



**AGENDA PACKET FOR CITY OF MARINETTE COMMON COUNCIL PUBLIC HEARING & SPECIAL MEETING AT MARINETTE CITY HALL COMMON COUNCIL CHAMBERS, 1905 HALL AVENUE FOR TUESDAY MAY 22ND, 2018.**

**4:00 PM – COMMON COUNCIL PUBLIC HEARING** – Public Hearing on proposed amendment to text of City of Marinette Zoning Code to amending MMC 13.3534 pertaining to maximum allowable height, width and square footage of Freestanding Signs in commercial, industrial and institutional zoning districts.

(A possible quorum of Common Council members may be present at the public hearing.)

**4:20 PM – SPECIAL COMMON COUNCIL MEETING AGENDA**, COMMENCING AT 04:20 PM OR IMMEDIATELY FOLLOWING CONCLUSION OF PUBLIC HEARING, WHICHEVER IS LATER.

1. Call meeting to order.
2. Pledge of allegiance.
3. Roll call.

**PARKS & RECREATION COMMITTEE**

4. Discussion and possible action regarding Improvements at Menekaunee Harbor.

**ORDINANCES**

5. Ordinance No. 2398 – Amending MMC 13.3534 pertaining to maximum allowable height, width and square footage of Freestanding Signs in commercial, industrial and institutional zoning districts.

**CLOSED SESSION**

6. Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved pursuant to Wisconsin Statute Section 19.85(1)(h), and deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session pursuant to Wisconsin Statute Section 19.85(1)(e) (Recreation Center Issues).

Pursuant to Wis. Stat. §19.85(2), the Common Council may reconvene in open session immediately after conclusion of the closed session to take action, if any, on any closed session agenda items.

7. Adjournment.

**Steve Genisot, Mayor**

Note: Requests from individuals with disabilities who need special accommodations to participate in this meeting or hearing should be made to the City Clerk’s office at 1-715-732-5140 with as much advance notice as possible.

Common Council members w/encl; Mayor w/encl; City Attorney w/encl; Public Works Director w/encl; Police Chief w/encl; Finance Director w/encl; City Clerk w/encl; City Assessor w/encl; Fire Chief w/encl; all other Department Heads; Bay Cities Radio w/encl; Eagle Herald w/encl; Peshtigo Times w/encl; City Hall Bulletin Board.



**CITY OF MARINETTE, WISCONSIN  
NOTICE OF PUBLIC HEARING ON PROPOSED  
AMENDMENT TO MARINETTE ZONING CODE**

Pursuant to Wisconsin Statutes Section 62.23(7)(d)(2) and Marinette Municipal Code Section 13.4205, the Marinette Common Council will hold a public hearing on May 22, 2018 at 4:00 p.m. in the Common Council Chambers at Marinette City Hall, 1905 Hall Avenue, Marinette, Wisconsin, for the purpose of receiving public comment upon the recommendation and report of the Plan Commission to amend the Marinette Zoning Code as follows:

**13.3534 Freestanding Signs**

- A. Maximum Size. ~~Twenty-four~~ one hundred and forty-four square feet for each face of the sign (this maximum size includes twenty-four square feet maximum for changeable copy signs when placed within five feet of the lot line; or thirty-two square feet when placed beyond five feet).
- B. Vision Setback. The sign box may be at lot line but must be a minimum of eight feet above grade and any supports must be a minimum of five feet from the lot line.
- C. A freestanding sign may be double-faced.
- D. The maximum height of a freestanding sign shall not exceed ~~fourteen~~ twenty-five feet in height and fifteen feet in width.
- E. A freestanding sign may be illuminated.
- F. Only one sign permitted per business site.

Following the public hearing, the Marinette Common Council will take action on a proposed ordinance adopting the proposed Zoning Code amendment at a Special City of Marinette Common Council meeting, which commences at the same location at 4:20 p.m.

**Jonathan I. Sbar  
Marinette City Attorney**

A copy of the above notice was placed in the City Hall mailboxes of each of the following persons on May 4, 2018: All Common Council Members, Mayor Steve Genisot, City Clerk, Lana Bero. A notice for each of the following was placed in the City Hall Press Box on May 4, 2018; EagleHerald, Peshtigo Times, Bay Cities Radio. A copy was also posted on the City Hall Bulletin Board on May 4, 2018.

