

HISTORIC UDC SIGNAGE CHANGES:

Sec. 35-612. Signs and Billboards.

The intent of this section is to regulate all exterior signs and permanent interior window signs placed for exterior observance; to establish limitations on signs to ensure that they are appropriate to the neighborhood, building or use to which they are appurtenant and are adequate, but not excessive, for their intended purpose as a means of communication without adverse impact on the visual character of the area; to ensure that signs are compatible with their surroundings; to maintain and enhance the aesthetic environment of the City of San Antonio; to improve pedestrian and traffic safety; to minimize the possible adverse affect of signs on nearby public and private property; to avoid visual clutter that is potentially harmful to traffic and pedestrian safety, property values, and community appearance; and to enable the fair and consistent enforcement of these sign regulations. In an effort to promote both historic preservation and environmental awareness, applicants are encouraged to submit ideas to the office of historic preservation regarding environmentally friendly options that relate to signage proposals.

(a) General Provisions.

(1) All signage within a historic district or on a designated historic landmark shall conform to all city codes and must have approval of the historic preservation officer prior to installation. Permits must be obtained following issuance of a certificate of appropriateness. No sign shall be painted, constructed, erected, remodeled, refaced, relocated, expanded or otherwise altered until it has been approved and a permit has been obtained from the development services department in accordance with the provisions of this chapter and Chapter 28.

(2) Signs should respect and respond to the historic character and period being preserved.

(3) All signage within a RIO district shall conform to the requirements of section 35-678 and 35-681 as applicable.

(4) For signs with changeable message panels, the changeable message area of the sign shall not exceed 25 percent of the total sign area, except for gasoline price signs which shall not exceed 75 percent of the total sign area. Electronic changeable message boards shall be prohibited.

(5) The name of a business, or information pertaining to a business, may be changed through the administrative approval process if the sign conforms to the provisions of this section, and if the color, size, and style of lettering, and illumination of the sign remain the same.

(6) Provisions under this section shall comply with Chapter 28 of the City Code of San Antonio, Texas. In cases where provisions under this section are stricter, or a sign is designated as a contributing structure, then this section shall control.

(7) Special consideration should be given to the character of the sign itself proposed in the application, and whether the proposed sign has inherently historic characteristics which may fall outside of the guidelines presented below but which would contribute to the historic district, landmark or area for which it is being proposed. Additionally, when reviewing applications for signage the historic preservation officer and the historic and design review commission shall consider the visual impact on nearby historic resources.

(8) Memorials, markers, naming rights of public property, and recognition of charitable donations given to the City of San Antonio shall be additionally governed by any formal action passed by City Council.

(b) Sign Definitions.

(1) *Sign* means any object, device, display, structure, description, figure, painting, drawing, message, plaque, placard, poster, or thing or any part thereof, situated outdoors or indoors, that is designed or used to advertise, inform, identify, display, direct, or attract attention to anything by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images. The foregoing enumeration of signs shall not be considered to be exclusive. The term "sign" shall include all other devices or structures as may reasonably be included under it; whether attached or unattached. The following types of signs are more specifically defined:

A. *Banner sign* means a sign made of fabric or any non rigid material with no enclosing framework.

B. *Building-mounted sign* means a sign attached to, painted on, inscribed upon or deriving its major support from a building, including a wall sign, a projecting sign or an awning sign. For the purposes of this chapter, a sign attached to or painted on a gasoline pump island canopy shall be considered a building-mounted sign. For the purposes of this chapter, permanent signs painted on windows or doors, attached to windows or doors, or hung behind and within three feet of the windows or doors, either illuminated or non-illuminated, shall be considered a building mounted sign subject to the sign area regulations contained in this chapter.

C. *Directory sign* means a subsidiary sign listing the names, uses and/or location of various businesses conducted within a building or group of buildings.

D. *Freestanding sign* means a sign, supported by one or more columns, uprights or braces, in or upon the ground, but not attached to any building. A sign attached to a flat surface not a part of the building, such as a fence or wall, shall be considered a freestanding sign. A monument sign, as defined below, shall also be considered a freestanding sign. For the purposes of this chapter, a freestanding sign listing two or more businesses located on a property or in a shopping center, and which is designed as one sign, shall be considered one freestanding sign.

E. *Monument sign* means a ground mounted sign mounted on a contiguous base having at least 90 percent of the sign width and its supporting structure, and not attached to any building. For the purposes of this chapter, a monument sign listing two or more businesses located on a property or in a shopping center, and which is designed as one sign, shall be considered one monument sign.

F. *Portable sign* means any sign designed or constructed to be easily moved from one location to another, including signs mounted upon or designed to be mounted on a trailer, wheeled carrier, or other non-motorized mobile structure. A portable sign which has its wheels removed shall still be considered a portable sign. The term "nonelectric portable sign" shall mean any portable sign which does not have any electrical components. Non-vehicular signs of this type may also be referred to as "A-frame signs."

G. *Projecting sign* means a building mounted sign. The sign may be attached to the building wall, or a column no more than 6 feet in height (may also be referred to as a projecting arm sign).

H. *Temporary sign* means a sign, banner, pennant, poster, or advertising display constructed of cloth, plastic sheet, cardboard, wallboard, or other like materials, not for display for a period longer than 90 days and not permanently attached to a building or the ground.

