

Memorandum



CITY OF DALLAS

DATE February 6, 2009

TO Members of the Transportation and Environment Committee:
Linda Koop (Chair), Sheffie Kadane (Vice Chair), Jerry R. Allen, Carolyn R. Davis, Vonciel Jones Hill, Angela Hunt, Pauline Medrano and Ron Natinsky

SUBJECT Billboard Relocation Code Amendments

On February 9, 2009 you will be briefed on proposed code amendments to the relocation provisions for billboards impacted by land acquisition by a governmental entity. TXDOT projects and DART construction necessitate the relocation of billboards. The committee was previously briefed on this issue on May 27, 2008. At that time the committee instructed staff to develop and process amendments to the current regulations. The Zoning Ordinance Advisory Committee considered this issue at three public meetings between October and December of 2008. The meetings were attended by billboard industry representatives, DART representatives and interested citizens. The City Plan Commission recommended approval of the proposed amendments on January 8, 2009. This item is on City Council's February 11, 2009 public hearing agenda for consideration.

Please contact me if you need additional information.

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

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
Helena Stevens Thompson, Assistant to the City Manager

Billboard Relocation Code Amendments

City Council Transportation
and Environment Committee
February 9, 2009



PURPOSE

- Brief the committee on a code amendment to the current provisions allowing the relocation of billboards located on land acquired by a governmental entity

BACKGROUND

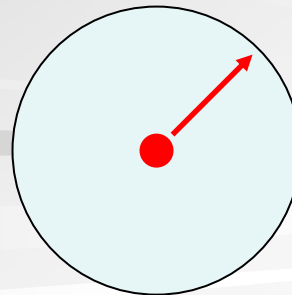
- Section 51A-7.307 permits relocation of billboards located on or overhanging **land acquired by a governmental entity** subject to certain restrictions.
- Billboards are often located on land needed for highway expansion projects and rail transit projects.
- 25 billboards from a single sign company were displaced as a result of construction of the northwest and southeast (Green) DART lines
- Transportation and Environment Committee was briefed on May 27, 2008 and instructed staff to bring a proposal forward.

BACKGROUND

- The Zoning Ordinance Advisory Committee considered this issue at three public meetings between October and December of 2008
- On December 4, 2008 the Zoning Ordinance Advisory Committee recommended approval
- On January 8, 2009 the City Plan Commission recommended approval

Glossary of Terms

- Detached non-premise signs - Billboards
- HBA – Highway Beautification Act
- HBA Signs – Non-premise signs located within 660 ft of a highway
- Expressway Sign – Billboards located within 100 ft of a highway
- Radial Measurement – Measurement taken as a radius from a point



Existing Requirements No Proposed Changes

- No detached non-premise sign may be relocated within 500 feet of a historic district, public park, city-owned lake, or the escarpment zone or geologically similar areas.
- No detached non-HBA sign may be relocated within 500 feet of a non-business or residential zoning district.
- No detached HBA sign may be relocated within 300 feet of a residential zoning district.
- The city council may grant a Specific Use Permit to authorize lesser spacing than that required above.

Existing Requirements No Proposed Changes

- No sign may be relocated within 1,000 feet of a new expressway.
- No detached non-premise sign may be relocated within 100 feet of an expressway unless it was originally located within 100 feet of an expressway or new expressway.
- No sign message on a relocated sign may be oriented to be visible from a new expressway.
- No sign message on a relocated sign may be oriented to be visible from an expressway unless it was originally oriented to be visible from an expressway or new expressway.

Existing Requirements No Proposed Changes

- An HBA sign must be relocated at least 500 feet from another non-premise sign on the same side of the expressway.
- Signs may not be relocated to be within 200 feet of an intersection involving.
 - Two or more arterials
 - An expressway frontage road and ramp
 - Expressway travel lane and ramp

Proposed Amendments

- Existing - Relocation must be completed within one year after the governmental entity becomes the owner of the land.
- Proposed - Relocation application must be submitted within one year of the date the billboard is removed and relocation must be completed within one year after approval of the application.

