

Memorandum



CITY OF DALLAS

DATE March 20, 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 were briefed on proposed code amendments to the relocation provisions for billboards impacted by land acquisition by a governmental entity such as TXDOT projects and DART projects. The committee was initially briefed on this issue on May 27, 2008. At that time the committee instructed staff to develop and process amendments to the current regulations. At the February 9, 2009 meeting the committee asked for additional information regarding relocating billboards that are within 2,000 feet of the Trinity River, the way maximum sign height is determined for signs adjacent to expressways that are below grade and the impact of allowing signs to be relocated to office zoning districts. Additional information has been provided in the attached briefing for your consideration. This item is on City Council's March 25, 2009 public hearing agenda for consideration.

Please contact me if you need additional information.

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 C. Victor Lander, Judiciary
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
Jean Chipperfield, Director, Budget and Management Services
Helena Stevens Thompson, Assistant to the City Manager

Billboard Relocation Code Amendments

City Council Transportation
and Environment Committee
March 23, 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
- Provide additional information specifically on:
 - Relocating billboards that are within 2,000 feet of the Trinity River
 - Maximum sign height for billboards adjacent to expressways
 - The impact of allowing billboards to be relocated to office zoning districts

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
- The Transportation and Environment Committee was briefed on May 27, 2008 and instructed staff to bring a proposal forward to modify the existing relocation provisions.

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

BACKGROUND

- Transportation and Environment Committee was briefed on the City Plan Commissions recommendation on February 9, 2009 at which time the committee requested additional information on:
 - Relocating billboards that are within 2,000 feet of the Trinity River
 - Maximum sign height for billboards adjacent to expressways
 - The impact of allowing signs to be relocated to office zoning districts

Expressway Sign Height

- Current definition of height for expressway signs
 - The height of an expressway sign may be extended to 50 feet, or to 30 feet above the nearest point on the **nearest travel surface of the nearest expressway** or new expressway, **whichever is higher**, if the total height of the sign does not exceed 60 feet above the ground at the base of the sign
- Current definition of height for other signs
 - HEIGHT, as applied to a sign, means the vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and a level plane going through the **nearest point of the vehicular traffic surface of the adjacent improved public right-of-way**, other than an alley. In the event a sign is equidistant from more than one improved public right-of-way, none of which are alleys, the highest point shall be used

Expressway Sign Height

- CPC Proposed – A relocated sign may not exceed an overall height of 42.5 feet measured from the highest point of the sign to the grade level of the centerline of the nearest travel lane, not including ramps, closest to the sign, at a point perpendicular to the sign location, except that in no instance may a relocated sign exceed 80 feet measured from ground level.

