

Memorandum



CITY OF DALLAS

DATE October 20, 2017

TO Honorable Mayor and Members of the City Council

SUBJECT **Supergraphic Signs**

This memo is in response to the City Council's inquiry on the history of supergraphic sign regulations in the Downtown Special Provision Sign District. The regulations allowing supergraphic signs were first adopted on September 12, 2001. That ordinance permitted a maximum of five supergraphic signs, established a minimum sign area of 10,000 sq. ft. and included a sunset date of September 12, 2003.

Since that time, the regulations have been amended six times. Special fees related to supergraphics were adopted on June 24, 2009. A fee of \$5,000 was established for a location permit application, and a fee of \$0.10 per sq. ft. was established for a face change fee (messages must change every four months). The current regulations allow 22 supergraphic signs, as well as an additional four supergraphics on civic buildings, require a minimum sign area of 2,500 sq. ft., and have a sunset date of July 31, 2019.

Please find attached a summary of the amendments to the Downtown Special Provision Sign District supergraphic sign regulations, as well as the current code provisions. The ordinances are available upon request. Please note the West End Special Provision Sign District and the Farmers Market Special Provision Sign District each allow two supergraphic signs in addition to what is permitted in the Downtown Special Provision Sign District. Please let me know if you need any additional information.

A handwritten signature in blue ink, appearing to read 'Majed A. Al-Ghafry'.

Majed A. Al-Ghafry, P.E.
Assistant City Manager

[Attachments]

c: T.C. Broadnax, City Manager
Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Billerae Johnson, City Secretary (Interim)
Daniel F. Solis, Administrative Judge
Kimberly Bizzor Tolbert, Chief of Staff to the City Manager
Jo M. (Jody) Puckett, Assistant City Manager (Interim)

Jon Fortune, Assistant City Manager
Joey Zapata, Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer
Nadia Chandler Hardy, Chief of Community Services
Raquel Favela, Chief of Economic Development & Neighborhood Services
Theresa O'Donnell, Chief of Resilience
Directors and Assistant Directors

Ord. #	CC date	# of Signs	Min Size of Sign	Max Size of Sign	Max Height	Maximum Message Duration	Sunset	Fees	Location permit expiration	Other Changes
24717	9/12/2001	5	20,000	10,000	150	3 months	9/12/2003	Standard Sign Fee		
24926	5/8/2002	"	"	"	"	"	"	"		Word correction - façade to face
25291	6/11/2003	"	"	"	"	"	9/12/2005	"		Sunset extension
25995	5/25/2005	6	"	"	"	4 months	9/1/2008	"		1) Added intent statement; 2) added must be attached to a building erected prior to June 1, 2005.
27300	8/27/2008	"	"	"	"	"	2/27/2009	"		Defined effective area of text
27587	6/24/2009	12 + 4 Civic	2,500	no max	450	"	7/31/2014	\$5,000 sign location fee \$0.10 per sf face change	2 years	1) Added provisions for location permits; 2) allowed 4 civic supergraphics; 3) amended type of wall signs could be placed on; 4) added occupancy requirements
28347	8/24/2011	22 + 4 civic			"	"	7/31/2019	"	4 years	

Summary of Current Supergraphic Regulations in the Downtown Special Provision Sign District

- A maximum of 22 supergraphic signs are allowed on private buildings with an additional four supergraphic signs allowed on civic buildings.
- An applicant may not have more than nine permits and may not be an affiliate of any other permit holder.
- No more than two supergraphic signs are permitted on a single building and signs on the same building must be oriented a minimum of 90 degrees from each other.
- Minimum sign area of a supergraphic sign is 2,500 square feet.
- Message area must be 80% non-textual graphic (maximum of 20% may be text).
- Message must change every four months. Fee for message changes (new copy) is \$0.10 per square foot. For example, a 10,000-sq. ft. supergraphic would pay a fee of \$1,000 with every message change, which should total \$3,000 annually. If message is not changed and/or fee is not paid timely, staff will send a notice to the permit holder. Permits may be revoked for noncompliance.
- Signs must be on blank portions of a wall and may not cover windows, design features or architectural features. Walls may not be modified to accommodate a supergraphic sign. Supergraphics are only permitted on facades of structures constructed prior to June 1, 2005.
- Provisions sunset on July 31, 2019, unless amended prior to that date.