I. *Wall sign* means a building mounted sign attached to, painted on, inscribed upon, or deriving its major support from a wall, and which projects less than 12 inches from the wall.

J. *Sandwich board* means a sign of A-frame construction designed for placement on the sidewalk near or in front of the place of business being advertised, and which shall be no larger than two feet wide, and 3 feet tall when extended.

K. *Real estate sign* means a sign intended to advertise the financing, development, sale, transfer, lease, exchange, or rental of real property on which the property is located.

L. *Window Sign* means any sign, picture, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window. A window sign does not include merchandise or models of products or services incorporated in window display.

M. *Interior Signage* means a sign hung within ten (10) feet of an exterior fenestration, or a sign intended to be read by exterior patrons outside of a building.

(2) *General maintenance* means as it regards on-premises signs, shall be defined as repair or replacement or existing parts with like items, such as lamps, lamp sockets, neon tubing, ballasts, motors, pulleys, bearings, plastic faces, refacing, painting, and miscellaneous bolts, screws or rivets. However, it shall not include any rebuilding, reconstructing or any reconfiguration of the existing sign cabinet.

(c) Standards for Sign Design and Placement. In considering whether to recommend approval or disapproval of an application for a permit to construct or alter signage on a building, object, site, or structure designated a historic landmark or located in a historic district, review shall be guided by the following standards in addition to any specific design guidelines approved by city council.

- (1) Primary sign design considerations shall be identification and legibility. Size, scale, height, color and location of signs shall be harmonious with, and properly related to, the overall historic characteristic of the district and structure.
- (2) Signs which describe, point, or direct the reader to a specific place or along a specific course, such as "entrance," "exit," and "handicap access" signs, as well as government signs, shall be reviewed by the historic and design review commission but shall not be included in total allowable signage area. Emergency signs shall be exempt from historic and design review commission approval.
- (3) All graphic elements shall reinforce the architectural integrity of any building. Signs should not disfigure, damage, mar, alter, or conceal architectural features or details and should be limited to

sizes that are in scale with the architecture and the streetscape. Emblems and symbols of identification used as principal structural or architectural design elements on a facade shall not be included in the total allowable signage per facade per structure when approved by the historic and design review commission. The historic and design review commission shall be guided by the building's proportion and scale when such elements are incorporated.

- (4) Graphics and signage may be illuminated by indirect, internal, or bare-bulb sources, providing that glare is not produced; by indirect light sources concealed by a hood or diffuser; by internal illumination with standard opal glass or other translucent material or with an equal or smaller light transmission factor. All illumination shall be steady and stationary. Neon lighting may be permitted when used as an integral architectural element or artwork appropriate to the site. For purposes of this subsection, "glare" shall mean an illumination level of at least six (6) Lux at the property boundary. If internal illumination is used, it should be designed to be subordinate to the overall building composition.

(d) Proportion of Signs. For all signage, ~~signage~~ width and height must be in proportion to the facade, respecting the size, scale and mass of the facade, building height, and rhythms and sizes of window and door openings. The building facade shall be considered as part of an overall sign program but the sign shall be subordinate to the overall building composition. Additionally, signs should respect and respond to the character and/or period of the area in which they are being placed.

(e) Number and Size of Signs.

- (1) **Number and Size.** The historic and design review commission shall be guided in its decisions by the total number of businesses or services per building and the percentage of floor space occupied by each business or service. Applicants may apply for up to three signs total, with total signage per facade no bigger than 20 percent of the proposed facade it will be placed upon. Total signage for all applicants shall not exceed fifty (50) square feet unless the historic and design review commission recommends additional signs and/or total footage. Notwithstanding the above, signs may not exceed the maximum size and height limitation for signage contained in Chapter 28, Article 9. The applicant is strongly advised to coordinate his signage plan with signage plans of other building tenants. It is also recommended that the building owner or

their agent develop a master signage plan or signage guidelines for the total building or property. If a property has an approved master signage plan on file with the office of historic preservation, applications for signage may be approved administratively at the discretion of the historic preservation officer provided that they comply with such master signage plan. This provision does not apply to districts and landmarks in River Improvement Overlay (RIO) districts, which shall be guided by 35-678 and 35-681 respectively.

(2) **Sign Area.** The sign area shall be determined in the following manner:

A. **Sign Areas.** The area of a sign shall be computed on the actual area of the sign. Sign area shall be calculated as the area within a parallelogram, triangle, circle, semicircle or other regular geometric figure including all letters, figures, graphics or other elements of the sign, together with the framework or background of the sign. The supporting framework of the sign shall not be included in determining sign area unless such supporting framework forms an integral part of the sign display, as determined by the historic preservation officer. If the sign is located on a decorative fence or wall, when such fence or wall otherwise meets these or other ordinances or regulations and is clearly incidental to the display itself, the fence or wall shall not be included in the computation of the sign area. In the cases of signs with more than one (1) sign face, including but not restricted to double-faced signs, back-to-back signs, overhanging signs, and projecting signs, each side of the sign shall be included in total allowable signage area.

B. **Channel Letter Signs.** For channel letter signs, the sign area shall be the smallest rectangle that will encompass the limits of the writing, including spaces between the letters. Each advertising message shall be considered separately.

(3) **Building Identification Signs.** An additional building identification sign may be placed on a building with multiple tenants, if the building name is not the same as the business(s) housed within and such sign is approved as provided for in this section. This type of sign is to identify a building as a destination and shall not be included in the total allowable signage area.