Proposed Amendments

- Existing - Expressway signs may have a maximum height of 60 ft from grade, no more than 30 ft in height above nearest through travel lane
- Proposed – Expressway signs may have a maximum height of 80 ft from grade, no more than 42.5 ft in height above nearest through travel lane

Proposed Amendments

- Existing - Signs must be relocated to a remainder unless there is no remainder or the remainder is not of sufficient size or shape
- Proposed – Signs must be relocated to a remainder unless
 - there is no remainder or the remainder is not of sufficient size or shape
 - the sign owner is unable to negotiate a new lease
 - the sign cannot be relocated to be as visible
 - for signs in Rail Road right-of-way
 - non-conformity may be maintained if relocated to within 500 ft of the original location
 - if not possible to relocate to within 500 ft of original location, signs may be relocated anywhere within that railroad ROW subject to size, height, spacing, setback, and other restrictions

Proposed Amendments

- Existing – No relocated sign may have a greater effective area than it had at its original location
- Proposed – No relocated sign may have a greater effective area than it had at its original location except signs may be combined provided the total number of structures are reduced and no greater cumulative effective area is achieved. Combined signs must meet maximum effective area allowed based on location

Proposed Amendments

- Existing – Relocated signs may not contain new materials that are more than 5 feet above grade (foundation support can be new, but remainder of the sign must be the existing materials of the relocated sign).
- Proposed – Must be updated to meet current building code requirements

Proposed Amendments

- Existing – Signs may not be relocated within 300 feet of a non-business zoning district. A Specific Use Permit may authorize lesser spacing.
- Proposed – Signs may not be relocated within 300 feet of a non-business zoning district and LO, MO and GO zoning districts shall be considered business zoning districts (otherwise considered non-business for purposes of the sign code). A Specific Use Permit may authorize lesser spacing.

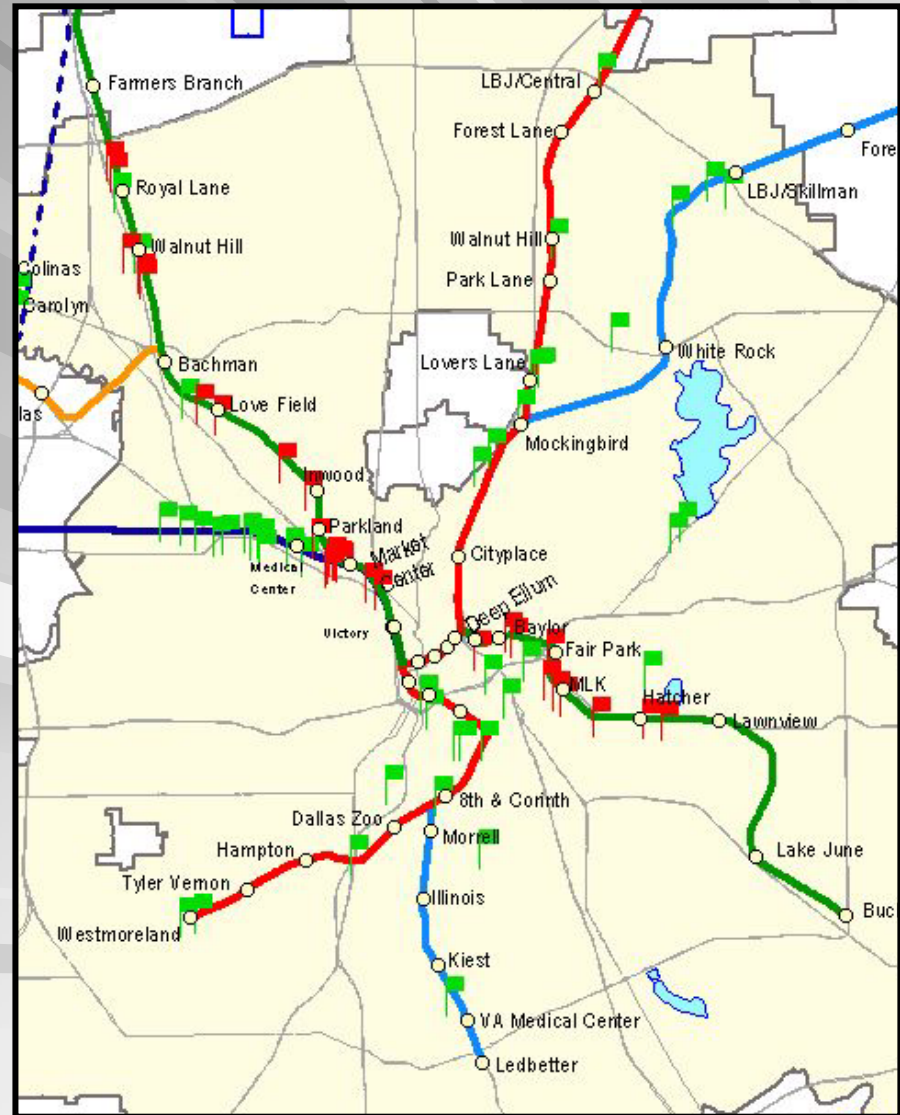
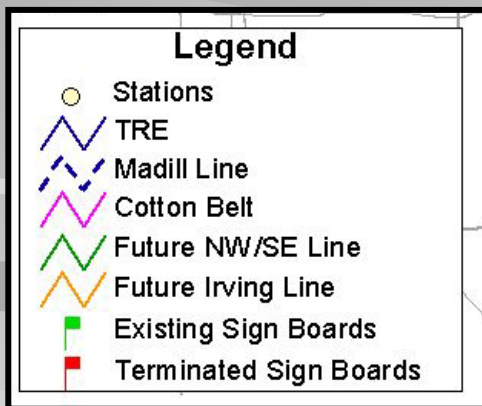
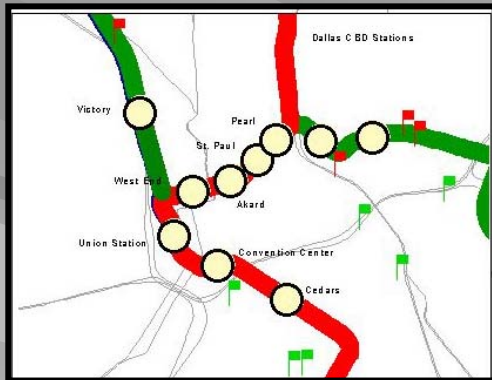
Proposed Amendments

