

ORDINANCE

SUBJECT: REGULATION OF OUTDOOR ADVERTISING

COMMITTEE: PLANNING, RESOURCES & DEVELOPMENT COMMITTEE

FIRST CONSIDERATION: January 20, 2012

FINAL CONSIDERATION: February 16, 2012

ORDINANCE # 94 - 2/12 **PUBLICATION DATE** 2/24/12

The County Board of Supervisors of La Crosse County does ordain as follows:

**AN ORDINANCE TO CREATE CHAPTER 33 ENTITLED
"REGULATION OF OUTDOOR ADVERTISING"
OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN**

ANALYSIS

The purpose of the ordinance is to regulate the appearance, construction, location, and maintenance of all signs, awnings, canopies, and billboards within the unincorporated areas of La Crosse County to promote the public welfare and to safeguard life and property. The ordinance is created pursuant to Wis. Stat., s. 59.70(22) and shall not apply within cities, villages, and towns which have enacted ordinances regulating the same subject matter.

The ordinance is a comprehensive sign ordinance that regulates all signs in such areas of La Crosse County, including on-premises signs, which are related to the use of the property, a product sold or the sale or lease of the property on which it is displayed, and off-premise signs, which are not appurtenant to the use of the property on which it is displayed. Another important definition is "RPA District Line" which is a line delineating certain zoning districts pursuant to Chapter 17 of the Code of Ordinances, which includes residential districts, agricultural districts, and the Public Facilities and Institutional Districts.

The ordinance contains certain general provisions which regulate the distance between free standing signs, the maximum height of signs, which is 20 feet maximum height for on-premise signs and 50 feet above the average elevation of the site, or above the elevation of the adjacent road centerline, whichever is higher, for signs that front a class 4 highway. A class 4 highway is defined as a freeway, interstate or controlled access highway. In addition, the ordinance prohibits certain signs, such as signs which resemble or imitate traffic signs, moving or flashing signs, roof signs, and signs within the vision clearance" of a highway.

The ordinance allows for normal maintenance and repair of signs. It also provides that signs which were legal at the time of adoption of the ordinance but do not comply with the ordinance provisions will be legal non-conforming signs.

The ordinance contains provisions to address electronic on-premise message signs. These regulations include restricting 1 electronic messaging unit per site street frontage, requiring a distance of 200 feet between electronic signs on the same street frontage, and restricting the hours of operation of the electronic on-premise sign between the hours of 6:00 am and 12:00 midnight, unless the operation of the business extends beyond those hours. In addition, such sign may not be located within 300 feet of a RPA District Line.

Electronic Message Units that are in operation as of the date of the operation of the ordinance that are capable being re-programmed to comply with the ordinance must do so within 90 days.

There are restrictions on the size of informational signs, political signs, and real estate signs in the different zoned districts and the size of the sign will vary, depending upon which zoning district applies. In addition, if the sign exceeds certain size requirements, then the signs will require a permit from the Zoning & Land Information Department.

Off-premise static signs, which are sometimes described as billboards, and digital billboards are only allowed in the commercial, light industrial and industrial districts of La Crosse County. Off-premise static signs are subject a number of restrictions, including that such signs must be a minimum of 900 feet from a RPA District Line if illuminated and 300 feet in non-illuminated. Off-premise static signs must also not exceed 300 square feet per side of the sign and shall not exceed 672 square feet per side of the sign along a class 4 highway. In addition, such signs shall not exceed a 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 class 4 highways, but in no event shall the maximum height exceed 50 feet above the adjacent road centerline.

Regarding digital billboard signs, any new sign is subject to a number of restrictions. First, such signs can only be off-premise and static signs can only be converted to a digital billboard after a public hearing, where notice is provided to all residents within 1000 feet of the sign and to the County Board Supervisors, media, and the town where the sign is located. Such signs are also subject to specific requirements, such as not exceeding certain brightness levels between dusk and dawn, must be located on a federal aid primary highway where traffic counts are greater than 20,000 vehicles per day, and can only be located a minimum of 1,320 feet from a zoned Residential or Public Facilities and Institutional District Line or sensitive area if adjacent to class 4 highways or 1500 feet from an RPA District Line for all other highways. Such billboards shall be separated from other digital billboards by a minimum 2500 feet.

Finally, any person who is aggrieved by a decision of the department shall have the right to appeal pursuant to Chapter 68 of the Wisconsin Statutes to the Planning, Resources and Development Committee.

INFORMATION:

County Board Rules: Governing Body s. 2.02(8) states, in part: Ordinances are drafted by the Corporation Counsel. After the ordinance has been reviewed by a standing committee, each Supervisor will be given a copy of the ordinance showing the deleted language (grayed) and the new language (underlined) and an analysis of the intent of the ordinance. After introduction to the County Board, the ordinance shall be referred to the next monthly meeting unless waived by a 2/3 vote of the Supervisors present and a public hearing may be held if requested by a Supervisor. An amendment may be introduced and debated at either the original or the referred meeting. Copies of the ordinances of the County of La Crosse in their entirety are available with Corporation Counsel, County Clerk, or www.co.la-crosse.wi.us/code/.

(rev. 3/03)