

Memorandum



CITY OF DALLAS

DATE January 16, 2009

TO Members of the Economic Development Committee:
Ron Natinsky (Chair), Tennell Atkins (Vice Chair), Dwaine Caraway, Jerry R. Allen, Sheffie Kadane, Mitchell Rasansky, Linda Koop, and Steve Salazar

SUBJECT Downtown Video Boards.

Please find attached briefing materials on proposed amendments to the Downtown Special Provision Sign District to permit LED video boards that will be presented at the January 20, 2009 meeting of the Economic Development Committee. This item was previously briefed at the January 4, 2009 Economic Development Committee meeting. The briefing materials include a summary of questions asked at the briefing and staff's responses to those questions and a summary of a study on safety issues related to LED signs. The proposed amendments have been considered by the Special Sign District Advisory Committee, the Zoning Ordinance Advisory Committee and the City Plan Commission. The item is currently scheduled for City Council public hearing on February 11, 2009.

Please contact me if you need additional information.

A handwritten signature in black ink, appearing to read 'A.C. Gonzalez', written over a horizontal line.

A.C. Gonzalez
Assistant City Manager

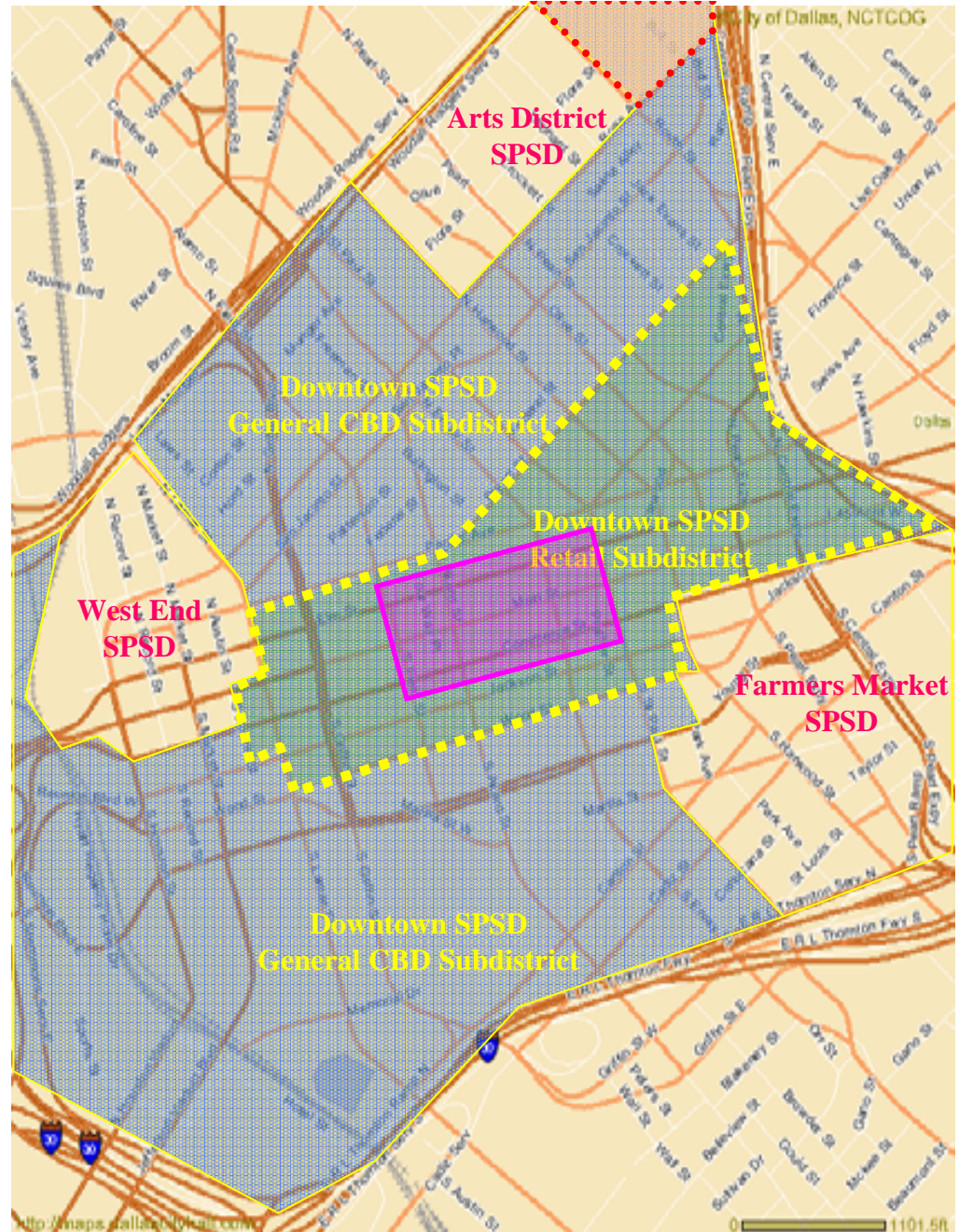
C: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Deborah A. Watkins, City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
Judge Jay E. Robinson
Ryan S. Evans, First Assistant City Manager
Forest Turner, Interim Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Ramon F. Miguez, P.E., Assistant City Manager
David K. Cook, Chief Financial Officer
Theresa O'Donnell, Director of Development Services
Helena Stevens Thompson, Assistant to the City Manager

