

# Scenic Watch

Citizens for a Scenic Florida



March 15, 2011

## President's Message:

### League of Cities and Scenic Florida On Alert

### Bills Could Overturn Local Sign Ordinances

[HB 313](#) and [SB 560](#) authorize the state to sell the naming rights to state transportation facilities, and to lease space for advertising on state transportation facilities or property.

As originally written, these bills could overturn local sign ordinances unless amended.

Please check back periodically on the links to the state web site above for the latest status of each bill to track their progress through both the House and Senate.

Advertising (billboards, flags, banners, posters, etc.) could be placed on any FDOT property.

We could see billboards on FDOT owned causeways, in rest areas, on the sides of overpasses, or in areas used for roadway retention ponds. The sides of overpass walls could be covered with advertising. The FDOT electronic accident ahead signs could contain advertising.

Had the Senate Transportation Committee heard the bill at their committee meeting last Thursday as scheduled, they might have heard an amendment by Senator Lizbeth Benacquisto (R-27) Wellington, which would require that any signs would have to comply with county and municipal outdoor advertising, sign, or land use ordinances.

The Senate Staff Committee Analysis raised issues not addressed in the amendment including conflicts with the Federal Highway Beautification Act, which could cost Florida \$145 million in highway dollars.

The House Bill is sponsored by Rep. Irv Slosberg (D-90) Boca Raton has as the first committee of reference the Transportation & Highway Safety Subcommittee.

No hearing has been scheduled for HB313, which is sponsored by Senator Stephen R. Wise.

It is important to note that no amendment has been proposed to the House Bill to fix the local preemption, as was pending in the Senate.

William C. Jonson, President, Scenic Florida

[Read League of Cities - Legislative/Advocacy: Notice of Watch on These Bills"](#)

March-April

**Scenic Miami-Dade Wins First  
Battle!**





## Fun Festivals and Events

### North Florida

#### **Mar 18**

Moon Over the Mounds, Crystal River

#### **Mar 19**

Wild Azalea Festival, White Springs

#### **Mar 19**

Great Atlantic Seafood Festival, Jacksonville Beach

#### **Mar 24-27**

Suwannee Spring Fest, Live Oak

#### **Mar 26-27**

Quilt Walk, Lake City

#### **Mar 26-Apr 2**

Paddle Florida, Lee

#### **Mar 27**

O'Leno Ole Chili Cook-Off, High Springs

#### **Apr 1-3**

George's Music Springing the Blues, Jacksonville Beach

#### **Apr 1-3**

Antique Tractor and Engine Show, White Springs

#### **Apr 2**

Bluegrass in the Park, Silver River State Park

#### **Apr 2-3**

Cedar Key's 47th Annual Fine Arts Festival, Cedar Key

#### **Apr 9**

Alligator Lake Spring Festival, Lake City

#### **Apr 10**

Spring Festival, Alachua

#### **Apr 15-16**

Apalachicola Antique and Classic Boat Show, Apalachicola

#### **Apr 16-17**

Sponge Docks Art and Craft Festival,

At a special City Commission meeting, Miami City Commissioners were poised to approve placement of another new billboard. This agreement would have placed a huge mono-pole (LED or non-LED) in Miami's District 3 and was the result of a settlement between the company and the city. The newly formed Scenic Miami-Dade (affiliate of Scenic Florida) went to battle to support the organized and politically active Roads Neighborhood in District 3.

Nearly overnight, these two groups inspired a flood of e-mails and phone calls to the City Commission letting them know that the residents of the city and the residents of the impacted neighborhood opposed this "zoning by contract."

The placement of a distracting, visually-polluting billboard in that location was not acceptable to these voters, who got busy and made their opinions known at city hall. The Commissioners listened to the citizens and voted against placing the billboard in District 3's Roads neighborhood and placed it instead in one of the alternate locations.

[Read Article on City Commission February Vote For 14 New Billboards Here>](#)

[Scenic Miami-Dade Web Site is Here>](#)



Photo: Don Burk, The Times-Union

### "Jacksonville's New Battle Over Billboards"

**"Jacksonville has an ordinance dealing with the roadside signs ... but now they're going digital."**

"Whether you love them or hate them, billboards have retreated dramatically

Tarpon Springs

[Read More >](#)

## Central Florida

### Mar 19

Kowtown Festival, Kissimmee

### Mar 25-27

Spring Car Show & Swap Meet,  
Daytona Beach

### Mar 25-27

Sunnyland Antique and Classic Boat  
Society Show, Tavares

### Mar 26-27

Cape Canaveral Images in Art, Cape  
Canaveral

### Mar 26-27

Battle at Narcoossee Mill, St. Cloud

### Mar 27

Chocolate Festival, Melbourne

### Mar 31-Apr 1

International Rum Festival, Tampa  
Bay

### Mar 26, Apr 1-3, 16, 22-24, 26-30

DeSoto Heritage Festival, Bradenton

### Mar 29-Apr 3

Sun 'n Fun International Fly-in and  
Expo, Lakeland

### Apr 7-10

Celebration Exotic Car Festival,  
Kissimmee and Celebration

### Apr 8-10

Gulf Coast Rhythm and Ribfest,  
Palmetto

### Apr 8-9

Central Florida Dragon Boat Festival,  
Tavares

### Apr 8-10

Tampa Bay Blues Festival, St.  
Petersburg

### Apr 8-10

Balloon and Sky Fest, New Smyrna  
Beach

### Apr 9

Dark Sky Festival, Harmony

### Apr 9-10

Art at Hyde Park Village, Tampa

### Apr 14-15

Earth Day Celebration 2011, Lake  
Wales

### Apr 15

from Jacksonville's landscape since an anti-billboard movement swept the city in 1987.

