

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Wednesday, October 5, 2011
Administrative Center – Room 3220
5:00 P.M. – 10:20 P.M.

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

MEMBERS EXCUSED: None

MEMBERS ABSENT: None

STAFF: Jeff Bluske, Charlie Handy, Dave Lange, Supervisor Freedland, Supervisor Ferries

Meeting was called to order at 5:00 P.M. by Don Meyer, Committee Chair.

PUBLIC COMMENT

None requested under agenda.

CONTINUED COMMITTEE DISCUSSION FROM SEPTEMBER 21, 2011 MEETING ON SIGN ORDINANCE AS PROPOSED.

Supervisor Freedland and Ferries were each given 15 minutes to present goals and additional findings they each had found since our last meeting on September 21. Chairman Meyer wanted to remind the audience this meeting was for committee review of a proposed draft only. No comments from the audience would be allowed.

ADDITIONAL COMMENTS FROM SUPERVISOR FREEDLAND AND SUPERVISOR FERRIES.

The following represents the committee approved changes to last months committee approved changes as well as changes made through Section 33.08(1)(c), where they stopped.

CHAPTER 33

REGULATION OF OUTDOOR ADVERTISING

- 33.01 Purpose, Findings and Applicability
- 33.02 Definitions
- 33.03 Permits Required
- 33.04 Setback and Height Requirements
- 33.05 Residential District A, B, and C, Rural Residential and Manufactured Home Community District.
- 33.06 Exclusive Agricultural, General Agricultural, Recreational and Natural Resource, and Public Facilities and Institutional Districts
- 33.07 Commercial, Light Industrial and Industrial Districts
- 33.08 Illuminated Signs and Electronic Message Units
- 33.09 Severability
- 33.10 Enforcement and Penalties

33.01 Purpose, Findings and Applicability.

(1) Purpose. The purpose of this section is to:

(a) Establish minimum standards to safeguard life and property and to promote public welfare and community aesthetics by regulating the appearance, construction, location and maintenance of all signs, awnings, canopies and billboards. The provisions herein contained shall be binding upon every owner of a building, every lessee and every person in charge or responsible for or who causes the construction, repair, relocation or alteration of any outdoor sign and other advertising structures in La Crosse County.

(b) Further the responsibility of the County of La Crosse as an Eco-Municipality to lead in accordance with the principles of sustainability that meet the needs of the present while minimizing negative impact on future generations.

(2) Findings.

(a) Signs can create safety hazards that threaten the public health, safety or welfare. Such a safety threat is particularly great for signs that are structurally inadequate, or that may confuse or distract drivers or pedestrians, or that may interfere with official directional or warning signs.

(b) Signs can also threaten the public welfare by creating aesthetic concerns and detriments to property values. Such aesthetic concerns and detriments to property values are particularly great when an accumulation of signs results in visual clutter, or when one or more signs spoil vistas or views, or when one or more signs add or increase commercialism in noncommercial areas.

(c) With respect to electronic changeable copy, electronic graphic display and video display signs these signs are highly visible from long distances and at very wide viewing angles both day and night and are designed to catch the eye of persons in their vicinity for extended periods of time. If left uncontrolled these electronic signs constitute a serious traffic safety threat. Studies conducted by the Federal Highway Administration (FHWA), Research Review of Potential Effects of Electronic Billboards on Driver Attention and Distraction, Sept. 11, 2001; the University of North Carolina Highway Safety Research Center, Distractions in Everyday Driving, May 2003; the Wisconsin Department of Transportation, Synthesis Report of Electronic Billboards and Highway Safety, June 10, 2003; the Municipal Research and Services Center of Washington, Sign Control Provisions, Jan. 2006; and the Veridan Group, Video Signs in Seattle, Gerald Wachtel, May 2001 reveal that electronics signs are highly distracting to drivers and the driver distraction continues to be a significant underlying cause of traffic accidents.

(3) Authorized and Applicability. This chapter is created pursuant to s. 59.70(22), Wis. Stats. This chapter shall not apply within cities, villages and towns which have enacted ordinances regulating the same subject matter. The provisions of s. 84.30, Wis. Stats., and Wisconsin Administrative Code, Trans 201 are adopted and incorporated herein as part of this chapter for regulating signs along and adjacent to any system of interstate, defense, federal primary or federal secondary highways in unincorporated areas of La Crosse County. The regulations in this section shall also apply to the aforementioned highways.

