

# MEMORANDUM

To: City of Whitewater Plan and Architectural Review Commission

From: Allison Schwark, Zoning Administrator

Date: February 10, 2025

Re: Rezone and Conditional Use Permit Request

Summary of Request	
<b>Requested Approvals:</b>	Rezone and Conditional Use Permit
<b>Location:</b>	401 S Elizabeth Street /WUP 00215
<b>Current Land Use:</b>	City of Whitewater Middle School
<b>Proposed Land Use:</b>	City of Whitewater Middle School
<b>Current Zoning:</b>	R-2 One & Two Family Residence
<b>Proposed Zoning:</b>	I Institutional
<b>Future Land Use, Comprehensive Plan:</b>	Institutional

## Rezone Review

The City of Whitewater Middle School seeks to rezone their current parcel of land located at 401 S Elizabeth Street to Institutional Zoning so that they may place new commercial signage on site at the school.

The proposed signage would be a monument style sign with an electronic message center unit on each side of the sign that could display digital messages and updates. Currently the property is zoned R-2, which is a residential zoning district, which does not allow any signage of this nature.

Therefore, the applicant is simultaneously requesting a rezone into the institutional zoning district, so that a conditional use permit can be obtained for the signage.



(a) **Electronic Message Sign.** A type of sign that displays words, lines, logos, graphic images, or symbols, which may be changed electronically to provide different information, and which includes computer signs, electronic reader boards, video screens, LCD signs, electronic time and temperature signs, and other signs with electronically-controlled changing or moving displays.

- (1) Electronic message signs shall require a conditional use permit.
- (2) Electronic message signs shall be permitted only with a nonresidential land use.
  - (A) No more than one electronic message sign shall be permitted per site.
- (3) In addition to the setback requirements of this chapter, the planning commission shall consider visibility from any residential zoning district.
- (4) Electronic message signs may be integrated into the design of the following sign types: monument signs, dual post signs, pylon signs, order board signs, or institutional information signs.
  - (A) For monument signs, dual post signs, pylon signs, institutional information signs, and order board signs, no more than fifty percent of a sign's actual area shall contain an electronic message sign.
  - (B) Electronic message signs shall count toward the site's maximum permitted sign area, except for institutional information signs.
- (5) Messages and non-text images shall not change appearance more than once every ten seconds, and transitions between messages shall be via instantaneous change. Use of electronic

message signs for images, text, or lighting that change appearance in a manner not permitted above shall be considered flashing, scrolling, or animated signs, which are prohibited per Section 19.54.140(1)(J).

(6) Electronic message signs shall be equipped with photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illumination.

(7) Electronic message signs shall comply with the exterior lighting requirements of Section 19.57.150.

(8) Electronic message signs shall be maintained so as to be able to display messages in a complete and legible manner.

### **Planner's Recommendations**

- 1) Staff recommend that Plan Commission recommend **APPROVAL** of the Rezone to the City of Whitewater Common Council for the parcel located at 401 S Elizabeth Street, as it meets all requirements of the zoning district and is consistent with the comprehensive plan and future land use plan.
- 2) Staff recommend that Plan Commission **APPROVE** the Conditional Use Permit for an electronic message sign for the parcel located at 401 S Elizabeth Street with the following conditions:
  - a. The sign shall conform with all requirements above, specified in Section 19.54.040 of the City of Whitewater Zoning Ordinance.