

AGENDA # 1

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: October 1, 2014

TITLE: Creating Section 31.112 and Sec. 31.11(2)(o) and Amending Sections 31.11(1) and 31.05(2)(b) of the Madison General Ordinances to Create a Process for Advertising Sign Banks and Replacement Advertising Signs and Amending Sec. 31.04(5)(k)4.a. Regarding Illumination of Certain Signs. (35036)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: October 1, 2014

ID NUMBER:

Members present were: Richard Wagner, Chair; Richard Slayton, Melissa Huggins, Cliff Goodhart, John Harrington, Lauren Cnare.

SUMMARY:

At its meeting of October 1, 2014, the Urban Design Commission **REFERRED** consideration of the ordinance change. Registered and speaking in support were Jason Saari, representing Adams Outdoor Advertising; Gillean Kitchen, representing Greater Madison Chamber of Commerce; Rod Ripley, representing FCS Plan B, LLC; and Ald. Chris Schmidt, District 11. Registered and speaking in opposition was Steve Holtzman. Ripley urged support as the owner of a property at 1313 Regent Street where three Adams Outdoor Advertising billboards are located on the roof. These billboards could be moved to a more desired location if this ordinance change passes. Saari spoke in support as this ordinance would allow Adams Outdoor Advertising to upgrade and resolve a lot of issues. Holtzman spoke in opposition and mentioned that this issue was taken up by the Common Council nearly 25 years ago, noting that many U.S. cities have bans on billboards. The Economic Development Committee recommended approval of the ordinance. The Plan Commission recommended some substitute language for the ordinance. Ald. Schmidt explained that this ordinance would enable to movement of billboards out of the way to speed up developments. Matt Tucker, Zoning Administrator noted that this amendment also deals with footcandle/wattage measurements with all signage, as newer LED technology spills out more light. The fee structuring has not changed. The changes to the ordinance maintains the status quo of places where billboards could be placed, with the exception of the requirement in the ordinance that billboards cannot be placed in areas that were annexed into the City after the date of November 30, 1987. The Commission discussed various options and the differences between advertising billboards and painted murals/façades. Concern was raised by Huggins that this is leading the City to an unknown territory as to how this will play out. This ordinance change doesn't move billboards, it simply lets the companies change their business decisions, and those business decisions may or may not give you new development sites. We're not going to see a big change; we don't really gain anything. If this is truly going to trigger development then there needs to be a release clause for a property owner so if the property changes hands, the new property owner has the opportunity to change that original lease. Tucker noted that if a billboard company can bank the square footage they can't necessarily argue that they are losing their asset. This could limit the replacement option to certain parcels and

circumstances that can be identified. Assistant City Attorney Lara Mainella noted that she would need to research equal opportunities issues that may arise with these amendments.

What would be a reasonable timeframe for the sunset so we can get a handle on what the impact would be? Explore triggers, in particular the submittal of a land use application for redevelopment, would be the only time in which a sign company could bank their square footage.

ACTION:

A motion was made by Cnare, seconded by Goodhart, to **RECOMMENDED APPROVAL** of the ordinance as originally drafted. The motion was replaced by a substitute motion by Huggins, seconded by Cnare, where the Urban Design Commission **REFERRED** consideration of this ordinance with requests for redraft of amendments from City staff to provide for replacement alternatives based on development proposals as discussed above to return for further consideration. The motion passed on a vote of (5-0).

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall rating for this project is 1.