

## ORDINANCE AMENDMENT REVIEW SHEET

**Amendment:** C20-2019-0001 sign regulations

**Description:** Consider an ordinance amending City Code Title 25 to provide limited allowances for off-premise advertising at public primary and secondary educational facility and transit facilities

**Proposed Language:** Refer to draft ordinance

**Summary of proposed code changes:**

- Creation of a new sign type definition: SPONSORSHIP SIGN, used solely to identify the operator of a facility, a sponsor of a facility, or both
- Creation of a definition for TRANSIT FACILITY
- Creation of Land Development Code Section 25-10-159 allowing for the installation of SPONSORSHIP SIGNS at Public Primary or Secondary Educational Facilities and Transit Facilities and establishing the regulations governing their installation.

**Background:** Initiated by Council Resolution 20190131-037

In January 2019, City Council approved a resolution directing the City Manager to develop amendments to Chapter 25-10 of the Land Development Code providing limited allowances for off-premise advertising at public primary and secondary educational facilities and transit facilities, while preserving the general ban on off-premise signs in the City's zoning and extraterritorial jurisdiction which has been in place since 1983.

Staff conducted 3 stakeholder engagement meetings in April 2019 with the objective of collecting feedback from stakeholders most affected by the proposed amendments, including all local independent school districts, Capitol Metro, and businesses. These meetings focused on soliciting feedback on which facilities should be permitted off-premise signage, sign placement, and size/number of signs. A summary of the stakeholder meeting feedback is attached.

**Staff Recommendation:** N/A

**Board and Commission Actions**

**May 15, 2019:** The Codes and Ordinances Joint Committee recommend the item to Planning Commission, with direction to review sign placement as it relates to right-of-way, and consider limiting signage at transit stations to square footage and not total number of signs. An amendment was made to include language that precludes signage at

transit stations from obstructing visibility. Vote: 4-0 (Commissioners Schissler, Kazi, Barrera-Ramirez absent).

**May 28, 2019:** Postponed to June 11, 2019 by staff. Vote 12-0 (McGraw absent)

**June 11, 2019:** Forwarded to Council without recommendation

**Council Action:** N/A

**Ordinance Number:** N/A

**City Staff:**

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**Sign Code Amendment Stakeholder Meetings Feedback Summary**  
**April 16, 18, 22, 2019**

**Outreach was made to/through:**

- |  |   |
|--|---|
| ○ Austin Independent School District       | ○ Pflugerville Independent School District    |
| ○ Pflugerville Independent School District | ○ Capitol Metro                               |
| ○ Del Valle Independent School District    | ○ Austin Independent Business Alliance        |
| ○ Manor Independent School District        | ○ Greater Austin Asian Chamber of Commerce    |
| ○ Eanes Independent School District        | ○ Greater Austin Hispanic Chamber of Commerce |
| ○ Round Rock Independent School District   | ○ Greater Austin Black Chamber of Commerce    |
| ○ Lake Travis Independent School District  | ○ Greater Austin LGBT Chamber of Commerce     |
| ○ Leander Independent School District      | ○ Greater Austin Chamber of Commerce          |

**Total Participation:** 33 attendees

**General Feedback:**

This section captures general feedback provided by meeting attendees about the code amendment as proposed in the initiating resolution. These items are listed separately as they did not tie directly to regulatory considerations for public schools and transit stops.

- Off-premise signage detracts from the beauty of the City, serves as a distraction to drivers, and should not be expanded.
- The code amendment creates inequitable results for those not included in the amendment and raises questions regarding fairness.
- The code amendment feels like “revenue generation” for “City affiliates”.
- The code amendment could set a precedent and result in re-opening the discussion about off-premise signs.
- The code amendment is unfairly restrictive.
- Extending advertising rights is counterintuitive to the prohibition on increased off-premise signage.
- The Downtown Austin Alliance is requesting the amendment be expanded to include digital advertising at kiosks within public improvement districts, specifically for wayfinding programs.

**Public Schools**

**Which public school facilities can have off-premise advertising**

**Overall:**

- Austin Independent School District (AISD) would like to maximize signage capacity; ties directly to a revenue stream that supports individual campuses
- All public schools should be eligible to participate, regardless of location; creates a revenue stream that local Parent Teacher Associations use to fund campus staff and activities
- Scenic Austin is not opposed to signage related to school events, but is opposed to off-premise advertising
- Private schools should be allowed to participate as well

**Zoning/ Street Type:**

- Consideration of zoning could result in campus revenue inequities
- Zoning should be a consideration; limitations should apply
- There should not be consideration for street types; this could also result in inequities

## **Sign Placement**

- AISD requested as much placement latitude as possible; noted that almost all signage is currently found on fences but they would like to make sure placement in athletic fields is also permitted
- Code Compliance mentioned having heard concerns that placement on fences created safety issues with blocking the line of sight on school grounds
- Suggestion to create a pre-determined area eligible for signage
- Signs should be allowed on fences, walls, and building facades
- There should be a cap on the total number of signs on a property