33.02 Definitions.

(1) Agricultural Sign. A sign advertising the sale of farm or forest products, including edible farm products, plant nursery or products, forest products, livestock produced or raised on the premises. Agricultural Signs shall also include those signs indicating a landowner's membership in agricultural associations or cooperatives or specialization in a particular breed of animal or type or strain of plant.

(2) Canopy Sign. Any shelter combined with a sign which is attached to or associated with a structure.

(3) Directional Sign. An off-premises sign displayed for the sole purpose of assisting way finding through disclosure of no more than the name of a business or activity and the distance or directions to such business or activity.

(4) Digital Billboard. An off-premises sign capable of displaying multiple static images controlled by electronic communications.

(45) Electronic Message Unit. Any on-premise or off-premise sign capable of displaying words, symbols, figures or images that can be electronically or mechanically

changed by remote or automatic means. whose message may be changed by electronic process, including such messages as copy, art, graphics, time, date, temperature, weather or information regarded as civic or charitable or the advertising of products or services for sale on the premises. This also includes traveling, message displays, variable or multiple messages, and animation and video displays.

(56) Flashing Sign. Any directly or indirectly illuminated sign on which artificial light is not maintained stationary and constant in intensity and color at all times when in use.

(7) Frame Effects. Any visual effect on an electronic message unit applied to a single frame to transition from 1 message to the next. Such effects may include but will not be limited to scrolling, fading, dissolving, etc.

(68) Freestanding Sign. Any ground, monument, pole or other sign which is supported by structures or supports in or upon the ground and independent of support from any building.

(79) Fronting on an Interstate. Any parcel which is adjacent to an interstate highway or which is within 2,500 feet from the center point of a highway interchange which provides access to and from an interstate highway.

(810) Illuminated Sign. Any sign that has characters, letters, figures, designs or outlines illuminated by electric lights, luminous tubes, or any other artificial means as part of the sign, whether the sign is a traditional billboard or an electronic message unit.

(911) Informational Sign. Any sign for a public, charitable, government, non-profit or religious organization. Such signs included, but are not limited to, bulletin boards and kiosks.

(1012) Interactive Sign. An electronic message unit that is capable of being programmed or manipulated by anyone other than the sign owner or an authorized agent of the sign owner.

(1113) Intersection. The point upon which 2 highway centerlines or a highway centerline and the center of a railway right-of-way converge.

(1214) Manual Message Unit. Any sign whose message may be changed by manual process. Manual Message Units typically have slots or grooves with hooks or brackets, or magnets for the individual letters and symbols to be attached to the sign face to create a message.

(1315) Monument Sign. A free standing sign where the base of the sign structure is on the ground, rather than attached to a pole or pylon that is attached to the ground.

(1416) Moving Sign. A sign or any portion of a sign that physically moves, such as rotating or spinning, rocking, going up or down, etc. or that uses lights or LEDS other elements to simulate movement including scrolling (up and down), twinkling, fading, bouncing, rotating, pulsing, or in any other manner create the effect of movement.

(1517) Non-Conforming Sign. Any sign which existed prior to the effective date of this chapter and does not conform to the regulations within.

(1618) Off-Premise Sign. Any sign that is not appurtenant to the use of the property, a product sold, or the sale or lease of the property on which it is displayed.

(19) Off-Premise Static Sign. An off-premise sign that is not capable of displaying multiple static images controlled by electronic communications.

(1720) On-Premise Sign. Any sign that is appurtenant to the use of the property, a product sold, or the sale or lease of the property on which it is displayed.

(1821) Political Sign. Any sign displaying a candidate for an election or a current election's subject matter.

(1922) Professional Sign. Any sign that directs the public to a professional business.

(2023) Projecting Sign. Any sign extending more than 18 inches but less than 4 feet from the face of a wall or building.

(2124) Real Estate Sign. Any sign which is used to offer for sale, lease, or rent land or property with or without improvements.

(2225) Roof Sign. Any sign erected upon or over the roof or parapet of any building.

