

# Sign Control News

Newsletter of the Center for Sign Control • A project of the Coalition for Scenic Beauty

March-April, 1988 • Vol. 5, No. 1

## BILLBOARD INDUSTRY ATTACKS LOCAL ZONING

The billboard lobby is making a new back-door effort in Congress to weaken local government control of billboards.

Late last year, industry lobbyists drafted amendments to the federal Highway Beautification Act (HBA) which would force cities and towns to *pay* billboard operators *public monies* anytime a sign was required to be reduced in size or height.

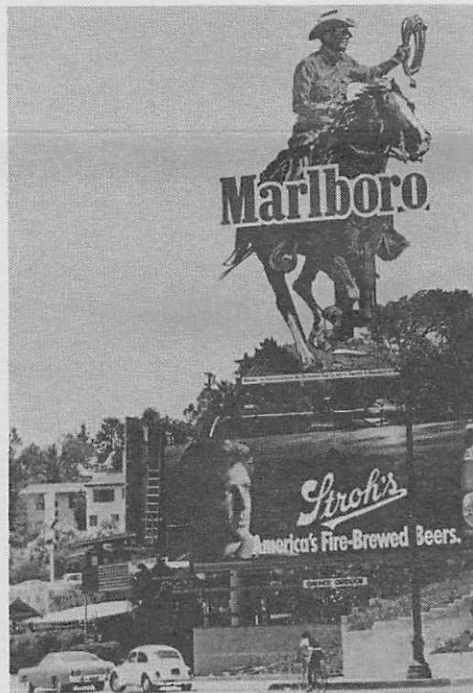
This unprecedented usurpation of local land use powers would gut most local sign ordinances and would overrule long-standing federal policy. The current HBA only requires cash payments when signs are "removed" along federal highways. The industry amendments would amend the federal law to require cash payments for any change in the size or height of signs or in the spacing between signs.

Before the holiday recess, Congressional supporters of the industry attempted to attach these amendments to the Budget Reconciliation Act, the Continuing Resolution, the Highway Technical Corrections Act; and other legislation. All of these efforts were beaten back. However, the industry is now leading a new effort to attach billboard provisions to other non-germane legislation pending before the House Public Works Committee.

These amendments are being offered without public hearings, participation, or debate. As a result, the Coalition for Scenic Beauty has asked the House Public Works Committee to schedule full and fair oversight hearings of the Highway Beautification Act.

The proposed amendments would be particularly harmful to local governments because they would force taxpayers to pay millions of dollars to simply enforce local land use regulations. The amendments would also set a dangerous precedent which could be applied to dozens of other laws and regulations.

While hundreds of local sign ordinances would be over-



Industry proposal would prohibit downsizing of billboards.

ruled, Denver and Houston would be particularly hard hit. Both of these cities have downsizing ordinances which have been upheld in federal and state court.

To voice your opposition to this infringement on local land use authority, you should write to your Congressman, and to: Glen Anderson, Acting Chairman of the House Public Works Committee, Room 2165 Rayburn Building, Washington, DC 20515. To write to your Congressman, just address your letter to Congressman \_\_\_\_\_, U.S. House of Representatives, Washington, D.C. 20515. □

## BILLBOARDS ARE OUTLAWED IN ST. LOUIS

St. Louis has joined the growing ranks of cities passing tough new ordinances controlling billboards. By a 16-to-8 vote, the Board of Aldermen voted on March 11 to ban the construction of all new billboards in Missouri's largest city.

Mayor Vincent C. Schomehl Jr. strongly backed the ban. "We don't want billboards obliterating our city's appeal" he said. During the past two years, Schomehl has been largely successful in limiting the increase in the number of new billboards. There are approximately 935 billboards currently located within city limits.

Alderman Daniel J. McGuire led the fight for the ban on new billboards. He and his supporters on the Board of Aldermen were able to fight off last-minute efforts by the billboard industry to weaken the language of the bill and render it ineffective.