- Existing – Relocated signs may not be relocated to within 2000 feet of the Trinity river
- Proposed – A Specific Use Permit may authorize lesser spacing than that required above

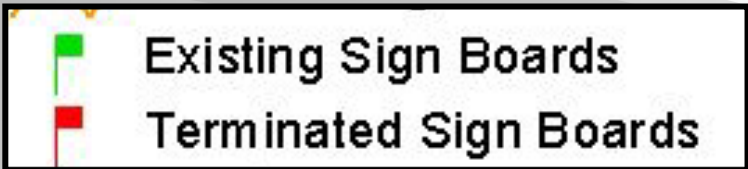
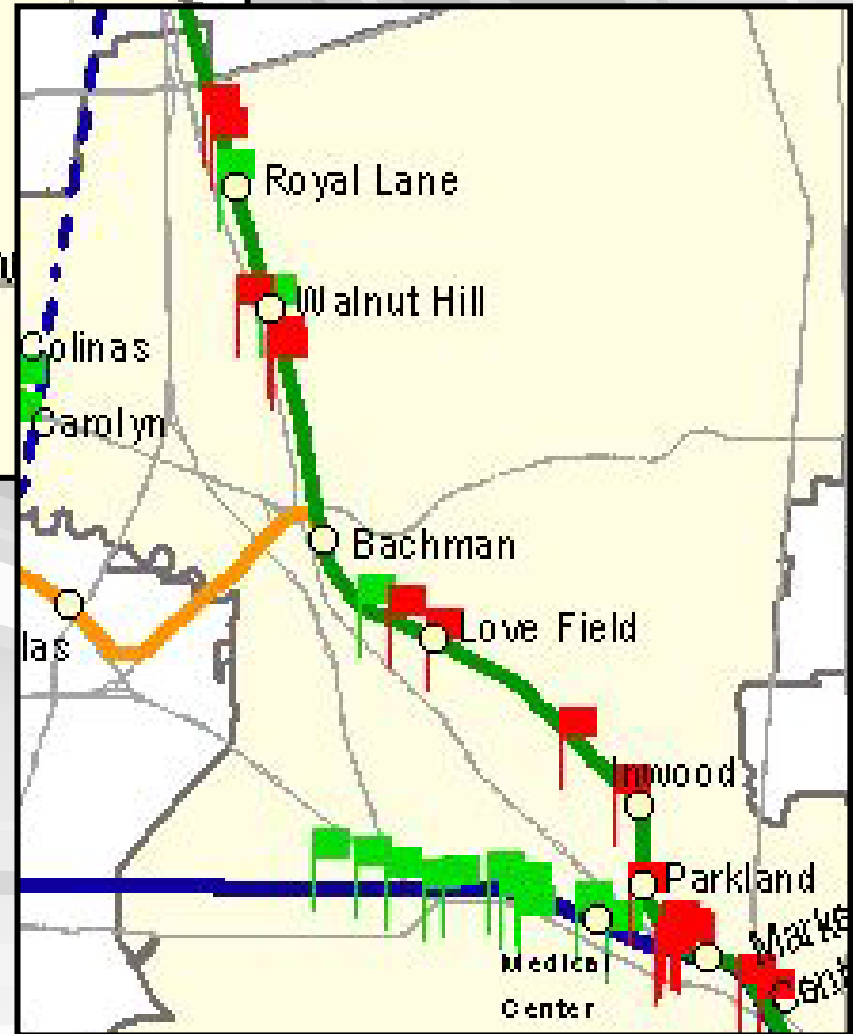
Proposed Amendments