(f) Allowable Signs Not Included in the Total Signage Area.

- (1) Parking lot signs identifying entrances and exits to a parking lot or driveway, but only when there is one way traffic flow. No more than one sign shall be permitted for each driveway entrance or exit, and no corporate or business logos shall be permitted. Additionally, parking lot signs to identify divisions of the parking lot into sections and to control vehicular traffic and pedestrian traffic within the lot provided that no corporate or business logos shall be permitted. Signs approved under this category shall not be included in the total allowable signage per structure.
- (2) Dates of erection, monumental citations, commemorative tablets, insignia of local, state or federal government, and like when carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of the structure. The maximum size of such sign shall be 32 square feet. Signs approved under this category shall not be included in the total allowable signage per structure.
- (3) Information signs of a public or quasi-public nature identifying or locating a hospital, public building, college, parking area, historic area or district, major tourist attraction or similar public or quasi-public activity; and also including signs identifying restrooms or other facilities relating to such places or activities. Signs approved under this category shall not be included in the total allowable signage per structure.
- (4) Incidental signs, including signs designating business hours, decals, street numbers, credit card acceptance and the like provided that the signs are not freestanding, the total of all such signs shall not exceed four square feet for each business, and the signs are non-illuminated. Incidental signs shall not be included in the total allowable signage per structure.
- (5) Real Estate signs, advertising the sale, rental or lease of the premises or part of the premises on which the signs are displayed. The maximum sign area shall be eight (8) square feet.

(g) Pedestrian Menu Boards and Sandwich Boards. Pedestrian menu boards shall not exceed two square feet. Notwithstanding provisions of Chapter 28-17, sandwich boards are permitted in historic districts, River Improvement Overlay Districts, and historic landmarks as on premise signs provided permitting requirements of Chapter 28, section 28-17 are met. Permanently displayed menus may be properly installed inside the business' window or in an approved wall-mounted or freestanding display case adjacent to the business entrance. The name of the establishment may not be displayed on the menu board if the business has other signage installed on the premises. It is permissible for the name of the

restaurant to be placed on the actual menu. The established logo of a business is considered a sign. All items listed on a menu board must be placed within the border of the menu board or within the display case. There may be no more than one pedestrian menu board per establishment unless there are two primary entrances to a building on different facades, in which case a pedestrian menu board for each entrance may be approved.

(h) Noncommercial Speech Signs. Noncommercial speech signs including but not limited to public service announcements may be erected in historic districts following approval provided all regulations in this article are met. The maximum size of a noncommercial speech sign shall be 8 square feet, and it shall not be illuminated.

(i) Allowable Temporary Signs. If approved, the area of temporary signs shall not be included in the general allowable area for the specified property. Temporary signs may be approved administratively, shall be non-illuminated, and limited to the following types:

(1) Construction signs, including those which identify the architects, engineers, contractors and other individuals or firms involved with the construction. Such signs shall be removed upon issuance of a certificate of occupancy. The maximum area of such signs shall be 32 square feet, and no more than one sign shall be permitted for each street frontage.

(2) Political campaign signs announcing the candidates seeking public political office and other information pertinent thereto. Political campaign signs shall be removed within 30 days after the election day for which they are erected or posted.

(3) Signs advertising only the name, time, and place of any fair, festival, bazaar, education seminar or similar event, when conducted by a public agency or for the benefit of any civic, fraternal, religious or charitable cause provided that all such signs shall be removed within 24 hours after the last day of the event to which they pertain. The maximum sign area shall be 32 square feet.

(4) Grand opening signs shall be permitted provided that such signs shall not be displayed for more than 10 days and the maximum size shall not exceed 32 square feet unless more is authorized.

(5) Seasonal decorations displayed between November 20 and January 4th, and during the official designated Fiesta time period. Such decorations shall not display the name of a business or shopping center, nor the words "open", "sale", "vacancy" or other similar words or phrases related to the business activity on the premises.

(6) Change of business name banners/hoods/covers over existing building mounted and freestanding signs while new signs are being manufactured, provided that such sign or signs shall not be displayed for more than eight weeks and shall not exceed the sign area that they are replacing or covering.

(7) Yard sale signs in a residential district provided that such signs shall be displayed only on the day of the event and on the property holding the event. The maximum sign area shall be eight square feet.

(8) Special exhibition signs for museums and art galleries provided that the signs are limited to one sign for each façade of a building used primarily as a museum or art gallery. The sign shall be placed on the building no earlier than seven days before and removed within 24 hours after the last day of the exhibition to which it pertains. Additionally, the maximum signage area per building shall be 200 square feet unless additional square footage is approved. Notwithstanding the above, signs may not exceed the maximum size and height limitation for signage contained in Chapter 28, Article 9.

(9) Promotional signs not exceeding six (6) square feet advertising special events or promotions provided that the signs are properly placed on the property or on the inside of windows and such signs are removed within 24 hours after the promoted event is over. Promotional signs may be approved for up to five events per calendar year, with no more than 30 days a year total approved for all qualifying signs or events per property.

(10) Any special purpose sign not covered above provided that it is removed within 30 days from the date of approval unless otherwise specified. If within the specified period the applicant feels there is a continued need for the special purpose sign, the applicant may file a new application to request additional display time. Non-governmental banners and flags, excluding flags included as elements of an overall streetscape or design plan, are considered special purpose signs under the provisions of this section and are appropriate for advertising and decoration only during special events or celebrations. No permanent advertising may be handled in this way.

