



Agenda Item #:	4
Project Title:	Amending Section 31.112 of the Madison General Ordinances, Advertising Sign Bank and Replacement Advertising Signs, to extend the sunset date for 8 years and make minor procedural clarifications to the sign bank process for Advertising Signs.
Legistar File ID #:	77467
Members Present:	Cliff Goodhart, Chair; Lois Braun-Oddo, Shane Bernau, Russell Knudson, Christian Harper, Jessica Klehr, Rafeeq Asad, and Marsha Rummel
Prepared By:	Jessica Vaughn, AICP, UDC Secretary

Summary

At its meeting of May 10, 2023, the Urban Design Commission **RECOMMENDED APPROVAL** of an amendment to Section 31.112 of the Madison General Ordinances, Advertising Sign Bank and Replacement Advertising Signs, to extend the sunset date for 8 years and make minor procedural clarifications to the sign bank process for Advertising Signs. Registered and speaking in support were Julie Johnson, and Carole Schaeffer.

Matt Tucker, Building Inspection Director, gave an overview of the amendment. The UDC is the working body for the City's sign code, with any amendments or changes finding their way to the Commission for their consideration. This item was initially just to renew the sunset that the City Council looks at; Ald. Rummel referred it to this body. The UDC's role is advisory to the Common Council, who will take this matter up on June 6th.

The Commission discussed the following:

- The real authority we have is recommending the sun setting, nothing to do with the ordinance itself, right?
- They're welcome to share thoughts on the ordinance, it does a few minor things without going beyond those limitations of extending the sunset and cutting out irrelevant process.
- I trust the Commissioners have seen the Power Point presentation and examples where signs have been removed, and one example where a new one was erected. Any questions or comments with regard to the notion of extending the sunset?
- I asked this to be referred to this body, maybe there's not a lot of feedback and I understand that. It was around eight years ago when this came forward, I was on UDC then so it seemed appropriate. How does this help us with our goal, maybe we have more than one, but billboards aren't legal and yet we're allowing them through this process. Why is it that these permits are 50 years long, how does that help us with our goal?
- (Tucker) When the Council was debating the matter they recognized the positives and potential pitfalls of this ordinance. Several of the members had concerns that the signs can be around for a very long time, we have some built in the 1960s. These are long life signs, and the newer signs are being built from a design perspective to ensure they would last much longer than the signs installed in the 1960s. The Council was concerned about what new Council members in 50, 60 or 70 years would think about this package we delivered. They came to the decision that the signs should have a 50 year life, so any permit would be taken down at the end of the 50 year term. That seemed fair and reasonable to give the sign companies that time, it meets the goals of the City of eventually seeing these signs go away, although that will be a long, long time in the future.
- Will sign companies be able to change the sign lighting? We've gotten some that are like a big TV screens and are pretty obnoxious. They can't change the method, can they?

- Our regulations do not allow for video board signs, it's now an allowed sign type in the City of Madison. Only external illumination or internal with a face-lit back, the face is always going to be static.
- They could do backlit ones? They could change any of these to be backlit?
- Possibly, it's hard to know because they look the same as the face lit ones. You wouldn't be able to tell unless you really looked at it to see it didn't have external illumination arms.
- As long as it's not allowed to be changed to those digital video signs.
- The digital video signs are prohibited in our ordinance, that regulation was recently found to be legal by the Seventh Circuit Court of Appeals.
- At the end of presentation you show a sign by West Towne Mall that was a banked sign.
- The Regent Street one is in the sign bank, when they find a location they can apply for a permit. We had one in the 3700 block of E Washington Avenue, there's some square footage of signs taken down from there that also sits in their bank now.
- What happens if the sign companies can't find a new site, what happens then?
- The square footage is in their bank, it's their job to find appropriate sites for that, not the City. If there's not a voluntary property owner, that's not a City problem. If the square footage doesn't get used after the ordinance sunsets, the square footage is lost.
- If Adams agrees to remove something without a new site, they bank that? Has that happened, is that the typical process?
- They have never banked with me with the intent of putting a sign up immediately. They're not doing it with a site in mind.
- It sounds like where development happens and when they happen, the whole notion of doing this for one or two years doesn't make any sense. It makes sense to have it go on some number of years because of the unpredictability of when a development might replace a sign, given that we are making an advisory recommendation on this.
- I don't understand what the alternative is. If this ordinance were to sunset what would that mean?
- If the ordinance were to sunset, the square footage in the sign bank that isn't used by that date is lost. Lucky's 1313 and the Tires Plus location would be lost. More importantly moving forward, where signs are on properties slated for redevelopment, the removal of the signs for the development to move forward in a timely fashion might be harder. This creates an opportunity for the sign company and the property owner to negotiate relocation of the sign so the development could proceed. This is something the City feels would potentially encourage redevelopment sooner or maybe without so much litigation, in a more efficient way to get more housing quicker in the City.
- If I understand correctly, some of these leases on the billboards are very long term that could impede development. Not just waiting a year or two, 10 years or more?
- My understanding is many of the leases are ten years or longer. The Lucky's 1313 project stalled for seven years because of a disinterest in ending a lease.
- I'll make a motion for an Advisory Recommendation to the Common Council for approval of these proposed changes to extend the sunset of the ordinance, and to include the all the proposed process related changes and clarifications.
- I have to abstain, I'm not quite able to say support it. I still have questions to work out with the Council.

Action

On a motion by Knudson, seconded by Braun-Oddo, the Urban Design Commission **RECOMMENDED APPROVAL**. The motion was passed on a vote of (6-1-1) with Knudson, Braun-Oddo, Harper, Bernau, Asad, and Klehr voting yes; Rummel abstaining, and Goodhart non-voting.