Back then, roughly 1,500 billboards stood alongside highways and roads. Today, Jacksonville has 523 billboards.

But the uneasy truce between billboard opponents and the industry has been broken lately by something no one envisioned when the years-ago petition drive propelled the billboard rollback.

Digital billboards, which electronically change messages, have emerged as the leading edge of the outdoor advertising industry's growth. Clear Channel Outdoor wants to go digital in Jacksonville. Billboard opponents say they might sue if Clear Channel builds any digital billboards.

Tracey Arpen, co-founder of Scenic Jacksonville, said digital billboards undermine the headway made by billboard restrictions. In a letter to Mayor John Peyton, Arpen said it would be a "giant step backward in the city's 25-year fight against visual pollution."

Clear Channel counters digital billboards fit squarely within the settlement agreement hammered out in 1995 to resolve legal challenges brought by billboard companies. The city's general counsel's office initially said digital billboards aren't allowed, but after Clear Channel reapplied, a different attorney said digital is permitted.

...Bill Brinton, a lawyer representing Scenic Jacksonville, said preventing digital billboards from being built in Jacksonville will ultimately help the city's overall economic growth. "It's a far different city today than it was in 1987," he said of the visual appearance along roads. "The bottom line is that beauty is good for business. People are attracted to bring business to cities that are beautiful and not cluttered."

...To get approval for digital billboards, Clear Channel is using a provision of the settlement agreement that gives companies a limited ability to "rebuild and relocate" some billboards. That option is available when companies exceed the minimum number of billboard removals. At that point, companies get credit for additional removals. The equivalent of a replacement billboard can be built for each 1.5 or two billboards removed, depending on the type of road for the new billboard.

The settlement agreement doesn't specifically say whether digital billboards are allowed, a reflection of the fact that digital billboards have emerged only in recent years. Clear Channel installed its first digital billboard network in Cleveland in 2005.

City lawyers said in December there's nothing in the agreement prohibiting Clear Channel from going digital, provided other regulations are met.

But Brinton argues that interpretation defies common sense. He said Clear Channel could 'rebuild' digital billboards only if it already has digital billboards in Jacksonville.

So far, the dispute hasn't gone beyond dueling legal interpretations. Even though it's an election year, Scenic Jacksonville isn't replaying 1987 when the group rallied support for a petition drive that netted thousands of signatures, enough to get a City Charter amendment on the ballot.

In places where replacement billboards are allowed, they must be at least 1,000 feet or 1,500 feet from an existing billboard, depending on the type of road.

Moonlight Carillon Concert at Bok Tower Gardens, Lake Wales

**Apr 16-17**

8th Annual Island Earth Days, Honeymoon Island State Park

**Apr 16-17**

Mainsail Arts Festival, St. Petersburg

**Apr 16-17**

Blues at the Winery, Clermont

[Read More >](#)

## South Florida

**Mar 17**

Fishermen's Village St. Annual Patrick's Day Celebration, Punta Gorda

**Mar 18-19**

51st Annual Historic House Tours, Key West

**Mar 19**

Florida Wiener Dog Derby, North Fort Myers

**Mar 19-20**

Peace River National Arts Festival, Punta Gorda

**Mar 19-20**

Coral Springs Festival of the Arts, Coral Springs

**Mar 19-20**

15th Annual Spring Garden Event, Davie

**Mar 19-20**

Jazz in the Gardens Music Festival, Miami

**Mar 26**

Bayshore Live Oak Park Community Dog Show, Port Charlotte

**Mar 26-27**

Garden Expo, Stuart

**Mar 26-27**

Annual Sprint Fine Arts Festival, Englewood

**Mar 27**

Deering Seafood Festival on the Bay, Miami

**Apr 1**

Wine and Culinary Celebration, Fort Lauderdale

**Apr 2**

Coral Springs Craft Guild Spring Show, Coral Springs

'With all the regulations, it's becoming very hard to find a place to put a new billboard,' said Larry Donahue, a building code enforcement supervisor who tracks the location of billboards.

The clock is ticking on Clear Channel Outdoor's ability to rebuild billboards, digital or otherwise. The settlement agreement says the company has that option through 2014. After that milestone, billboard companies would no longer get credits to replace billboards removed through the normal course of attrition, such as the company losing a property lease for an existing billboard. "

-- David Bauerlein, The Times-Union

[Read Entire Article Here >](#)

## Rapid City Update:



Photo:Scenic South Dakota

## Two New Scenic Organizations



Photo:Scenic Rapid City - Image by Tom A. Warner, warnerimages.com

## A Few Determined People Can Make a Big Difference

### Scenic South Dakota:

Currently under South Dakota law, cities and counties cannot ban new billboards entirely. They can only regulate the size, spacing and lighting of the billboards.