(2326) Segmented Message. A text or graphic message on an electronic message unit or digital billboard that is broken into different segments and displayed in succession. For example: BIG SALE TODAY SAVE.

(27) Sensitive Area. An area defined and delineated as floodway on the "Official Floodplain Zoning Map", adopted and made part of the La Crosse County Floodplain Zoning Ordinance and as approved by the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA).

(2428) Sign. A sign shall include anything that promotes, calls attention to or invites patronage to a business, location or product.

(2529) Sign, Area Of. The area is the dimension of the face of the sign, but excluding the necessary supports or uprights on which the sign may be placed unless they are designed as part of the sign. If the sign consists of more than 1 side, all areas will be totaled unless stated otherwise.

(2630) Sign Tracking Technology. Any electronic or other automatic device used to track or otherwise monitor the behavior, demographics or other features of motor vehicles, drivers, passengers, or other passersby.

(2731) Temporary Portable Sign. Any sign not permanently attached to the ground which is intended to be displayed for no longer than 30 days per year, including real estate signs, construction site signs, banners, commander boards, decorative-type displays, signs which are designed to be easily moved from 1 location to another, or anything similar to the aforementioned.

(2832) Traveling Message. A text or graphic message on a single line of an electronic message unit that scrolls from left to right one letter or symbol or space at a time to convey a complete message.

(2933) Wall Sign. Any sign attached to, erected on or painted on a wall of a building or structure and projecting 18 inches or less from such wall.

(3034) Window Sign. Any sign located completely within an enclosed building and visible from a public way.

(3135) Wi-Fi Sign. A sign that is capable of communicating with personal portable wireless devices, such as cell phones, electronic navigation devices or portable computers, sending an advertising or other message to those devices.

33.03 Permits Required. Except as otherwise specified in this section, no sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, concerted or structurally altered, including converted to electronic message, without the issuance of a Zoning/Occupancy Permit and without being in conformity with the provisions of this chapter. The sign shall also meet all other structural requirements of other applicable state, federal and local rules and ordinances. Signs shall not be erected or altered until a Zoning/Occupancy Permit has been issued by the Department.

33.04 General Provisions.

(1) Setback and Height Requirements. The following setbacks and heights shall apply to all signs including all features of said signs, unless otherwise stated. No sign shall be placed within the Vision Clearance (see s. 17.06(4) of the General Code of Ordinances):

(a) For signs 0 to 64 square feet per side, there shall be a 5 foot setback from all lot lines from any feature of the sign.

(b) For signs greater than 64 square feet per side, there shall be a 10 foot setback from all lot lines from any feature of the sign.

(c) Freestanding signs shall be set back at least 10 feet from any right-of-way.

(d c) Freestanding signs shall be set back at least 25 feet from all side and rear lot lines.

(e d) Freestanding sign(s) shall be separated from other structures by a minimum of 10 feet, measured from edge of roof overhang to the closest part of the sign.

(f e) The maximum height of any on-premises freestanding sign shall be 12 20 feet above the average elevation ground level at the site of the sign, or above the elevation of the adjacent road center line, whichever is higher.

(g f) The maximum height of any sign that fronts on an interstate highway shall be 50 feet above the average elevation at the site of the sign, or above the elevation of the adjacent road center line, whichever is higher.

(h g) Sign area or size shall be measured as the entire area within a single continuous perimeter enclosing an individual sign or group of signs, including the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. An electronic message unit sign cannot exceed the maximum allowable square footage, but can be included within a larger sign of another type if it does not exceed 50% of said sign area. The sign area will not include the base, apron, supports, structural members, framework, poles, roof, embellishments or decorative base when such area meets the other regulations of this ordinance.

(i h) All signs that are illuminated require shielded light fixtures that will direct light at the sign, so as not to cause glare or cast light onto any public right-of-way or on adjoining properties.

(i) The maximum height of any freestanding sign from a Residential District line shall be 10 feet if within 250 feet of such line, and the maximum height shall increase by 1 foot increments for every additional 25 feet beyond the 250 foot distance from said Residential District line up to a maximum height of 20 feet. For example, the maximum height is 12 feet if between 275 and 300 feet from the Residential District line.

