



# City of San Antonio

## Agenda Memorandum

**File Number:** 17-2599

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**Agenda Item Number:** 2.

**Agenda Date:** 4/12/2017

**In Control:** City Council B Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon, Interim Director

**COUNCIL DISTRICTS IMPACTED:** City Wide

**SUBJECT:**

Update to San Antonio City Code Chapter 28 - Sign Code

**SUMMARY:**

City Council will consider a proposed update to the City's Chapter 28 Sign Code.

**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.

## **ISSUE:**

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

1. New code will be in conformance to US Supreme Court Reed Case from 2015 related to sign regulation. Temporary signs regulations redone to comply with US Supreme Court Reed Case but still allow some temporary off premise signs. Eliminated any content-based regulations.
2. Clarifies the code official's ability to interpret the grey areas of the code
3. Adds administrative flexibility into sign code to approve small administrative exceptions and alternative methods that meet the intent of the code
4. New technologies may be reviewed and approved if deemed safe and meets intent of code.
5. Coordinated City licensing requirements with State licensing requirements to eliminate conflicts
6. Added 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 the ability to utilize civil penalties (fines) through the Administrative hearing Officer for quicker court hearing and possibly higher penalties for bandit sign enforcement.
7. 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.
8. Adds additional buffer to commercial signs that are adjacent to residential homes
9. Maximum brightness of digital signs was modified 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.
10. Sign master plan agreements are still allowed but a minimum of 25% reduction in overall sign height and sign area is required to be approved - existing code was silent on how much reduction needed
11. Added language and regulations for ground mounted flag/feather type signs
12. Added flexibility to governmental action allowance for billboards if they cannot be feasibly moved on same premise. Also eliminated allowance in historic or scenic corridors.
13. No changes to general heights and sizes of signs and no changes to historic districts, urban or scenic corridor requirements

While all items listed above will be presented during this B Session briefing, particular items to be further evaluated include 1) the residential buffer requirement for commercial signs, 2) the modified government action allowance for billboards, and 3) the off-premise sign requirements for urban corridors.

## **ALTERNATIVES:**

Committee could choose to not approve or to modify any or all of the proposed changes to the Chapter 28 Sign Code update.

## **FISCAL IMPACT:**

These proposed ordinance changes above have no fiscal impact.

**RECOMMENDATION:**

Staff recommends that the recommendations presented above be forwarded to full City Council consideration.