With passage of the bill, St. Louis joins Bridgeton, Missouri; Austin, Texas; Jacksonville, Florida; Durham, North Carolina; Houston, Texas; Phoenix, Arizona and many other cities and towns which have enacted legislation halting the construction of new billboards. □

## BILLBOARD BAN MOVES AHEAD IN PHILADELPHIA

The Rules Committee of the Philadelphia City Council has voted 6-0 to ban billboards along the city's Vine Street Expressway. The March 23rd vote was a victory for business and civic organizations which first proposed the billboard ban almost two years ago.

The Council's action followed testimony in favor of the ban by Peter Wiley, Executive Director of the Central Philadelphia Development Corporation (CPDC) and representatives of over 30 neighborhoods, civic groups, and business organizations including the Philadelphia Chamber of Commerce, the Philadelphia Convention and Visitors Bureau, and the Old City Civic Association.

Philadelphia Mayor Wilson Goode took the unusual step of having a press conference to announce his support for the ban. "I feel it is very important for the people of Philadelphia to know where the Mayor stands on this issue" said Goode. "I don't think we ought to spend \$200 million to build this fine parkway and then have it graffitied up with billboards."

The Vine Street Expressway, the first river to river limited access highway in Philadelphia, is designed to be a landscaped gateway to Philadelphia.

The proposed law requires advertisers to remove, within five years, all billboards located within 600 feet of Vine Street. Officials estimate that 27 of 78 billboards will have to come down. Ironically, the remaining 51 billboards are protected from removal by the Highway Beautification Act. This is because the Beautification Act requires cash payments to remove billboards along federal highways. Billboard removal funds have not been appropriated by Congress since 1982.

Sponsors of the Philadelphia Vine Street billboard ban are cautiously optimistic that the entire city council will pass the ban later this spring. □

### Coalition Names New Legislative Director

Hal D. Hiemstra has been named the Legislative Director of the Coalition for Scenic Beauty. Hiemstra brings to the Coalition a decade of experience in land preservation, growth management and conservation. Hiemstra is the immediate past President of the American Land Resource Association and former publisher of the award-winning land conservation magazine, *The New American Land*. From 1980 to 1986, Hiemstra was the founding Director of the Farmland Project of the National Association of State Departments of Agriculture Research Foundation.

## ORLANDO AGREEMENT CALLS FOR FEWER, SMALLER SIGNS

The City of Orlando, Florida, has reached an agreement with the billboard industry to reduce the size and number of billboards in the city.

After years of bickering and lawsuits, the city planning department agreed to a compromise that will take down all non-conforming billboards and reduce the size of remaining ones. The compromise also defines ten "viewshed areas" within the city which will be free of outdoor ads.

In return, the city will allow the installation of billboards that can display three advertisements. The so-called tri-vision signs use moving panels to display three messages on one board, which means a company can make more money using less space.

The written agreement resolves a legal fight that began when the city passed a strict billboard ordinance in 1985. This ordinance restricted the size and spacing of billboards and forbade signs with moving parts.

"We were trying to find a way for the industry to do business in the city and comply with the sign ordinance," said Linda Wells, a lawyer for the companies who helped negotiate the agreement.

This agreement is significant because it demonstrates that at least some outdoor advertisers are willing to agree to meaningful billboard controls. However, in most parts of the country, the industry continues to oppose all regulation regardless of how reasonable it may be. □

## RICHMOND BILLBOARD BAN MOVES FORWARD

By a 9-0 vote on February 19, the Richmond, Virginia, Planning Commission approved a proposed ordinance banning the construction of new billboards in the city. The ordinance now goes to the city council for consideration.

The proposed ordinance would amend the city zoning ordinance to prohibit billboard construction in all districts of the city. The Commission is also looking at ways to remove as many of the existing billboards as possible. There are currently 555 billboards in the city, including more than two dozen in historic districts.

The primary concern of local activists has been the city's image. "We're trying to make the gateways into town attractive," said Roger York, a senior city planner, "and we don't believe billboards are attractive." York's office conducted an extensive inventory of billboards within the city and found that only 22 met what city staffers consider the minimum acceptable standards.