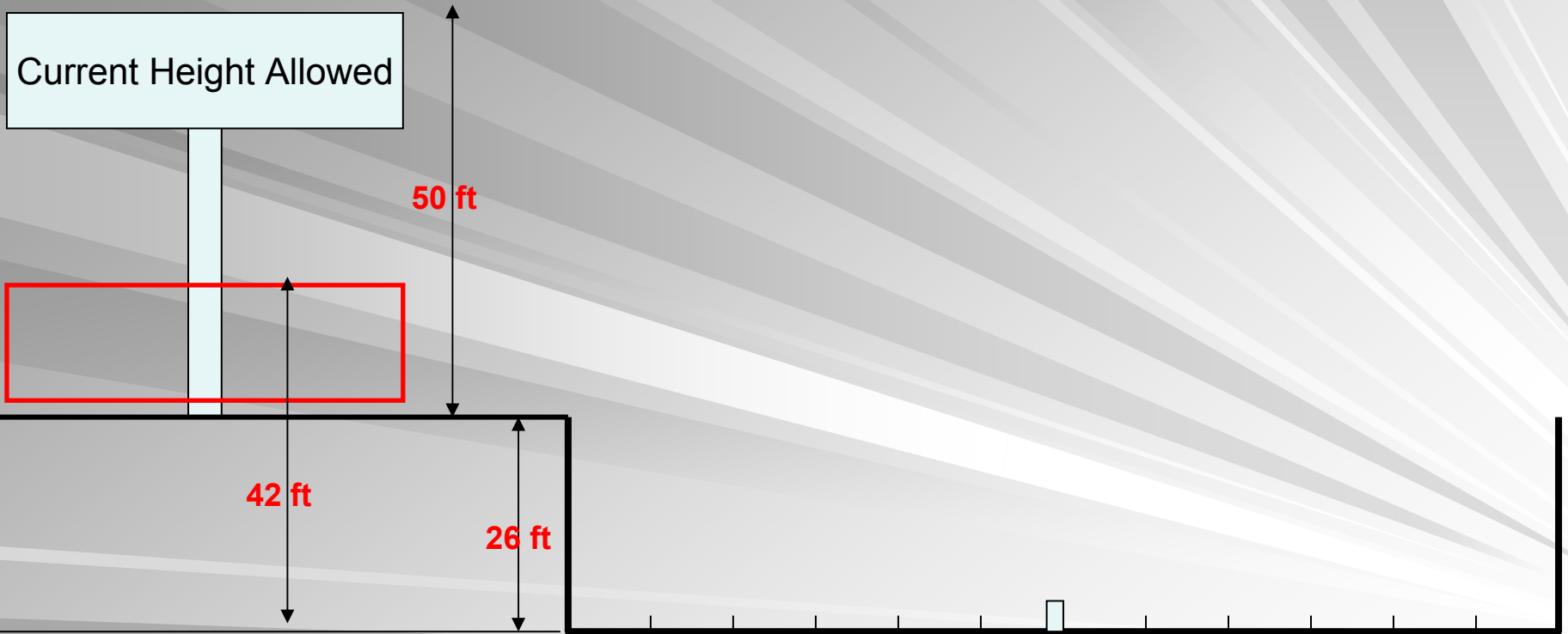
Expressway Sign Height



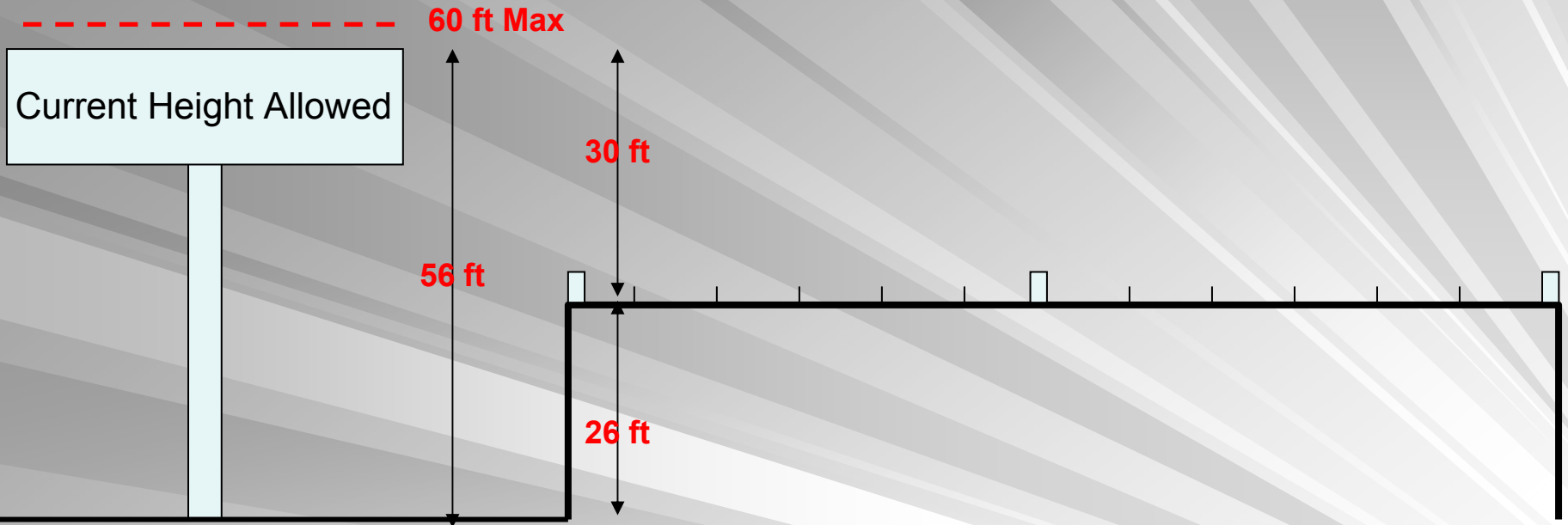
Expressway Sign Height



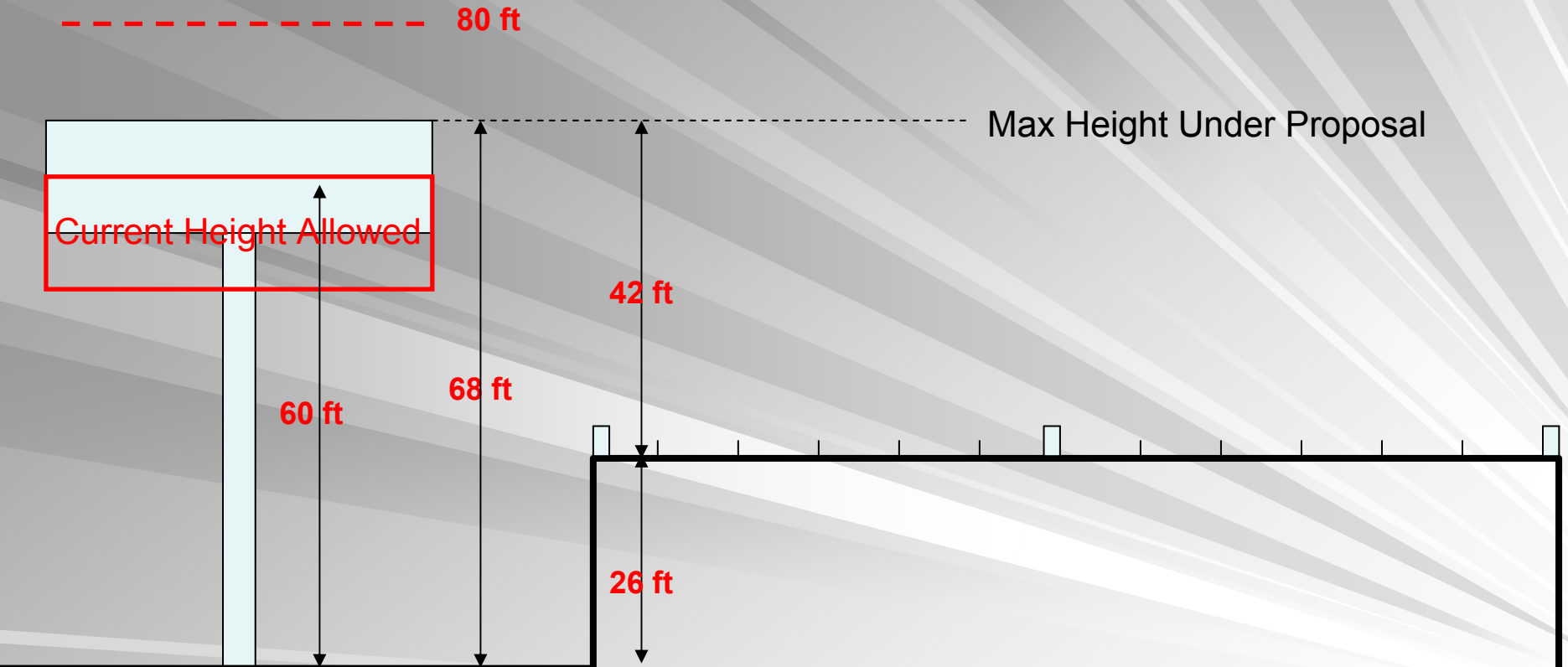
Expressway Sign Height



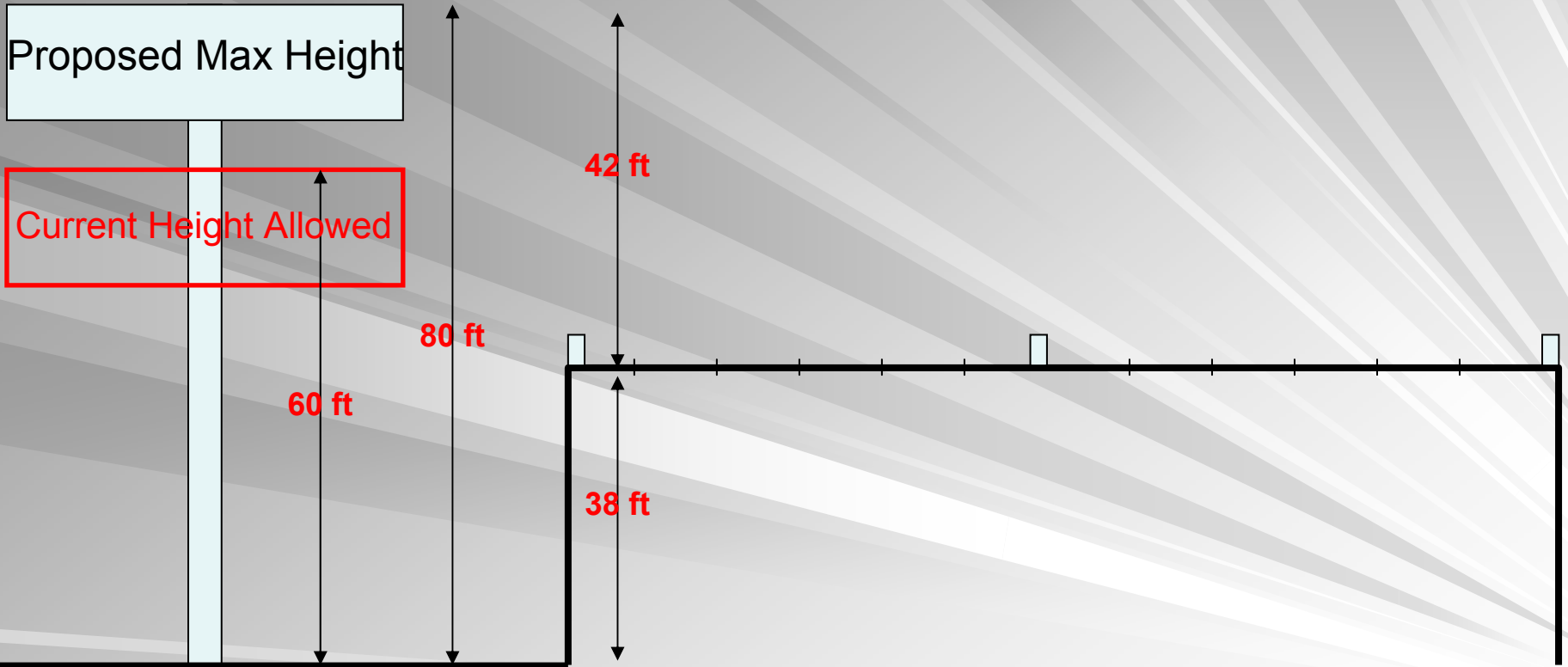
Expressway Sign Height



Expressway Sign Height



Expressway Sign Height



Expressway Sign Height

- Proposed – The height of a relocated expressway sign may not exceed an overall height of 50 feet, or ~~30~~ **42.5** feet above the nearest point on the nearest travel surface of the nearest expressway, whichever is higher, if the total height of the sign does not exceed ~~60~~ **80** feet above the ground at the base of the sign.