(j) Prohibited Signs.

(1) Billboards, junior billboards, portable signs, and advertising benches shall not be permitted within historic districts or on historic landmarks;

(2) Any sign placed upon a building, object, site, or structure in any manner so as to disfigure, damage, or conceal any window opening, door, or significant architectural feature or detail of any building;

- (3) Any sign which advertises commercial off-premises businesses, products, activities, services, or events unless otherwise allowed in this article;
- (4) Any sign which does not identify a business or service within the historic district or historic landmark unless otherwise allowed in this article;
- (5) Any non-contributing sign which is abandoned or damaged beyond fifty (50) percent of its replacement value, including parts of old or unused signs. All remnants such as supports, brackets and braces must also be removed;
- (6) Any attachment to an already affixed sign which does not meet the provisions of the City Code;
- (7) Roof mounted signs, except in the case of a contributing sign. Contributing roof mounted signs may be resurfaced with an approved certificate of appropriateness. The square footage of roof mounted signs shall be included in the total allowable signage for the building;
- (8) Pole signs,
- (9) Revolving signs or signs with a kinetic component;-
- (10) Any sandwich board which conflicts with the Americans with Disabilities Act, or which disrupts or interferes with pedestrian or other traffic; and-
- (11) Digital and/or LED lighted signs, not to include LED light sources that do not meet the definition of a sign, with or without rotating, flashing lettering, icons or images,

Except as provided below:

- A. A public transportation agency may incorporate transit information signage into transit shelters, utilizing LED or digital technology, provided the signage is contained within or under the transit shelter, and is limited to five (5) square feet of signage area, and one (1) sign per thirty (30) linear feet of pedestrian shelter.
- B. A public transportation agency may incorporate transit information signage into a monument sign at transit stops, utilizing LED or digital technology, provided it is limited to five (5) square feet of signage area.
- C. A public transportation agency may incorporate transit information signage into a monument sign at transit facilities (other than transit stops), utilizing LED or digital technology, provided it is limited to seven (7) square feet of signage area.
- D. The historic preservation officer may impose additional restrictions on illumination to ensure that the character of signs are harmonious with the character of the structures on

which they are to be placed and designated landmarks or districts in the area, provided that such restrictions are reasonably related to other conforming signs and conforming structures in the area, do not unreasonably restrict the amount of signage allowed by this section, and are in keeping with the intent of this section. Among other things, consideration shall be given to the location and illumination of the sign in relation to the surrounding buildings, the use of appropriate materials, the size and style of lettering and graphics, and the type of lighting source proposed. Notwithstanding the above, signs may not exceed illumination restrictions contained in Chapter 28.

(12) Any sign that obscures a sign display by a public authority for the purpose of giving instructions or directions or other public information.

(13) Any sign which consists of pennants, ribbons, spinners or other similar moving devices.

(14) Any sign, except official notices and advertisements, which is nailed, tacked, posted or in any other manner attached to any utility pole or structure or supporting wire, cable, or pipe; or to any tree on any street or sidewalk or to public property of any description.

(15) Moored balloons or other floating signs that are tethered to the ground or to a structure.

(16) Any permanent or temporary sign affixed to, painted on, or placed in or upon any parked vehicle, parked trailer or other parked device capable of being towed, which is parked so as to advertize the business to the passing motorist or pedestrian; and whose primary purpose is to provide additional on-site signage or is to serve the function of an outdoor advertising sign. Excluded from this are vehicles or equipment that are in operating condition, currently registered and licensed to operate on public streets with a valid inspection sticker, and actively used in the daily function of the business to which such signs relate; vehicles/equipment engaged in active construction projects; vehicles or equipment offered for rent to the general public and stored on-premises and otherwise allowed.

Notwithstanding the above, signs designated as a contributing sign or structure by the Historic Preservation Officer shall not be prohibited unless or until such designation is revoked.

(k) Installation. Signs, posters, decals or advertisements may not be affixed, tacked, nailed, pasted, or taped to any portion of a building, object, site or structure in a manner that will cause irreversible damage or loss, or is considered inappropriate under any applicable guidelines utilized by the office of historic preservation.

(l) Hardship Cases.

(1) Whenever the location, topography or configuration of any lot is such as will cause a hardship by the limitations placed on the signs permitted by this article due to sight distances, existing vegetation, location of buildings on adjacent lots, and/or the topography of the parcel, approval may be granted to either allow additional signage, or to increase the amount of building mounted sign area by not more than 25 percent.

(2) No additional signage shall be approved unless it is found that approval of the proposed application will not be of substantial detriment to adjacent property and that the character of the area will not be changed by the granting of additional signage.

(3) Any additional signage approval shall be limited to the applicant only, and shall not apply to any future tenant or business.

(m) Nonconforming Status. Any legally erected sign which, by reason of revisions to this chapter, no longer complies with its provisions, shall be awarded nonconforming status upon review by all necessary city departments.

(n) Violations. In those instances where a sign is erected or maintained in violation of the aforementioned restrictions, the historic preservation officer, or the department of development services, shall notify the sign's owner, agent, operator, or lessee. If the owner, agent, operator, or lessee of the sign fails to remove the sign within three (3) days after notification, the department of development services, or historic preservation officer may file an action in municipal court as outlined in section 28-15. In addition, nothing herein shall prevent the city attorney from seeking civil remedies.