If the City Council passes the ordinance, Richmond would join over 30 other Virginia communities which have acted to clean up billboard clutter. Henrico County, Fairfax County, Charlottesville, Alexandria, Williamsburg, Newport News and Virginia Beach are among the many cities and counties in Virginia which currently ban the construction of billboards. □

## LENS ON BILLBOARDS CONTEST WINNERS

Winners of the 1987 Coalition for Scenic Beauty "Lens on Billboards" photo contest are: *First Prize*, "Rest in Peace" by Brian Henning of Western Springs, IL; *Second Prize*, "Constitutional Rights?" by Paul Whiting of Madison, WI; and *Third Prize*, "Central Valley" by Patricia Hallin of Sacramento, CA.

Honorable mention goes to "Open Rural Vistas" (photographer not identified); "Growing Billboards" by Clan Crawford of Ann Arbor, MI; and "Billboard Beauty" by Jerry Reed of Sharpsburg, GA.

Photographs were judged for their originality, anti-visual pollution message, public health message and photographic technique.

"Judging was difficult because of the number of great shots" said Ed McMahon, Executive Director of the Coalition. "We received hundreds of photos from around the country. Each one illustrated the way in which the problem of billboard blight affects the country," McMahon added.

The Coalition for Scenic Beauty thanks all contest participants and looks forward to using many of the photos in new CSB publications and future issues of *Sign Control News*. □

## INDIANAPOLIS PLANNING COMMISSION OKs TOUGHER RULES FOR BILLBOARDS

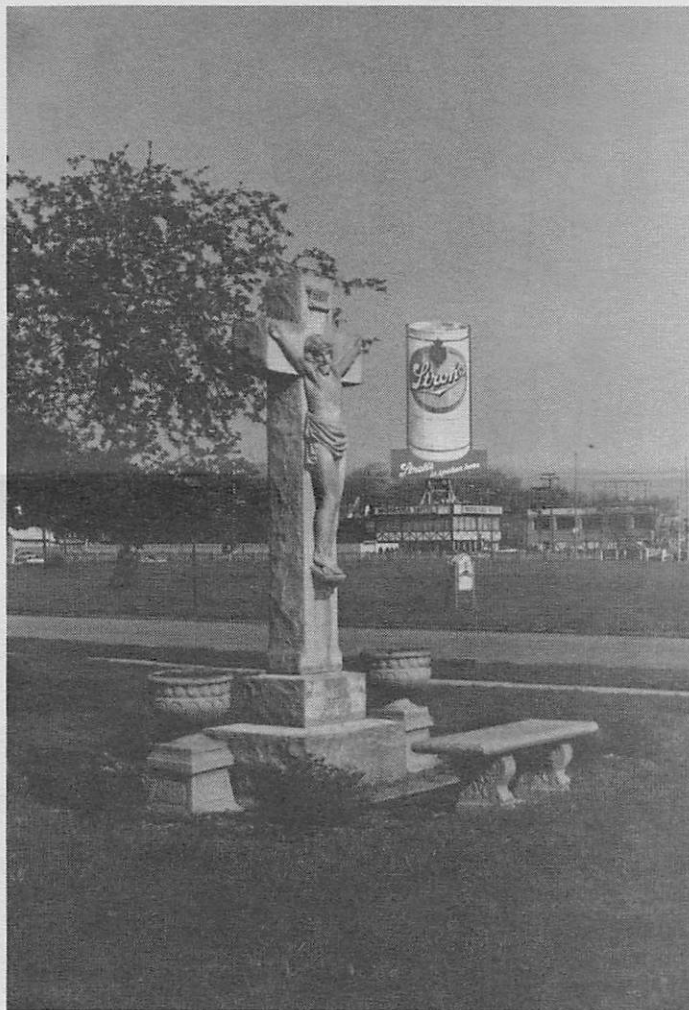
Neighborhood groups won an important battle in Indianapolis, Indiana, when the city's Metropolitan Development Commission voted to tighten current billboard regulations. By an 8-to-2 vote, the commission endorsed new guidelines governing the size, placement and number of billboards in Marion County.

More than 125 people, most of them representing neighborhood groups, were present for the March 16th hearing and vote. Many argued in favor of even tougher regulations. This outpouring of community concern overcame the intensive lobbying efforts of the Naegele Outdoor Advertising Company, the largest billboard firm in Indiana.

