

ORDINANCE 2019-11-07-0910

AMENDING CHAPTER 28, SIGNS, OF THE CITY CODE OF SAN ANTONIO, TEXAS, WHICH WILL ALLOW FOR DIGITAL FACES TO BE INSTALLED ON BOTH SIDES OF AN EXISTING BILLBOARD STRUCTURE.

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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, 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, leaving 2 permits unissued; 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 developed a proposal to modify the existing City Code Chapter 28 - Signs to allow digital faces to be added to the backside of 13 existing digital billboards and an amendment reflecting the modification was passed by City Council on September 12, 2019; 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, during the meetings discussing the Clear Channel proposal, Outfront Media provided its own proposal to allow for the re-activation of an original permit for a digital billboard that was authorized by the 2007 Pilot Program, and in exchange they would take down existing signage at a 5.4 to 1 ratio; and

WHEREAS, the Outfront Media proposed digital billboard changes were presented to the Planning and Community Development council committee on September 9, 2019, who recommended that DSD hold an additional stakeholder meeting and bring forward the Outdoor Media proposal to full City Council for consideration; and

WHEREAS, DSD held an additional stakeholder meeting on October 10, 2019, to discuss the modified proposal from Outfront Media where the various groups voiced general approval of the additional sign code change proposal; **NOW THEREFORE**,

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

SECTION 1. The Director of Development Services, or designee, is authorized to grant a new off-premises digital sign permit for a double-sided digital display to Outfront Media subject to its compliance with the terms of the billboard reduction program outlined in Section 3 below.

SECTION 2. The one-year time limitation for the issuance of new off-premises digital sign permits under the program established in Ordinance No. 2007-12-06-1247 is hereby waived solely for the purpose of issuing the current permit to Outfront Media.

SECTION 3. Outfront Media shall comply with the following terms of the billboard reduction program as a condition of receiving the new off-premises digital sign permit, as well as all other applicable provisions of Chapter 28 not in conflict with the terms below:

- Using an increased take down ratio of 5.4 to 1 square foot, Outfront Media will take down 7,284 square feet of existing static advertising faces in order to convert 2 existing static faces on one existing structure into standard 14' x 48' digital displays. This equates to 8 structures and 15 total ad faces.
- At least one of the billboard takedowns for each of the additional digital faces will be required to be a large 672 sq. ft. billboard located within a protected designated corridor (i.e., historic, urban, scenic, etc.).
- No "new structures" will be added as a part of the "billboard reduction" program.
- Removal of the existing sign structures will be required prior to receiving a permit for the new digital displays.
- An off-premise digital sign owner, with approval from the city, may make alterations to the digital signs as necessary to deploy the additional digital displays.
- An off premise digital sign owner must apply for all the necessary permits within six (6) months of approval of this ordinance.

SECTION 4. 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.

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Commentary: Under the one (1) year pilot program, thirteen (13) off-premises digital signs were permitted. No new off-premise digital signs are permitted in the City or the ETJ, with the exception of one additional digital sign permit authorized by City Council ordinance. The thirteen (13) existing off-premises digital displays that were approved, and any additional approved off-premises digital displays, are required to be maintained in accordance with the requirements listed here in this section.

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SECTION 5. All other provisions of Chapter 28 of the City Code of San Antonio, Texas, shall remain in full force and effect.

SECTION 6. 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 7. 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 8. 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 9. 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 7th day of November, 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney