

M E M O R A N D U M

To: City of Whitewater Plan and Architectural Review Commission

From: Allison Schwark, Zoning Administrator

Date: January 12, 2026

Re: Conditional Use Permit Request

Summary of Request	
Requested Approvals:	Conditional Use Permit for and Electronic Message Center Sign and Size.
Location:	499 W Whitewater St (A 92900001)
Current Zoning:	B-3, Highway Commercial and Light Industrial District
Proposed Zoning:	NA
Future Land Use, Comprehensive Plan:	Community Business

Conditional Use Review

Paul Butler, Bauer Sign Co. (Applicant) seeks approval for a conditional use permit for signage at 499 W Whitewater St. on behalf of Chris Hale (Owner), for Home Lumber (Business). A conditional use permit is required per **19.54.040 and 19.54.030** as this monument sign is sized greater than 50 square feet (73.4 square feet) and the proposal also includes an electronic message center in the middle of the sign.



19.54.040 - Electronic message signs.

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, 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 the Plan Commission **APPROVE** the Conditional Use Permit for new signage at 499 W Whitewater St (A 92900001) with the following conditions:
 - a. The applicant shall comply with all required City and building codes.
 - b. Applicant shall be responsible for obtaining a sign permit, and building permit for any electrical work.
 - c. A sign permit may be revoked if the applicant has failed to comply with the provisions of this chapter or any conditions that may have accompanied the permit at the time of issuance. Revocation requires written notice by either the zoning administrator for zoning ordinance violations or the building inspector for building code or other construction code violations.
 - d. Granted sign permit shall expire, and shall be null and void, if the sign is not attached or erected within one year after the issuance of the sign permit.
 - e. All provisions of Section 19.54.040 of the municipal ordinance shall be upheld and adhered to at all times.
 - f. Any other conditions as stipulated by the PARC.