(1) Dilapidated Signs – Signs shall be maintained in good working condition so as to present a neat and orderly appearance. Signs and components thereof shall be maintained in good repair, free of rust, peeling, flaking, fading, broken or cracked panels, and broken or missing letters. All signs, components, supports and their surroundings shall be kept free of all sign materials, weeds, debris, trash, and other refuse. The historic preservation officer, the code compliance department, the development services department, or the park police may give written notice to remove or repair, within 30 days, any sign which shows gross neglect or which is dilapidated. Failure to comply shall be considered a violation of this chapter. Additionally, whether the sign has been designated a contributing structure shall be taken into account when evaluating the condition of the sign.

(2) Abandoned Signs – A sign, including its supporting structure or brackets, shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer on the premises and such sign has been determined to be abandoned under the provisions of Chapter 28. Such sign, if not removed within 30 days from the determination of abandonment by such business, shall be considered to be in violation of this chapter, and shall be removed at the owner’s expense. This does not include signs that are currently approved as contributing structures.

Amendment - 2

Sec. 35-645. Signs and Billboards On Public Property or Right of Way.

(a) **General Provisions.** All non-regulatory signage on public property, on the public right-of-way, or overhanging the public right-of-way shall conform to all city codes and must be approved by the historic preservation officer prior to installation. Permits must be obtained following approval of the application. The historic preservation officer may submit an application under this section to the historic and design review commission for their recommendation prior to approving, denying, or approving with conditions the application. Memorials, markers, naming rights of public property, and recognition of charitable donations given to the City of San Antonio shall be additionally governed by existing policies for memorials and markers and/or any formal action passed by city council.

(b) **Sign definitions.** For signage definitions, refer to section 35-612 (b) and Chapter 28 of the city code.

(c) **Proportion of Signs.** Signage width and height must be in proportion to the facade, respecting the size, scale and mass of the facade, building height, and rhythms and sizes of window and door openings. The building facade shall be considered as part of an overall sign program but the sign shall be subordinate to the overall building composition. Additionally, signs should respect and respond to the character and/or period of the area in which they are being placed.

(d) **Standards for Sign Design and Placement.** In considering whether to recommend approval or disapproval of an application for a certificate to construct or alter signage on a building, object, site, or structure, the historic and design review commission shall be guided by the following standards in addition to any specific design guidelines adopted by city council:

(1) Primary sign design considerations shall be identification and legibility. Size, scale, height, color and location of signs shall be

harmonious with, and properly related to, the overall design of the building or structure and the surrounding area.

(2) The number of signs on each building shall be kept to a minimum to prevent unsightly clutter and confusion.

(3) Signs which describe, point, or direct the reader to a specific place or along a specific course, such as "entrance," "exit," and "handicap access" shall be reviewed.

(4) All graphic elements shall reinforce the architectural integrity of any building. Signs should not disfigure, damage, mar, alter, or conceal architectural features or details and should be limited to sizes which are in scale with the architecture and the streetscape. The historic and design review commission shall be guided by the building's proportion and scale when such elements are incorporated.

(5) Additionally, when reviewing applications for signage the historic preservation officer and the historic and design review commission shall consider the visual impact on nearby historic resources and established neighborhood character.

(e) Special Purpose Signs. All special purpose signs may be approved by the historic preservation officer and shall be removed within thirty (30) days from the date of approval unless otherwise specified. If within the specified period the applicant feels there is a continued need for the special purpose sign, promotional sign or temporary sign, the applicant may file a new application to request additional display time. Non-governmental banners, pennants and flags, excluding flags included as elements of an overall streetscape or design plan, are considered special purpose signs under the provisions of this chapter and are appropriate for advertising the event and for decoration only during special events or celebrations. No permanent advertising may be regulated in this way.

(f) Prohibited Signs. Signs which shall not be permitted include:

(1) Any sign placed upon a building, object, site, or structure in any manner so as to disfigure, damage, interrupt, or conceal any window opening, door, or significant architectural feature or detail of any building;

(2) Roof mounted signs, except in the cases of (i) integral design with the building; (ii) a contributing sign; (iii) or otherwise allowed in this article;

(3) Digital and/or LED lighted signs, not to include LED light sources that do not meet the definition of a sign, with or without rotating, flashing lettering, icons or images. Except as provided below:

A. A public transportation agency may incorporate transit information signage into transit shelters, utilizing LED or digital technology, provided the signage is contained within or under the transit shelter, and is limited to five (5) square feet of signage area, and one (1) sign per thirty (30) linear feet of pedestrian shelter.

B. A public transportation agency may incorporate transit information signage into a monument sign at transit stops, utilizing LED or digital technology, provided it is limited to five (5) square feet of signage area.

C. A public transportation agency may incorporate transit information signage into a monument sign at transit facilities (other than transit stops), utilizing LED or digital technology, provided it is limited to seven (7) square feet of signage area.

D. The historic preservation officer may impose additional restrictions on illumination to ensure that the character of signs are harmonious with the character of the structures on which they are to be placed and any designated landmarks or districts in the area, provided that such restrictions are reasonably related to other conforming signs and conforming structures in the area, do not unreasonably restrict the amount of signage allowed by this section, and are in keeping with the intent of this section. Among other things, consideration shall be given to the location and illumination of the sign in relation to the surrounding buildings, the use of appropriate materials, the size and style of lettering and graphics, and the type of lighting proposed. Notwithstanding the above, applicants may not exceed illumination restrictions contained in Chapter 28.

