

Memorandum



CITY OF DALLAS

DATE May 23, 2008

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 Code Amendments Regarding Billboard Issues Associated with
TxDOT/DART Projects

On May 27, 2008 you will be briefed on possible code amendments to the relocation provisions for billboards impacted by land acquisition by a governmental entity. TXDOT projects and DART construction of the southeast and northwest lines are necessitating the relocation of many billboards. The sign industry has met with staff and is proposing some changes to the existing relocation provisions.

 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 Jay E. Robinson
Ryan S. Evans, First Assistant City Manager
Chief David Brown, 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
Chandra Marshall-Henson, Assistant to the City Manager

Code Amendments Regarding Billboard Issues Associated with TxDOT/DART Projects

City Council Transportation
and Environment Committee
May 27, 2008



PURPOSE

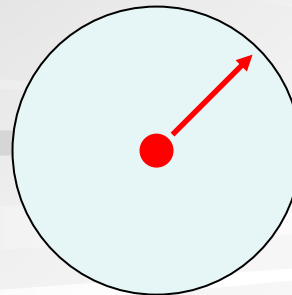
- Brief the committee on billboard relocation issues when billboards are displaced due to land acquisition by a governmental entity
- Brief the committee on billboard industry proposals to amend current code provisions

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 DART lines

Glossary of Terms

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



Current Relocation Restrictions

- Relocation must be completed within one year of the date the governmental entity becomes the owner of the land.
- Relocated signs must comply with all size, height, spacing, setback and other standards for billboards.
- Signs must be relocated on the remainder of the tract from which the parcel of land was acquired unless there is no remainder or the remainder is not of sufficient size.

Current Relocation Restrictions

- May not be relocated to be on an expressway if the billboard is not currently on an expressway.
- May be relocated as close as 500 ft to another billboard (for expressway signs the measurement is made on the same side of the expressway, for non-expressways signs the measurement is radial).
- May not have a greater effective area than it had at its original location

Current Relocation Restrictions

- 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).
- May not be relocated to within 2,000 feet of the Trinity River
- 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

Current Relocation Restrictions

- May not be relocated to within 500 ft of a:
 - Historic district
 - Public park
 - City owned lake; or
 - Escarpment zone
- Non HBA signs may not be relocated to within 500 feet of a non-business district except by Specific Use Permit
- HBA signs may not be relocated to within 300 ft of a non-business district except by Specific Use Permit

Sign Industry Proposed Changes

Industry Proposal	Staff Observation
Allow signs to be relocated with one year of removal, not land acquisition	No objection
For signs located in rail ROW, allow them to be relocated anywhere within the same ROW	No objection

Sign Industry Proposed Changes

Industry Proposal	Staff Observation
Allow signs relocated off a remainder to increase height up to 42.5 feet above the grade of the nearest main travel lane	Could increase non-conformity of sign and could increase impact on neighboring properties
Require relocated signs to meet current building code requirements	Would extend life of sign, but signs are currently allowed to be repaired as needed

Sign Industry Proposed Changes

Industry Proposal	Staff Observation
Allow signs to be relocated within 2000 ft of the Trinity	Could negatively impact the park. Could consider establishing some additional criteria to allow some relocations

Sign Industry Proposed Changes

Industry Proposal	Staff Observation
Make all measurements linear on same side of road, not radial	Sign orientation would have to be considered. Measurements to non business districts should still be radial.
Consider allowing relocation of expressway signs to office districts	Currently office districts are considered non-business for sign rules

Next Steps

- Provide staff direction
- Draft proposal
- Schedule for the Zoning Ordinance Advisory Committee
 - Stakeholder input
 - Public dialogue
- Schedule for the City Plan Commission
- Schedule for City Council