

Ordinance Text Amendment – Sign Ordinance Amendments (Wind Flags & Electronic Signs)

Request	An amendment to Chapter 90 of the League City Code of Ordinances, the Sign Ordinance, which would prohibit wind flags and regulate the operation of existing and future electronic signs.
Applicant	City of League City
Acreage	Citywide
City Council	Public Hearing & First Reading – May 26, 2015; Second Reading – June 9, 2015
Zoning	All Zoning Districts
Location	Citywide in all Zoning Districts.
Attachments	1. Draft Ordinance Text

The Commission should consider the following information in its deliberation, which shall be utilized to substantiate its findings.

Background The Planning and Zoning Commission held a public hearing on this amendment on April 20, 2015. After discussion of the amendment, the Commission tabled the amendment and directed staff to address their concerns regarding the amendment. The main concerns the Commission had were the limitation on display hours of electronic signage, the prohibition of electronic signs on a roadway classified as collector or below, and confusing language regarding non-conforming signage. Staff has revised the amendment and presents this staff report for the Commission’s consideration.

Staff Analysis The revised amendment adds a distance and shielding requirement for electronic signs. EMC’s shall not be located within 125 feet of a residential zoning district unless the EMC is shielded and not able to be viewed from the residentially zoned property. This revision will address two of the Commission’s concerns regarding display hours and the limitation of EMC’s on collectors. The amendment still prohibits EMC’s on local streets as the current ordinance prohibits free-standing signs on local streets.

Staff has also clarified the language of Section 90-10, requiring existing EMC’s to meet all operational requirements within 90 days. Existing EMC’s will not have to meet the locational requirements such as the distance from residential zoning districts and the prohibition in the historic district. All new EMC’s will have to comply with the standards of this amendment. All existing wind flags will have to be removed within 45 days of the adoption of this ordinance.

Public Benefit vs. Imposed Hardship Based upon the information provided, the Commission will have to determine “the gain to public health, safety, welfare, due to denial of this application as compared to the hardship imposed upon the owner as a result of denial of the application.”

Staff Recommendation Staff recommends that the Planning & Zoning Commission make a recommendation to the City Council to approve the ordinance amendments attached as **Attachment 1**, Draft Ordinance Text.

For additional information, you may contact Ryan Granata, AICP – Planning Manager at 281-554-1097 or at ryan.granata@leaguecity.com.



EXHIBIT A

Amend Section 90-2 Definitions by inserting the following definitions:

Commercial message - Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity. The erection of more than three local, state or national governmental flags on property used for a commercial purpose shall be considered a commercial message.

Dwell Time – The amount of time a message and/or graphic is displayed on an Electronic Message Center sign.

Dissolve – A mode of message transition on an Electronic Message Center sign accomplished by varying the light intensity or pattern, in which the first message gradually appears to dissipate and lose legibility with the gradual appearance and legibility of the second message.

Dynamic Frame Effect – An Electronic Message Center sign frame effect in which the illusion of motion and/or animation is used.

Electronic Message Center or Sign (EMC) - A changeable copy sign that uses a matrix of illumination elements (white and/or colored), including but not limited to Light Emitting Diodes (LEDs), liquid crystal display (LCD), plasma display, or other digital or electronic media to display or project text and/or images that can be modified by electronic processes.

Fade – A mode of message transition on an Electronic Message Center sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Frame – A complete, static display screen on an Electronic Message Center sign.

Frame Effect – A visual effect on an Electronic Message Center sign applied to a single frame. See also Dynamic Frame Effect.

Luminance – The light that is emitted by or reflected from a surface. Measured in units of luminous intensity (candelas) per unit area (square meters in SI measurement units or square feet in English measurement units). Expressed in SI units as cd/m^2 , and in English units as foot lamberts.

Scroll – A mode of message transition on an Electronic Message Center sign in which the message appears to move vertically across the display surface.

Structural Alteration – Physical modification (not to include painting) or replacement of the frame or any support structure of a sign. This shall not include the replacement of a sign panel within a box sign.

Transition – A visual effect used on an Electronic Message Center sign to change from one message to another.

Travel – A mode of message transition on an Electronic Message Center sign in which the message appears to move horizontally across the display surface.

Wind flag – A sign of lightweight plastic, fabric, or other material, suspended from a rope, wire, string or pole, designed to move in the wind and intended to direct attention to an individual, business, commodity, service, activity or product.

