

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Monday, August 29, 2011

Administrative Center – Room B190

3:07 p.m. – 4:07 p.m.

MEMBERS PRESENT: Don Meyer, Marilyn Pedretti, Don Bina, Tina Wehrs, Bob Keil, Beverly Mach

MEMBERS EXCUSED: Dennis Manthei

MEMBERS ABSENT: None

STAFF: Jeff Bluske, Nathan Sampson, Charlie Handy, Steve O'Malley, Chad Vandenlangenberg, Jon Kaatz, Ron Roth, Annette Kirchhoff, Bryan Meyer

Meeting was called to order at 3:07 P.M. by Don Meyer, Committee Chair.

DISCUSS SIGN ORDINANCE – PROPOSED CHAPTER 33

Chairman, Don Meyer starts meeting by indicating that this is not a public hearing and that we will be hearing from Supervisor Maureen Freedland, a representative of a local sign company, Keith Carson, and Dave Lange from the County Corporation Council.

Maureen Freedland begins the discussion with a reminder of the sequence of events leading up to this:

A very small piece of land was rezoned around the 1990's from Agricultural to Commercial along a state highway. The neighbors, many of whom are here today, received notice of a proposed change from Agricultural to Commercial and they supported the change because it was for a small business man. After the parcel became commercial, the State of Wisconsin allowed a large static billboard on that spot in the Town of Medary in 2007 without any notice or recourse to these neighbors. That billboard is less than 300-ft from their windows and blocks their view of the scenic beauty of the marsh near the bluffs that these neighbors have chosen to live by. In the spring of this year the static billboard was changed to an intensely bright electronic billboard without the legal need for any permits whatsoever because the land had been changed to commercial years earlier. The impact on the property values is uncertain of this well established neighborhood where people are now installing black-out blinds to block out the environment they chose to live in. Because we do not have an adequate sign ordinance this could happen to and of the constituents of La Crosse County. Surveys done through the years, including comprehensive plans for all towns, spell out that the Town residents overwhelmingly respect the beauty in rural or suburban residential character of their communities. They want their communities to remain rural and they want to encourage the preservation of farmland. They want natural protection to be a high priority, residential zones to quiet, tourism to be encouraged and they feel new commercial development should be controlled and fit into the environment wisely. Placed on the table for each of the supervisors, outside of the city of La Crosse, are sample excerpts from the Town Comprehensive Plans. Support for the expansion of billboards in La Crosse County has been gauged and it is decidedly negative. In the La Crosse County Land Use Policy Survey of 2008, page 2 of the Community Character & Design Section asked if local government should regulate the appearance of business signs along highways: 80% strongly agreed or agreed; and 84% of the people of La Crosse County said that the addition of new billboards along the interstate and highways should be limited. Charlie Handy took the zoning proposal to many of the towns this summer, dozens of people showed up and strict regulation was consistently asked for.

Current Sign Ordinance Proposal was developed by utilizing the following methods:

1. Honored local input by listening to the outpouring of concerns from citizens, studied input from at least 7 surveys and reports done in our county in recent years;
2. Studied ordinances from other cities and counties and pulled out aspects that we thought were most appropriate for our county. Looked particularly closely at the City of Onalaska's Electronic Code, the Village of West Salem prohibits electronic signs in the downtown business district, Holmen has some limited regulations, the Town of Holland prohibits electronic billboards altogether. Looked at the code for pro-business oriented Wauwatosa and Brookfield and the successful communities of

Wisconsin that have attained after tightly regulating signs and making other zoning changes; and

3. Traveled around the county looking at signs and taking measurements to understand the issue.

State control over billboards and signs is simply not suitable for the needs of our county, local control is needed. State enforcement of electronic messaging units has been minimal even where the signs are put in properly but left to either operator abuse or misunderstandings later on as to what the law says. Plan is to have a serious conversation about what we want for the future of our county and to make wise decisions for its long-term best interest. Misinformation has been circulating by the local sign companies through the La Crosse Tavern League and the La Crosse Chamber of Commerce in the form of a letter to all of the members of the Chamber and the Tavern League. Damaging impressions from this letter and fear about this legislation will make it more difficult for business owners to hear the other side of the story with an open mind. Supervisor Freedland has drafted a bullet by bullet answer to the letter sent out and will ask the Chamber of Commerce and the Tavern League to send out to the same recipients of the letter from the sign industry. Working group has a meeting with the Chamber that is scheduled for tomorrow (Tuesday, August 30, 2011). It is the hope of the committee to provide signage that is both useful and helpful to our businesses and institutions without losing the unique character of La Crosse County, which is our greatest asset in attracting commerce and growth. The committee received photos from the Highway 53 corridor enhancement plan from the year 2000. These photos provide an excellent visual for what attractive signage can do for an area. Key proposals are summarized on sheet titled "*Key Goals of Freedland-Weeth Sign Ordinance Proposal*" and dated, August 29, 2011 (handed around the room). Went through a few of the highlights of the handout.

Dave Lange, Corporation Council, clarifies that he is not the author of the Ordinance, but put it in the form it is in now and looks at it to see that everything that should be in there is in there and that the ordinance is enforceable.

INPUT FROM SIGN COMPANIES

Keith Carson is speaking on behalf of the sign companies.