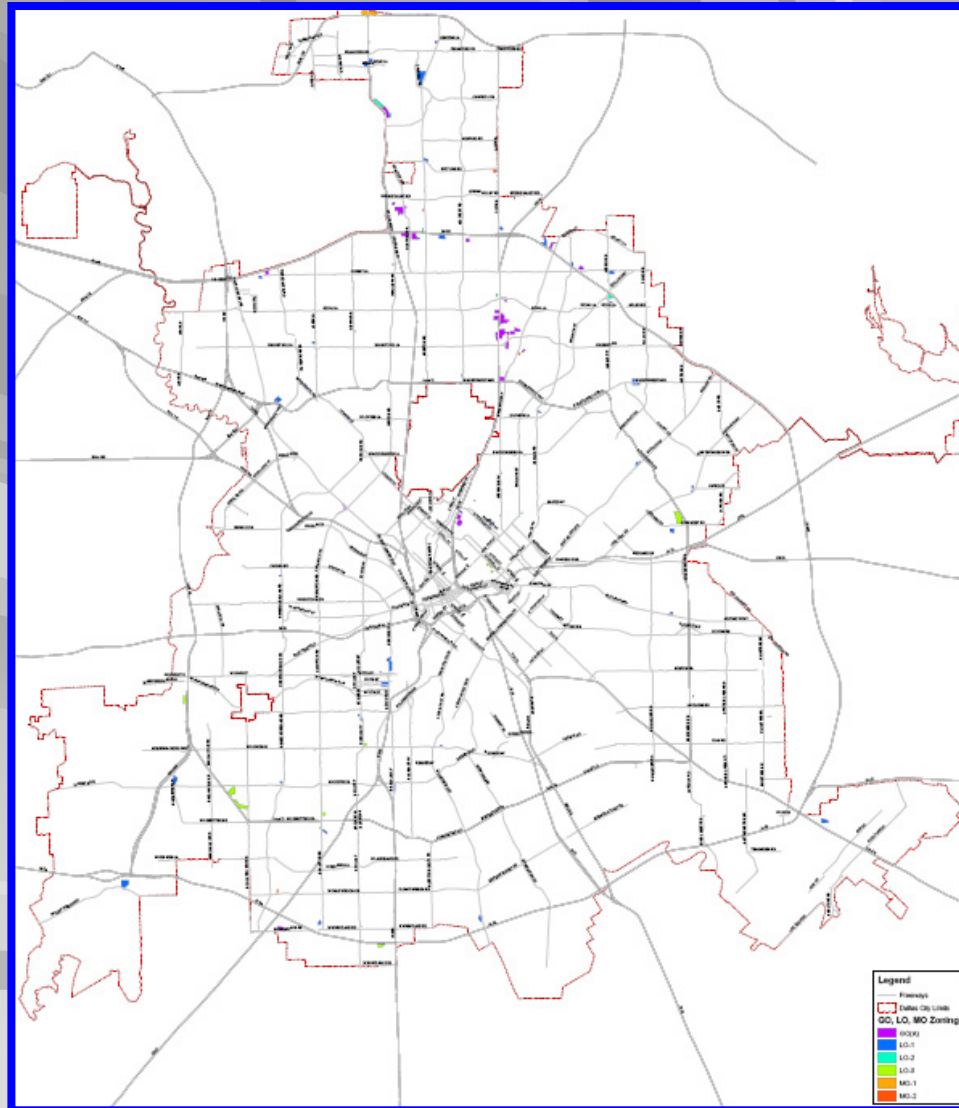
Expressway Sign Relocation to Office Districts