The new regulations would prohibit rooftop signs and reduce the maximum allowable billboard size from 900 square feet to 672 square feet. The required distance between signs would be increased from 750 to 1,500 feet. Size restrictions tied to lot size would also be established. For example, the largest billboards could only be placed on lots of 50,000 square feet.

Ruth Hayes, President of the Nora Community Council and a veteran of the Indianapolis billboard control battle, argued before the commission that billboard clutter is hurting the city's economy. "A community's image is crucial to its ability to promote its economic base, to lure new businesses and new jobs, and to attract a population growth which is needed to support new developments," Hayes said.

The measure must now go before the City-County Council. Hearings are scheduled to be held on either April 12 or April 19. □



*First Prize: "Rest in Peace" by Brian Henning*

## SCENIC BYWAYS CONFERENCE

The Coalition for Scenic Beauty is co-sponsoring a national conference to map the future of America's scenic roads and highways. The conference, which is being coordinated by the American Recreation Coalition, will be held at the Marriott Hotel at Washington's Dulles Airport on May 1-3, 1988.

*Scenic Byways 88* will bring together people involved in all aspects of scenic road protection, promotion and development. Participants will receive a handbook and will have the opportunity to hear from travel and tourism experts, transportation officials, conservationists, and recreation enthusiasts. To receive registration information, contact the American Recreation Coalition, 1331 Pennsylvania Ave., N.W., Suite 726, Washington, DC 20004; (202) 662-7420. □



Second Prize: "Constitutional Rights?" by Paul Whiting



Third Prize: "Central Valley" by Patricia Hallin

## MATERIALS AVAILABLE FROM THE COALITION FOR SCENIC BEAUTY

### BOOKS

Price      Quantity      Total

**Visual Pollution and Sign Control: A Legal Handbook on Billboard Control**, by Southern Environmental Law Center. 36 pages, 1987 .....

\$10.00

\$

*Shows how to prepare and pass a strong local ordinance. It discusses the Highway Beautification Act, state billboard control efforts, issues in local and constitutional law. Includes recommended ordinance provisions.*

**Aesthetics and Land Use Controls:** by Christopher Dirksen, American Planning Association, 45 pages, 1986 .....

\$12.00

\$

*Looks at view protection; building design review; landscaping and tree protection; and regulating signs, billboards, satellite dishes and other forms of outdoor communications.*

### NEWSLETTER

**Sign Control News:** a bi-monthly summary of news, legal decisions, and other developments regarding sign control, view protection and other aesthetic regulations. (One year subscription.) .....

\$20.00

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### FACT SHEETS

What's Wrong with Billboards .....

\$ 1.00

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Billboard Control: Facts and Myths .....

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Billboard Control: What's Going on Around the Country .....

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Sign Control and Economic Development .....

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Model Ordinance Provisions .....

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Examples of Cities Which Ban Billboards .....

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Logo Signs .....

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Tree Cutting .....

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Highway Beautification Act .....

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For more information, write or call:

### COALITION FOR SCENIC BEAUTY

218 D Street, SE • Washington, D.C. 20003 • (202) 546-1100

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PHOTO BY JERRY A.

**Quote of the Month:** "If a Martian was to land on Earth, by God it would be pretty sterile looking if there were no billboards."  
— Edouard Israel, national creative director, Gannett Outdoor Network USA.

## LOS ANGELES BILLBOARD BAN PROPOSED

More than 100 Los Angeles area chambers of commerce and homeowners associations announced at a February 26th press conference their support for a ban on the construction of new billboards in the City of Los Angeles.

Joining with the Coalition of chambers and homeowners was Los Angeles Mayor Tom Bradley. Bradley's support is particularly significant since previous efforts to win council approval for a citywide billboard ban have been thwarted by lobbying from the billboard industry—a major contributor to council campaigns.

"Uncontrolled sign blight is a hidden public subsidy to the billboard firms," said Councilman Melvin Braude, sponsor of the legislation. "This subsidy is a public cost from damage to property values, to trade, to tourism, and to the urban

landscape which is borne by the general public for the benefit of the billboard companies" added Braude.

