

RESOLUTION NO. _____

WHEREAS, since their adoption in 2005, the billboard relocation provisions in Chapter 25-10 (*Sign Regulations*) have been subject to extensive public debate and discussion;

WHEREAS, of particular concern to residents of the City's urban core is the lack of any restriction on the placement of billboards near residential uses in commercial or other non-residentially zoned areas;

WHEREAS, while billboards may not be placed closer than 500 feet from a residential use in a residential base district, current code provides no similar protections for the increasing number of residents that live in multi-family communities located in non-residentially zoned areas;

WHEREAS, consistent with the City's emphasis on encouraging density in the urban core, residents of non-residentially zoned areas should enjoy similar aesthetic and quality-of-life protections as those living in single-family neighborhoods;

WHEREAS, in furtherance of these objectives, Council adopted Resolution No. 20091022-041 initiating amendments to City Code Chapter 25-10 (*Sign Regulations*) to prohibit the relocation of billboards within 500-feet of a residential use; and

WHEREAS, following adoption of the proposed city code amendments, existing billboards located within 500-feet of a residential use will be a non-complying use under the City's sign regulations; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. The City Council finds that:

- A. Non-complying uses are in derogation of public policy, as expressed through adopted regulations contained in the Land Development Code.
 - B. The relocation of billboards immediately adjacent to high-density residential development is contrary to the City's smart growth policies, which seek to encourage residential uses in the City's urban core.
 - C. Providing partial reimbursement to facilitate the relocation of a non-complying billboard to a code-compliant location is a legitimate public purpose.
2. The City Manager is authorized to negotiate and execute an agreement to partially reimburse Reagan National Advertising, Inc., in an amount not to exceed \$25,000, for actual costs incurred in relocating the existing billboard at 221½ South Lamar to another location in compliance with the proposed ordinance amending the City's sign regulations. The agreement must be conditioned on relocation of the billboard to a code-compliant location and may not be made effective prior to the effective date of the proposed ordinance.

ADOPTED: _____, 2009 **ATTEST:** _____
Shirley A. Gentry
City Clerk