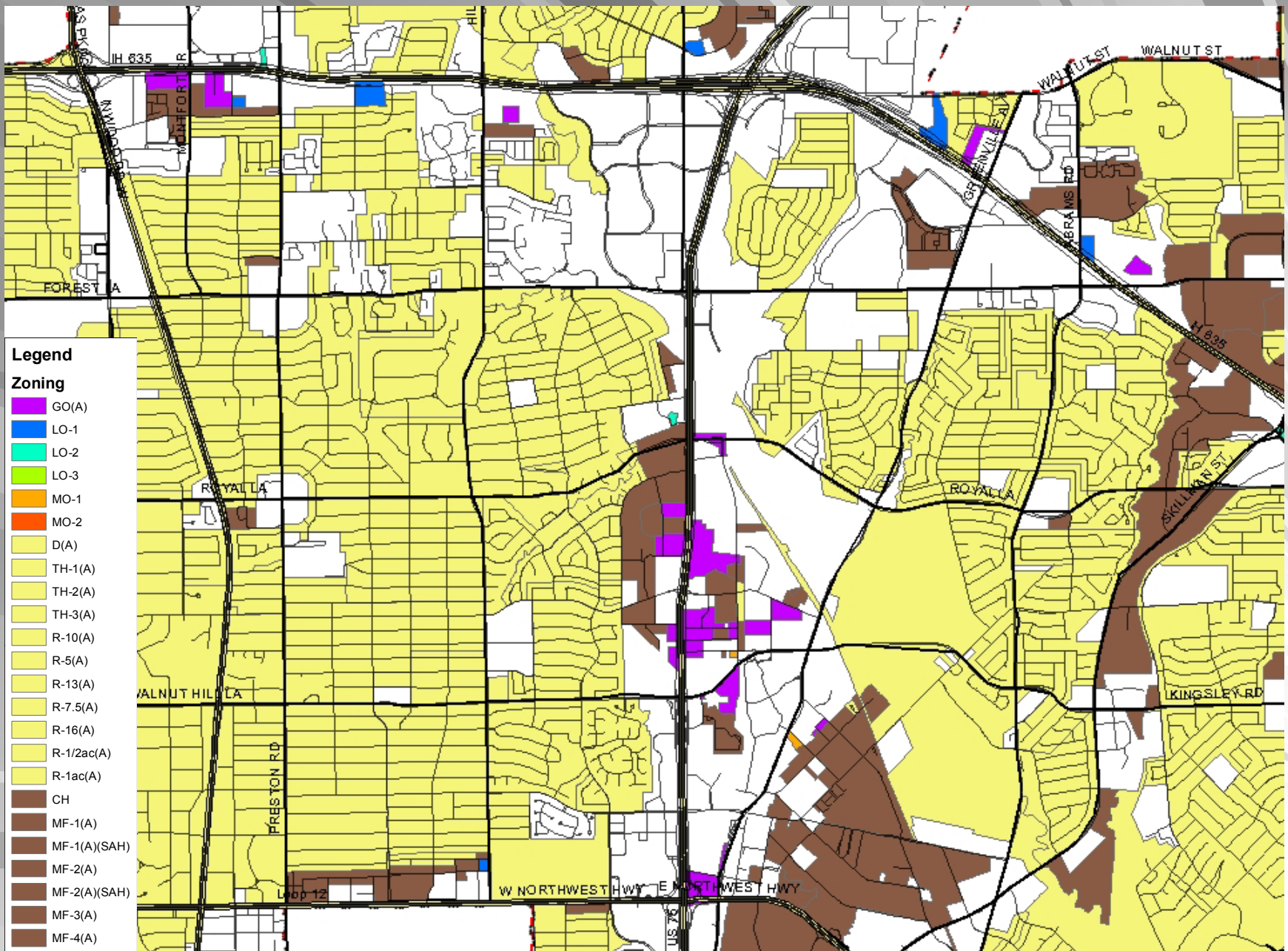
- Existing – Signs may not be relocated within 300 feet of a non-business zoning district. A Specific Use Permit may authorize lesser spacing.
- Proposed – Expressway Signs may not be relocated within 300 feet of a non-business zoning district except that LO, MO and GO zoning districts shall be considered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

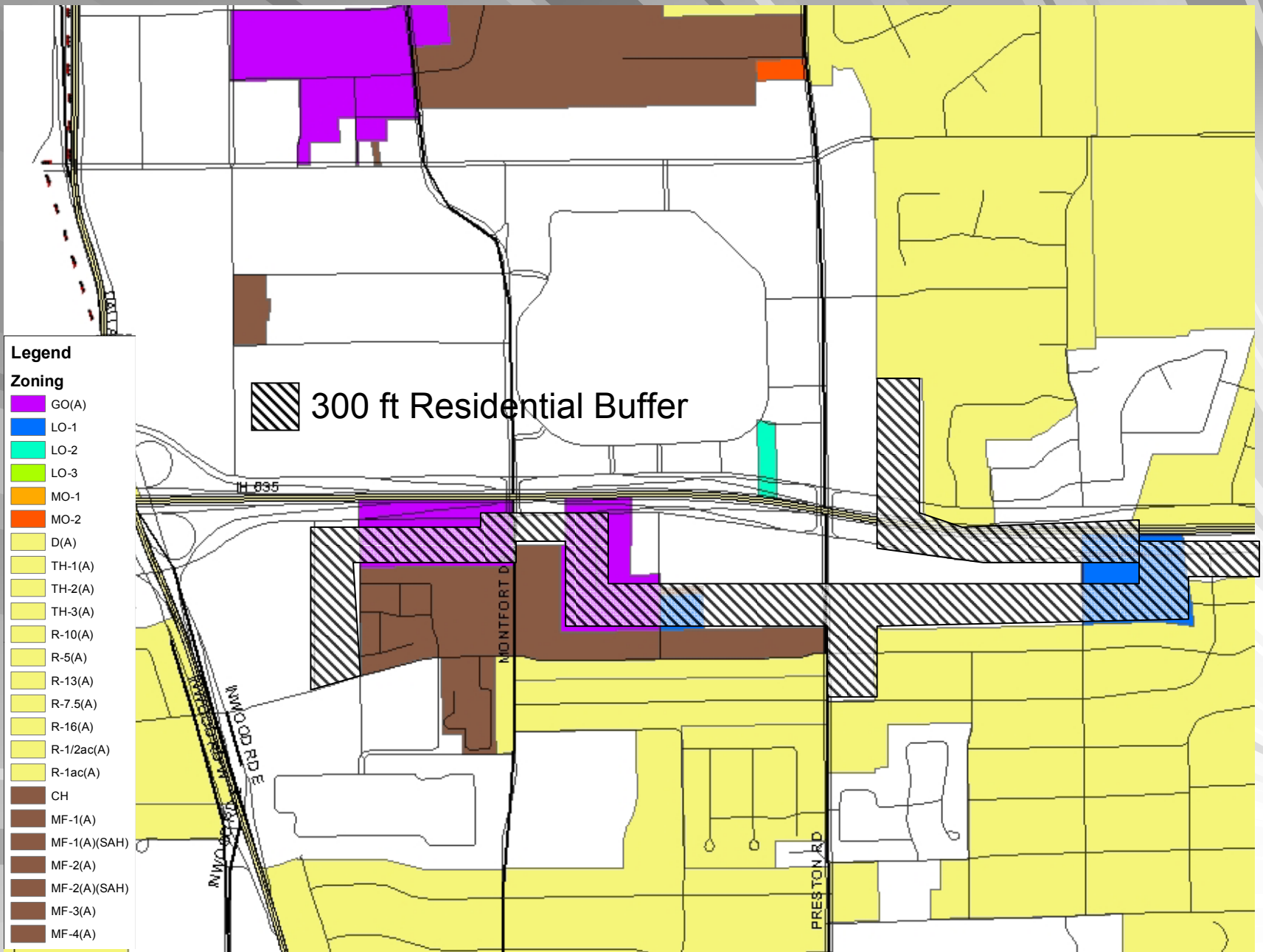
Expressway Sign Relocation to Office Districts