Downtown Video Boards

Amendments to the
Downtown Special Provision
Sign District to Permit
LED/Video Board Signs

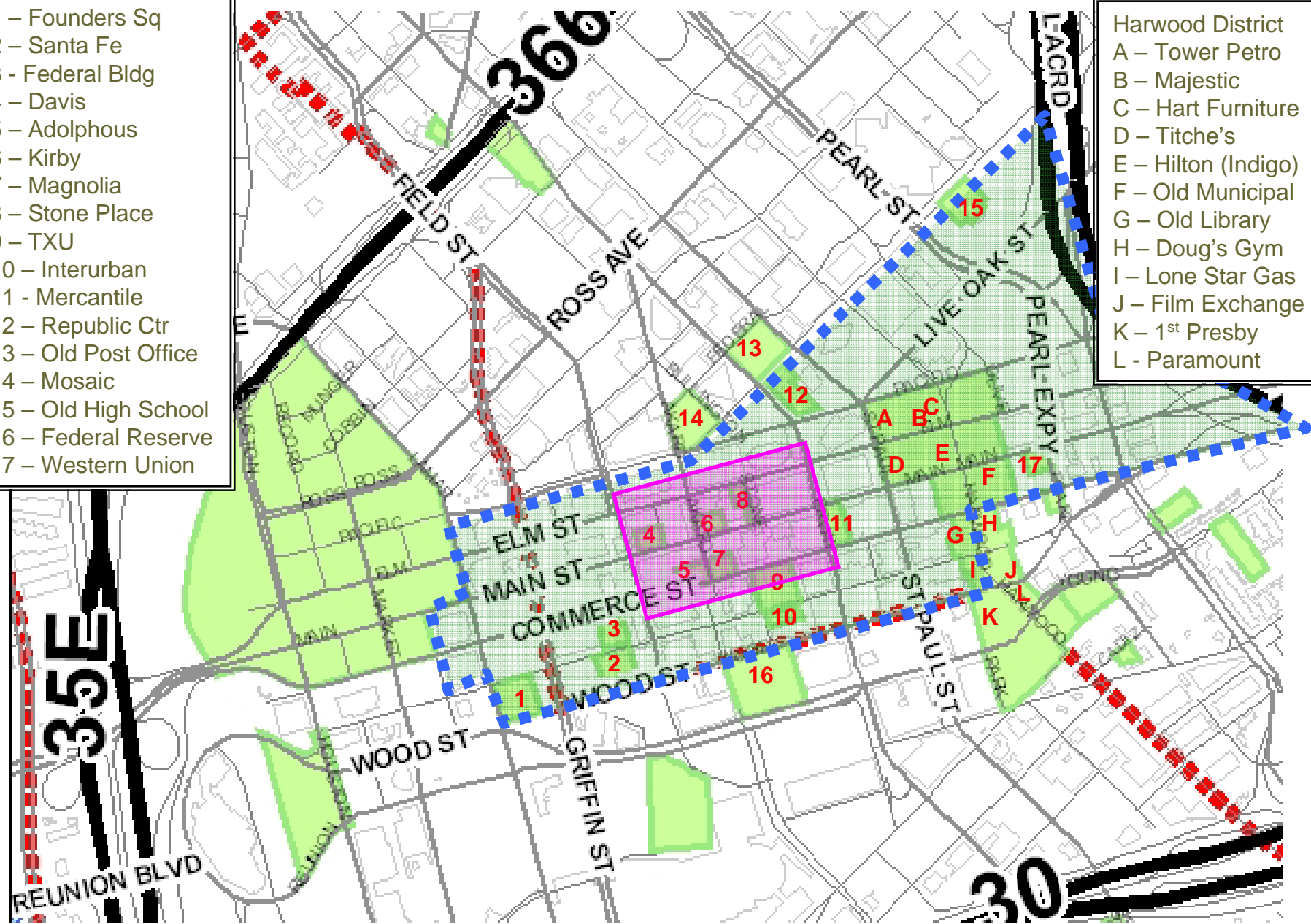


Downtown SPSD Boundaries



- 1 – Founders Sq
- 2 – Santa Fe
- 3 - Federal Bldg
- 4 – Davis
- 5 – Adolphous
- 6 – Kirby
- 7 – Magnolia
- 8 – Stone Place
- 9 – TXU
- 10 – Interurban
- 11 - Mercantile
- 12 – Republic Ctr
- 13 – Old Post Office
- 14 – Mosaic
- 15 – Old High School
- 16 – Federal Reserve
- 17 – Western Union

- Harwood District
- A – Tower Petro
 - B – Majestic
 - C – Hart Furniture
 - D – Titche's
 - E – Hilton (Indigo)
 - F – Old Municipal
 - G – Old Library
 - H – Doug's Gym
 - I – Lone Star Gas
 - J – Film Exchange
 - K – 1st Presby
 - L - Paramount



CPC Recommendation

- Non Premise District Activity Boards
 - 20 percent of every operational hour must be district activity messages or premise advertising (5 percent must be premise)
 - One per block face (projecting may be double sided)
 - Limited to an area between Field and Ervay on Elm, Commerce and Main
 - Maximum of 5 non-premise district activity boards
 - Require Specific Use Permit
 - Minimum 100 square feet
 - Maximum 150 square feet
 - Only on buildings with a 50 percent overall occupancy and with 75 percent of ground floor leasable area occupied

CPC Recommendation

- Non Premise District Activity Boards Operational Requirements
 - Streaming video and audio prohibited except during times when a special event permit has been issued for activities on or adjacent to the location of the sign; otherwise
 - Each message must be displayed a minimum of 8 seconds
 - Change of message must be accomplished in 2 seconds
 - Change of message must occur simultaneously on entire sign
 - No flashing, dimming or brightening except to accommodate a message change
 - Signs must contain a default mechanism that freezes an image in case of malfunction
 - Automatically adjust intensity of display based on natural ambient light conditions

CPC Recommendation

- Non Premise District Activity Boards Operational Requirements (cont)
 - Be able to display multicolor high quality images based on display size (a matrix of display size to minimum resolution will be included)
 - Be turned off between the hours of 12:01 a.m. and 7:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday
 - Operators must be able to respond to a malfunction or safety issue within one hour of notification