Begins by stating that the proposed ordinance by Supervisor Freedland is anti-business. More than 35 concerned business people present at meeting. Provided committee with 3-ring binder that includes sign companies rebuttal and changes made to the ordinance prepared by Supervisor Freedland. Section 3, Page 6 contains the ordinance in its entirety by her and then what they did was cross out the language that they do not want in there and then highlighted in red, language that they would like inserted in the ordinance. This ordinance restricts the ability of many hardworking businesses to continue to effectively market their business; signs are the most effective way to advertise. Digital signs have been studied for over 30 years and have never been found to be hazardous. Several reputable organizations such as the Federal Highway Administration (FHWA), (inaudible), Cantel Associates have not found any adverse relationship between digital signs and traffic safety. FHWA even went so far as to issue a guide saying that digital billboards are appropriate along federal highways at hold times ranging from 4 seconds to 10 seconds. Vast majority of states, including Wisconsin, permit digital billboards and on-premise EMCs (Electronic Message Centers). The state of Wisconsin allows for two second hold times on all electronic message centers. Digital signs actually help increase safety, they can be used to display Amber Alerts, fugitive warnings, severe weather warnings and to help reroute traffic during tragedies. Proposed ordinance restricts businesses in the following way: Provision of the code that existing signs comply with the requirement of the ordinance within 90 days of passing. If your business had an illuminated sign it could only be on during business hours or need to be turned off from midnight to 6AM. If you currently have electronic message units, that would also need to be turned off. The proposal seeks to require 200-ft of separation between any signs. This means if you have a wall sign or free-standing sign, unless they are 200-ft apart they would be considered non-conforming. Proposal requests that all illuminated signs and EMCs be subject to annual permitting, meaning you would need to pay a fee annually for the right to have an illuminated sign. Also proposes all

illuminated signs and EMCs not be within 500-ft of residential areas. Proposal enforces a 60-minute hold time on all EMCs and electronic billboards. Doesn't allow businesses and effective way to advertise their goods and services. Ordinance would require all illuminated signs would be subject to brightness requirements. Prohibits the conversion of static billboards to electronic digital billboards, even in industrial and commercial zoned areas. Would not have access to the same off-premise digital marketing as is available in other Midwest communities. Would not allow traditional off-premise sign billboards as we know them, however, they would allow a new form of off-premise signs called directional (reads definition from proposed ordinance). The new electronic billboard along Highway 16 is a hit with the business community, there is a waiting list of businesses that would like to use this form of technology as a competitive marketing mix. Traditional billboards still hold the majority of the sign companies business. Sign companies, businesses are for regulation not annihilation. Regulation is a good thing when all interests and all parties are taken into consideration and are met. Supervisor Freedland's proposal is the most restrictive ordinance she could find, which is St Croix County. She did not look at other communities like Rochester which is pro-business. Three letters in the binder from the Chief of Police the Chamber of Commerce and one from the City Council President, stating no correlation between traffic accidents and electronic billboards.

Questions to Mr. Carson from committee members and staff asking for clarification on some of the statements made.

Copies of the ordinance with proposed changes by the sign company were passed out to Dave Lange and Maureen Freedland.

Discussion on where to go from here. Charlie Handy proposes there by a working session as the Planning, Resources & Development Committee, take a look at the draft, and the comments from Keith and start to make some policy decisions as far as which way the committee would like to see the ordinance go. After those policy decisions are made then the staff (Dave, Charlie, Jeff, and Nate) would take a look at those policy directions, draft them into more of a working copy and then come back and have the committee review it. Then hold public hearing in approximately 2 months.

Discussion on whether or not to form a working committee which will be open to the public, but public would not be able to ask questions until such time as they hold a public hearing. Discussion on who should be notified and who should be included in the process. General consensus is that more discussion and more input is needed before final policy decision is made.

Supervisor Schroeder asked about when/why did we moved away from the current ordinance. Jeff Bluske explains that in Chapter 17.08 of the current zoning ordinance, which is under a complete re-write, defines our definition of a sign but we only regulate signs on town and county roads not on state and federal roads, the Department of Transportation regulates signs right now according to the State Statute. The issue that has come up now is the lighted signs on state and federal highways, we don't regulate those (somebody interjects with "but they do"). Jeff states that they do not, once they get a permit for a sign they can change them any way they want without a permit. Charlie states that where we went away from the proposed ordinance amendment was when the county board adopted the resolution as a moratorium on off-premise or billboards and that started the process of us drafting an alternative to that proposal. Committee then removed that portion on signs from the zoning ordinance and are in the process of drafting a new Chapter (Chapter 23). We need something that is enforceable. It is now, but there is still debate.

Mr. O'Malley makes a comment about the difficulty of the situation. The Planning, Resources and Development Committee has all the options they originally started out with, what you do have to find is: a legislator has proposed an ordinance, and now we have a proposal from the sign companies that any supervisor can also adopt or move to amend when it comes to PR&D. Committee still has the right to start from scratch, adopt Supervisor Freedland's proposal, adopt the proposal by the sign companies, before you come to public

hearing you actually come to agreement on what this committee (PR&D) is moving on to the County Board. At this point there is no direction.

Discussion on where to go from here.

Set a special meeting for Wednesday, September 21 at 6:30 PM.

Motion Pedretti/Wehrs to adjourn at 4:07 PM
6 Aye, 0 No, 1 excused (Manthei). Motion carried

Annette Kirchhoff, Recorder