

## AGENDA



Thursday, March 27, 2008

**Item(s) to Set Public Hearing(s)**  
**RECOMMENDATION FOR COUNCIL ACTION**

Item No. 44

**Subject:** Set a public hearing to consider an ordinance amending Chapter 25-10, Sign Regulations and Chapter 13-2, Ground Transportation Services to clarify Chapter 25-10 and allow off-premise signs on limited portions of scenic roadways; prohibit advertisements on vehicles if such vehicles are driven solely or primarily for the purpose of advertising businesses that are unrelated to the vehicle's primary business; allow signs to be relocated to commercial districts with sign face areas of up to 672 square feet; change the way sign height is measured; define elevated travel ways and except major interchanges and intersections from that definition; clarify sign location measurements; allow the face size of newly relocated signs to be as large as the total aggregate square footage of the signs being relocated; require off-premise sign owners to register the signs and pay fees for all signs within the city's planning jurisdiction; require energy efficient, pollution reduction lighting for off-premise signs within a certain time frame; require annual registration of all non-conforming off-premise signs; prohibit signs owners from relocating a sign if that sign owner is in violation of the sign regulations; establish notice requirement to notify sign owners of registration expiration; clarify and establish penalties for violations of the sign regulations; and impose registration requirements and registration fees on vehicles that transport passengers for profit and advertise unrelated businesses. (Suggested date and time: April 10, 2008, 6:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX.)

**Fiscal Note:** There is no unanticipated fiscal impact. A fiscal note is not required.

**For More Information:** Jessica Kingpetcharat, 974-2728; David Lloyd, 974-2918

**Boards and Commission Action:** To be reviewed by the Planning Commission and Urban Transportation Commission on April 8, 2008.

**Prior Council Action:** City Council passed Resolution 20071108-128 directing the City Manager to initiate the amendments.

## BACKGROUND

On November 8, 2007, the City Council initiated code amendments to Chapter 25-10, "Sign Regulations." The resolution also initiated a code amendment to impose registration requirements (including the requirement to pay a registration fee) upon taxis that advertise unrelated business. This portion of the resolution required an amendment to Chapter 13-2, "Ground Transportation Passenger Services" which regulates the taxi cab industry.

## STAKEHOLDER DISCUSSIONS

Sign Regulation stakeholders from the billboard industry, mobile billboard industry, taxi cab industry, Capital Metro, and Scenic Austin participated in the discussion and review of the Council-initiated amendments. The stakeholders met three times and recognized that their responsibility was a difficult one. In some cases, the task assigned to them conflicted with their individual missions or purpose. The stakeholders did, however, pass a resolution recommending that the proposed amendments be considered separately in the following categories:

Billboard Issues  
 Mobile Billboard Issues

## Taxicab Requirements

### PROPOSED AMENDMENTS

The code amendments initiated by the City Council would amend City Code Chapter 25-10, "Sign Regulations", and Chapter 13-2, "Ground Transportation Passenger Services," as follows:

#### Sign Regulation Amendments:

1. Allow off-premise signs (billboards) on limited commercial corridors within certain scenic roadway sign districts;
2. Prohibit advertisements on vehicles within the full-purpose City limits if such vehicles are driven solely or primarily for the purpose of advertising businesses that are unrelated to the vehicle's primary business;
3. Clarify the prohibition on replacing a billboard that is being relocated, and establish penalties replacing a billboard sign that has been relocated;
4. Allow off-premise signs (billboards) to be relocated to commercial sign districts without regard to the size of the sign. Currently, the sign face area of a relocated off-premise sign is limited to 300 square feet if moved to a commercial sign district. This amendment would allow a relocated off-premise sign to have a sign face of up to 672 square feet if relocated to a commercial sign district;
5. Define elevated travel ways and except major interchanges and intersections from that definition;
6. Change the way sign height is measured to permit signs to be approximately 42.5 feet above the elevation of the highest adjacent main travel lane, and when adjacent to a main travel lane, or approximately 25 feet above elevated travel ways, but not within a certain distance of an interchange;
7. Clarify that a sign is deemed to be "adjacent" to an elevated travel way only if the sign face is oriented toward the travel way and the foundation of the sign is located within a certain distance of the closest point of the travel way;
8. Allow the face size of newly-relocated signs to be as large as the total aggregate square footage of face size of all signs removed as part of the relocation application up to a maximum of 672 ft and subject to an overall reduction of approximately 10%;
9. Require off-premise sign owners to register signs and pay fees for all signs and establish penalties for non-compliance;
10. Require energy-efficient, pollution reduction lighting of non-conforming off-premises signs within a certain time frame;
11. Require annual registration of all non-conforming off-premises signs;
12. Prohibit any sign owner from relocating a sign if that sign owner is in violation of the registration requirements;
13. Establish notice requirement to notify sign owners of the upcoming expiration of the registration of a sign no earlier than 90 days and no later than 30 days prior to the expiration; and
14. Any additional amendments that would further clarify the Sign Regulations.

#### Ground Transportation Passenger Services Regulation Amendment:

Impose registration requirements and a registration fee for signs installed on vehicles that transport passengers for profit and advertise unrelated businesses. Currently, recommended language only affects taxi cabs.