## **Size**

- There should be a cap on the size of each sign
- AISD proposed exempting school districts from size limitations
- The existing sign district and street frontage should dictate the permissible sign area
- AISD and Pflugerville ISD noted that most signs are approximately 4 ft x 6 ft
- Regulations should focus on an allowable maximum square footage as opposed to a specific sign size

## **Other Considerations**

- Determine whether or not the City will require a permit for signs
- Determine whether or not illumination will be allowed
- Include considerations for Amber alerts

### **Digital Signs**

- Determine whether or not digital signage will be allowed
- Permitting digital signs could address concerns with sign proliferation
- AISD is open to the suggestion of digital signage but is concerned with upfront costs and would not want digital to be the only option
- Scenic Austin is opposed to exempting local government entities from compliance with existing sign regulations
- Scenic Austin is concerned with digital signage being a distraction for drivers; if they are ultimately permitted, they should be limited to interior neighborhood streets, not major streets as that would be less of a distraction to drivers
- Scenic Austin is opposed to dynamic digital messaging; they are more distracting to drivers. If under consideration, digital messaging should be relatively static with messaging that is widely spaced apart
- Scenic Austin is concerned that allowing digital signage in limited cases opens up the possibility for expanding these regulations to permit digital billboards
- Consider one cap for printed signs, and a different cap for digital signs, using one to reduce the total number of the other

## **Transit Facilities**

### **Which transit stops can have off-premise advertising**

- Advertising should be limited to transit stops that provide an amenity to transit riders (bench, shelter, trash can)
- Scenic Austin is concerned with signage at bus stops and the associated distraction to drivers
- Zoning should apply
- Cap Metro is not concerned with zoning, is thinking about signage in terms of high frequency corridors; amenities are a reflection of ridership
- Cap Metro is requesting as much flexibility as possible

### **Sign Placement**

- Scenic Austin and other stakeholders recommended directing signage to users of transit riders and/ or pedestrians as opposed to drivers
- Cap Metro wants signs to be visible from all directions; clarified that the focus is on transit riders but customers move around the transit stop area

### **Size**

- Cap Metro indicated signs would not exceed 4 ft x6 ft
- Consider spacing and intensity requirements along a transit corridor

### **Other Considerations**

- Define transit stop
- Define public right-of-way

### **Transit Center Naming Rights**

- Cap Metro would like the amendment expanded to allow for naming rights at transit stations
- Scenic Austin is not opposed to this proposal but recommends the station be named for something that represents the community in which the station is located

### **Digital Signs**

- Cap Metro supports having a digital option
- Downtown Austin Alliance also supports a digital option
- Scenic Austin is opposed to dynamic digital messaging; they are more distracting to drivers. If under consideration, digital messaging should be relatively static with messaging that is widely spaced apart

**RESOLUTION NO. 20190131-037**

**WHEREAS**, since 1983, the City of Austin has prohibited the installation of new off-premise signs in the City's zoning and extraterritorial jurisdictions; and

**WHEREAS**, like many other cities in Texas and around the nation, the City finds that restricting off-premise signs is necessary to protect public safety; and visual aesthetics, as enumerated by the legislative findings in City Code § 25-10-1 (*Purpose and Applicability*); and

**WHEREAS**, consistent with these overall objectives, several cities with off-premise sign regulations similar to Austin's provide limited options for off-premise advertising at sites and facilities where impacts to the public realm can be fairly minimized through reasonable design and locational standards; and

**WHEREAS**, while preserving the general ban on off-premise signs, the City wishes to consider the feasibility of allowing limited off-premise signage at schools and transit facilities in public right-of-way; **NOW, THEREFORE,**

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

- (1) The City Council initiates amendments to Chapter 25-10 (*Sign Regulations*) and directs the City Manager to develop proposed amendments which, to the extent practicable, provide limited allowances for off-premise advertising at:
  - (a) Public primary and secondary educational facilities; and
  - (b) Transit facilities.

- (2) In evaluating potential code amendments in response to this resolution, the City Manager is directed to include any restrictions deemed necessary to protect public safety and visual aesthetics, including limitations on the size number, or design of off-premise signs and on the types of sites or facilities on which off-premise signs may be installed.

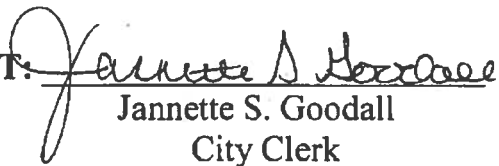
**BE IT FURTHER RESOLVED:**

In responding to this resolution, the City Manager is directed to:

- (1) Consult with stakeholders most affected by the proposed amendments, including schools, transit providers, and businesses, before scheduling public hearings required by Section 25-1-502 (*Amendment; Review*); and
- (2) Limit proposed code amendments to those that are necessary to effectuate the goals specifically described in this resolution; and
- (3) Present proposed amendments for City Council consideration no later than June 2019.

ADOPTED: January 31, 2019

ATTEST:

  
Jannette S. Goodall  
City Clerk