(2) Number of Signs Allowed. No more than 2 permitted signs of any type shall be allowed per street frontage on any parcel.

(3) Signs on Public Rights-of-Way. Signs shall not be allowed on public rights-of-way, except for the following signs installed by a municipality: traffic control signs, parking signs, directional signs, address or fire number signs, and signs which identify a subdivision, neighborhood or community.

(4) Distance Between Freestanding Signs. The distance between all freestanding signs requiring a Zoning/Occupancy Permit on the same parcel of land shall be a minimum of 200 feet throughout the street frontage, unless the street frontage is under 200 feet, where 1 freestanding sign shall be allowed.

(5) Dangerous and Abandoned Signs. All signs shall be removed by the owner or lessee of the premises upon which the sign is located when a business which it advertises has not been conducted for a period of 6 months or when, in the judgment of the Department, such sign is dilapidated, in disrepair, dangerous, or unsafe. If the owner or lessee fails to remove it, the Department may take appropriate enforcement action following adequate written notice. The owner may appeal the Department's administrative decision to the Zoning Board of Adjustment.

(6) Prohibited Signs. The following signs are prohibited unless they comply with 33.04(8) of this chapter.

(a) Signs facing a Residential District. Any sign greater than 100 square feet per side shall not be allowed to face a Residential, Public Facilities and Institutional, or Agricultural District, or a preexisting dwelling within 500 feet of such district boundary, 100 feet of such district boundary for unlit signs and within 300 feet of such district boundary if the sign is an illuminated or electronic sign.

(b) Traffic Interference. Signs shall not resemble, imitate or approximate the shape, size, form or color of railroad or traffic signs, signals or devices. Signs shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals or devices or the safe flow of traffic. No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape.

(c) Moving or Flashing Signs.

(d) Temporary Portable Manual Message Units, whether mounted on a trailer or on legs.

(e) Off-premises signs, except directional signs.

(f) Off-premises electronic message signs, including the conversion of existing off-premises signs to electronic message signs.

(g) Signs that cause glare or cast light onto any public right-of-way or on adjoining properties such that the effect creates a safety hazard or a private nuisance.

(7) Construction and Maintenance Regulations.

(a) All signs shall be properly secured, supported and braced and shall be kept in reasonable structural condition and shall be kept clean and well painted at all times. Signs shall be constructed and maintained in a safe structural manner in accordance with the National Building Code, the National Electrical Code, the Wisconsin Administrative Code and Wisconsin State Statutes.

(b) Nothing in this chapter shall relieve the owner or user of a legal non-conforming sign or the owner of the property on which the sign is located from the provisions of this chapter regarding safety, maintenance and repair of signs.

(c) All legal non-conforming signs shall be kept clean and well painted at all times and normal maintenance and repair is permitted, however it must remain substantially the same as it was on the effective date of this ordinance and it shall not be moved, enlarged, raised, improved, or altered **or have any structural elements or electrical fixtures (other than light bulbs) changed, replaced, or added.**

(d) Legal non-conforming signs are permitted normal maintenance and repair of the sign, including a change of advertising message.

1. Normal maintenance and repair includes preparing surfaces for painting and painting, repair or replacement of fasteners such as nails, screws or bolts, replacement of light bulbs, fastening broken pieces of a sign back together with glues or fasteners. Normal maintenance does not include the use of **new or** different materials **or the for any** replacement or addition of any structural elements such as posts, poles, braces or guy wires, frames, crossbeams, sign faces, light fixtures, etc.

2. A change of advertising message shall not include the replacement of the existing sign face with any new materials or structures, such as the replacement with a vinyl face, or an Electronic Message Unit.

(8) Legal Non-Conforming Signs.

(a) Any existing sign on the effective date of this chapter which does not conform with the provisions of this chapter is considered a legal nonconforming sign, provided that it meets the following requirements:

1. The sign was allowed by a Zoning/Occupancy Permit prior to the effective date of this chapter.

2. If no Zoning/Occupancy Permit was required under the applicable law for the sign in question and the sign was in compliance with the applicable county ordinances, state and federal laws on the effective date of this chapter.