- Existing – Signs may be relocated as close as 500 ft to another sign (for expressway signs the measurement is made on the same side of the expressway, for non-expressways signs the measurement is radial).
- **Proposed – Minimum separation measurement between all signs will be linear**

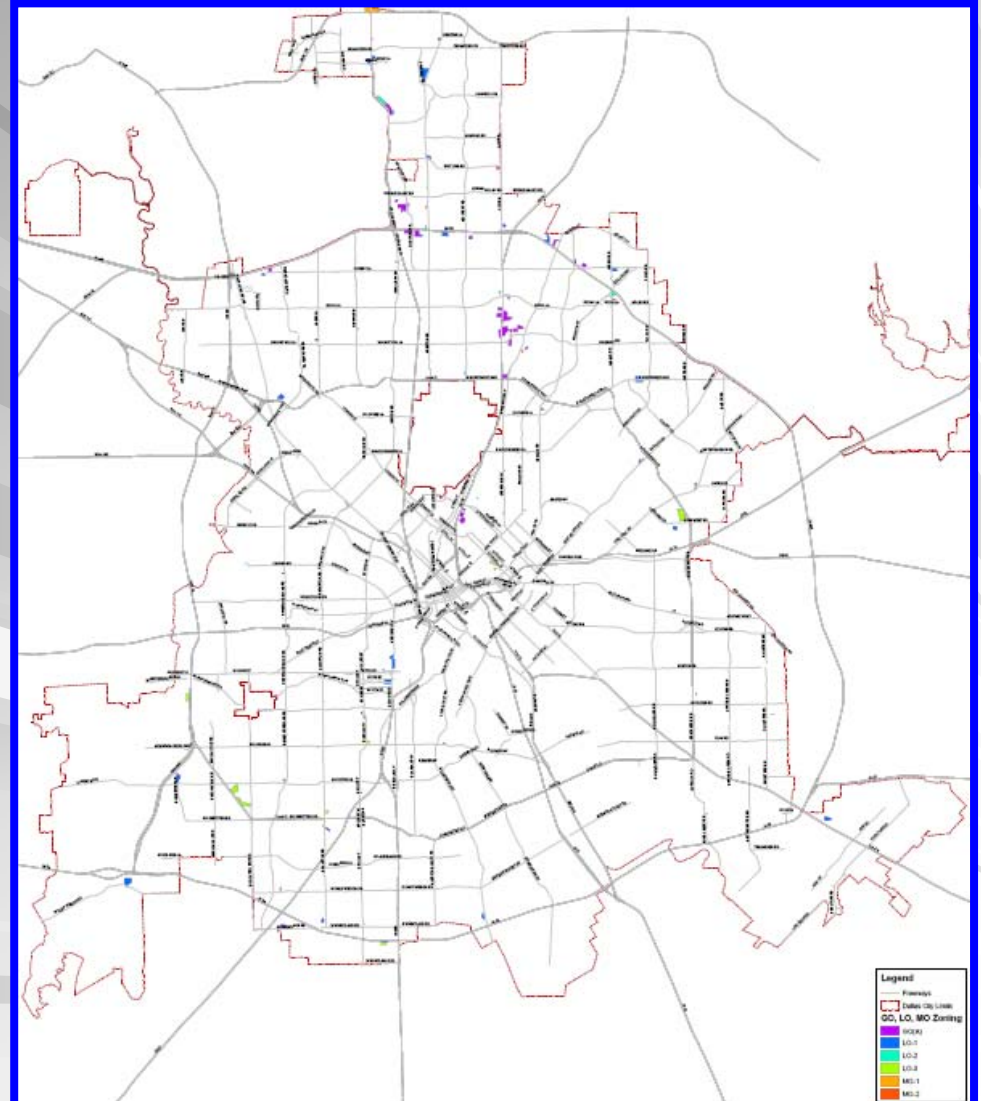
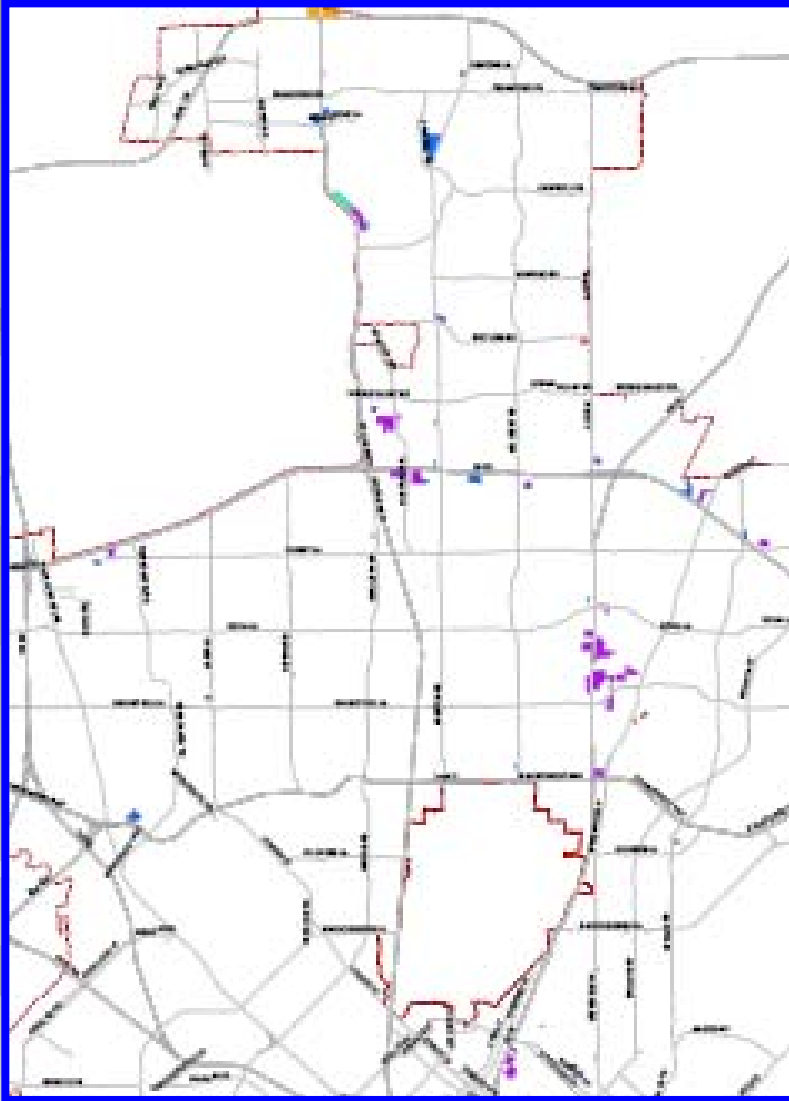
DART Displaced Billboards