SEC. 51A-7.930. SUPERGRAPHIC SIGNS.

(a) Definitions. In this section:

(1) AFFILIATE means any person who is an owner, shareholder, member, partner, agent, officer, or director of an applicant for a supergraphic sign location permit pursuant to this section or a person who has a contractual relationship with an applicant related to supergraphic signs.

(2) CENTRAL BUSINESS DISTRICT WALLSCAPE SIGN means a supergraphic sign located in the inner loop area that is neither a promotional wallscape nor a civic center wallscape.

(3) CIVIC CENTER WALLSCAPE SIGN means a supergraphic sign located on a city-owned performance venue with a minimum 1,000 person seating capacity, convention center, or library.

(4) INNER LOOP AREA means the Main Street Subdistrict, Retail Subdistrict A, Retail Subdistrict B, the Convention Center Subdistrict, and the General CBD Subdistrict.

(5) LOCATION PERMIT means a sign permit to erect a supergraphic sign in a specific location.

(6) PROMOTIONAL WALLSCAPE SIGN means a supergraphic sign that identifies or promotes a cultural activity or sporting event that significantly benefits the city.

(7) QUALIFIED APPLICANT means any person who has been qualified by the director to apply for a location permit.

(8) SUPERGRAPHIC SIGN means a large attached premise or non-premise sign on a mesh or fabric surface, or a projection of a light image onto a wall face without the use of lasers.

(9) WALL FACE means an uninterrupted blank plane of a wall, from vertical edge to vertical edge, from its highest edge to its lowest edge. Edges can be established by a distinct change in materials or off-set which runs across (transects) the entire wall in a straight line.

(b) Visual display and coverage.

(1) Except as provided in this paragraph, a supergraphic sign must have one large visual display with a minimum of 80 percent non-textual graphic content (no more than 20 percent text).

(A) Multiple displays giving an appearance of multiple signs are prohibited.

(B) The effective area of text is the sum of the areas within minimum imaginary rectangles of vertical and horizontal lines, each of which fully contains a word.

(C) A promotional wallscape sign may contain 10 percent text or logo related to sponsorship. The remainder of the promotional wallscape sign must promote the special event.

(2) Subject to the maximum effective area in Subsection (c), a central business district wallscape sign must cover at least 60 percent of the wall face of the building to which it is attached. The lower 10 feet of the wall face may not be covered and is disregarded in calculating the coverage area.

(3) Supergraphic signs are intended to be creative and artful and not strictly a representation of an advertised product. It is the intent of this provision to:

(A) encourage the use of illustrative images or other non-repetitive design elements;

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- (B) encourage visually interesting, vibrant, and colorful designs;
 - (C) discourage use of solid colors or repetitive design elements; and
 - (D) discourage an image of a single product or product logo without other graphic elements.
- (4) Supergraphic signs may be internally or externally illuminated. If internally illuminated, a supergraphic sign may consist of translucent materials, but not transparent materials.
- (5) No building may have more than two central business district wallscape signs. The two central business district wallscape signs must be oriented a minimum of 90 degrees from each other.
- (c) Effective area. Minimum permitted effective area of a central business district wallscape sign is 2,500 square feet. This subsection controls over Paragraph (b)(2).
- (d) Height. No central business district wallscape sign or civic center wallscape sign may exceed 450 feet in height. There is no maximum height for promotional wallscape signs.
- (e) Number of sign locations permitted.
- (1) No more than 22 central business district wallscape locations are permitted within the inner loop area.
 - (2) No more than four civic center wallscape locations are permitted within the inner loop area.
 - (3) No supergraphic signs are permitted outside of the inner loop area.
- (f) Extensions.
- (1) Except as provided in Paragraph (2), a supergraphic sign may not extend beyond the edge of the face of the building to which it is attached.
 - (2) A supergraphic sign may wrap around the edge of a building if:
 - (A) both building facades to which the supergraphic sign is attached are otherwise eligible facades; and
 - (B) the supergraphic sign is one continuous image.
- (g) Location.
- (1) A central business district wallscape sign may only be located on a blank wall face.
 - (2) No supergraphic sign may:
 - (A) cover any window or architectural or design feature of the building to which it is attached;
 - (B) be attached to a federal-, state-, or city-designated historic or landmark structure;
 - (C) be attached to a facade erected or altered after June 1, 2005;
 - (D) be attached to a facade on Pacific Avenue between Akard Street and Ervay Street;

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(E) be attached to a facade facing Main Street Garden or Belo Garden.

