

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: June 6, 2012

TITLE: Amending Sections 31.05(1)(c), 31.05(2)(b), Creating Section 31.05(2)(c), Amending Sections 31.11(1), 31.11(2)(g) and 31.11(2)(l) of the Madison General Ordinances to Authorize the Realignment of a Billboard or Other Nonconforming Sign that Would Otherwise Have to be Removed as a Result of a State Highway Project. (26329)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: June 6, 2012

ID NUMBER:

Members present were: Richard Wagner, Dawn O’Kroley, Henry Lufler, Todd Barnett, Richard Slayton, Tom DeChant, Marsha Rummel and John Harrington.

SUMMARY:

At its meeting of June 6, 2012, the Urban Design Commission **RECOMMENDED APPROVAL** the ordinance. Assistant City Attorney Lara Mainella, City Attorney’s Office spoke to the Commission about the ordinance change due to modifications to state law. Essentially the state is saying that because of a road project there is a zoning lot that currently has a billboard (or any other sign) that is non-conforming with the ordinances where the state’s road project would require that sign to be torn down or moved. The City has two choices: the sign can be moved on the same zoning lot without losing its non-conforming status, or the City can petition the state to condemn the sign, but the City would have to cover the condemnation costs. This ordinance amendment would allow the City to choose, on a case-by-case basis, for signs that are affected by this, including billboards to allow them to be relocated elsewhere on the zoning lot. Rummel inquired about the Zoning Administrator’s ability to grant setback variances in order for some of these signs to be moved; Mainella responded that the sign would still have to meet code. By making reference to setback and saying that the Zoning Administrator is authorized to waive setback, the understanding is that he is not authorized to waive anything else.

ACTION:

On a motion by Lufler, seconded by Rummel, the Urban Design Commission **RECOMMENDED APPROVAL** the ordinance. The motion was passed on a unanimous vote of (7-0).