

# Memorandum



CITY OF DALLAS

DATE June 8, 2012

TO Honorable Members of the Quality of Life and Government Services Committee:  
Sandy Greyson (Chair), Monica R. Alonzo, Dwaine Caraway and Carolyn R. Davis

SUBJECT **Proposed Development Code Amendment to Window Sign Regulations**

On Monday, June 11, 2012, the Quality of Life and Government Services Committee will be briefed on a proposed development code amendment to the window sign regulations of the Development Code. The City Plan Commission recommended approval of the proposed amendments on August 18, 2011. The material is attached for your review.

Please feel free to contact me if you need additional information.

A handwritten signature in blue ink that reads "Ryan S. Evans".

Ryan S. Evans  
Assistant City Manager

c: The Honorable Mayor and Members of the City Council  
Mary K. Suhm, City Manager  
Thomas P. Perkins, Jr., City Attorney  
Rosa Rios, City Secretary  
Craig Kinton, City Auditor  
Judge C. Victor Lander, Administrative Judge  
A.C. Gonzalez, First Assistant City Manager  
Jill Jordan, P.E., Assistant City Manager  
Forest Turner, Assistant City Manager  
Joey Zapata, Assistant City Manager  
Jeanne Chipperfield, Chief Financial Officer  
Edward Scott, Director, Controller's Office  
Frank Libro, Public Information Office  
Theresa O'Donnell, Director, Sustainable Development and Construction  
Rick Galceran, Director, Public Works  
Stephanie Cooper, Assistant to the City Manager – Council Office

# Proposed Code Amendment to Window Sign Regulations

City Council  
Quality of Life and Government Services  
Committee

June 11, 2012



# Purpose

- Brief the committee on a proposal to amend Article VII, “Sign Regulations,” of Chapter 51A, the Dallas Development Code, to give the Zoning Board of Adjustment and Appeals the authority to consider exceptions to current provisions governing window signs subject to certain conditions being met.

# Background

- On June 25, 2008 City Council amended the sign ordinance to:
  - prohibit signs in the upper two thirds of windows
  - limit overall sign coverage in a window to 15 percent of the area of a window
  - limit overall sign coverage of a primary façade to 25 percent of the area of the façade
- Previous to this code amendment there were no size limitations for premise signs in a business zoning district, except that each premise was limited to 6 words.

# Background

- On April 4, 2011, an application was made to the Department of Sustainable Development and Construction by Ross Stores, Inc. to amend the sign regulations to give the board of adjustment authority to grant special exceptions to allow translucent graphics to cover the upper two thirds of windows and exceed the 15 percent coverage limitation.

# Background

- The Special Sign District Advisory Committee (SSDAC) considered this issue at public meetings in June and July of 2011 and on July 12, 2011 they recommended approval of the proposed amendments.
- CPC considered the proposed amendments on August 18, 2011 and recommended approval.

# CPC Recommendation

- Allow the Board of Adjustment to consider exceptions to allow signs to be in the upper two thirds of a window and cover greater than 15 percent of the window area provided;
  - The sign is made of translucent vinyl or a similar material with at least a 65/35 perforation pattern (65 percent of the area is closed, 35 percent of the area is open);
  - Text is only permitted in the lower one third of the window;
  - Text is limited to 15 percent of the window area; and
  - Establishments regulated by Chapter 12B (convenience store regulations) are not eligible for this exception.

# Possible Additional Restrictions

- Exception only allowed for businesses greater than 10,000 square feet in floor area.
- Exception only allowed on a building site where there is a minimum of 25,000 square feet of leasable floor area occupied by two or more business establishments.



# Sign Example - View from Outside



# Sign Example - View from Inside



# Additional Views



# Next Steps

- Schedule for City Council action on June 27, 2012

ORDINANCE NO. \_\_\_\_\_

An ordinance amending Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Section 51A-7.703; providing a special exception for signs attached to windows or glass doors; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Subsection (d) of Section 51A-7.703, “Board of Adjustment,” of Division 51A-7.700, “Non-Conformance and Enforcement Procedures,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(d) Except as provided in Section 51A-7.703(c) the board of adjustment may, in specific cases and subject to appropriate conditions, authorize only the following special variances and exceptions to the regulations established in this article when the board has made a special finding from the evidence presented that strict compliance with the requirement of this article will result in substantial financial hardship or inequity to the applicant without sufficient corresponding benefit to the city and its citizens in accomplishing the objectives of this article:

- (1) Permit a variance for detached premise signs of up to 10 percent [~~(10%)~~] of the setback, effective area, and height requirements of this article.
- (2) Authorize one additional detached premise sign on a premise in excess of the number permitted by this article.

(3) Authorize up to two additional large letter words on an attached sign in excess of the number permitted by this article.

(4) Authorize a special exception for signs attached to a window or glass door in a business zoning district to exceed 15 percent of the area of that window or glass door or to be located within the upper two-thirds of that window or glass door if the board finds that the signs do not eliminate visibility into or out from the premise. Once a special exception is approved, a business does not need to return to the board to change out the images or words on a sign as long as the sign complies with the approved special exception. Establishments regulated by Chapter 12B of the Dallas City Code are not eligible for this exception. A sign authorized by this paragraph must:

(A) be made of translucent vinyl or a similar material with at least a 65/35 perforation pattern (maximum 65 percent of the area is closed, minimum 35 percent of the area is open per square inch); and

(B) text or characters are limited to the lower one third of the window or glass door and are limited to 15 percent of the window area.

(5) Permit the following special variances and exceptions for movement control signs when from the evidence presented the board finds them to be necessary to give directions to a business:

(A) Authorize an identification message to be placed on the sign.

(B) Authorize an effective area of up to 4 square feet.

(C) Authorize a height of up to 2-½ feet.”

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 3. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 5. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_