

CITY OF RICHLAND CENTER
PLAN COMMISSION STAFF REPORT

TO:	Plan Commission
FROM:	Ashley Oliphant, City Administrator
DATE:	July 22, 2026
RE:	Proposed Ordinance Amendment — Ch. 485 — Electronic Message Center Signs on Public Property
ACTION:	Recommendation to Common Council

Background

The Richland Center Community Center currently operates an electronic message center sign on its property at 1050 N. Orange St., which is located in an R-1 Single-Family Residential zoning district. The Brewer Public Library has expressed interest in installing a similar sign at its facility, which is also in a residential district.

A review of Chapter 485 finds that electronic message center signs of this type are not affirmatively authorized as a permitted sign type in residential zoning districts. § 485.05(2) permits nameplates, construction signs, real estate signs, political signs, on-premises directional/information signs (limited to 25 sq ft), and temporary special events signs — none of which cleanly captures a monument-style electronic reader board. While § 485.04(7) authorizes electrical changeable copy on any sign the chapter allows, that provision is a thin authorization hook for a full electronic message center.

The result is a gap in the code: the City's own existing sign is arguably non-conforming, and the Library's proposed sign has no clear authorization pathway.

Proposed Amendment

Add a new subsection § 485.04(14) affirmatively authorizing one (1) electronic message center sign per lot on public property, in any zoning district, subject to performance standards. The full draft ordinance is attached.

The amendment provides a self-contained authorization and permit exemption. It does not depend on the sign qualifying as a "Government Sign" under the existing § 485.03(34) definition, and it does not rely on the permit exemption pathway in § 485.04(4)(g). This structural choice was made because § 485.03(34) is content-defined (limited to signs "for traffic direction or for designation of or direction to" certain facilities) and might not reliably cover an electronic message center displaying event announcements, closure notices, or general community messages. Rather than broaden the § 485.03(34) definition — which would create ripple effects for other Ch. 485 provisions that reference it — the amendment establishes an independent authorization tied to property ownership (a speaker-based classification), which is more legally durable than one tied to sign content.

The amendment also includes an express grandfathering provision at § 485.04(14)(j) that deems any existing lawfully installed sign a legal nonconforming sign under § 485.07 if it does not meet the new performance standards. This closes a small drafting ambiguity in § 485.07(1)(b), which conditions legal nonconforming status on compliance "on the date of adoption of this Chapter" — potentially unclear for signs installed after Ch. 485's original adoption. The express clause removes the doubt.

Scope — Who is Covered

The amendment authorizes electronic message center signs only on public property owned by:

- The City of Richland Center
- Richland County
- The State of Wisconsin
- The United States
- A school district
- A public library

The amendment does not authorize electronic message center signs for private businesses, churches, private schools, or nonprofit organizations. Private commercial uses in the C-G and C-DT districts may continue to use electrical changeable copy under existing § 485.04(7), subject to the size limitations already in § 485.05(3).

Performance Standards Summary

Standard	Requirement
Permit	Exempt from zoning permit under new § 485.04(14)(a); other Ch. 485 provisions continue to apply
Number	One (1) per lot
Aggregate area	75 sq ft per surface, maximum 2 surfaces
Height	12 feet above grade
Display type	Static messages only; no scrolling, animation, video, dissolve, fade, or flashing
Dwell time	Minimum 8 seconds per message; instantaneous transitions
Brightness	5,000 nits max daytime / 500 nits max nighttime; automatic photocell dimmer required
Malfunction	Default to static or off; no visible error patterns
Hours	In residential districts only: electronic portion off between 10:00 p.m. and 6:00 a.m. No hours restriction in other districts.
Residential buffer	Minimum 50 feet from nearest wall of any residential dwelling on an adjoining lot
Existing signs	Expressly grandfathered as legal nonconforming under § 485.04(14)(j) if not fully conforming; § 485.07 governs continued operation, maintenance, and replacement

Key Policy Choices Made in the Draft

Any zoning district, not just residential. The draft applies citywide rather than only in residential districts. This avoids the need to identify each government facility by district and future-proofs the ordinance if government property changes designation.

No Conditional Use Permit required. The amendment provides a direct authorization and permit exemption in § 485.04(14)(a) itself.

75 sq ft aggregate area cap. Chosen to accommodate the existing Community Center sign (which appears to be within this envelope) and to leave reasonable room for the Library's proposed sign without setting an aesthetic benchmark that invites oversize applications from future government facilities.

50-foot residential dwelling buffer. Balances neighbor protection with practical siteability on constrained institutional lots.

10:00 p.m. to 6:00 a.m. shutoff, residential districts only. The shutoff addresses potential neighbor concerns about nighttime light spill in residential areas, where residential dwellings are the predominant adjacent use. In non-residential districts (commercial, downtown, industrial), where government facilities are less likely to abut residential dwellings and where existing commercial signs are unrestricted as to hours, no shutoff requirement applies. Both the Community Center and Library are closed during these hours, so no operational conflict is created for the two facilities driving this amendment.

Legal Framing

The amendment is speaker-based (limited to signs on property owned by specified governmental entities), not content-based (does not limit what messages may be displayed and does not condition authorization on any content-based classification such as the existing Government Sign definition at § 485.03(34)). This framing is consistent with the government-speech doctrine articulated in *Pleasant Grove City v. Summum* and avoids the content-neutrality concerns raised in *Reed v. Town of Gilbert*. A government entity may regulate its own speech on its own property without triggering strict First Amendment scrutiny. The Wisconsin municipal law framework under § 62.23(7) does not conflict.

Requested Action

Staff requests that the Plan Commission review the proposed amendment and make a recommendation to the Common Council. Specifically, the Plan Commission is asked to consider:

- Whether the scope (government entities only) is appropriate
- Whether the 75 sq ft area cap is appropriate
- Whether the 50-foot residential dwelling buffer is appropriate
- Whether the 10:00 p.m. to 6:00 a.m. shutoff (limited to residential districts) is appropriate
- Whether to recommend the amendment as drafted, with modifications, or against adoption

Attachment

Proposed Ordinance No. 2026-____, amending Chapter 485 of the Code of Ordinances of the City of Richland Center by adding § 485.04(14) — Electronic Message Center Signs on Public Property.