(b) Loss of legal non-conforming status. A sign will lose legal nonconforming status if 1 or more of the following occurs:

1. If said sign is damaged or structurally altered; except for normal maintenance and repair, the sign shall be reconstructed and used as before the damage or alteration, if it is reconstructed within 3 months after such damage or alteration, provided that the cost to reconstruct the sign is 50% or less of its fair market value per event; if the sign fails to conform to the County requirements regarding maintenance and repair, abandonment or dangerously defective signs.

2. The sign is relocated so as to comply with all appropriate regulations.

(c) On the date of occurrence of any of the above, the sign shall be immediately brought into compliance with this chapter and a Zoning/Occupancy Permit shall be issued or the sign shall be removed.

33.05 Residential District A, B, and C, Rural Residential, and Manufactured Home Community District.

(1) Signs Not Requiring a Zoning/Occupancy Permit. The following signs shall not require a Zoning/Occupancy Permit, provided that they are not located in, on, or over a public highway right-of-way or public water.

- (a) Informational signs shall not exceed 8 square feet.
- (b) Political signs shall not exceed 32 square feet.
- (c) Professional signs shall not exceed 4 square feet and shall not be illuminated.
- (d) Real estate signs shall not exceed 4 square feet.
- (e) Any sign for the purpose of designating a new building, a new development, for a promotion of a subdivision, or for similar special informational purposes shall not exceed 2 years.
- (f) Signs bearing only property numbers, post box numbers or names of occupants of the parcel shall not exceed 1 square foot.
- (g) Rummage sale signs shall not exceed 8 square feet and are limited to 72 hours per sale.
- (h) Flags and insignia of any government except when displayed in connection with commercial promotion.
- (i) Official signs such as traffic control signs and highway signs.
- (j) Signs designating entrances, exits, service areas, parking areas, restrooms and others relating to functional operation of the building or parcel and bear no advertising matter.
- (k) Temporary portable signs shall not exceed 8 square feet and may not be Electronic or Manual Message Units.
- (l) Directional signs less than 16 square feet and shall not be illuminated.

(2) Signs Requiring a Zoning/Occupancy Permit. The following signs shall be allowed after issuance of a Zoning/Occupancy Permit by the Department and shall comply with the regulations of this chapter.

- (a) Informational signs greater than 8 square feet but not to exceed 16 square feet.
- (b) Professional signs great than 4 square feet but not to exceed 8 square feet.
- (c) Real estate signs greater than 4 square feet but not to exceed 16 square feet.
- (d) A sign which identifies a subdivision, neighborhood or community shall not exceed 40 square feet.
- (e) Temporary portable signs greater than 8 square feet but not to exceed 16 square feet. Such signs shall not be Electronic or Manual Message Unites.
- (f) Directional signs greater than 16 square feet and less than 32 square feet, and shall not be illuminated.

33.06 Exclusive Agricultural, General Agricultural, Recreational & Natural Resource, and Public Facilities and Institutional Districts.

(1) Signs Not Requiring a Zoning/Occupancy Permit. The following signs shall not require a Zoning/Occupancy Permit, provided that they are on-premises signs not located in, on, or over a public highway right-of-way or public water.

(a) Informational signs shall not exceed 16 square feet.

(b) Political signs shall not exceed 32 square feet.

(c) Professional signs shall not exceed 8 square feet.

(d) Real estate signs shall not exceed 16 square feet.

(e) Any sign for the purpose of designating a new building, a new development, for a promotion of a subdivision, or for similar special informational purposes shall not exceed 2 years.

(f) Signs bearing only property numbers, post box numbers or names of occupants of the parcel shall not exceed 1 square foot.

(g) Rummage sale signs shall not exceed 8 square feet and are limited to 72 hours per sale.

(h) Flags and insignia of any government except when displayed in connection with commercial promotion.

(i) Official signs such as traffic control signs and highway signs.

(j) Signs designating entrances, exits, service areas, parking areas, restrooms and others relating to functional operation of the building or parcel and bear no advertising matter.

(k) Window signs shall be placed only on the inside of commercial buildings and shall not exceed 75% of the glass area of the pane upon which the sign is displayed.

(l) Temporary portable signs. Such sign shall not be Electronic or Manual Message Units.

(m) Agricultural signs not to exceed 32 square feet.