Amend Section 90-4 Prohibited Signs by inserting the following (noted in **red**):

No sign shall be erected, altered or displayed which:

- a) Makes sounds, revolves or uses waving, blinking, flashing, vibrating, flickering, mimics a traffic control device, interferes with the safe operation of a motor vehicle or that causes a traffic safety issue.
- b) Constitutes a traffic hazard by reasons of size, location, projection, content, color, or manner of illumination.
- c) Is affixed to utility poles, trees, or other signs.

- d) Obstructs light, air, ingress or egress from required door, window or other opening.
- e) Is structurally unsafe or not kept in good repair or maintenance.
- f) Is a portable sign except for sandwich board (or "A" frame signs) in approved areas.
- g) Is an off-premises sign unless specifically permitted by this Article.
- h) Is a Vehicular Sign.
- i) Is a wind driven sign, including wind flags.
- j) Is an inflatable sign or a tethered balloon.

Delete Section 90-9 Light Emitting Diode (On Premise Signs) in its entirety and replace with:

Section 90-9 Electronic Message Centers

- a) An Electronic Message Center (EMC) sign shall only be allowed as part of a monument sign, shall be limited to no greater than 50% of the total area of the sign and shall conform to the following standards:
 - 1) Brightness. All illuminated signs must comply with the maximum luminance level of two hundred (200) cd/m² or Nits at least one-half hour before Apparent Sunset, as determined by the National Oceanic and Atmospheric Administration (NOAA), US Department of Commerce, for the specific geographic location and date. All illuminated signs must comply with this maximum luminance level throughout the night, if the business is open and the sign is energized, until one-half hour after Apparent Sunrise, as determined by the NOAA, at which time the sign may resume a maximum luminance level of one thousand (1,000) cd/m².
 - 2) Dimmer Control. Sign shall have at least one photo sensor and automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one half-hour before sunset and one half-hour after sunrise. Each photo sensor shall:
 - i. Be designed to continually operate in direct sunlight;
 - ii. Be situated to measure ambient light;
 - iii. Be contained in a waterproof enclosure with easy access to the photo sensors;
 - iv. Allow light sensing; and
 - v. Be capable of dimming all pixels of the sign collectively to compensate for surrounding ambient light levels.
 - 3) Illumination. A sign or its illumination shall not, by reason of its location, shape, or color, interfere with traffic or be confused with or obstruct the line-of site or effectiveness of any official traffic sign, traffic signal or traffic marking.
 - 4) Duration. Each static display shall last at least ten seconds to avoid quick and frenetic changes of content that can be distracting and compromise public safety.
 - 5) Transition. The transition time between messages and/or message frames is limited to a maximum of three (3) seconds and these transitions may employ fade, dissolve, and or other transition effects.
 - 6) Message Sequencing. The images and messages displayed shall be complete in themselves without continuation in content to the next image or message.
 - 7) Malfunction Mechanism. Signs shall contain a default design that will shut the sign off if a malfunction occurs.
 - 8) Location. Sign shall not be located within 150 feet of a residentially zoned property, unless the sign is shielded from the view of the residentially zoned property.
- b) Electronic Message Center signs shall not:
 - 1) Be located within a residential zoning district;
 - 2) Be located within 125 feet of a residential zoning district, unless the sign is shielded and not able to be viewed from the residentially zoned property;
 - 3) Be located within the Main Street Historic District;
 - 4) Incorporate video, animation, or scrolling of text or images;
 - 5) Emit any sound, scents, vapors or utilize pyrotechnics;
 - 6) Cause beams or rays of light to be directed at any portion of the traveled way, when such beams or rays are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle or otherwise interfere with the operation of a motor vehicle;
 - 7) Obscure or interfere with the effectiveness of an official traffic sign, device or signal. Signs located within two hundred (200) feet of a traffic signal shall not be illuminated in a solid red, solid yellow, or solid green color.
 - 8) Obscure or otherwise interfere with a motor vehicle operator's view of approaching, merging, or intersecting traffic;

- 9) Display images that flash, rotate, sparkle, blink, or fluctuate in light intensity or use intermittent strobing, or moving light, or in any manner to create the illusion of movement.