(3) Except as provided in Paragraph (4), central business district wallscape signs are only permitted on parking structures or buildings with lodging, residential, retail and personal service, or office uses occupying at least 75 percent of the leasable ground floor area and an overall building occupancy of at least 50 percent of the floor area.

(4) The director may waive the requirements in Paragraph (3) for up to one year if the director determines that the building or multi-building complex is currently being redeveloped. The director may revoke this waiver if redevelopment stops or is inactive for 90 days or more.

(h) Message duration. A supergraphic sign location may not display the same message for more than four consecutive months in any 12-month period.

(i) Hardware fasteners. All hardware fasteners for a supergraphic sign must comply with the Dallas Building Code and all other ordinances, rules, and regulations of the City of Dallas.

(j) HBA signs prohibited. No supergraphic sign may be a Highway Beautification Act (HBA) sign as defined in Section [51A-7.102](#).

(k) Permits.

(1) Application to be a qualified applicant.

(A) An applicant shall submit an application to the director for the purpose of qualifying as an applicant. The application must include:

(i) the name, address, phone number, and other pertinent information of the applicant, and if the applicant is a business entity, the names and business addresses of the principal officers, managers, and other persons who own more than five percent of the entity; and

(ii) an affidavit stating that the applicant is in good standing with the city on all code enforcement matters related to supergraphic signs.

(B) A person may not qualify as an applicant if that person:

(i) has any outstanding code violations related to supergraphic signs;

(ii) has previously displayed a non-permitted supergraphic sign within the previous 12 month period; or

(iii) is an affiliate of another qualified applicant.

(2) Location permit.

(A) Qualified applicants must submit a separate location permit application for each location. The director shall time stamp all applications upon receipt.

(B) The director shall review location permit applications in order of submittal. If the director determines that a location permit application is incomplete or does not meet the guidelines, the director shall reject the application and then review the next location permit application. If the

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initial number of location permit applications exceeds the number of location permits available, the director shall provide for a lottery to distribute the location permits.

(C) An application for a supergraphic sign location permit must contain:

(i) a memorandum of lease, sworn to by affidavit, that shows that the qualified applicant has an enforceable lease for a supergraphic location;

(ii) an affidavit stating that the property where the supergraphic sign will be located has no outstanding code enforcement matters;

(iii) a current tax certificate and affidavit stating that there are no unpaid governmental liens for the supergraphic sign location; and

(iv) an affidavit stating that the building meets the occupancy requirements in Paragraph (g)(3).

(D) Location permit holders may not be an affiliate of any other location permit holder.

(E) A person may not have more than nine pending or active location permits combined at any one time.

(F) A person shall not obtain a location permit for use by another person.

(G) A location permit expires four years after the date of issuance.

(H) The director shall revoke a location permit if the location has displayed obsolete supergraphic advertising or has been without supergraphic advertising matter for six months or more.

(I) A holder of a location permit may apply for renewal of the location permit by filing a complete application for renewal with the director no more than 180 days before the expiration of the current permit. To be eligible for a renewal of a location permit, an applicant must meet the qualification criteria under Paragraph (1).

(3) Promotional wallscape signs. An application for a promotional wallscape must be supported by a resolution of the city council that recognizes the activity or event as significantly benefiting the city. A promotional wallscape may not be erected more than 60 days before the beginning of the activity or event and must be removed not later than 30 days after the activity or event has ended.

(4) Review procedure. The director shall review all applications for location permits and copy change permits using the director procedure in Section [51A-7.505](#).

(l) Mandatory removal in 2019. All supergraphic signs must be removed on or before July 31, 2019. This section does not confer a nonconforming or vested right to maintain a supergraphic sign after July 31, 2019, and all permits authorizing supergraphic signs shall automatically expire on that date.

(m) Sunset. This section expires on July 31, 2019, unless re-enacted with amendment before that date. The city plan commission and city council shall review this section before its expiration date. (Ord. Nos. 24717; 24925; 24926; 25291; 25995; 27300; 27587; 28346; 28347; 28553; 29227)