- Expressway signs are the only billboards which could be relocated to an office zoning district
- Signs relocated to an office district would still need to comply with all other spacing requirements
 - 300 feet from a residential district
 - 500 feet from an historic district, park or escarpment zone
 - 500 feet from another expressway sign
 - 2000 feet from the Trinity River

“Non-Business” Office Districts







Sign Relocation in Proximity to the Trinity River Corridor

- Existing – No detached non-premise sign may be relocated within 2,000 feet of the Trinity River. For purposes of this subsection, the term “Trinity River” means the portion of the river south of the confluence of the Elm and West forks as depicted on the most recent version of the flood insurance rate maps published by the Federal Emergency Management Agency
- Existing

Sign Relocation in Proximity to the Trinity River Corridor

- Proposed – A Specific Use Permit may authorize lesser spacing than that required above

Sign Relocation in Proximity to the Trinity River Corridor

- Measurement is taken from the centerline of the river
- Additional provision that billboards may not be relocated within 500 feet of a public park
- Applies to both expressway signs and signs on thoroughfares such as Industrial and Lamar.

Sign Relocation in Proximity to the Trinity River Corridor

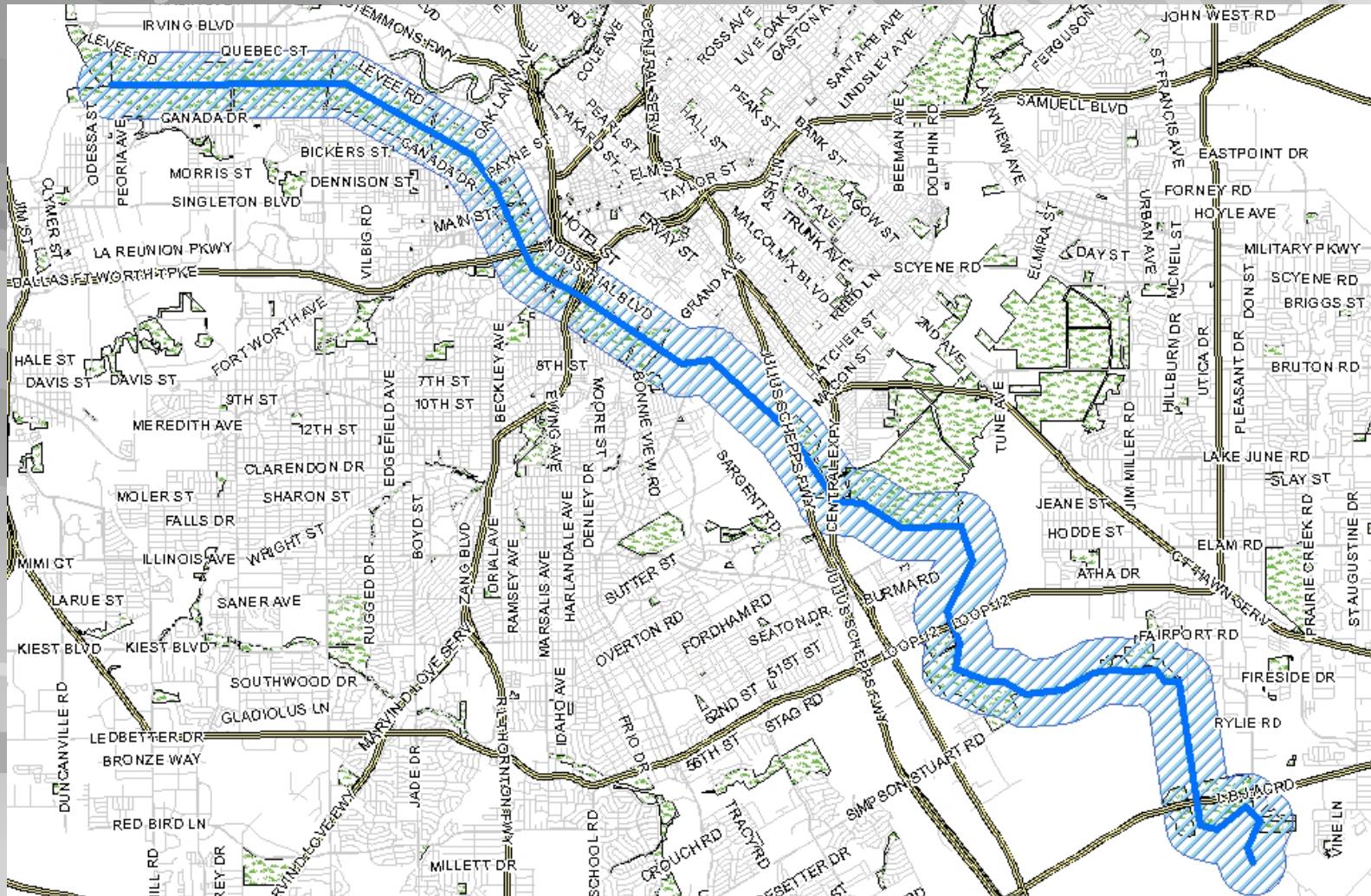
**Billboard southwest corner of
The Trinity River & HI 30**