(n) Directional signs not to exceed 32 square feet.

(2) Signs Requiring a Zoning/Occupancy Permit. The following signs shall be allowed after issuance of a Zoning/Occupancy Permit by the Department and shall comply with the regulations of this chapter.

(a) Informational signs greater than 16 square feet but not to exceed 32 square feet.

(b) Professional signs shall not exceed 8 square feet but not to exceed 32 square feet.

(c) Real estate signs shall not exceed 16 square feet but not to exceed 32 square feet.

(d) A sign which identifies a subdivision, neighborhood or community shall not exceed 40 square feet.

(e) Directional signs or agricultural signs greater than 32 square feet, but not to exceed 64 square feet.

(f) On-Premise Electronic Message Unit Signs adjacent to a class 1 or class 2 highway not to exceed 16 square feet, or adjacent to a class 3 highway not to exceed 32 square feet.

33.07 Commercial, Light Industrial and Industrial Districts.

(1) Signs Not Requiring a Zoning/Occupancy Permit. The following signs shall not require a Zoning/Occupancy Permit, provided that they are not located in, on, or over a public highway right-of-way or public water.

(a) Informational signs shall not exceed 16 square feet.

(b) Political signs shall not exceed 32 square feet.

(c) Professional signs shall not exceed 16 square feet.

(d) Real estate signs shall not exceed 16 square feet.

(e) Any sign for the purpose of designating a new building, a new development, for a promotion of a subdivision, or for similar special informational purposes shall not exceed 2 years.

(f) Signs bearing only property numbers, post box numbers or names of occupants of the parcel shall not exceed 1 square foot.

(g) Rummage sale signs shall not exceed 8 square feet and are limited to 72 hours per sale.

(h) Flags and insignia of any government except when displayed in connection with commercial promotion.

(i) Official signs such as traffic control signs and highway signs.

(j) Signs designating entrances, exits, service areas, parking areas, restrooms and others relating to functional operation of the building or parcel and bear no advertising matter.

(k) Window signs shall be placed only on the inside of commercial buildings and shall not exceed 75% of the glass area of the pane upon which the sign is displayed.

(l) Temporary portable signs. Such sign shall not be Electronic or Manual Message Units.

(m) Directional signs not to exceed 32 square feet.

(2) Signs Requiring a Zoning/Occupancy Permit. The following signs shall be allowed after issuance of a Zoning/Occupancy Permit by the Department and shall comply with the regulations of this chapter.

(a) Freestanding signs and roof signs shall not exceed 12 20 feet in height above the centerline street grade from which access to the parcel is obtained. Freestanding signs and roof signs shall not exceed 200 square feet on 1 side or 400 square feet on all sides for any 1 parcel.

(b) Projecting signs fastened to, suspended from or supported by structures shall not exceed 100 square feet in area for any 1 parcel, shall not exceed a

height of 15 feet above the centerline street grade, shall not be more than 15 feet above a driveway, alley or sidewalk and shall be not less than 10 feet above a driveway, alley or sidewalk.

(c) Wall signs placed against the exterior walls of buildings shall not exceed 200 square feet in area or 40% of the wall surface, whichever is less, per wall for any 1 parcel and shall not exceed the height of the wall for which it is displayed.

(d) Canopy signs shall not exceed 100 square feet per street frontage or 20% of the fascia of the canopy, whichever is greater.

(e) Manual Message Units shall not exceed 64 square feet and 12 20 feet in height.

(f) Directional signs greater than 32 square feet, but not to exceed 64 square feet.

(g) On-Premise Electronic Message Unit Signs adjacent to a class 1 or class 2 highway not to exceed 16 square feet, or adjacent to a class 3 highway not to exceed 32 square feet.

(g) One On-Premise Illuminated Signs or and Electronic Message Units subject to the following standards:

1. Shall not exceed 16 square feet if more less than 500 feet from a Residential District and adjacent to a class 1 or 2 highway;

2. Shall not exceed 32 square feet if more than 500 feet from a Residential District and adjacent to a class 3 highway; and,

3. Shall not exceed 12 20 feet in height.

(h) Off-premise static signs shall be allowed subject to the following:

1. Shall be a minimum of 300 feet for unlit signs and 900 feet for illuminated signs from a zoned Residential District line and from sensitive areas.

