
20-foot-wide building
1.5 sq ft wall sign permitted per 1
linear foot of building frontage



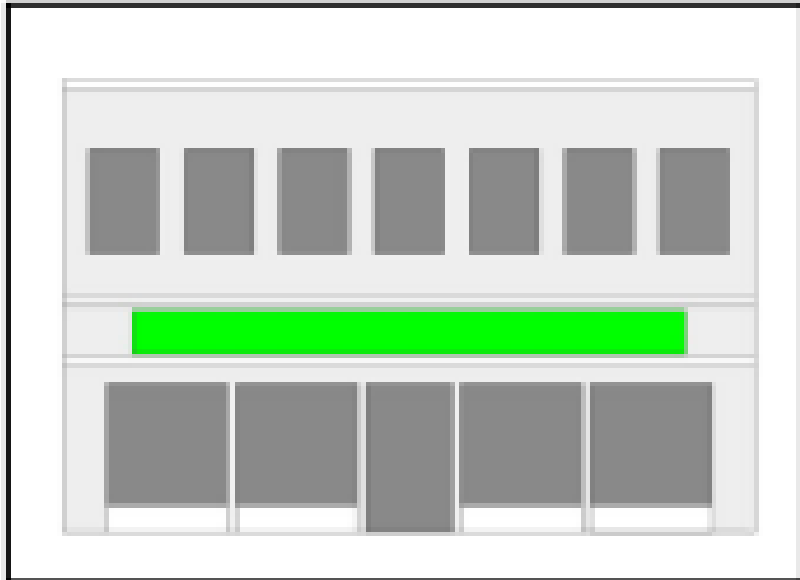
20-foot-wide building
2 sq ft wall sign permitted per 1
linear foot of building frontage



40-foot wide building
1 sq ft wall sign permitted per 1
linear foot of building frontage



40-foot wide building
1.5 sq ft wall sign permitted per 1
linear foot of building frontage



40-foot wide building
2 sq ft wall sign permitted per 1
linear foot of building frontage

1. Signs shall be permitted for each use based on the following table, and subject to the standards of [section citation, refer to the section governing specific standards for signs by type].

Table XX-X					
District	Sign Type	Max. Area	Max. Height	Location	Maximum Height
[Other districts]					
[The name of your downtown, Main Street, or central business district(s)]	[The name of your downtown, Main Street, or central business district(s)]	Freestanding	__ square feet [see comments on freestanding signs below]	__ feet [see comments on freestanding signs below]	Outside clear vision area [see comments on wall signs below]
	Wall/ Awning/ Marquee	[see comments on wall signs below]	[see comments on wall signs below]	[see comments on wall signs below]	
	Projecting/ Suspended	[see comments on projecting signs below]	[see comments on wall signs below]	[see comments on wall signs below]	
	Window	[see comments on window signs below]	[see comments on window signs below]	[see comments on window signs below]	

Implementation

Started with ordinance review for three communities. Key findings:

- **Content Neutrality still a need. Lots of references to sign purposes (real estate, construction, political, informational, garage sale)**
- **Lack of definitions for many terms used, definitions for terms NOT used, or conflicting definitions/multiple terms for one thing**
- **Not always clear what must be submitted for a permit**
- **Lack of information on non-conforming signs or maintenance requirements**
- **Location of tables and illustrations not always intuitive or clearly referenced**
- **Ability to administer and enforce is a major factor guiding policy**

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