Delete Section 90-10 in its entirety and replace with:

Section 90-10 Non-Conforming Signs

- a) Existing wind flags shall be removed within 45 days of the adoption of this ordinance amendment on **(DATE)**.
- b) Existing electronic message center signs shall be brought into conformity with Sections 90-9(a)1-8 and Sections 90-9(b)4-9 within 45 days of the adoption of this ordinance amendment on **(DATE)**.
- c) With the exception of Sections 90-10(a&b), non-conforming signs lawfully existing at the time of adoption or subsequent amendment of this Ordinance may continue, although such signs do not conform to the provisions of this Ordinance.
- d) No structural alteration shall be made to a non-conforming sign unless the nonconforming sign is brought into conformity with this Ordinance.
- e) If a non-conforming sign associated with a permitted use or structure has been abandoned for not less than three months (i.e., the structure has not been occupied for three months) then the non-conforming sign shall be removed and its non-conformity shall not continue.
- f) No sign permit shall be issued for an additional sign or to allow for a structural change to an existing sign on a lot or structure upon which exists a non-conforming sign unless the non-conforming nature of the existing sign is brought into conformity with this ordinance at the same time.

Amend Tables 1.A, 1.C, 1.D, 2.A and 2.B by inserting (noted in red) and deleting (noted in ~~strikeout~~) text as follows:

Table 1.A

	Frontage Type	
	Freeway	Arterial
Calculation for Allowable Signage		
Free Standing Signs (Pylon & Monument Signs)	1 sq ft of sign area per 1 linear foot of roadway frontage to a maximum of 200 sq ft	1 sq ft of sign area per 1 linear foot of roadway frontage to a maximum of 100 sq ft
Attached Signs (Wall, Projecting & Awning Signs)		
Ground Floor	1.5 sq ft sign area per 1 linear foot of business frontage	1.5 sq ft sign area per 1 linear foot of business frontage
Second Floor or higher	1.5 sq ft sign area per 2 linear feet of business frontage	1.5 sq ft sign area per 2 linear feet of business frontage
Amount of allowable free standing sign sq ft that may be relocated to the Attached Sign sq ft.	30%	30%
Value of each side of structure facing a roadway (can only be applied to signage on that building face)		
Primary and second building face	100%	100%
Third and fourth building face	25%	25%
General Standards		
Maximum Number of Free standing Signs per site, typical site	1 pylon or monument sign plus freestanding art defined as signage	1 pylon or monument sign plus freestanding art defined as signage
Maximum number of Freestanding signs per site, multi-tenant site	1 pylon sign per 1,000 linear feet and 1 monument sign per 150 linear feet plus freestanding art defined as signage	1 pylon sign per 1,000 linear feet and 1 monument sign per 150 linear feet plus freestanding art defined as signage
Maximum Area allowed as Reader Board (Digital portion must comply with applicable Energy Codes)	50% of total area	50% of total area
Standards by Type		
Pylon Sign		
Maximum Area	200 sq ft	100 sq ft
Maximum Height	42.5 ft	20 ft
Monument Sign		
Maximum Area	200 sq ft	1050 ft
Maximum Height	15 ft	10 ft
Maximum area allowed as Electronic Message Center	50% of the total area of the sign	50% of the total area of the sign
Wall Sign (does not include mural/art attached to the structure defined as art)		
Maximum Wall Coverage	50% of building face	50% of building face
Maximum Height	Greater of 20 ft or top of visible roof line	Greater of 15 ft or top of visible roof line
Projecting Sign/Awning Signs (Restricted to pedestrian ROW or Private Property)		
Maximum Number	1 sign per 50 ft per business	1 sign per 50 ft per business
Maximum Area per Face	36 sq ft	36 sq ft
Minimum Clearance Below Sign	9 ft	9 ft
Window Sign		
Maximum Window Coverage (No permit required if inside structure)	50%	50%