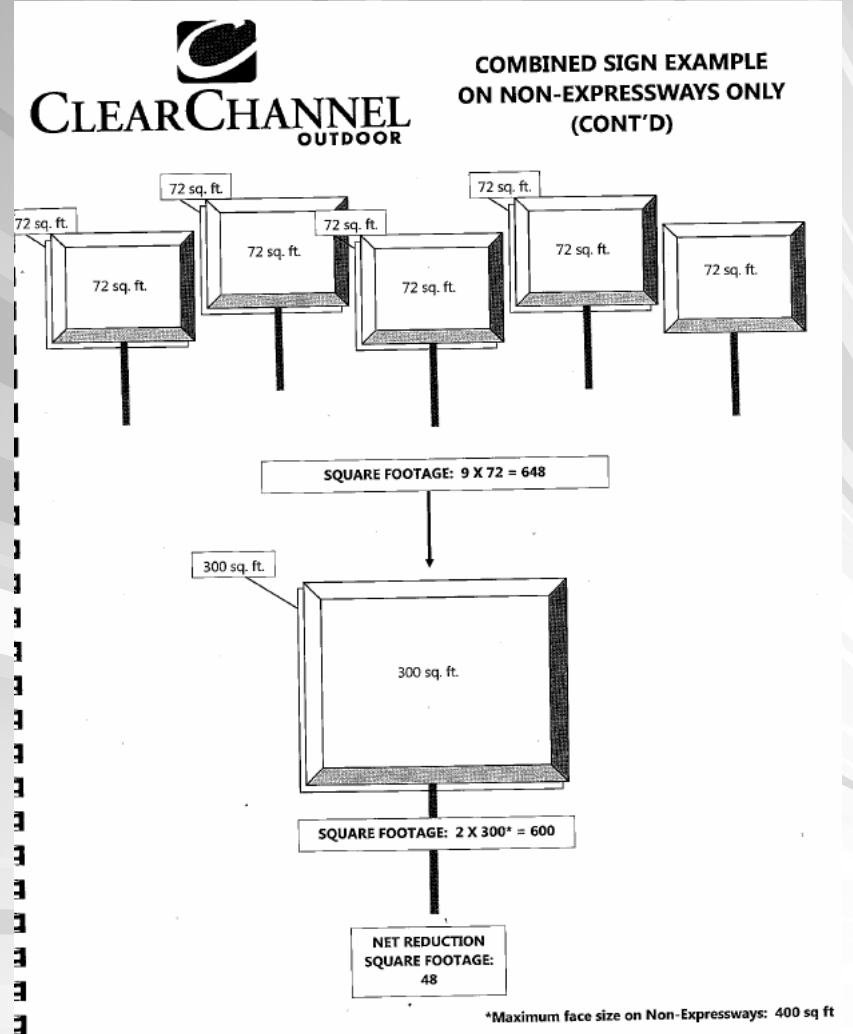
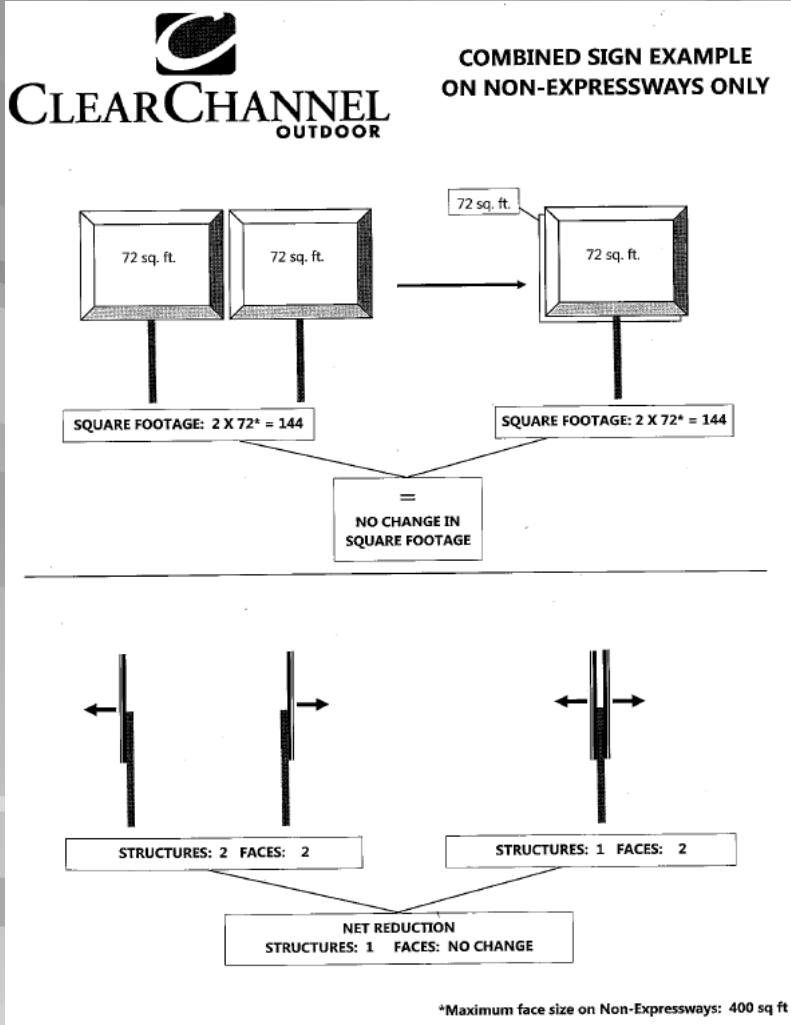
DART Displaced Billboards



