Chapter 25-10 and Chapter 13-2 Sign Regulation Amendments Tracking Sheet

Resolution	Page and Section	Proposed Amendment	Current Code/Impact
Define elevated travel ways and except major interchanges and intersections from that definition	25-10-3 Page 1 Lines 21-25	Add the following definitions: (3) ELEVATED TRAVEL WAYS and ELEVATED TRAVEL LANES means that portion of a public right of way structurally elevated or suspended above the nearest adjacent ground level street pavement, including the upper deck of a divided highway and decreases or increases in the grade of a ramp leading to or from a highway interchange or intersection.	No such definitions exist in the current code.
	Page 1 Lines 21-31, and Page 2 Lines 1-2	(5) MAIN-TRAVELED WAY means the traveled way of a highway that carries through traffic. In the case of a divided highway, the traveled way of each of the separate roadways for traffic in opposite directions is a main-traveled way. It does not include such facilities as frontage roads, turning roadways, entrance or exit ramps, or parking areas.	
Prohibit truck-mounted and car-mounted ads within the full-purpose City limits, on vehicles driven solely for the purpose of advertising businesses that are unrelated to the vehicle's primary business, excluding vehicles that are not motor-operated (such as pedi-cabs), vehicles which display only an advertisement or business identification of its owner so long as such vehicle is engaged in the usual business or regular work of its owner and is not used merely, mainly, or primarily to display "third-party" advertisements, and buses used primarily for the purpose of transporting multiple passengers	25-10-102 Signs Prohibited In All Sign Districts Page 3 Lines 16-19	Add part (7): A sign installed or displayed on a motor vehicle operating on public right of way within the City's full-purpose jurisdiction, if the vehicle is operated primarily for the purpose of displaying advertising.	City Code does not currently regulate "mobile" billboards. Amendment bans <i>motor</i> -operated vehicles that operate for the main/sole purpose of advertising a businesses unrelated to the purpose or business of the vehicle. For example, vehicles with advertisements displaying the business of the owner of the vehicle would be allowed. But, vehicles advertising an unrelated business would not be authorized. Buses, including those operated by Capital Metro, are exempt from this regulation if they are used primarily for the purpose of transporting multiple passengers. Pedi-cabs and horse-drawn carriages would be exempt as well.

Resolution	Page and Section	Proposed Amendment	Current Code/Impact
Clarify, and establish penalties, for Section 25- 10-152(B)(6)(b) that removes the right to replace a billboard sign once it is removed	25-10-152(B)(6)(b) Page 5 Lines 25-29	Add to the end of part (b), after the first sentence: If an off-premise sign is replaced, by installing a replacement sign on the original tract after an off-premise sign has been relocated from the tract to another location, the sign owner shall remove the replacement sign. Any tract upon which an off-premise sign has been unlawfully replaced	Signs that are part of a relocation application must be removed from their original site and may not be replaced. Amendment clarifies once the sign is
	Page 10 Lines 10-12	shall not be eligible as a site for a relocated sign. 25-10-237 Penalties (new section added) A person who violates section 25-10-152(B)(6)(b) commits an offense punishable by a fine of up to \$500 per day for each day the violation continues.	physically removed/relocated, it cannot be replaced, regardless if a replacement application is submitted/approved.
Allow signs to be relocated to commercial corridor sign districts without regard to the size of the sign	25-10-152(B)(6)(c) Page 6 Lines 2-4	Modify the section to read as follows: (c) The tract to which the sign is relocated: (i) must be in: 1. an expressway corridor sign district; or 2. for a sign with a sign area of 300 square feet or less, an expressway corridor sign district or a commercial sign district;	Currently, only signs that are 300 square feet or less can be located in commercial sign districts. Amendment allows nonconforming signs that are 300 square feet or more to be located in a commercial sign district. TXDOT limit to billboards is 672 square feet
Allow signs on limited commercial corridors within the scenic roadway sign districts to be designated by stakeholders by the Planning Commission and the Planning Commission subcommittee on Codes and Ordinances	25-10- 152(B)(6)(c)(ii) Page 6 Lines 5-9	Modify the section to read as follows: (c) The tract to which the sign is relocated: (ii) may not be on a scenic roadway, except for: 1. identify names of scenic roadways on which relocated signs will be allowed 2. etc	Currently, nonconforming signs may not be moved to scenic roadways, and are actually encouraged to be moved out of scenic roadways. Amendment allows nonconforming signs to be placed along certain portions of scenic roadways

