

**THIS IS A DRAFT ORDINANCE AND WILL BE REPLACED BY THE FINAL,
SIGNED ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

ORDINANCE

AMENDING CHAPTER 28, SIGNS, OF THE CITY CODE OF SAN ANTONIO, TEXAS, WHICH WILL ALLOW FOR DIGITAL FACES TO BE INSTALLED ON THE BACKSIDE OF THIRTEEN (13) EXISTING DIGITAL BILLBOARDS, AN AMENDMENT REQUESTED AND PROPOSED BY CLEAR CHANNEL OUTDOOR.

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WHEREAS, in the 1980s, there were around 2,300 billboards within the San Antonio City limits and, over time, that number has decreased to around 1,200 billboards; and

WHEREAS, additional billboards, including new digital billboards, are prohibited within the City and in order to relocate a billboard, two billboards must be removed; and

WHEREAS, in 2007, the City authorized a one-year pilot program for digital billboards that allowed for up to 15 off-premises digital billboards (Ordinance No. 2007-12-06-1247), however, permits for only 13 digital billboards were issued and installed during the one-year pilot program, each having only one side of the billboards as digital display; and

WHEREAS, in general, three signs were removed for each re-face (i.e., a 3 to 1 takedown ratio), and overall, 83 billboards were removed during the 2007 digital billboard pilot program; and

WHEREAS, Clear Channel Outdoor has developed a proposal to modify the existing City Code Chapter 28 - Signs to allow digital faces to be added to the backside of the 13 existing digital billboards by removing an estimated 300 junior billboards as well removal of some large billboards along scenic, urban and/or historic corridors; and

WHEREAS, in addition to removing all junior billboards within the City, the proposed sign code change would require the removal of four billboards for each new digital face installed (i.e., a 4 to 1 takedown ratio), and at least one of the billboard takedowns for each of the additional digital faces would be required to be a large 672 sq. ft. billboard located within a protected designated corridor (i.e., historic, urban, scenic, etc.); and

WHEREAS, the Development Services Department (DSD) held three stakeholder meetings on February 26, 2019, April 5, 2019, and August 6, 2019, to discuss the proposal, one community meeting through SA SpeakUp on May 15, 2019, to obtain community input, and released two on-line surveys through SA SpeakUp to seek input from the community on specifics related to the proposal; and

WHEREAS, the proposed digital billboard changes were presented to the Planning and Community Development council committee on August 12, 2019, who recommended that DSD bring forward the proposal to full City Council for consideration, and the committee also gave direction to staff to incorporate discussions of proposed additional digital billboard faces for additional billboard removals (“takedowns”) into the 2020 Sign Code Update process; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 28 of the City Code of San Antonio, Texas, is hereby amended by adding the language that is underlined (added) as follows:

Sec. 28-54. - Digital display; off-premise.

* * *

(c) Notwithstanding subsection (a) above, the owner of an existing legally permitted off-premises digital sign erected under the one-year pilot program may place a second digital display of no more than six hundred and seventy-two (672) square feet on the backside of the existing digital sign provided that the following conditions are met:

(1) For each additional digital display, the owner shall completely remove four (4) square feet of sign face off an existing off-premises sign for one square foot of digital display.

- a. The sign faces must be removed prior to receiving a permit for each digital display.
- b. If a face is removed from a structure, the entire sign assembly must be removed.
- c. No credit will be given for the area of the sign face removed to convert to a digital display.
- d. For each additional digital display, at least one (1) sign assembly must contain a minimum of one (1) face of approximately six hundred and seventy-two (672) square feet and be removed from designated protected corridors and overlays.

(2) An off-premises digital sign owner, with approval by the city, may make alterations to the digital signs as necessary to deploy the additional digital displays.

(3) An off-premises digital sign owner must apply for all necessary permits within six (6) months of the approval of this ordinance.

(4) An owner who deploys a digital display under this subsection must, in addition to the above, remove any permitted sign assembly from within the city containing a sign face smaller than one hundred (100) square feet. Removal of the

signs must be completed within eighteen (18) months of the approval of the ordinance, with at least one-third (1/3) of the operator's inventory removed within 12 months of the approval of the ordinance. Upon good cause shown, the director may grant an extension for the removals of no more than ninety (90) days.

SECTION 2. All other provisions of Chapter 28 of the City Code of San Antonio, Texas, shall remain in full force and effect.

SECTION 3. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 4. The City Clerk is directed to publish notice of this ordinance amending City Code, Chapter 28. Publication shall be in a newspaper in the City in accordance with Section 17 of the City Charter.

SECTION 5. The publishers of the City Code of San Antonio, Texas are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

SECTION 6. This ordinance shall become effective immediately on passage with eight affirmative votes; otherwise it shall become effective on the 10th day after passage.

PASSED AND APPROVED this _____ day of _____, 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney