

CITY OF MADISON, WISCONSIN

AN ORDINANCE _____

PRESENTED
REFERRED

November 27, 2012
UDC _____

Amending Sections 31.071 to modify the Canopy Sign ordinance, amending Sections 31.07(1), 31.09(1)(a) and 31.075(2), and creating Section 31.06(6) of the Madison General Ordinances to add a reference to a Charter Ordinance to each of those sections.

Drafted by: Lara Mainella
Date:

SPONSOR: Alder Verveer

DRAFTER'S ANALYSIS: This ordinance amends the Canopy Sign ordinance, and clarifies the status of signs displayed on canopies and awnings, projecting from a building, or on a banner that projects into the highway right-of-way. This is a companion to Charter Ordinance (Legistar File No. 28398) and should be considered at the same time. The sign code currently allows limited signage on canopies and awnings that project outward from a building, and elements of wall signs and projecting signs that extend off the building face. Often such projecting features are within the airspace of the right-of-way and contain signage. This ordinance will make clear that such signs are governed by a newly-created charter ordinance establishing the City's intent to deviate from the state law that prohibits signs in the right-of-way, for those types of signs. This ordinance also modifies the criteria for canopy signs – clarifying the design and size of signs that may be displayed on, above or below a canopy. Such signs shall not project beyond the limits of the structure to which the sign is attached. The portions of this ordinance that cross-reference the Charter Ordinance (Sec. 31.04(6)) will not be adopted and will not take effect until and unless the companion Charter Ordinance (No. 28398) takes effect.

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

- 1. Section 31.071 entitled "Canopy Signs" of the Madison General Ordinances is amended to read as follows:

"31.071 CANOPY SIGNS.

A sign may be displayed on a canopy in the Commercial, Manufacturing and Office districts specified in Sec. 31.15(2) (Table 2), and subject to the provisions of this section. Canopy signs may be illuminated, subject to Sec. 31.04(6)(k). Banners shall not be used as canopy signs.

- (1) Canopy Fascia Signs. A sign may be displayed on the fascia of a canopy in lieu of a wall sign. Such sign shall be considered a wall sign, with the fascia of the attached canopy acting as the signable area, except that the signable area for a canopy fascia sign shall not project beyond the limits of the canopy in any direction, and shall be no wider than the width of the canopy. Any canopy fascia sign shall be in lieu of an above-canopy or below-canopy sign under this section.

- (2) Above-Canopy Signs.
 - (a) A sign may be erected on the top of an attached canopy in a position parallel, or nearly so, to the building face in lieu of a wall sign, if there is no canopy fascia sign

Approved as to form:

- UNOFFICIAL DRAFT SUBSTITUTE – NOT APPROVED

Michael P. May, City Attorney

visible when facing the building.

- (b) A sign may be erected on the top of an attached canopy in a position perpendicular, or nearly so, to the building face, in lieu of a projecting sign, if there is no canopy fascia sign on either side of the canopy.
- (c) Number, Design Criteria. ~~In lieu of a canopy fascia sign or wall sign,~~ a maximum of one (1) sign may be erected on the top of an attached canopy, except where the canopy is facing two street frontages or facing an off-street parking area that is thirty-three (33) or more feet in width, if the parking area is on the same zoning lot as the building on which the sign is displayed, or if the parking area is not on the same zoning lot but is available for use under a reciprocal cross-access agreement, an approved planned commercial development site or when a conditional use permit has been granted to the owner of an adjacent lot to allow accessory parking for the use within the building on which the sign is displayed, a maximum of two (2) signs may be erected on the top of said canopy. Above-canopy signs shall be subject to the following additional restrictions:
- ~~(a)~~1. The sign shall be the business name or business logo only.
 - ~~(b)~~2. The sign shall have a vertical dimension no higher than the roofline of the corresponding building facade and no higher than two (2) feet above the canopy, except as allowed in Sub. (2)(c)23.b., ~~herein below.~~
 - ~~(c)~~3. The sign shall be constructed only of free-standing letters, numbers, other characters, or free-standing business logos, subject to the following:
 - 4a. The supporting sign construction for a logo must conform to the shape of the logo.
 - 2b. A logo shall be limited to four (4) square feet in area measured by drawing the smallest possible square or rectangle enclosing the extreme limits of the logo. The logo shall not extend above the roofline of the corresponding building facade. However, a logo may exceed the two (2) foot height limit.
 - ~~(d)~~4. The horizontal dimension of the sign shall be no wider than the width of the attached canopy on which it is displayed, or the width of the corresponding facade, whichever is narrower.
 - ~~(e)~~5. An above-canopy sign may be placed at any distance from the face of the building, ~~except~~ but shall not project further from the building than the canopy to which it is attached, and a sign that crosses architectural detail may not be displayed closer than three (3) feet from the nearest face of the building, unless prior approval of the Urban Design Commission has been obtained under Sec. 31.043(3)(e).
- (3) Below-Canopy Signs. ~~In lieu of a projecting sign, a sign may be displayed below an attached canopy with no signable fascia area, if the sign meets following criteria:~~
- (a) A sign may be suspended below an attached canopy in a position parallel to the building face in lieu of a wall sign, if there is no canopy fascia sign visible when facing the building.
 - (b) A sign may be suspended below an attached canopy in a position perpendicular to the building face, in lieu of a projecting sign, if there is no canopy fascia sign on either side of the canopy.
 - (c) All below-canopy signs shall comply with all of the following criteria:
 - ~~(a)~~1. shall be mounted beneath the canopy, ~~and.~~
 - ~~(b)~~2. shall not project or extend beyond the limits of the attached canopy in any direction, ~~and.~~
 - 3. the sign face shall have a maximum vertical height of two (2) feet, subject to the vertical clearance requirements below.
 - ~~(c)~~4. shall not hang more than ~~eighteen inches (18")~~ one (1) foot from the ~~bottom~~ lower most edge of the canopy, however this dimension shall be reduced as necessary to provide the following ~~pedestrian or vehicular~~ vertical clearance: the sign must vertically clear any pedestrian area by at least ~~ten (10)~~ nine (9) feet, and vehicular ways by at least fourteen (14) feet, ~~and.~~

