

## AGENDA # 1

City of Madison, Wisconsin

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REPORT OF: URBAN DESIGN COMMISSION	<b>PRESENTED:</b> February 25, 2009
TITLE: To Adopt and Confirm Amendments to the Madison General Ordinances as Set Forth in Attached Exhibit X Pursuant to Sec. 66.0103, Wis. Stats. Repealing and Recreating Chapter 31 and Amending Portions of Chapter 28 and Chapter 1.	<b>REFERRED:</b> <b>REREFERRED:</b> <b>REPORTED BACK:</b>
AUTHOR: Alan J. Martin, Secretary	<b>ADOPTED:</b> <b>POF:</b>
DATED: February 25, 2009	<b>ID NUMBER:</b>

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Members present were: Mark Smith, Richard Wagner, Marsha Rummel, Bruce Woods, Richard Slayton and John Harrington.

### **SUMMARY:**

At its meeting of February 25, 2009, the Urban Design Commission **CONTINUED DISCUSSION** on the draft ordinance changes. Registered and speaking in support was Mary Beth Growney Selene. Registered and speaking in opposition were Chet Hermansen and Mike Brusca. Registered neither in support nor opposition was Carole Schaeffer. Prior to the Commission's receiving public testimony on the draft sign ordinance and subsequent recommendations by the Commission, staff provided a brief history of the Commission's discussion and recommendations on the draft ordinance since its introduction in July of 2006. Staff noted that the purpose of the meeting was to receive public input on the original draft ordinance provisions, as well as substitute recommendations by the Commission. Staff further noted that following the hearing on this item, formal consideration by the Urban Design Commission will be provided at one of its regular meetings in March and April or the special meeting of March 25 or April 29, 2009. Chet Hermansen, registered and speaking in opposition noted issues with electronic changeable copy signs. He questioned the more liberal allowance for electronic changeable copy signs in adjacent municipalities and townships, as well as Dane County, as well as their use as emergency signage on vehicles. Staff noted that adjoining jurisdictions such as the Town of Madison and other municipalities such as Monona have less restrictive sign ordinances providing for more frequent change to the message for the electronic changeable copy. Staff noted that the current recommendation by the Commission as a substitute provides for a change to be no more frequently than one per hour consistent with requirements in many of the existing Urban Design Districts. Carole Schaeffer spoke neither in support or opposition, representing Smart Growth of Greater Madison. She spoke to the issue of temporary real estate graphics which are not allowed to exceed 32 square feet according to the current ordinance. It is Smart Growth of Greater Madison's desire to provide for parallel allowances as with permanent business identification street graphics such as sign type, area and size. She distributed a handout suggesting minor revisions to the draft ordinance to allow for greater flexibility in providing for larger real estate graphics. Following a discussion with Schaeffer, the Commission noted its desire for a report from staff on the effect of such changes for real estate graphics versus permanent business identification graphics. Continued discussion on the suggested modifications distributed by Schaeffer noted some concern with the "non-commercial message options" within the existing draft ordinance language. Following Schaeffer's testimony Mike Brusca also spoke to issues with real estate graphics as associated with his Woods End Corporate Park office development. He noted that size

limitations provided for insufficient view on the Beltline. Staff noted that many of the issues Brusca spoke on were also issues with ground sign graphics on this property. Staff further noted that the draft ordinance requirements, as well as the Urban Design Commission's recommendations would not effect many of the issues asserted by Brusca due to the property's location in Urban Design District No. 2, which provides for more restrictive signage provisions which are not proposed to be amended with the current draft or substitute ordinance provisions. Staff suggested that Mr. Brusca meet with staff to discuss relevant issues. Mary Beth Growney Selene of Ryan Signs, Inc. distributed an issues matrix dealing with certain sections of the proposed draft and substitute ordinance. She noted that many of the issues were already discussed with staff and were not critical issues in her review of the draft ordinance provisions except in two areas. One area dealt with the requirements for display of text or copy to use a light color copy on dark background. She noted issues with this provision relevant to night viewing where light color backgrounds could be opaque and allow for only illumination of the copy. Staff noted its general agreement with the concept where draft language required additional attention. The other point of contention was the issue of the regulation of electronic changeable copy graphics not changing more frequently than once every hour as proposed with the draft substitute ordinance provisions. She noted her support for the current ordinance to not more than once every two minutes, where adjoining communities with even more frequent changeable copy have resulted in little to no problems. She provided a discussion as to the purpose to identify businesses and provide for advertising as appropriate and referenced national standard which provides for changeable copy at 4-6 seconds. She noted that the existing ordinance should remain with regulations to require integration and limit the total amount of changeable copy signage as part of the overall graphic. A Commission's discussion of the issues followed, noting that the density of changeable electronic copy signs are an issue where the current draft ordinance provides no regulation. Following discussion staff informed the Commission and the public on the overall process for approval of the draft ordinance revisions where Zoning Administrator Matt Tucker noted scheduling further discussion at a special meeting versus a formal meeting for adoption. The Commission instructed the SIGNTAST Staff to meet with Carole Schaeffer to discuss the real estate graphics policy issue, as well as issues with the opacity of the background of internally lit signs as noted by Mary Beth Growney Selene, and report back to the UDC prior to any formal consideration of the draft ordinance provisions. The Commission noted its desire for a response in a memo to inform it on policy questions and issues raised in discussions with Schaeffer and Growney Selene. The information would be utilized in establishing further consideration of scheduling of the adoption of the draft ordinance provision at a future meeting.

**ACTION:**

On a motion by Wagner, seconded by Rummel, the Urban Design Commission **SUPPORTED** these directives. The motion was passed on a vote of (6-0).