Though the precise number is unofficial, an estimated 10,000 billboards pollute Los Angeles. Billboards tower over schools, cemeteries, parks and even homes in residential neighborhoods. Streets are lined with intrusive billboards, many erected on rooftops, others double stacked on metal towers, dwarfing businesses, apartment buildings and houses.

If the ban is adopted, Los Angeles will become the nation's largest city to ban billboards. Other major cities banning the construction of new billboards include Houston, Texas; St. Louis, Missouri; Jacksonville, Florida; San Diego, California and Tucson, Arizona. □

## UPDATE: STATE LEGISLATION

More than 60 bills involving billboard regulation have been introduced in state legislatures around the country. Many of these bills could weaken local communities' ability to regulate and remove billboards. Legislation which would degrade our scenic heritage and benefit the billboard lobby is described below and is identified with an asterisk. A number of other bills would strengthen state or local billboard controls. These bills are also described below.

- **\*Alabama** — H335 would preempt local zoning authority and force taxpayers to pay billboard companies cash whenever a city or county removes or alters a sign along any public street or highway.

- **California** — A3813 would permit the Director of Transportation to make an advancement to a city or county for all, or a portion of the costs of removing billboards located within 660 feet of any highway; S2356 changes existing laws on expiration periods of amortization and provides that certain cities are not required to provide cash compensation if a 15-year period of amortization is adopted.

- **\*Georgia** — H1572 would allow the height of billboards to be increased under certain circumstances.

- **\*Kentucky** — H2336 would require the transportation cabinet to issue regulations to allow new billboards on currently protected right-of-ways; S291 would allow placement of billboards beyond 660 feet from interstates.

- **Massachusetts** — H1074 would ban the advertisement of tobacco and alcohol products on billboards; H1075 would reduce the number of billboards in the state; H3731 would establish a moratorium on the placement of billboards in the state.

- **Maryland** — SJR15 requests the Legislative Policy Committee and the Governor to establish a Task Force to study the effectiveness of the Federal Highway Beautification Act and its limitation on the State's control of outdoor signs and billboards along public highways, and to make

recommendations by November 1, 1988.

- **Mississippi** — H383 provides for the control and regulation of outdoor advertising adjacent to the Natchez Trace Parkway and other national park service areas; H806 provides that the municipalities shall have full authority to regulate outdoor advertising adjacent to interstate and primary highway systems within their corporate limits provided that it does not violate the Outdoor Advertising Act; H806 would remove compensation requirements when political subdivisions acquire and cause to remove off-premise outdoor advertising signs.

- **New Mexico** — S294 would increase permit fees for outdoor advertising.

- **Tennessee** — H1376 prohibits certain forms of advertising adjacent to national park service parkways and roads; \*S1330 would allow additional outdoor advertising in certain counties.

- **Utah** — H75 provides that the Department of Transportation may erect logo signs along highways. □

**SIGN CONTROL NEWS** is a publication of the Coalition for Scenic Beauty. It is available free to Coalition members. If you want to help save our scenery and work for meaningful controls on visual blight, you can join the Coalition. Membership fees are \$20 a year; for local clubs, associations, organizations, private businesses, or government agencies, annual dues are \$50; for state or regional organizations, \$100; for national organizations, \$150. To join, send check payable to the "Coalition for Scenic Beauty" to: Coalition for Scenic Beauty, 218 D Street, S.E., Washington, D.C. 20003.

Phone ..... (202) 546-1100

Acting Editor, *Sign Control News* ..... Hal Hiemstra

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## THE COALITION FOR SCENIC BEAUTY NEEDS YOUR HELP IN OUR FIGHT TO SAVE OUR SCENERY.

We are now working with cities and towns all over America, helping them halt the spread of visual pollution. We need your help to protect the character of our communities and to preserve our scenic heritage. Please sit down right now and write out a check for \$30 or more to help us fight the ugliness lobby.

*Please join us in helping to stop the ruthless destruction of our scenic heritage.*

**Please send \$20, \$30, \$50, \$100 or whatever you can give today.**

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Send to:

### COALITION FOR SCENIC BEAUTY

218 D Street, SE, Washington, D.C. 20003

**YES!** I want to help **Save Our Scenery.** Enclosed is my check for \$\_\_\_\_\_.

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY/STATE/ZIP \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_

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