- (d) ~~shall project no more than twenty-four (24) inches into the public right-of-way.~~
- (4) Miscellaneous Detached Canopy Signs. In lieu of a wall sign on the principal building, a sign that does not fit into any of the categories above may be displayed on a detached canopy or ~~an attached canopy with no signable fascia area~~ if the canopy does not have a signable fascia, and, if the sign meets the following criteria:
- (a) The maximum net area of any canopy sign approved under this subsection shall be not more than ten percent (10%) of the total area of an imaginary vertical plane measured from the upper edge of the canopy to the lowest point of the canopy on the face the sign will be attached, excluding any supporting structures.
 - (b) The horizontal dimension of the sign shall be no wider than the width of the canopy on which it is displayed.
 - (c) If mounted below the canopy, the sign shall not hang more than one (1) foot eighteen inches (18") from the bottom of the canopy, however this dimension shall be reduced as necessary to provide the following pedestrian or vehicular clearance: the sign must vertically clear any pedestrian area by at least ten (10) nine (9) feet, and vehicular ways by at least fourteen feet (14'), and
 - (d) The sign shall not project no more than twenty-four (24) inches into the public right-of-way further from the building face than the canopy structure to which it is attached.
- (5) Nothing in this section shall be construed to permit canopy signage within any portion of the public right-of way ~~beyond the criteria of~~ except as expressly provided in this section and Section 31.04(6)."

2. Subsection (1) of Section 31.07 entitled "Wall, Roof and Above-Roof Signs" of the Madison General Ordinances is amended to read as follows:

- "(1) Wall and roof signs may be displayed in the commercial, manufacturing and office districts, subject to the requirements of the Tables of Permitted Signs, Sec. 31.15(1) (Table 1). Wall signs may be attached flat to, or affixed parallel to and at a distance of not more than fifteen (15) inches from the wall, however no wall sign shall project into the right-of-way except as authorized by Sec. 31.04(6). No sign affixed flat against a building wall shall extend beyond any edge of such wall. Wall and roof signs may be illuminated subject to Sec. 31.04(5)(k)."

3. Subdivision (a) entitled "Minimum and Maximum Projection" of Subsection (1) of Section 31.09 entitled "Projecting Signs" of the Madison General Ordinances is amended to read as follows:

- "(a) Minimum and Maximum Projection. A projecting sign, as defined in Sec. 31.03(2), is a sign that projects outward, perpendicularly from a wall at a distance of at least 15 inches or more from the building face. The maximum distance a projecting sign may project is not more than twenty-four inches (24") into the right-of-way, as authorized by Sec. 31.04(6). Where setbacks permit, projecting signs may project not more than six feet (6') from the building face."

4. Subsection (6) of Section 31.06 entitled "Awning Signs" of the Madison General Ordinances is created to read as follows:

- "(6) Awning signs may project into the right-of-way only as authorized under Sec. 31.04(6)."

5. The introductory paragraph of Subsection (2) of Section 31.075 entitled "Flags and Decorative and Promotional Banner(s)" of the Madison General Ordinances is amended to read as follows:

- "(2) It shall be unlawful for any person to install, place or display any flag, decorative banner, or promotional banner in the public right-of-way except in compliance with Sec. 31.04(6) and the following:"

6. The following amendments will not take effect until and unless Charter Ordinance creating Sec. 31.04(6) (ID # 28398) takes effect: Sec. 31.07(1), Sec. 31.071(5), Sec. 31.09(1)(a), Sec. 31.06(6), and Sec. 31.075(2).