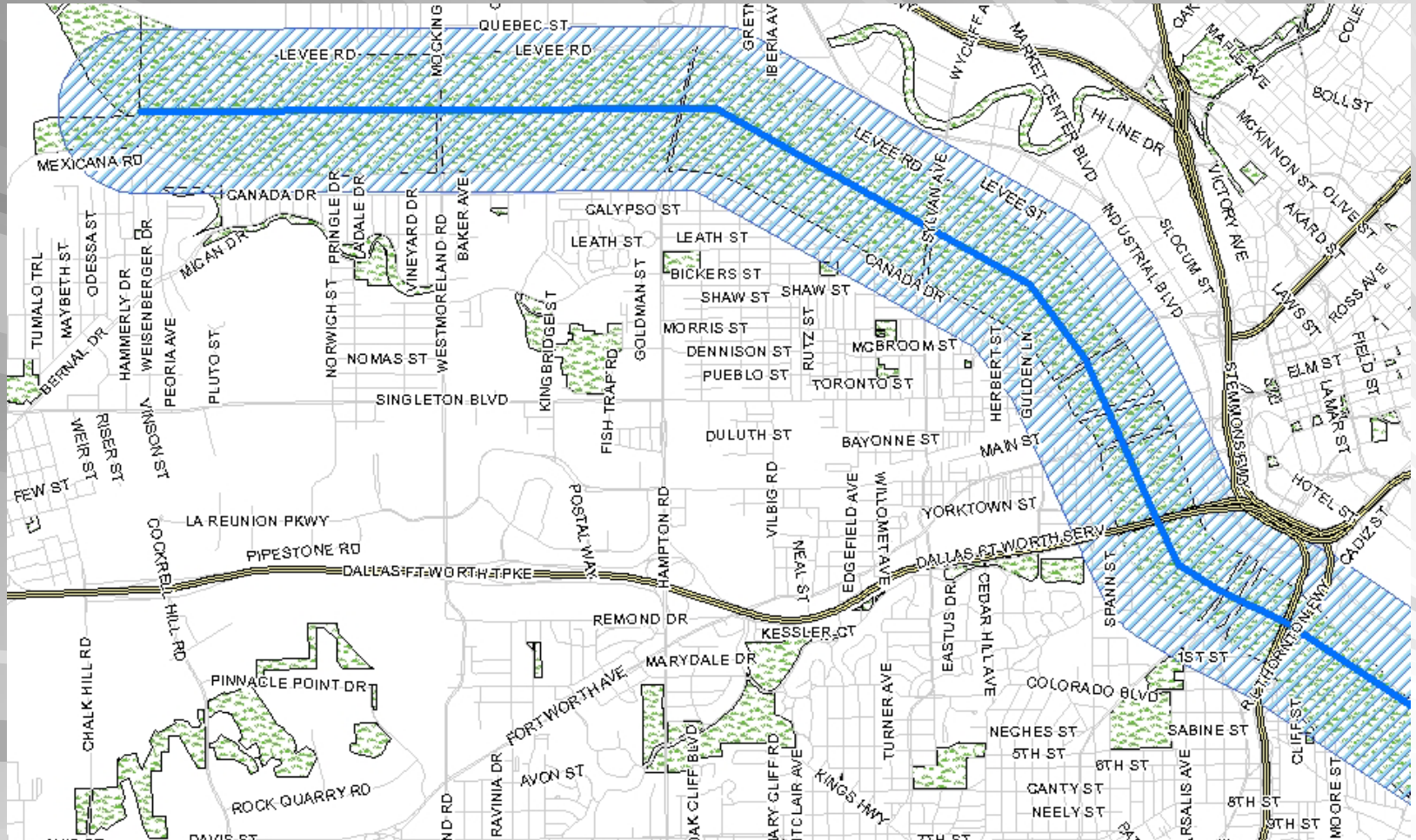
**Billboard northwest corner of
The Trinity River & HI 30**