(g) Violations. In those instances where a sign is erected or maintained in violation of the aforementioned restrictions, the historic preservation officer, the development services department or park police shall notify the sign's owner, agent, operator or lessee. If the owner, agent, operator or lessee fails to remove the sign within three (3) days after notification, the department of development services or the historic preservation officer may file an action in municipal court as outlined in section 28-15 City Code of San Antonio, Texas. In addition, nothing herein shall prevent the city attorney from seeking civil remedies.

(1) Dilapidated Signs – All signs shall be maintained in good working condition so as to present a neat and orderly appearance. Signs and components thereof shall be maintained in good repair, free of rust, peeling, flaking, fading, broken or cracked panels, and broken or missing letters. All signs, components, supports and their surroundings shall be kept free of all sign materials, weeds, debris, trash, and other refuse. The historic preservation officer, the code compliance department, the development services department or the park police may give written notice to remove or repair, within 30 days, any sign which shows gross neglect or which is dilapidated. Failure to comply shall be considered a violation of this chapter, and the sign shall be removed at the owner's expense. Additionally, whether the sign has been designated a contributing structure shall be taken into account when evaluating the condition of the sign.

(2) Abandoned Signs – A sign, including its supporting structure or brackets, shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer on the premises and such sign has been determined to be abandoned under the provisions of Chapter 28. Such sign, if not removed within 30 days from the determination of abandonment by such business, shall be considered to be in violation of this chapter, and shall be removed at the owner’s expense. This does not include signs that are approved as contributing structures.

Amendment - 3

Sec. 35-678. Signs and Billboards in the RIO.

(a) General Provisions.

(1) All signage within a RIO district shall conform to all city codes and must have approval of the historic preservation officer prior to installation. Permits must be obtained following approval of a certificate of appropriateness. No sign shall be painted, constructed, erected, remodeled, refaced, relocated, expanded or otherwise altered until it has been approved and a permit has been obtained from the development services department in accordance with the provisions of this section and applicable city code. Additionally, signs, visual displays or graphics shall advertise only the business on the premises unless otherwise allowed in this section.

(2) When reviewing applications for signage the historic preservation officer and the historic and design review commission shall also consider the visual impact on nearby historic resources. Signs should respect and respond to the environment and landmark or district character in which it is constructed. Additionally, signs should respect and respond to the river improvement overlay districts character and the historic River Walk. The content or advertising message carried by permitted signs shall pertain to the business located on the same premises as the sign or to any otherwise lawful noncommercial message that does not direct attention to a business operated for profit, or to a commodity or service for sale, provided that signs erected on buildings with multiple businesses within shall pertain to any such business within.

(3) For signs with changeable message panels, the changeable message area of the sign shall not exceed 25 percent of the total sign area, except for gasoline price signs which shall not exceed 75 percent of the total sign area. Electronic changeable message boards shall be prohibited.

(4) The name of a business may be changed through the administrative approval process if the sign conforms to the provisions of this section, and if the color, size, and style of lettering, and illumination of the sign remain the same.

(5) Provisions under this section shall comply with Chapter 28 of the City Code of San Antonio, Texas. In cases where provisions under this section are stricter or a sign is designated as a contributing structure, then this section shall control.

(6) Special consideration should be given to the character of the sign itself proposed in the application, and whether the proposed sign has inherently historic characteristics which may fall outside of the guidelines presented below but which would contribute to the historic district, landmark or area for which it is being proposed. Additionally, when reviewing applications for signage the historic preservation officer and the historic and design review commission shall consider the visual impact on nearby historic resources.

(7) Memorials, markers, naming rights of public property, and recognition of charitable donations given to the City of San Antonio shall be additionally governed by any formal action passed by city council.

(b) Sign Definitions. For signage definitions, refer to section 35-612(b) and Chapter 28 of the city code.

(c) Standards for Sign Design and Placement. In considering whether to recommend approval or disapproval of an application to construct or alter signage on a building, object, site, or structure in a river improvement overlay district, review shall be guided by the following standards in addition to any specific design guidelines approved by city council.

(1) Primary sign design considerations shall be identification and legibility. Size, scale, height, color and location of signs shall be harmonious with, and properly related to, the overall character of the district and structure. Sign materials shall be compatible with that of the building facade. Highly reflective materials that will be difficult to read are not permitted.

(2) Signs which describe, point, or direct the reader to a specific place or along a specific course, such as "entrance," "exit," and "disabled persons access", as well as government signs, shall be reviewed but shall not be included in total allowable signage area. Emergency signs shall be exempt from historic and design review commission approval.

(3) All graphic elements shall reinforce the architectural integrity of any building. Signs should not disfigure, damage, mar, alter, or conceal architectural features or details and should be limited to sizes that are in scale with the architecture and the streetscape. Emblems and symbols of identification used as principal structural or architectural design elements on a facade shall not be included in the total allowable signage per facade per structure when approved. Review shall be guided by the building's proportion and scale when such elements are incorporated.

