

LEGISTAR # 35034 – Version 1

DRAFTER'S ANALYSIS: This ordinance amends Sec. 31.13 in two ways. First, sub. (1) is amended to modify the rules for signs in Historic Districts. The current ordinance relies on an outdated procedure regarding Historic District plan documents, which do not usually address signage. Under this amendment, all proposed new signage in a Historic District, on a Landmark building or Landmark site must be approved by the Landmarks Commission prior to a sign permit being issued. Such signs are subject to all requirements of the sign ordinance but the Landmarks Commission may create additional criteria that is more strict and may include the requirement of a certificate of appropriateness. Such criteria, once created, would be part of the Landmarks Ordinance.

This ordinance also creates a new procedure for sign approval in a Planned Development District (PD). Currently, there are no criteria for signs in a PD. Signs are approved by the UDC on a case-by-case basis through the PD approval process, with no criteria to guide the UDC. Under this amendment, the Zoning Administrator (ZA) would choose a comparable zoning district for the PD, solely for the purposes of applying the criteria of this chapter to applications for signs in the PD. The ZA would review the location, characteristics, uses, building forms, and design of the proposed PD and its relationship to abutting land uses in deciding which district to choose. The selection of zoning district and final decision on each sign permit will become part of the SIP or GDP recorded for the PD.

The Zoning Administrator's selection of the zoning district will be appealable to the UDC under existing procedures. Existing appeal procedures are being formalized to require the appeal to be made in writing and filed with the Director of Building Inspection within 30 days of the decision being appealed, to be consistent with appeals of other building code orders.

The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (1) entitled "Historic Districts" of Section 31.13 entitled "Districts of Special Control for Purposes of Signs" of the Madison General Ordinances is amended to read as follows:

"(1) Historic Districts and Landmarks. Sec. 33.01, MGO, permits the City to designate Historic Districts. This chapter shall apply to Historic Districts, however the plan for an Historic District may include specific sign regulations that shall supersede the provisions of this ordinance. In addition to the requirements of this Chapter, all applications for sign permits in an historic district, on a landmark or a landmark site as defined in the Landmarks Ordinance, Sec. 33.19, MGO, shall be reviewed and approved by the Landmarks Commission pursuant to applicable procedures in the Landmarks Ordinance. Such criteria shall be at least as strict as the requirements of this Chapter and may include the requirement of a certificate of appropriateness under the Landmarks Ordinance."

2. Subsection (4) entitled "Planned Development District (PD)" of Section 31.13 entitled "Districts of Special Control for Purposes of Signs" of the Madison General Ordinances is amended to read as follows:

"(4) Planned Development District (PD). In the Planned Development district, there shall be no predetermined specific regulations for signs, but such requirements as are
(a) All requests for sign permits in a Planned Development district shall be made to the Zoning Administrator. The Zoning Administrator shall compare the proposed PD to similar developments (if any) in conventional zoning districts and select an equivalent conventional zoning district to use for purposes of applying the regulations of this chapter to the PD. Factors to be considered when selecting the zoning district shall include: location, characteristics, uses, building forms, and design of the proposed PD and its relationship to abutting land uses. Once selected, the requirements of this Chapter for the selected zoning district shall apply to all signs in the PD and the permit requirements under Sec. 31.041 shall apply. The Zoning Administrator's selection of a zoning district is appealable under Sec. 31.043(1) only by the applicant or the alder of the aldermanic district of the proposed PD.
(b) Enforcement. The selection of a zoning district and final decision on each sign permit under sub. (a) shall be made a part of an approved recorded General Development Plan (GDP) or Specific Implementation Plan (SIP) for the PD and shall be, along with the recorded plan itself, construed to be and enforced with the full force and effect as this ordinance. The GDP or SIP may adopt by reference all or portions of Chapter 31. No person shall display any sign within a Planned Development District in violation of the GDP or SIP or this section."

3. Subsection (1) entitled "Zoning Administrator Appeals" of Section 31.043 entitled "Urban Design Commission and Comprehensive Design Review" of the Madison General Ordinances is amended to read as follows:

"(1) Zoning Administrator Appeals. The UDC shall hear and decide appeals of decisions of the Zoning Administrator where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Administrator in the enforcement of this chapter and, where applicable, Official Notices issued by the Building Inspection Division or the Zoning Administrator relating to signs under this chapter, however except decisions regarding structural or mechanical concerns which are not appealable to the Building Board of Examiners and Appeals under Sec. 31.04(3)(b)1. All applications for appeal shall be in writing and filed with the Director of the Building Inspection Division no later than thirty (30) days after the date of the Official Notice of code violations or of the decision of the Zoning Administrator. The UDC shall make a final decision on an appeal under this section within sixty (60) days of the application, unless the applicant waives this deadline in writing or in person at a UDC meeting."