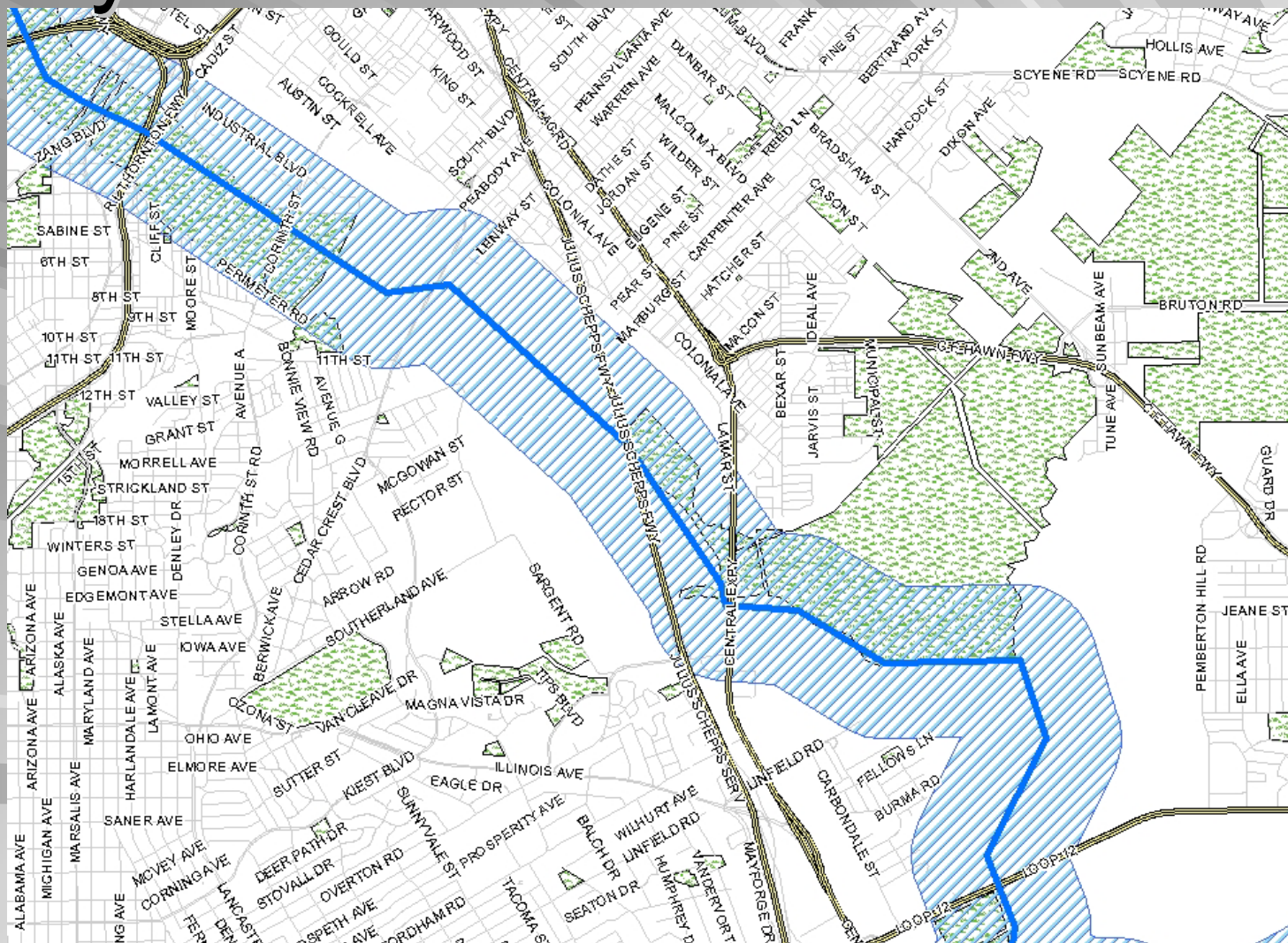
Sign Relocation in Proximity to the Trinity River Corridor - 2000 ft Buffer



Sign Relocation in Proximity to the Trinity River Corridor - 2000 ft Buffer



Sign Relocation in Proximity to the Trinity River Corridor - 2000 ft Buffer



Sign Relocation in Proximity to the Trinity River Corridor - 2000 ft Buffer



Signs Relocated on Same Parcel

- Existing – Signs relocated to a remainder must comply with the size, height, spacing, setback and other restrictions
- Industry Proposal – Allow signs relocated to a remainder to maintain the same degree of non-conformity as original sign

Signs Relocated on Same Parcel

- Industry proposal would make it easier to relocate to remainder but not increase the degree of non-conformity of the original sign (i.e. a sign that was non-conforming relative to separation between signs or zoning classifications could maintain, but not increase, the non-conformity)
- This is similar to what is proposed for signs in DART right-of-way when located within 500 ft of the original sign
- Spacing requirements can be addressed today through SUP process to maintain non-conformity
- Implications to Trinity (would allow signs to maintain proximity to Trinity if relocated to remainder)

Signs Relocated on Same Parcel

(d) Relocation to remainder.

(1) All relocated signs must be relocated on the remainder of the tract from which the parcel of land was acquired unless relocating to the remainder is not possible for reasons such as:

(A[1]) there is no remainder;

(B) the sign owner is unable to obtain an agreement from the property owner of the remainder; or

(C[2]) the remainder is not of sufficient size or suitable configuration to allow the relocated sign:

(i) to be as visible as the original sign from the nearest main traveled thoroughfare; or

~~(ii) to fully comply with the size, height, spacing, setback, and other restrictions in this article.~~

(2) Signs relocated to a remainder may not be less conforming than the original sign

Recommendations

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

Next Steps

- City Council Public Hearing –
March 25, 2009