(4) Graphics and signage may be illuminated by indirect, internal, or bare-bulb sources, providing that glare is not produced; by indirect light sources concealed by a hood or diffuser; by internal illumination with standard opal glass or other translucent material or with an equal or smaller light transmission factor. All illumination shall be steady and stationary. Neon lighting shall be permitted when used as an integral architectural element or artwork appropriate to the site. For purposes of this subsection, "Glare" shall mean an illumination level of at least six

(6) Lux at the property boundary. If internal illumination is used, it should be designed to be subordinate to the overall building composition.

(d) Proportion of Signs. For all signage, signage width and height must be in proportion to the facade, respecting the size, scale and mass of the facade, building height, and rhythms and sizes of window and door openings. The building facade shall be considered as part of an overall sign program but the sign shall be subordinate to the overall building composition. Additionally, signs should respect and respond to the character and/or period of the area in which they are being placed.

(e) Number and Size of Signs.

(1) Number and Size. The historic and design review commission shall be guided in its decisions by the total number of businesses or services per building and the percentage of floor space occupied by each business or service. Applicants may apply for up to three signs total, with total signage no bigger than 20 percent of the proposed facade it will be placed upon. Total signage for all applicants shall not exceed fifty (50) square feet unless additional signs and/or additional total footage is approved. Additional square footage may be approved provided that the additional signage is in conformity with, and does not interfere with, the pedestrian experience on the River Walk. The additional square footage shall be based upon the size and scope of the site. The applicant is strongly advised to coordinate their signage plan with signage plans of other building tenants. It is also recommended that the building owner or their agent develop a master signage plan or signage guidelines for the total building or property. If a property has an approved master signage plan on file with office of historic preservation, then applications for signage may be approved administratively at the discretion of the historic

preservation officer provided that they comply with such master signage plan. Notwithstanding the above, signs may not exceed the maximum size and height limitation of signage contained in Chapter 28, Article 9.

(2) Sign Area. The sign area shall be determined in the following manner:

- A.** Sign Areas. The area of a sign shall be computed on the actual area of the sign. Sign area shall be calculated as the area within a parallelogram, triangle, circle, semicircle or other regular geometric figure including all letters, figures, graphics or other elements of the sign, together with the framework or background of the sign. The supporting framework of the sign shall not be included in determining sign area unless such supporting framework forms an integral part of the sign display, as determined by the Historic Preservation Officer. If the sign is located on a decorative fence or wall, when such fence or wall otherwise meets these or other ordinances or regulations and is clearly incidental to the display itself, the fence or wall shall not be included in the sign area. In the cases of signs with more than one (1) sign face, including but not restricted to double-faced signs, back-to-back signs, overhanging signs, and projecting signs, each side of the sign shall be included in total allowable signage area.

- B.** Channel Letter Signs. For channel letter signs, the sign area shall be the smallest rectangle that will encompass the limits of the writing, including spaces between the letters. Each advertising message shall be considered separately.

(3) Building Identification Signs. An additional building identification sign may be placed on a building with multiple tenants, if the building name is not the same as the business(s) housed within and such sign is recommended for approval by the historic and design review commission. This type of sign is to identify a building as a destination, shall not be larger than 32 square feet, and shall not be included in the total allowable signage area.

(f) Allowable Signs Not Included in the Total Signage Area.

(1) Parking lot signs identifying entrances and exits to a parking lot or driveway, but only when there is one way traffic flow. No more than one sign shall be permitted for each driveway entrance or exit, and no corporate or business logos shall be permitted. Additionally, parking lot signs to identify divisions of the parking lot into sections and to control

vehicular traffic and pedestrian traffic within the lot provided that no corporate or business logos shall be permitted. Signs approved under this category shall not be included in the total allowable signage per structure.

(2) Dates of erection, monumental citations, commemorative tablets, insignia of local, state or federal government, and like when carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of the structure. The maximum size of such sign shall be 32 square feet. Signs approved under this category shall not be included in the total allowable signage per structure.

(3) Information signs of a public or quasi-public nature identifying or locating a hospital, public building, college, parking area, historic area, major tourist attraction or similar public or quasi-public activity; and also including signs identifying restrooms or other facilities relating to such places or activities. Signs approved under this category shall not be included in the total allowable signage per structure.

(4) Incidental signs, including signs designating business hours, street numbers, credit card acceptance and the like provided that the signs are not freestanding, the total of all such signs shall not exceed four square feet for each business, and the signs are non-illuminated. Incidental signs shall not be included in the total allowable signage per structure.

(5) Real Estate signs, advertising the sale, rental or lease of the premises or part of the premises on which the signs are displayed. The maximum sign area shall be 8 square feet. Only one sign will be permitted for each building for sale or lease that is adjacent to the River Walk. The sign is permitted to remain only while that particular building is for sale or the lease space is available.

(g) Pedestrian Menu Boards and Sandwich Boards. Pedestrian menu boards shall not exceed two (2) square feet. Notwithstanding provisions of Chapter 28-17, sandwich boards are permitted in historic districts, River Improvement Overlay Districts, and historic landmarks as on premise signs provided permitting requirements of Chapter 28, section 28-17 are met. Permanently displayed menus may be properly installed inside the business' window or in an approved wall-mounted or freestanding display case adjacent to the business entrance. The name of the establishment may not be displayed on the menu board if the business has other signage installed on the premises. It is permissible for the name of the restaurant to be placed on the actual menu. The established logo of a business is considered a sign. All items listed on a menu board must be placed within the border of the menu board or within the display case. There may be no more than one (1) pedestrian menu board per

establishment unless there are two primary entrances to a building on different facades, in which case a pedestrian menu board for each entrance may be approved.