2. Shall be a minimum of 300 feet from an intersection.

3. Shall be a minimum of 600 feet from another off-premise sign.

4. Shall be erected in a freestanding design. No back bracing or guy wires are allowed.

5. Shall meet all federal, state and local requirements prior to issuance of permit.

6. Shall not exceed 300 square feet per side of the sign structure, except shall not exceed 672 square feet per side of the sign structure along interstate highways.

7. Shall not exceed the height of 30 feet above ground level at the site of the sign, except the maximum height shall be 50 feet above ground level at the sign site if located along interstate highways.

(i) Off-premise Digital Billboard Signs shall be allowed subject to the following:

1. Existing off-premises signs may be converted to digital billboards so long as such sign comply with all applicable provisions of this Chapter and subject to the following:

a. Before a zoning/occupancy permit for any conversion of an existing off premises sign to a digital billboard is granted, a public hearing shall be held before the Planning, Resources and Development Committee subject to the following:

i. Notice of the hearing shall be provided to all County Board Supervisors, the media, the Town where the sign is located, and residents within 1,000 feet of the sign.

ii. Prior to the hearing, the applicant for the permit shall complete a site specific review, which will include a traffic safety study and the impact of the conversion on the environment, including neighborhoods, planned future development in the area and existing conditions.

iii. The Committee shall only have authority to determine if a permit should be denied even if the applicant meets all of the requirements for a digital billboard pursuant to this ordinance. The Committee shall consider the factors addressed in the site specific review and any other factors deemed reluctant by the Committee to the public health, safety and welfare of the County.

b. Digital billboards shall display static images for a period of at least 8 seconds before instantaneously transitioning to another static image.

c. Animation, frame effects, flashing and the appearance of movement whatsoever, interactive signs, video display signs, sign tracking technology, Wi-Fi signs and signs that emit any visible matter other than light shall be explicitly prohibited.

d. All digital billboards shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with natural ambient light conditions.

e. No digital billboard shall exceed a brightness level of 5,000 nits (candelas per square meter) during daylight hours and 500 nits between dusk and dawn, or the minimum standards set by the Federal Highway Administration, whichever is more restrictive. Signs found to be too bright shall be adjusted to meet these standards after notification by the County.

f. Prior to issuance of a permit the applicant shall submit a signed letter from the manufacturer certifying that the billboard has the ability to be programmed to comply with the above requirements to the satisfaction of the Zoning and Land Information Department.

g. A digital billboard shall be only located on FAP with traffic counts greater than 20,000 vehicles per day.

h. Shall be located a minimum of 1,500 feet from a residential zoned district line.

i. Shall provide up to 5 hours of Public Serum digital messaging per month.

j. A digital billboard shall be separated from another digital billboard by a minimum distance of 2,500 feet.

k. Shall not exceed the height of 30 feet above ground level at the site of the sign, except the maximum height shall be 50 feet above ground level at the sign site if located along interstate highways.

l. Each conversion shall require the applicant to take down or eliminate the equivalent of 2 square feet of off-premise static signs for every 1 square foot of area converted to a digital billboard.

m. No lighting of digital billboards shall be allowed between the hours of midnight and 6:00 am.

33.08 Illuminated Signs and Electronic Message Units.

(1) Signs Requiring Zoning/Occupancy Permits.

(a) All illuminated signs or electronic message units shall be required to obtain a permit.

(b) New off-premise electronic message units or conversions of static off-premise signs to electronic message units shall not be allowed, including directional signs.

(c b) Illuminated and oOn-premise electronic message units shall be allowed subject to the following:

1. Number of electronic message units per site. One electronic message units is allowed per site **street frontage**. This unit shall count as one of the total number of signs allowed per parcel as referenced in s. 33.04(2).



2. On premises fronting Interstate Highway 90, the electronic portion of the sign fronting Interstate Highway 90 shall not exceed 100 square feet per side and a total of 200 square feet on both sides.

3. May not be located within 500 radial feet of a residential, or public facilities and institutional zoning district. The distance shall be calculated as the shortest measurable distance between the nearest point of the sign to the edge of the residential zoning district, in a straight line and without regard to intervening structures.

