



City of San Antonio

Agenda Memorandum

File Number: 17-2242

Agenda Item Number: 14.

Agenda Date: 3/30/2017

In Control: City Council A Session

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon, Interim Director

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT:

An Ordinance amending and restating Chapter 28, Signs, of the City Code of San Antonio, Texas, providing for publication and continuing all civil and criminal fines and fees in effect.

SUMMARY:

The Ordinance identified above seeks to update City Code Chapter 28, Signs, after a year-long review of the existing City Code Chapter 28 by a diverse stakeholder group process. City Code Chapter 28, Signs, provides minimum standards to protect the life, health, safety, property, welfare, convenience and enjoyment of the general public by regulating and controlling the design, quality of materials, construction, erection, location, electrification, lighting, use, maintenance and safe transportation of all signs and sign structures as well as confirm that all sign operators are properly licensed, insured, and bonded.

BACKGROUND INFORMATION:

On September 11, 2015, Councilman Gallagher (CD10) submitted a Council Consideration Request (CCR) to review, update and amend City Code Chapter 28. The purpose of the review was to 1) review new technology or products and sign material/placement issues such as banners and flag signs to address questions in today's sign industry and demands, 2) provide flexibility in the code to deal with changes in the sign industry, and 3) improve the overall clarity of intent with regard to signage within the city.

Since February 2016, the Development Services Department (DSD) has facilitated twenty-one (21) stakeholder meetings to develop a proposed update to City Code Chapter 28. The diverse makeup of the stakeholder group included members of neighborhood associations, San Antonio and Texas Sign Association, billboard operators,

Real Estate Council, Greater San Antonio Builders Association, San Antonio Board of Realtors, Scenic San Antonio, engineers and architects, conservation society and others.

On February 3, 2017, and on February 20, 2017, DSD presented the proposed Chapter 28 updated code to the City's Building-related Fire Codes Appeals and Advisory Board and the City's Zoning Board of Adjustment, respectively. Both boards recommended that the proposed code update be forwarded to City Council for consideration.

On March 7, 2017, DSD presented the proposed Chapter 28 updated code to the Economic and Human Development Committee who recommended that the proposed code update be forwarded to City Council for consideration.

Some of the major changes included in the updated Chapter 28 Sign code include:

- New code will be in conformance to US Supreme Court Reed Case from 2015 related to sign regulation. Temporary sign regulations re-done to comply with US Supreme Court Reed Case but still allow some temporary off-premise signs. Eliminated any content-based regulations.
- Clarifies the code official's ability to interpret the grey areas of the code
- Adds administrative flexibility into sign code to approve small administrative exceptions and alternative methods that meet the intent of the code
- New technologies may be reviewed and approved if deemed safe and meet intent of code
- Coordinates City licensing requirements with State licensing requirements to eliminate conflicts
- Adds increased enforcement for violators of sign code regulations. In addition to criminal charges that could be brought against sign code violators (existing code), this update adds ability to utilize civil penalties (fines) through the Administrative Hearing Officer for quicker court hearing and possibly higher penalties for bandit sign enforcement.
- Adds language to clarify when dangerous signs need to be immediately removed for safety purposes as well as the timeline for abandoned signs to be maintained or removed.
- Adds additional buffer to commercial signs that are adjacent to residential homes
- Modifies maximum brightness of digital signs to have consistent measurements for both on-premise and off-premise digital signs. Brightness will not increase and could decrease as a result of this.
- Sign master plan agreements are still allowed but a minimum of 25% reduction in overall sign height and sign area is required for approval - existing code was silent on how much reduction was needed
- Adds language and regulations for ground mounted flag/feather type signs
- Adds flexibility to governmental action allowance for billboards if they cannot be feasibly moved on same premise. Also eliminates allowance in historic or scenic corridors.
- No changes to general heights and sizes of signs and no changes to historic districts, urban or scenic

corridor requirements

ISSUE:

The proposed Ordinance amending and restating Chapter 28, Signs, of the City Code of San Antonio, Texas, requires City Council approval.

ALTERNATIVES:

City Council could choose to not amend City Code Chapter 28, Signs, as proposed or modify any or all of the proposed changes to the Chapter 28 Sign update.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

RECOMMENDATION:

Staff recommends City Council approves the proposed Ordinance amending and restating Chapter 28, Signs, of the City Code of San Antonio, Texas, providing for publication and continuing all civil and criminal fines and fees in effect with an effective date of June 1, 2017.