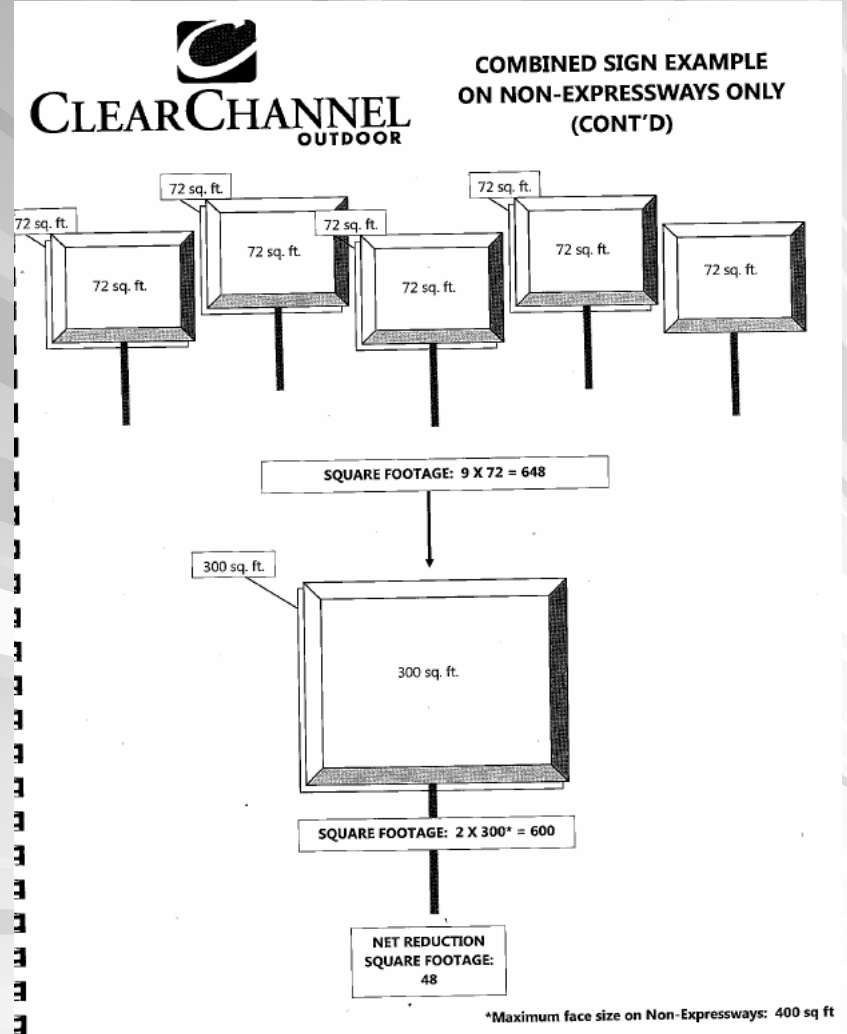
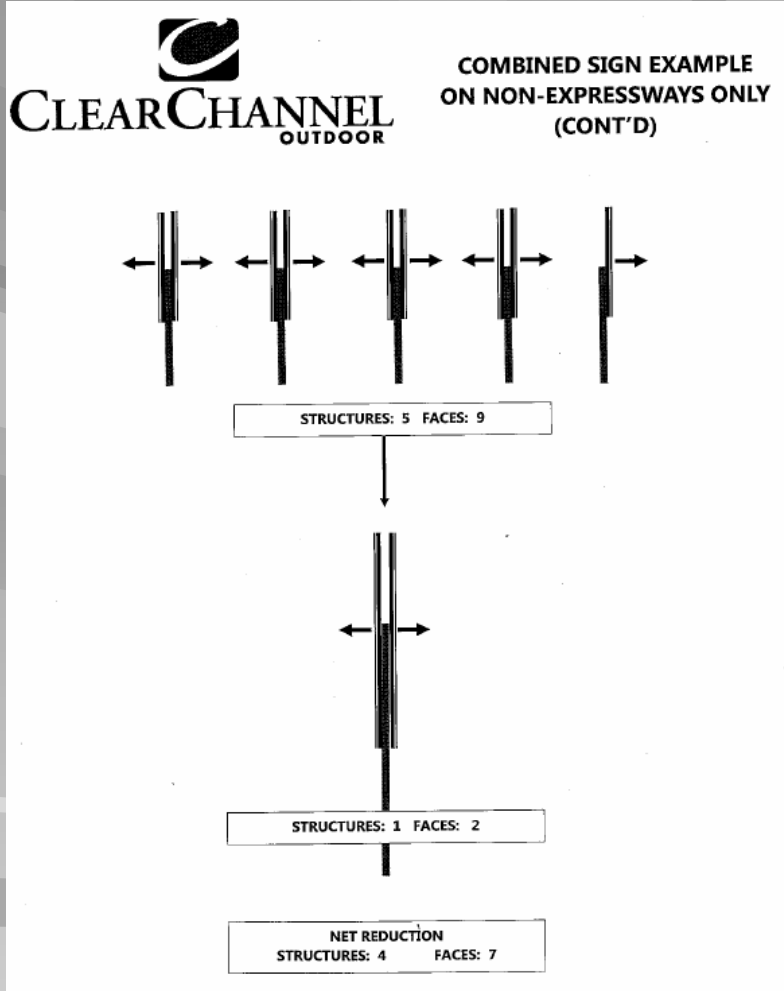
“Non-Business” Office Districts



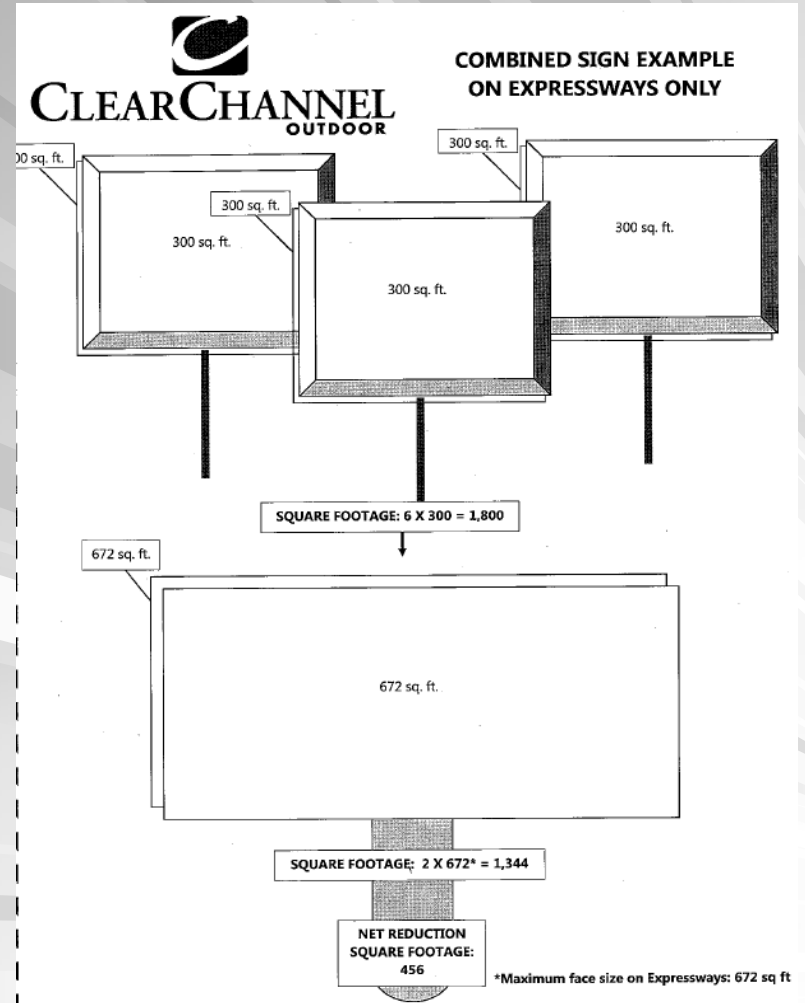
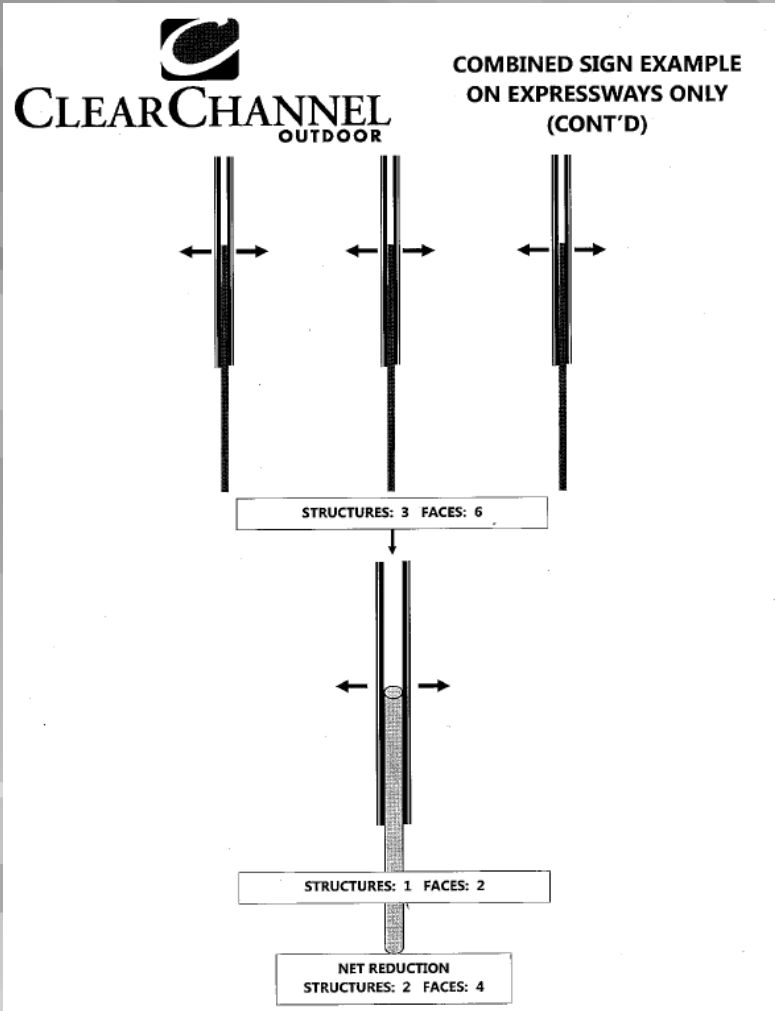
Combined Sign Examples



Combined Sign Examples



Combined Sign Examples



Recommendations

- Staff - Approval
- ZOAC – Approval
- City Plan Commission - Approval

Next Steps

- City Council Public Hearing –
February 11, 2009