Resolution	Page and Section	Proposed Amendment	Current Code/Impact
Change the way the sign height is measured to	25-10-152(B)(6)(d)	Modify the section to read as follows:	Current measurement (42 feet) is taken from
permit signs to be 42.5 feet above the elevation	Page 6	(d) Sign district restrictions on sign height otherwise applicable to the	ground level street pavement. In situations
of the highest adjacent main travel lane	Lines 19-30	relocation tract to no apply to the relocated sign, but the sign height of	where an elevated highway is involved,
(measured to the top of the sign face) for signs	&	the relocated sign may not exceed:	measurement is taken from the nearest road,
not on elevated travel ways, and 25 feet above	Page 7	(i) for signs not adjacent to elevated travel ways, an overall height of	which is often times an access road, rather
the elevated travel way (measured from the	Lines 1 - 4	42.5 feet measured from the highest point of the sign to the grade	than from the elevated highway.
highest elevated point of the travel way within		level of the centerline of the main-traveled way closest to the sign,	
500 feet of the sign to the top of the sign face) for		at a point perpendicular to the sign location, or	Amendment allows a nonconforming sign to
signs on elevated travel ways, but not within one-		(ii) for a sign adjacent to an elevated travel way, 25 feet above the	increase in height by not more than 25 feet
half mile of an interchange		elevated travel lane of the main-traveled way, measured from the	above an elevated highway. For signs located
		highest elevated point of the travel way within 500 feet of the sign,	adjacent to a non-elevated roadway, the 42.5 ft
		to the top of the sign face.	measurement would begin from the grade of
		2. A sign is not eligible for the increased height allowed under this	the main traveled way.
		section if the sign is located within 2,640 feet of an interchange or	
		intersection with elevated main-traveled lanes or elevated entrance or	The 25 ft increase above the elevated travel
		exit ramps. For purposes of this subsection, 2,640 feet is measured	lanes would not be authorized within ½ mile or
		along the (outer edge of?) the highway from the nearest point of	2640 ft of an interchange or intersection with
		beginning or ending pavement widening at the exit from, or entrance to,	elevated travel lanes.
		the main-traveled way.	
Clarify that a sign is deemed to be "adjacent" to	25-10-152(B)(6)(d)	Add part 1 to (d)(ii) to read:	No such clarification exists in the current code.
an elevated travel way only if the sign face is	Page 6	1. A sign is adjacent to an elevated travel way only if the sign face is	
oriented toward the travel way and the foundation	Lines 26-28	oriented toward the travel way and the footing(s) of the sign are located	
of the sign is located no more than 500 feet away		no more than 500 feet away from the travel way at its closest point	
from the travel way at the closest point			

Resolution	Page and Section	Proposed Amendment	Current Code/Impact
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 a part of the relocation application up to a maximum of 672 square feet, and make signs where the aggregate does not reach a maximum of 672 square feet subject to a required overall 10% reduction in the total aggregate amount of square footage of the sign face size	25-10-152(B)(6)(e) Page 7 Lines 5-14	Add entire section: Sign district restrictions on sign face size otherwise applicable to the relocation tract do not apply to the relocated sign, but the face size of the relocated sign may not exceed that of the original sign, except that: (i) the face size of a relocated sign may be increased up to the total aggregate square footage of the face size of all signs removed as a part of a relocation application, up to a maximum of 672 square feet; (ii) if the aggregate of the face sizes of multiple signs does not reach a maximum of 672 square feet, the maximum sign face area shall be 10% less than the total aggregate amount of square footage of all the signs removed as part of the relocation application;	Currently, billboard companies cannot use more than one nonconforming sign to replace a nonconforming sign. Amendment allows the use of more than one nonconforming sign to be replaced by one nonconforming sign as long as the aggregate of the sign face is no more than 672 square feet. In cases when the aggregate does not reach the max 672 square feet, the relocated nonconforming sign face shall be 10% less than the aggregate sign face square footage of all the signs removed.
Require energy-efficient, pollution reduction lighting of non-conforming off-premises signs for all relocation signs immediately and for all other signs within 36 months alter the first month the sign is registered following the date of adoption of the requirement	25-10-152(B)(6)(h) Page 8 Lines 7-14	Add new section: (h) The sign owner must install energy-efficient, pollution reduction lighting on each non-conforming off-premise sign: (i) For nonconforming off-premise signs relocated before February 21, 2008, on or before August 31, 2008; (ii) For nonconforming off-premise signs relocated after February 21, 2008, upon installation of the sign; (iii) For all other nonconforming off-premise signs, within 36 months after registration of the sign in accordance with Subsection (F).	The current code does not address energy efficient lighting for signs.

