

Date: March 25, 2025
To: Town of Mukwonago Town Board
From: Ben Greenberg, Town Planner
Subject: Potential amendment of Town's sign code (Chapter 84);
Application: 2025-13; <https://s.zoninghub.com/1L72L786VE>
Meeting: April 2, 2025 Plan Commission-Town Board meeting

Overview. At its March 5, 2025, meeting, the Town Board denied a petition by Ross Hartung of Images 360 on behalf of Story Hill Church, to amend Chapter 84 of the municipal code ("Sign Code") to increase the maximum height of a wall sign in the Public District from eight (8) feet to twenty (20) feet. The prevailing board members expressed concerns about the increase in height without any illumination standards in the Sign Code regulating hours of illumination.

At the direction of the Town Board, staff drafted a modified amendment to the sign code which provides an increase in maximum wall sign height to 20 feet in the Public District; limits hours of illumination to 8 a.m. to 10 p.m.; "grandfathers" illumination hours of existing legal illuminated signage; and creates a standardized waiver process for the Board to modify those illumination hours. A draft ordinance in track changes format is attached as Exhibit A.

Review procedure The Town Board is the authority regarding amendments to Chapter 84 (Sign Code) of the municipal code and makes the final decision.

Required notice Aside from being shown on the meeting agenda, no other public notice is required.

Potential motion by Town Board Commission:

Approval - Motion to adopt the proposed change and to direct the Town Planner to prepare a final ordinance to effectuate the revision to be reviewed by the Town Attorney.

Denial – Motion to deny the proposed change.

Attachments:

1. Exhibit A – Draft Ordinance

STATE OF WISCONSIN TOWN OF MUKWONAGO WAUKESHA COUNTY

ORDINANCE 2025-O-__

Draft -- March 25, 2025

AN ORDINANCE TO REPEAL AND RE-CREATE SECTION 84.16(a) - MAXIMUM SIGN HEIGHT FOR WALLS SIGNS IN THE PUBLIC ZONING DISTRICT; REPEAL AND RECREATE SECTION 84-12 SIGN ILLUMINATION; AND CREATE SECTION 84-22 HOURS OF ILLUMINATION WAIVER

WHEREAS, the Town of Mukwonago has adopted a sign ordinance regulating the placement, size, and height of signage within the Town to promote the public health, safety and welfare; and

WHEREAS, the Town Board has received requests from property owners indicating that the current maximum height of 8 feet for wall signs on properties zoned Public District is restrictive and does not accommodate the needs of certain buildings and public/institutional structures; and

WHEREAS, the Town Board finds that increasing the maximum height for wall signs to 20 feet is consistent with the character of the Town’s public and institutional areas; and

WHEREAS, the Town Board also finds that illuminated signage, while beneficial for visibility and business operations, should be limited during nighttime hours to reduce potential impacts on neighboring residential uses, prevent excessive light pollution, and preserve the rural character of the community; and

NOW, THEREFORE, the Town Board for the Town of Mukwonago, Waukesha County, does hereby ordain as follows:

SECTION 1: Section 84.16(a) of the Town of Mukwonago Municipal Code is hereby repealed and recreated as follows:

(a) *Permitted signs.* The signs listed in table 3 are allowed with a permit in a public zoning district as specified.

Table 3. Signs allowed with a permit in a public zoning district

Sign type	Number of signs	Maximum sign area by type of sign	Maximum sign height	Illumination	Type of display permitted
Wall sign	1 per street frontage	100 square feet or 10 percent of the wall area,	8-feet <u>20 feet</u>	External or internal	Static display

Sign type	Number of signs	Maximum sign area by type of sign	Maximum sign height	Illumination	Type of display permitted
		whichever is less			
Free-standing sign Pole or monument	1 per premises	32 square feet when single-sided; 32 square feet per side when double-sided	Monument: 6 feet Pole: 8 feet	External or internal	Static display
Temporary sponsor signs on athletic fences in a public park, between April 1 and October 31 (must be facing the athletic field)	46 individual sponsor signs per field	Single-sided only: 32 square feet per sponsor sign	6 feet	None, except for athletic field lighting	Static display

SECTION 2: Section 84-12 of the Town of Mukwonago Municipal Code is hereby repealed and recreated as follows:

Sec. 84-12. Sign illumination.

All signs permitted must conform to the following illumination restrictions:

- (1) Signs which are internally illuminated shall not face adjacent lands which are zoned, or used, for residential purposes.
- (2) No illuminating element of any kind may be visually exposed.

- (3) The level of illumination as measured one foot perpendicular to any face of an illuminated sign shall not exceed 100 foot candles of daylight candle power or 45 foot candles of nighttime candlepower.

(4) Sign Illumination Hours of Operation

- (a) Hours of illumination.** Newly installed illuminated signs or newly illuminated existing signs shall only be illuminated between the hours of 8:00 a.m. and 10:00 p.m., local time.
- (b) Applicability.** This limitation on hours of illumination shall not apply to legally existing illuminated signage installed prior to the effective date of this section.
- (c) Hours of Illumination Waiver.** The Town Board may, upon petition, grant a waiver pursuant to Section 84-22 to allow extended hours of illumination for a specific sign.

SECTION 3: Section 84-22 of the Town of Mukwonago Municipal Code is hereby created as follows:

Sec. 84-22. Hours of Illumination Waiver. In evaluating a request to modify the allowable hours of illumination, the Town Board shall consider:

- (1) The proposed extended hours and their duration;
(2) The location and surrounding land uses, including proximity to residential areas;
(3) The nature and purpose of the sign;
(4) The visibility of the sign from adjacent residential area;
(5) Potential impacts on traffic safety and light pollution;
(6) Whether the extended hours serve a demonstrated public interest or unique business need.

SECTION 4: SEVERABILITY Several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 5: EFFECTIVE DATE This Ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this ____ day of _____, 2025.

TOWN OF MUKWONAGO

Peter Topczewski, Town Chairman

ATTEST:

Kathy Karalewitz, Town Administrator/Clerk

Published and posted this ___ day of _____ 2025