Table 1.C

	Frontage Type		
	Collector	Local	Private Street/Driveways
Calculation for Allowable Signage			
Freestanding Signs (Pylon & Monument Signs)	1 sq ft of sign area per linear foot of roadway to a maximum of 50 sq ft	—	—
Attached Signs (Wall, Projecting & Awning Signs)			
Ground Floor	1.5 sq ft of sign face per linear foot of business frontage	1 sq ft of sign face per linear foot of business frontage	1.5 sq of sign face per linear foot of business frontage
Second Floor	1.5 sq ft of area per 2 linear feet of business frontage	1 sq ft of area per 2 linear feet of business frontage	1.5 sq ft of area per 2 linear feet of business frontage
Amount of allowable Freestanding Sign sq ft that may be relocated to the attached sign sq ft.	30%		30%
Value of each side of structure facing a roadway (can be applied to signage on that building face)			
Primary & Secondary Building Face	100%	100%	100%
Third & Fourth Building Face	25%	25%	25%
General Standards			
Maximum Number of Freestanding Signs per site, typical site	1 monument sign plus freestanding art defined as signage	—	—
Maximum Number of Freestanding Signs per site, multi-tenant site	1 monument sign per 150 linear feet plus freestanding art defined as signage	—	—
Maximum Area Allowed as Reader Board (Digital portion must comply with applicable Energy Codes)	50% of total area	—	—
Standards by Type			
Pylon Sign			
Maximum Area	--	--	--
Maximum Height	--	--	--
Monument Sign			
Maximum Area	50 sq ft	--	--
Maximum Height	10 ft	--	--
Maximum area allowed as Electronic Message Center	50% of the total area of the sign	—	—
Wall Sign (does not include murals/arts attached to the structure defined as art)			
Maximum Wall Coverage	50% of building face	10% of building face	30% of building face
Maximum Height	Greater of 15 ft or top of visible roofline	No more than roofline	Greater of 15 ft or top of visible roofline
Projecting/Awning Signs (Restricted to pedestrian ROW or Private Property)			
Maximum Number	1 sign per 50 ft per business	1 sign per business	1 sign per business
Maximum Area per face	36 sq ft	24 sq ft	36 sq ft
Minimum Clearance Below Sign	8 ft	8 ft	8 ft
Window Sign			
Maximum Window Coverage (No permit required if inside structure)	50%	50%	50%

Table 1.D

Main Street Historic District		
	Frontage Type	
	Main Street (FM 518)	Other
Calculations for Allowable Signage		
Freestanding Signs (Pylon and Monument Signs)	1 sq ft of sign area per 1 linear foot of roadway frontage to a maximum of 50 sq ft.	—
Attached Signs (Wall, Projecting, & Awning Signs)		
Ground Floor	1.5 sq ft of sign face per 1 linear foot of business frontage	1 sq ft of sign face per 1 linear feet of business frontage
Second Floor or higher	1.5 sq ft of sign face per 2 linear foot of business frontage	1 sq ft of sign face per 2 linear feet of business frontage
Amount of Allowable Freestanding Sign sq ft that may be reallocated to the Attached Sign sq ft	30%	—
Value of each side of the structure facing a roadway (can only be applied to signage on that building face)		
Primary and secondary building face	100%	100%
Third and fourth building face	25%	25%
General Standards		
Maximum Number of Freestanding Signs per site, typical site	1 monument sign plus freestanding art defined as signage	—
Maximum number of Freestanding signs per site, multi-tenant site	1 monument sign per 150 linear feet plus freestanding art defined as signage	—
Maximum Area Allowed as Reader Board (Digital portion must comply with applicable Energy Codes)	—	—
Standards by Type		
Pylon Sign		
Maximum Area		
Maximum Height		
Monument Sign		
Maximum Area	75 sq ft	--
Maximum Height	10 ft	--
Maximum area allowed as Electronic Message Center	—	—
Wall Sign (does not include murals/art attached to the structure defined as art)		
Maximum Coverage	30% of building face	10% of building face
Maximum Height	Greater of 15 ft or top of visible roof line	No more than roofline
Projecting/Awning Signs (Restricted to pedestrian ROW or Private property)		
Maximum Number	1 sign per 50 ft per business	1 sign per business
Maximum Area per face	36 sq ft	36 sq ft
Maximum Clearance Below Sign	8 ft	8 ft
Window Sign		
Maximum Window Coverage (No permit required if inside structure)	50%	50%

*See Planning Department for a copy of Historic District Map
 ROW stands for right-of-way.