Resolution	Page and Section	Proposed Amendment	Current Code/Impact
Amend the code to require off-premise sign owners to register signs and pay fees for all signs within the City's planning jurisdiction, and establish penalties for non-compliance	25-10-152(F)(a) Page 9 Line 4 - 6	Modify this section to read as follows: (F) This subsection applies to an off-premise sign. (1) This paragraph prescribes registration requirements. a) The owner of the property on which the sign is located must register the sign every two years with the director. (b) The sign property owner shall, on a form prescribed by the director, provide (c) The sign property owner shall, shall initially register the sign by August 31, 1999 2008, or within 180 days after the date the sign becomes subject to the City's planning jurisdiction, as applicable, and shall pay a registration fee set by separate ordinance.	Property owners currently register signs. A nonconforming sign may not be relocated without being registered. Amendment shifts the responsibility to register signs to the sign owner rather than the property owner.
	Page 10 Lines 10-12	Add 25-10-237 Penalties A person who fails to register a sign as required by section 25-10-152(F) commits an offense punishable by a fine of up to \$500 per day for each day that the offense continues, and for each sign which is not registered.	
Prohibit any sign owner from relocating a sign if that sign owner is in violation of the registration requirements for any other sign owned by that sign owner within the City's jurisdiction	25-10-152(B)(6)(g) Page 8 Lines 4 - 6 25-10-152(F)(e) Page 9 Lines 21-23	Modify Section to read the following: (g) A sign may not be relocated or removed under this paragraph unless the sign owner has is-registered each sign he or she owns and all registration fees for each sign he or she owns have been paid, as required by Subsection (F). AND Add new section: (e) A sign owner is prohibited from relocating a sign if that sign owner is in violation of the registration requirements for any other sign owned by that sign owner within the City's jurisdiction.	There is no prohibition from relocating a sign if the sign owner does not register a sign. Amendment prohibits a sign owner from relocating a sign if the sign is not registered.
Require annual registration of all non-conforming off-premises signs	25-10-152(F)(a) Page 9 Lines 7 – 8	a) The owner of the property on which the sign is located must register the sign every two years with the director.	Nonconforming signs were registered every two years previously. Amendment requires an annual registration.

Exhibit C

Resolution	Page and Section	Proposed Amendment	Current Code/Impact
Establish a notice requirement to notify sign	25-10-152(F)(f)	Add new section:	The building official is not currently required to
owners of the upcoming expiration of the	Page 9	(f) The building official shall notify a sign owner of the pending expiration	notify a sign owner that their sign is not
registration of a sign no earlier than 90 days and	Line 24 - 28	of the registration of a sign, no earlier than 90 days and no later than 30	registered.
no later than 30 days prior to the expiration and		days prior to the expiration. If the building official fails to provide such	
establishing that failure by the City to send such		notice the prohibition in subsection (e) above does not apply to that sign	Amendment would place the responsibility
notice voids the prohibition against relocating		owner, until such notice has been provided.	upon the City to notify when a sign is not
signs if any signs owned by the sign owner within the City's jurisdiction are in violation of the			registered properly.
registration requirements			
Impose registration requirements (including the	13-2-388	A franchise holder may affix an advertisement to a taxicab that does not	There are currently no registration fees for taxi
requirement to pay a registration fee) upon taxis	Ground	obstruct the view of the driver, the visibility of signs, vehicle lights, or	cabs to display advertisements.
that advertise unrelated businesses	Transportation	signal equipment required by this subchapter. For each taxicab	sabs to display advertisements.
	Passenger Services	displaying an advertisement, the franchise holder shall pay a fee to be	Amends Chapter 13, Transportation Code for
	Ŭ	determined by separate ordinance.	Ground Transportation Passenger Services
	Page 10		and requires an annual fee to display third
	Lines 19-20		party advertisements. The fees would be set
			by the Public Works Department and would be
			dependent upon the cost to administer the
			program.