

MEMORANDUM

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 | |
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| Requested Approvals: | Conditional Use Permit for Electronic Message Center Sign, Institutional Information Sign, and Size. |
| Location: | 402 W Main St (OT 00038) |
| Current Zoning: | Institutional (Pending) |
| Proposed Zoning: | NA |
| Future Land Use, Comprehensive Plan: | Institutional |

Conditional Use Review

Kevin Boehm (Applicant) on behalf of the City of Whitewater seeks approval for a conditional use permit for signage at 402 W Main Street. A conditional use permit is required per **19.54.030** as this monument sign is sized greater than 50 Square feet (76.5 square feet), along with the conditional use permit requirement for Institutional Information sign per **19.54.100**, as well as approval for an electronic message sign per **19.54.040**. This location is also awaiting approval for a rezone from R-3 to Institutional.

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 402 W Main St (OT 00038) 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.
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.
 - c. All provisions of Section 19.54.040 of the municipal ordinance shall be upheld and adhered to at all times.
 - d. Any other conditions as stipulated by the PARC.