4. The distance between electronic message units shall be a minimum of 200 feet throughout the street frontage on signs no greater than 16 square feet of the total area of the electronic message portion of the sign, a minimum of 400 feet throughout the street frontage on signs no greater than 32 square feet of the total area of the electronic message portion of the sign, and a minimum of 500 feet throughout the street frontage on signs greater than 100 square feet of the electronic portion of the sign.

5. Types of messages permitted. Messages may be used only to advertise activities conducted on the premises or to present public service information; no off-premises advertising is allowed.

6. Hours of operations. The electronic message unit lighting may be only during the hours of operation of the business or institution, or 6:00 am to 12:00 am.

7. Prohibited operations.

a. The use of traveling messages or segmented messages is prohibited.

b. The use of scrolling, flashing, blinking, chasing, traveling, or similar animation is prohibited. Internal mechanisms that allow such features shall be permanently disconnected upon installation of electronic signs.

8. Length of Messages. Each message change shall be accomplished in 1 second or less, and each message shall remain in a fixed position for a minimum of 60 minutes.

(d) Design standards.

1. An illuminated sign or electronic message unit design plan shall be submitted as part of the permit application. The illuminated sign or electronic message unit design must be architecturally compatible with the building design, utilizing similar materials and established style as found in the principal structure.

2. A landscape plan shall be submitted as part of the permit application. The landscaping shall address the area within 6 feet of the sign, utilizing plantings that are complimentary to the sign base, appearance, and location of the sign.

3. No illuminated sign or electronic message unit shall be illuminated to a degree of brightness greater than necessary for adequate visibility or a maximum of 500 nits (candelas per square meter) between dusk and dawn, 5,000 nits during daylight hours, or the minimum standards set by the Federal Highway Administration, whichever is more restrictive. Signs found to be too bright will be adjusted.

4. The illuminated sign or electronic message unit shall be capable of being programmed to the above level of brightness or the sign owner shall provide a listed light measuring device capable of measuring the light output of the sign in nits.

(e) Compliance with ordinance upon ordinance adoption.

1. All illuminated signs or electronic message units that are in operation on the date of the adoption of this ordinance that are capable of being re-programmed by an owner or other operator shall comply with the programming and lighting standards of this ordinance within 90 days.

2. Requirement of periodic review. Rapidly evolving sign technology will necessitate periodic review of this ordinance, and shall be undertaken by the County Board or its designee on a schedule to be established from time to time by the County Board. New technology that can be adapted to minimize harmful effects of illuminated signs may be required and otherwise regulated during the life of the sign.

3. The County shall as part of the permit process provide the sign holder with a current copy of existing state, federal and county ordinances regarding electronic signs including current regulations pertaining to degree of illumination, and also definitions and restrictions on flashing lights, moving lights, traveling lights, etc.

33.09 Severability. If any portion of this Code is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Code shall not be affected.

33.10 Enforcement and Penalties.

(1) Any person, firm, company or corporation who violates, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this chapter shall be subject to a forfeiture of not less than \$100 and not more than \$500 for a first offense and a forfeiture of not less than \$200 and not more than \$1000 for a second or greater offense. Each day of violation shall constitute a separate offense.

(2) Violations. All signs constructed or maintained in violation of any of the provisions of this chapter are hereby declared public nuisances within the meaning of this chapter. In addition to any penalty provisions for violation of this chapter, the Administrator may bring an action to abate the nuisance and seek injunctive relief in a court of competent jurisdiction.

DISCUSSION & DIRECTION TO STAFF FROM COMMITTEE ON DRAFTING COMMITTEE VERSION OF ORDINANCE.

The committee instructed staff to make the changes they approved this evening, and have them ready for the next meeting.

FUTURE AGENDA DISCUSSION & DATES FOR NEXT MEETING IF NEEDED.

The committee set Monday, October 17, 2011 as the next meeting to review the sign ordinance. The committee discussed going on individual tours to view the sign types, sizes, and placement on commercial properties near residential use.

Motion Mach/Keil to adjourn at 10:20 PM
7 Aye, 0 No. Motion carried.

The above minutes may be approved, amended, or corrected at the next committee meeting.

Jeff Bluske, Recorder