



Legislation Details (With Text)

File #: 77467 **Version:** 1 **Name:** Advertising Sign Bank & Replacements
Type: Ordinance **Status:** Passed
File created: 4/25/2023 **In control:** Attorney's Office
On agenda: 6/6/2023 **Final action:** 6/6/2023
Enactment date: 6/17/2023 **Enactment #:** ORD-23-00064
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.
Sponsors: Yannette Figueroa Cole, Satya V. Rhodes-Conway, Juliana R. Bennett, Amani Latimer Burris
Indexes:

Code sections:

Attachments: 1. 31.112 ordinance explanation 5-2023.pdf, 2. Billboard Cap Replace ordinance FAQ 5-2023 FINAL.pdf, 3. Public Comment 05-09-23.pdf, 4. Section31.112SignBankSunsetUDCReport051023.pdf, 5. File No. 77467 Fig-Cole Amendment from the floor.pdf, 6. 060223_CC_public_comment

Date	Ver.	Action By	Action	Result
6/6/2023	1	COMMON COUNCIL	Adopt With Amendment(s)	Fail
6/6/2023	1	COMMON COUNCIL	Adopt	Pass
5/10/2023	1	URBAN DESIGN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
5/2/2023	1	COMMON COUNCIL	Refer	Pass
4/25/2023	1	Attorney's Office	Referred for Introduction	

Fiscal Note

No City appropriation required.

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.

Body

DRAFTER'S ANALYSIS: Section 31.112, Advertising Sign Bank and Replacement Advertising Signs, is currently scheduled to sunset and no longer be in effect on June 24, 2023. This amendment extends the sunset date for 8 years, to July 1, 2031, and makes minor procedural clarifications to the approval process for banking square footage of an Advertising Sign. The effect of extending the sunset date will allow owners of Advertising Signs (billboards) to apply to bank square footage for eligible billboards that are removed due to development, and erect replacement advertising signs with that square footage, through July 1, 2031. This amendment also removes an obsolete review step by the Common Council which sunsetted in 2017.

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

1. Subdivision (b) entitled "Procedure" of Subsection (4) entitled "Advertising Sign Bank" of Section 31.112 entitled "Advertising Sign Bank and Replacement Signs" of the Madison General Ordinances is

amended as follows:

- “(b) Procedure. An owner wishing to bank square footage under this ordinance for an eligible sign shall file written notification of intent to remove an existing advertising sign with the Zoning Administrator not less than ~~ten (10) business~~ thirty (30) calendar days prior to the intended date of removal. The written notification shall include the address of the zoning lot where the existing sign is located, information regarding the intended redevelopment and approximate date for commencement of construction, and description of the existing sign. ~~The~~ If the Zoning administrator determines the sign is eligible under sub. (2) above, the Zoning Administrator shall measure the net area of the existing sign prior to removal. The owner shall notify the Zoning Administrator when the existing sign has been removed so the Zoning Administrator can verify its removal. ~~The owner shall notify the Zoning administrator and~~ when a building permit has been applied for on the property in question. Square footage may not be banked until a building permit or zoning certificate for new improvement(s) on the property in question has been issued. Once these steps have occurred for an eligible sign, the Zoning Administrator gives his or her shall give their written approval to bank the square footage.”

2. Subdivision (c) entitled “Common Council Review” of Subsection (5) entitled “Procedure to Install a Replacement Sign” of Section 31.112 entitled “Advertising Sign Bank and Replacement Signs” of the Madison General Ordinances is repealed.

3. Subsection (7) entitled “Sunset Clause” of Section 31.112 entitled “Advertising Sign Bank and Replacement Signs” of the Madison General Ordinances is amended as follows:

- “(7) Sunset Clause . ~~Section 31.112(5)(c), "Common Council Review," shall be ineffective as of a date two (2) years from the effective date of this ordinance. The remainder of this~~ This ordinance, Sec. 31.112, MGO, and all related cross references as determined by the City Attorney, shall be ineffective as of a ~~date eight (8) years from its effective date~~ July 1, 2031 and any unused, unexpired banked square footage in an Advertising Sign Bank shall expire as of ~~the eight-year sunset~~ that date. Notwithstanding the foregoing, sub. (4)(g), all of sub. (6), "Replacement Advertising Sign Criteria," and any other provision establishing criteria for a Replacement Advertising Sign shall survive the sunset of this ordinance for purposes of enforcement.”

EDITOR'S NOTE:

Subdivision (c) entitled “Common Council Review” of Subsection (5) entitled “Procedure to Install a Replacement Sign” of Section 31.112 entitled “Advertising Sign Bank and Replacement Signs” of the Madison General Ordinances currently reads as follows:

- “(c) Common Council Review . Prior to approving and issuing a permit for an RAS, the Zoning Administrator or designee shall provide written notice to the alderperson of the district where the RAS is proposed to be placed. That alderperson may request a review by the Common Council within fourteen (14) calendar days of the date of the written notice by notifying the City Clerk in writing of the request for review. The Clerk shall place the matter on the next available Council agenda for review, wherein the Council shall consider whether the proposed RAS will substantially impair or diminish the established uses, values or enjoyment of the property in question or any immediately adjacent property. A two-thirds ($\frac{2}{3}$) vote of the Common Council shall be required to prevent the issuance of an RAS permit, based upon a finding of the

foregoing criteria. Any person aggrieved by the decision of the Common Council may, within thirty (30) days after the decision is published in the proceedings of the Common Council, commence an action seeking the remedy available by certiorari. This Sec. 31.112(5)(c), "Common Council Review," shall be ineffective as of a date two (2) years from the effective date of this ordinance."