

January 7, 2008

To the Honorable Common Council
Zoning, Neighborhoods and
Development Committee
City of Milwaukee

Dear Committee Members:

File No. 070548 relates to revision of regulations for automatic changeable message signs.

This file amends the building code such that off-premise automatic changeable message signs may be changed as frequently as once every 6 seconds, instead of every 60 seconds. On December 13 2007, the Zoning Code Technical Committee met to determine if the proposed ordinance meets the standards of (a) legality and enforceability, (b) administrative efficiency, and (c) consistency with the zoning code. The committee found that the proposed ordinance meets the standard of legality and enforceability, but the other two criteria were not met: The Department of Neighborhood Services' representative indicated that the different regulations for on-premise signs and off-premise signs will create enforcement problems. With respect to consistency with the format of the zoning code, the Department of City Development's representative indicated that the proposed ordinance may not be consistent with certain provisions of the zoning code, particularly s. 295-409 of the Code of Ordinances, relating to on-site lighting/illumination as it relates to the brightness of the automatic changeable message signs unless the ordinance was amended to include a way of measuring the amount of lighting.

A public hearing was held on January 7, 2008, and at that time several people spoke about the proposed file. Bob Bryson of the Department of Public Works (DPW) stated that DPW does not oppose the file; however, they would rather have signage change every 30 seconds instead of every 6. Additionally, DPW requested that the brightness standards be regulated as a part of the file. Representatives from both Lamar and Clear Channel were generally in agreement with the proposed additions relating to brightness. Alderman D'Amato, a sponsor of the file, stated that ZND Committee would be supportive of a substitute to the file to include regulation of the brightness of the signage.

Since the proposed file is consistent with existing state standards and the special sign study at the southeast corner of Oakland and North Avenues was passed by Council, the City Plan Commission at its regular meeting on January 7, 2008, recommended approval of the file conditioned on a substitute ordinance being amended to require that illumination related to the automatic changeable message signs must be limited to a maximum of 500 NITS.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

c: E. Richardson