Table 2.A

	Frontage Type	
	Freeway	Arterial
Traditional Banners		
Maximum Number/Location	4 permits per year Attached to building – each is good for 30 days Attached between two stakes – each permit is good for 7 days	
Minimum/Maximum Area	12 sq ft/ 48 sq ft	12 sq ft/48 sq ft
Wind Flags		
Maximum Number	4 per lot	4 per lot
Maximum Area(per flag)	39 sq ft	39 sq ft
Maximum Height	13 ft	13 ft
Location	Not within the ROW and must be displayed to manufactures specifications.	
Display Timeframes	During business hours only.	
“A” Frame Signs		
Maximum Area (per sign)	--	12 sq ft
Maximum Height	--	4 ft
Display Timeframes	--	During business hours only
Location	--	Located on the same premises as business, only permitted where minimum 8 ft sidewalk exist, and may not intrude more than 4 ft into pedestrian ROW.
Garage Sales		
Maximum Number	2 per lot	
Location	No within the ROW	
Maximum Area	6 sq ft	
Maximum Height	3 ft	
Display Timeframes	5pm Thursday to 12 pm on Monday	
Property Sale and Lease Signs		
Maximum Number	1 per 150 ft of lot frontage	1 per 150 ft of lot frontage
Location	Not within the ROW	Not within the ROW
Maximum Area per Sign	60 sq ft	60 sq ft
Maximum Height	10 ft	10 ft
Temporary Construction Signs		
Maximum Number	1 per 75 ft of lot frontage	1 per 75 ft of lot frontage
Location	Not within the ROW	Not within the ROW
Maximum Area	48 sq ft	48 sq ft
Maximum Height	10 ft	10 ft
Political Signs		
Maximum Area	36 sq ft	
Maximum Height	8 ft	
Location	Not within the ROW	
Display Times	No sooner than 90 days before early election and removed within 10 days after general or runoff election.	
Subdivision Signage		
Maximum Number	1 sign per 100 linear feet	1 sign per 100 linear feet
Maximum Area (per sign)	16 sq ft	16 sq ft
Maximum Height	8 ft	8 ft
Location	Not within the ROW	Not within the ROW

*Roadways are defined by the Master Thoroughfare Plan
ROW stands for right-of-way.

Table 2.B

	Frontage Type		
	Collector	Local	Private Street/Driveway
Standards by Type			
Traditional Banners			
Maximum Number/Location	4 permits per year Attached to building – each is good for 30 days Attached between two stakes – each permit is good for 7 days		
Minimum/Maximum Area	12 sq ft/ 32 sq ft	12 sq ft/ 32 sq ft	12 sq ft/24 sq ft
Temporary Banners Over Rights-of-Way			
Maximum Area	140 sq ft		
Dimensions	Mesh or similarly permeable material: 4 ft height and 35 ft length Vinyl with allowance for airflow: 3 ft height and 35 ft length		
Wind Flags			
Maximum Number	3 per lot	2 per lot	2 per lot
Maximum Area (per flag)	20 sq ft	12 sq ft	12 sq ft
Maximum Height	10 ft	6 ft	6 ft
Location	Not within the ROW and must be displayed according to the manufacture specifications		
Display Timeframes	During business hours only.		
“A” Frame Signs			
Maximum Area (per sign)	12 sq ft		
Maximum Height	4 ft		
Display Timeframes	During Business hours only		
Location	Located on same premises as business, only permitted where minimum 8 ft sidewalk exist, and may not intrude more than 4 ft into pedestrian ROW.		
Garage Sales			
Maximum Number	2 per lot		
Location	No within the ROW		
Maximum Area	6 sq ft		
Maximum Height	3 ft		
Display Timeframes	5pm Thursday to 12 pm on Monday		
Property Sale and Lease Signs			
Maximum Number	1 per 100 ft of lot frontage	1 per 75 ft of lot frontage	--
Location	Not within the ROW	Not within the ROW	--
Maximum Area per Sign	24 sq ft	16 sq ft	--
Maximum Height	4 ft	4 ft	--
Temporary Construction Signs			
Maximum Number	1 per lot	1 per lot	--
Location	Not within the ROW	Not within the ROW	--
Maximum Area	32 sq ft	24 sq ft	--
Maximum Height	8 ft	4 ft	--
Political Signs			
Maximum Area	36 sq ft		
Maximum Height	8 ft		
Location	Not within the ROW		
Display Times	No sooner than 90 days before early election and removed within 10 days after general or runoff election.		

*Roadways are defined by the Master Thoroughfare Plan
ROW stands for right-of-way.