



Legislation Details (With Text)

File #: 22501 **Version:** 1 **Name:** Legacy signs
Type: Ordinance **Status:** Passed
File created: 5/11/2011 **In control:** URBAN DESIGN COMMISSION
On agenda: 6/21/2011 **Final action:** 6/21/2011
Enactment date: 6/29/2011 **Enactment #:** ORD-11-00089
Title: Creating Sec. 31.04(3)(j) to allow approval of historic legacy signs by the Urban Design Commission and creating criteria for such approval, amending Sec. 31.03(2) to create a definition of legacy sign, amending Sec. 31.043(4)(b)2. regarding additional sign code approvals and comprehensive design review, repealing and recreating Sec. 31.045(3)(e) and amending Sec. 31.07(1) of the Madison General Ordinances regarding signs posted to or affixed directly to a wall.
Sponsors: Michael E. Verveer, Marsha A. Rummel
Indexes:
Code sections:
Attachments: 1. Sec 31.04 Report 060811.pdf, 2. Legislative File Text

Date	Ver.	Action By	Action	Result
6/21/2011	1	COMMON COUNCIL	Adopt	Pass
6/8/2011	1	URBAN DESIGN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
5/17/2011	1	COMMON COUNCIL	Referred	
5/11/2011	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

There may be a minimal increase in General Fund revenues derived from permit fees.

Title

Creating Sec. 31.04(3)(j) to allow approval of historic legacy signs by the Urban Design Commission and creating criteria for such approval, amending Sec. 31.03(2) to create a definition of legacy sign, amending Sec. 31.043(4)(b)2. regarding additional sign code approvals and comprehensive design review, repealing and recreating Sec. 31.045(3)(e) and amending Sec. 31.07(1) of the Madison General Ordinances regarding signs posted to or affixed directly to a wall.

Body

DRAFTER'S ANALYSIS: Currently, the City's Landmarks ordinance allows signs to be painted directly on a wall on landmark buildings or in historic districts to recreate a historical sign or create a new one that looks historical. This is only available on landmark buildings or in historic districts. There is interest in allowing historic signs to be restored on buildings that aren't landmarks and are outside historic districts, if the applicant can prove pre-1940 historical existence of the sign or one like it. This ordinance amendment would allow the Urban Design Commission to approve the recreation of a known historical sign or a sign that includes a business name, logo, product, or an accessory use in the building in question, called a "Legacy Sign." The prior signage must pre-date 1940. The UDC would review an application for a legacy sign using the existing process for "additional sign code approval" and the criteria established in this ordinance. This ordinance also clarifies that an "additional sign code approval" can be combined with a Comprehensive Design Review, eliminates the prohibition against signs "posted directly on a wall," and corrects a cross reference to the Landmarks ordinance.

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

1. Subdivision (j) of Subsection (3) entitled “Additional Sign Code Approvals” of Section 31.043 entitled “Urban Design Commission and Comprehensive Design Review” of the Madison General Ordinances is created to read as follows:

“(j) Permit a “Legacy Sign” as follows: one or more wall signs on a building that was constructed in whole or in part for a commercial or industrial use, if the proposed sign or signs depict solely one or more of the following:

1. business name;
2. name of the building;
3. logo;
4. description of an accessory use that was accessory to a prior use of the building or zoning lot (may include a product name);
5. an exact replica of a known prior sign displayed on the building.

Each of the elements listed in 1. through 5. above, if included in the sign in question, must be found to have a provable, demonstrated historical relationship to a prior sign on the building that pre-dates 1940 or to a prior use of the building that pre-dates 1940. The UDC shall find that there is direct historical relationship between the proposed sign and a pre-1940 use of the building.

The UDC shall approve the materials, design, size, and location of the sign with specificity and the proposed sign shall match the original to the extent that any details of the original sign are known. The sign must blend appropriately with the historic nature of the building and shall not be illuminated. The location and size of the sign must be found by the Urban Design Commission not to interfere with existing signage on the zoning lot. If the appearance of a prior sign is known, the proposed sign shall match the prior sign completely and this will satisfy the criteria of this section. A sign that includes the name of a business or product that is not currently on the premises of the building cannot be approved unless the business or product is no longer in existence, or unless the business or product name can be shown to be commonly known as the name of the building. This section shall not be used to approve an advertising sign or off-premise sign as defined in this ordinance.

Landmarks/Historic Districts. An application for a legacy sign on a landmark or in a historical district is also subject to Sec. 33.19, the Landmarks ordinance.

Number and Location of Legacy Signs. Legacy signs under this section may be approved on not more than two (2) façades per building. There is no limit to the number of legacy signs per facade but each sign must be found to be eligible under sub. (j)1. through 5. above.

A legacy sign shall take the place of, not be in addition to, a wall sign that would otherwise be allowable under Sec. 31.07(2)(a) and (b), except that a legacy sign may not be approved as an alternative to Secs. 31.07(2)(a)1. or 2. and may not be approved as a roof or above-roof sign. A legacy sign also shall not be approved in lieu of a wall sign under Secs. 31.07(5) or (6). The UDC shall consider all existing wall signs on the façade when considering an application for a legacy sign. Legacy signs may only be displayed within an allowable signable area as defined in Secs. 31.07(2)(b) and 31.03(2), unless the proposed sign is an exact replica of a prior known sign on that building and the location of the prior sign is also known, in which case the sign may be displayed in the prior location, as long as the building exterior has not been significantly modified in that location.

No Additional Wall Signs. Once a permit has been approved for legacy sign(s) on a façade under this section, no new permits for wall signs will be issued.”

2. Subsection (2) entitled “Definitions” of Section 31.03 entitled “Rules and Definitions” of the Madison General Ordinances is amended by adding therein the following:

“Legacy Sign. A sign that has been approved by the Urban Design Commission under Sec. 31.043(3)(j).”

3. Paragraph 2. of Subdivision (b) entitled “Comprehensive Design Review Criteria” of Subsection (4) entitled “Comprehensive Design Review (“CDR”)” of Section 31.043 entitled “Urban Design Commission and Comprehensive Design Review” of the Madison General Ordinances is amended to read as follows:

“2. Each element of the Sign Plan shall be found to be necessary due to unique or unusual design aspects in the architecture or limitations in the building site or surrounding environment; except that when a request for an Additional Sign Code Approval under Sec. 31.043(3) is included in the Comprehensive Design Review, the sign(s) eligible for approval under Sec. 31.043(3) shall meet the applicable criteria of Sec. 31.043(3).”

4. Subdivision (e) entitled “Signs Affixed Flat Against Building Walls” of Subsection (3) entitled “Hazardous or Prohibited Signs, Structures and Conditions” of Section 31.045 entitled “Unsafe and Unlawful Signs and Structures” of the Madison General Ordinances is repealed and recreated to read as follows:
“(e) Signs Painted Directly Upon Any Wall Or Wall Surface. No sign shall be painted directly upon any wall or wall surface unless approved by the Urban Design Commission as a legacy sign under Sec. 31.043 (3) or approved by the Landmarks Commission under Sec. 33.19(5)(d) or (e).”

5. 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. 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).”

EDITOR’S NOTE:

Sec. 31.045(3)(e) currently reads as follows:

“(e) Signs Affixed Flat Against Building Walls. No sign affixed flat against a building wall shall extend beyond any edge of such wall, and no sign shall be painted or posted directly upon any wall except as provided for in Sec. 31.15(2) and Sec. 33.01(5)(d) or (e). See also Sec. 31.07 for the regulation of wall signs in commercial, office and manufacturing districts.”