 - Applications must include a report from a traffic engineer, reviewed by the city, stating the sign placement does not interfere with traffic control devices within 300 ft of the sign.

CPC Recommendation

- Allow video board LED signs as premise signs, subject to dimensional requirements for premise signs and all operational requirements for video board LED signs with the exception of those pertaining to color and resolution.

Questions

Q1: Do other cities allow streaming video?

A1: Generally streaming video is not allowed, though permitted on specific signs or in specific districts. For example Chicago permits one streaming video sign in the downtown area which broadcasts a television station. Washington DC is similar with the sign on the Verizon Center which displays a news broadcast.

Questions

Q2: Can an SUP allow streaming video?

A2: Not with the recommended wording, except during times when there is a permitted special event on adjacent right-of-way or property. The proposed amendments could be changed to allow SUPs to permit streaming video

Q3 What other cities did we look at? Provide copies of the research.

A3: We looked specifically at New York, Chicago, San Francisco and Los Angeles. A summary is attached. None of the cities researched permit streaming video by right, some do in specifically defined districts or locations. Regulations varied on LED technology. Los Angeles currently has a moratorium on new LED billboards and Chicago is currently looking at their ordinance relating to LED signs

Questions

Q4: Why can Victory have streaming video but not downtown?

A4: The Victory Special Provision Sign District has rules which permit streaming video. The video signs are limited to the “Entertainment Complex Subdistrict” and “Retail and Entertainment Subdistrict” which together comprise approximately 6.5 acres of the 77 acre special provision sign district. The eight sliding “media wall” signs were restricted to being on a façade facing the plaza. One “portal sign” (WFAA sign) was permitted and required to be oriented to the east, southeast or south. As it was constructed, it does face the south which can be viewed, and is oriented directly to, north bound traffic on Houston street. The AA center sign was also required to be oriented to the plaza. The sign district also allowed the three “icon tower signs.” These are the only signs permitting streaming video.