Newly formed Scenic South Dakota made sure that overwhelming numbers of voters got messages to their elected officials about this issue recently. House representatives,voted 35-34 in favor of allowing billboard bans, but the bill was defeated because it did not get a majority.

"..To pass a bill...the state Constitution requires a majority vote of the members elected, not the members present on any given day. The House has 70 members."

Rep. Mark Kirkeby, R-Rapid City, sponsored the bill, "...which would have made bans an option for communities looking to further regulate outdoor advertising. On-premise business signs would not have been affected."

-- Rapid City Journal

### .Scenic Rapid City:

## ."Scenic Rapid City Prepares for Battle Against Billboard Companies"

"Supporters of proposed ballot measures to ban new digital billboards in Rapid

**Apr 2**

Big Pine and the Lower Keys Music Festival, Big Pine and the Lower

Keys

**Apr 2**

Miami Riverday Festival, Miami

**Apr 8-10**

Sharks Tooth Festival, Venice

**Apr 9**

TurtleFest 2010, Juno Beach

**Apr 10**

17th Annual Bay Jam, Islamorada

**Apr 15-16**

Cardboard Boat Regatta, Cape Coral

**Apr 15-17**

Pompano Beach Seafood Festival, Pompano Beach

**Apr 16**

Earth Day Celebration at Bahia Honda State Park, Big Pine Key

**Apr 16**

Crandon Park's Sunset and Moonlight Kayak Adventure, Key Biscayne

**Apr 16**

Naturescaping 2011, John D. MacArthur Beach State Park

[Read More >](#)



### Note from the Editor

Suggestions for improvement are always welcome.

City and further limit other off-premise signs are readying themselves for a fight against the city's billboard companies.

Scenic Rapid City, a coalition of local residents, business owners and former city officials, has started circulating petitions for the two initiated measures, which they hope to get on the June 7 city ballot. Their goal is to turn in at least 3,000 signatures, or about 900 more than the 5 percent of registered voters required by state law, by the end of March...

...supporters argue the two measures abide by state law, making it more difficult to build new billboards without banning them entirely. State law does not allow the "blanket prohibition" of outdoor advertising, but communities can regulate the size, lighting, and spacing of signs within their borders.

'We are not advocating zero billboards. There may be people who wish there were none, but that's not the point of this organization,' said Jim Shaw, a former mayor and Scenic Rapid City supporter. 'It's limiting the number, the size, the scope of billboards not just today but for the future.'

The first petition would ban new or converted digital billboards, triple the required distance between new and existing billboards to 1,500 feet and fix the maximum size at 250 square feet.

The second petition would establish a 20-year expiration date on sign credits, the city's currency for new billboards. A city ordinance now grants one sign credit for every billboard taken down and requires two sign credits be surrendered for every new billboard that goes up....

Mayor Alan Hanks stopped short of endorsing the petitions Tuesday but said if taking the issue to a public vote decides it once and for all, that would not be a bad thing. 'Whenever there is an issue that doesn't seem to be able to be resolved through the normal process of city government, I think the citizens have every right to take it to a vote of the people,' Hanks said. 'The controversy and debate over billboards goes back decades.'...

"They (Rapid City) have had multiple task forces working on the sign code," said Mike Quasney, a member of Scenic Rapid City. "It seems the industry keeps intervening and they get what they want - bigger, brighter, more. It doesn't feel like they're accomplishing what the public wants - billboard control." Shaw said Scenic Rapid City is relying on volunteers to circulate the petitions and likely won't have the same financial means as the billboard companies to campaign.

For now, though, they are focusing on getting signatures. 'Every sign, every billboard that's approved through this current process will be here not only for us to look at, but for our children and our grandchildren. They're grandfathered in forever,' (Jim) Petersen said. 'We've got to nip this in the bud. We've got to stop this now.'

-- Emilie Rusch, Rapid City Journal

[Read Article About South Dakota House Vote Here >](#)  
[Read Entire Rapid City Journal Here >](#)

**Hold**

**Alligator Lake Spring**

**Festival**



Four Rivers Audubon and G-WHO (Gateway Wildlife Habitat Organization) will be holding the 2nd annual Alligator Lake Spring Festival on April 09, at the beautiful new pole barn adjacent to the lake.

The purpose of the event is to underscore the importance of this wonderful park as both a water resource (headwaters of the Ichetucknee River) as well as the valuable natural resource it is for our area's wildlife, such as birds.

The park is a designated site on the Great Florida Birding Trail and a Certified Wildlife Habitat with the National Wildlife Federation.

Festival activities will be designed to engage and educate folks about water, healthy yards, birds, flowers, wildlife habitat, plants and enjoying the great outdoors. We plan to include nature walks, educational displays and vendors, as well as several speakers.

Many local residents have never even visited the park. It is a natural classroom for teaching about our environment and the economic benefits of protecting Columbia County's natural resources.

[Four Rivers Audubon has updated information on their web site about this event>](#)