Memorandum

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

"Dallas, The City That Works: Diverse, Vibrant and Progressive"
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.
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

- west side of N Central south of Mockingbird lane
- west side of N Central Exwy south of Fitzhugh
Expressway Sign Height

Current Height Allowed

- Height Allowed: 50 ft
- Height in Use: 42 ft
- Height Below Grade: 26 ft
Expressway Sign Height

Current Height Allowed

- 56 ft
- 30 ft
- 26 ft

60 ft Max
Expressway Sign Height

- 80 ft
- Max Height Under Proposal
- Current Height Allowed
- 60 ft
- 68 ft
- 42 ft
- 26 ft
Expressway Sign Height

Current Height Allowed

Proposed Max Height

- 60 ft
- 80 ft
- 42 ft
- 38 ft
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
Legend
Zoning
GO(A)
LO-1
LO-2
LO-3
MO-1
MO-2
D(A)
TH-1(A)
TH-2(A)
TH-3(A)
R-10(A)
R-5(A)
R-13(A)
R-7.5(A)
R-16(A)
R-1/2ac(A)
R-1ac(A)
CH
MF-1(A)
MF-1(A)(SAH)
MF-2(A)
MF-2(A)(SAH)
MF-3(A)
MF-4(A)

300 ft Residential Buffer
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.
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

City Council Transportation and Environment Committee
Sign Relocation in Proximity to the Trinity River Corridor - 2000 ft Buffer
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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)
(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) there is no remainder;
(B) the sign owner is unable to obtain an agreement from the property owner of the remainder; or

(C) 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 – Mach 25, 2009