Questions

Q5: How many video signs do other cities have?

A5: The cities contacted have been unable to provide us specific information on this to date.

Q6: What is the speed limit downtown and in Victory?

A6: These streets are controlled by the standard speed limit of 30 MPH.

Q7: Once the sign permit is granted is there a time limit on putting the sign up?

A7: All building permits expire after a period of two years. If a sign is permitted by Specific Use Permit a date could be established for the sign to be erected by.

Questions

Q8: What is the life-span of these signs?

A8: Life span varies with LED technology. Variables include hours the sign is operational and brightness level (energy consumption) of individual diodes etc. According to information provided by a manufacturer, diodes begin to dim from the moment they are turned on, but quality diodes have a life of up to 100,000 hours (11.5 years).

Q9: What is the revenue for these signs?

A9: There are many variables that would impact revenue from such signs including the market they are located in, specific location of the sign and traffic counts. It is unknown what the revenue from this type of sign might be.

Questions

Q10: Is Chicago currently having traffic safety issues with their signs?

A10: Chicago is currently reviewing their ordinance and looking at safety data.

Q11: Provide statistics on the traffic (safety) impact of video board signs?

A11: Most studies done, have been on highways relative to LED billboards. Many studies have noted a correlation between outdoor advertising signs and crash rates, but have not established a direct *causal* relationship between the signs and crash rates since driving is a complex task influenced by multiple factors.

Questions

Q12: Who currently holds the supergraphics permits, downtown?

A12: There are currently 5 buildings which have posted supergraphics. One of the buildings has two faces which can accommodate a supergraphic.

Location	Owner	Sign Company	Applicant
2020 Live Oak	2020 Live Oak LP	Clear Channel	Stephen Sawyer
720 N. Olive	2200 Ross LP	Big Media	Robert Fielder
1201 Pacific	Binyan Realty	Big Media	Robert Fielder
601 N. Akard	YMCA of Dallas	Clear Channel	Stephen Sawyer
1200 Ross East Wall	Chavez Properties	Big Media	Robert Fielder
1200 Ross West Wall	Chavez Properties	Big Media	Robert Fielder

Questions

Q13: Can we have the sign removed when the SUP expires?

A13: Yes.

Q14: Why have an occupancy requirement?

A14: The primary reason for an occupancy requirement is to prevent owners of vacant buildings, with no interest in doing the necessary renovations to lease them, from benefiting from the proposed non-premise district activity signs. One of the primary downtown objectives is to fill ground floor lease space to attract an active street life. The flip side of this argument is that a building owner could argue that it is the revenue stream from a sign that might help them renovate a building.

Questions

Q15: Could a church meet the occupancy requirement?

A15: Yes. Even if a sanctuary was not open, if there are full time employees present in an office, they would be considered open. Only signs that include non-premise advertising would be subject to the building occupancy requirement as proposed.

Q16: Does the property owner need to sign the permit application?

A16: For a sign permit the property owner needs to be listed on the application, but the applicant is the only signature required typically. A zoning application requires both the signatures of the owner and the applicant.

Q16: Is a one hour response requirement to malfunction issues a realistic requirement?

A16: The purpose of this requirement was intended to require that at a minimum the sign could be turned off within one hour of notification.

Questions

Q16: How are LED signs permitted in parts of Dallas not regulated by a Special Provision Sign District?

A16: Currently our ordinance treats LED premise signs as changeable message signs and they are permitted subject to the standards for all other premise signs based on their location and zoning. Such signs do have to comply with the following code requirement:

No illuminated sign nor any illuminated element of any sign, may turn on or off, or change its brightness, if:

(1) the change of illumination produces an apparent motion of the visual image, including but not limited to illusion of moving objects, moving patterns or bands of light, expanding or contracting shapes, rotation or any similar effect of animation;

(2) the change of message or picture occurs more often than once each three seconds for those portions of a sign which convey time or temperature, or once each 20 seconds for all other portions of a sign; or

Victory Special Provision Sign District



Media Wall Signs Allowed at 967 s/f
individually and may combine together
(Installed at 390 s/f ea)

Portal Sign Allowed
at 2,135 s/f
(Installed at 608 s/f)



Discussion

Next Steps

- City Council public hearing on February 14, 2009