## REPORT AND RECOMMENDATION OF PLAN COMMISSION

(Proposed revision of text of City of Marinette Zoning Code to Amend MMC 13.3534, pertaining to allowable height, square footage and width of Freestanding Signs)

1. On May 2, 2018, the City of Marinette Plan Commission reviewed a proposed revision to the text of the City of Marinette Zoning Code to Amend MMC 13.2005, to add MMC 13.2005O, pertaining to the height and square footage of freestanding signs, which are currently allowable in commercial, industrial and institutional zoning districts.
2. The Current sign ordinance, recently passed, allows for a 14' maximum height and 24' maximum square footage for freestanding signs in commercial, industrial and institutional zoning districts.
3. Mayor Genisot and City Attorney Sbar explained that prior to the passage of the new sign code, numerous signs in the City were allowed that were as high as 66' tall. Pictured examples of signs and measurements of height were provided to the Plan Commissioners. For example:
  - Kwik Trip 25'
  - Walgreens 27'
  - Hardee's 25'
  - Mobil T&T 22'
  - Culvers 19'
  - O'Reilly 26'
  - Quality Inn 35'
  - Exxon 66'
  - Country Inn 55'
  - Country Inn 55'
  - Rail House 39'
  - Menards 65'
  - Goodwill 58'
4. The current sign ordinance limits sign height to 14'.
5. Recently developers such as OSMS (new development) and Associated Bank (change of ownership from Bank Mutual) have either requested signage in excess of 14' and/or requested square footage of their proposed signage in excess of 24 square feet.
6. The Plan Commission discussed whether the current sign ordinance was too restrictive. Keith Killen indicated the maximum sign height in Menominee, Michigan was 35'. Discussion took place regarding the balance between not allowing signs that were extremely tall, but still promoting local businesses which

seek to attract customers. Discussion took place that current signage in the 20' – 30' range, which pre-dated the passage of the next sign ordinance, with additional allowable square footage, seemed appropriate.

7. After discussion, on May 2, 2018, the Plan Commission voted to recommend to the Common Council an amendment to the text of the zoning code to amend MMC 13.3534, entitled "Freestanding Signs," to allow the following maximum height, width and square footage of freestanding signs in commercial, industrial and institutional zoning districts:

25' maximum height;

144' maximum square footage for each face of the sign (double faced signs freestanding signs are allowed in commercial, industrial and institutional zoning districts)(includes 32' square foot maximum for changeable copy signs); and  
15' maximum width.

8. After a Class II notice is published, the matter will be set for a Public Hearing and Common Council vote on May 22, 2018.

Date: 5/2/18

  
Steve Genisot  
Mayor/Plan Commission Chairman

CITY OF MARINETTE, WISCONSIN

AN ORDINANCE  
Amending MMC 13.3534  
pertaining to Freestanding Signs

PRESENTED PC 05-02-18  
REFERRED CC 5-22-18  
REREFERRED  
REPORTED BACK  
ADOPTED 5-22-18  
PUBLIC HEARING 5-22-18  
PUBLISHED

\_\_\_\_\_  
Drafted by: Jonathan I. Sbar  
City Attorney  
Date: 04/26/18

**ORDINANCE NUMBER 2398**

The Common Council of the City of Marinette do ordain as follows:

**Section 1.** Marinette Municipal Code Section 13 is amended as follows:

**13.3534 Freestanding Signs**

- A. Maximum Size. ~~Twenty-four~~ one hundred and forty-four square feet for each face of the sign (this maximum size includes twenty-four square feet maximum for changeable copy signs when placed within five feet of the lot line; or thirty-two square feet when placed beyond five feet).
- B. Vision Setback. The sign box may be at lot line but must be a minimum of eight feet above grade and any supports must be a minimum of five feet from the lot line.
- C. A freestanding sign may be double-faced.
- D. The maximum height of a freestanding sign shall not exceed ~~fourteen~~ twenty-five feet in height and fifteen feet in width.
- E. A freestanding sign may be illuminated.
- F. Only one sign permitted per business site.

**Section 2.** The provisions of this ordinance are declared to be severable. If any section, sentence, clause, phrase, or application of this ordinance is held to be invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining sections, sentences, clauses, phrases, or applications of this ordinance, which shall remain in effect. It is the legislative intent that this ordinance shall remain in effect notwithstanding the invalidity of any part or application of this ordinance.

**Section 3.** This ordinance shall take effect upon passage and publication as provided by law.

Motion for adoption by Alderperson  
Seconded by Alderperson  
On roll call adopted

\_\_\_\_\_  
Steve Genisot, Mayor

Attest:

\_\_\_\_\_  
Lana Bero, Clerk