(h) Noncommercial Speech Signs. Noncommercial speech signs including but not limited to public service announcements may be erected in river improvement overlay districts following approval provided all regulations in this article are met. The maximum size of a noncommercial speech sign shall be 8 square feet, and shall not be illuminated. However, political signs, and the regulation thereof, shall not violate Section 216.903 (Regulation of Political Signs by Municipality) of the Texas Local Government Code.

(i) Allowable Temporary Signs. If approved, the area of temporary signs shall not be included in the general allowable area for the specified property. Temporary signs may be approved administratively, shall be non-illuminated, and limited to the following types:

(1) Construction signs, including those which identify the architects, engineers, contractors and other individuals or firms involved with the construction. Such signs shall be removed upon issuance of a certificate of occupancy. The maximum area of such signs shall be 32 square feet, and no more than one sign shall be permitted for each street frontage.

(2) Political campaign signs announcing the candidates seeking public political office and other information pertinent thereto.

(3) Signs advertising only the name, time, and place of any fair, festival, bazaar, education seminar or similar event, when conducted by a public agency or for the benefit of any civic, fraternal, religious or charitable cause provided that all such signs shall be removed within 24 hours after the last day of the event to which they pertain. The maximum sign area shall be 32 square feet.

(4) Grand opening signs shall be permitted provided that such signs shall not be displayed for more than 10 days and the maximum size shall not exceed 32 square feet unless more is authorized.

(5) Seasonal decorations displayed between November 20 and January 4th, and during the official designated Fiesta time period. Such decorations shall not display the name of a business or shopping center, nor the words "open", "sale", "vacancy" or other similar words or phrases related to the business activity on the premises.

(6) Change of business name banners/hoods/covers over existing building mounted and freestanding signs while new signs are being manufactured, provided that such sign or signs shall not be displayed for more than eight weeks and shall not exceed the sign area that they are replacing or covering.

(7) Yard sale signs in a residential district provided that such signs shall be displayed only on the day of the event and on the property holding the event. The maximum sign area shall be eight square feet.

(8) Special exhibition signs for museums and art galleries provided that the signs are limited to one sign for each building used primarily as a museum or art gallery, the sign shall be placed on the building no earlier than seven days before and removed within 24 hours after the last day of the exhibition to which it pertains. Additionally, the maximum signage area per building shall be 200 square feet, unless additional square footage is approved.

(9) Promotional signs not exceeding six (6) square feet advertising special events or promotions provided that the signs are properly placed on the property or on the inside of windows and such signs are removed within 24 hours after the promoted event is over. Promotional signs may be approved for up to five events per calendar year, with no more than 30 days a year total approved for all qualifying signs or events per property.

(10) Any special purpose sign not covered above provided that it is removed within thirty (30) days from the date of approval unless otherwise specified. If within the specified period the applicant feels there is a continued need for the special purpose sign the applicant may file a new application to request additional display time. Non-governmental banners and flags, excluding flags included as elements of an overall streetscape or design plan, are considered special purpose signs under the provisions of this section and are appropriate for advertising and decoration only during special events or celebrations. No permanent advertising may be handled in this way.

(11) The director of downtown operations may provide written authorization for one (1) approved symbol, logo, or sign to be temporarily placed on chartered barges for special events. The sign shall not exceed eight (8) square feet.

(j) Prohibited Signs. The following signs are prohibited:

(1) Billboards, junior billboards, portable signs, and advertising benches;

(2) Any sign placed upon a building, object, site, or structure in any manner so as to disfigure, damage, or conceal any window opening, door, or significant architectural feature or detail of any building;

(3) Any sign which advertises commercial off-premises businesses, products, activities, services, or events unless otherwise allowed in this article;

(4) Any sign which does not identify a business or service within the river improvement overlay district unless otherwise allowed in this article;

(5) Any non-contributing sign which is abandoned or damaged beyond fifty (50) percent of its replacement value, including parts of old or unused signs. All remnants such as supports, brackets and braces must also be removed;

(6) Any attachment to an already affixed sign which does not meet the provisions of the City Code;

(7) Roof mounted signs, except in the cases of landmark signs or unless approved in accordance with standards set forth in subsections (b) and (c) of this section. Contributing roof mounted signs may be resurfaced with an approved certificate of appropriateness. The square footage of roof mounted signs shall be included in the total allowable signage for the building;

(8) Pole signs,

(9) Digital and/or LED lighted signs, not to include LED light sources that do not meet the definition of a sign, with or without rotating, flashing lettering, icons or images.

Except as provided below:

- A. A public transportation agency may incorporate transit information signage into transit shelters, utilizing LED or digital technology, provided the signage is contained within or under the transit shelter, and is limited to five (5) square feet of signage area, and one (1) sign per thirty (30) linear feet of pedestrian shelter.
 - B. A public transportation agency may incorporate transit information signage into a monument sign at transit stops, utilizing LED or digital technology, provided it is limited to five (5) square feet of signage area.
 - C. A public transportation agency may incorporate transit information signage into a monument sign at transit facilities (other than transit stops), utilizing LED or digital technology, provided it is limited to seven (7) square feet of signage area.
 - D. The historic preservation officer may impose additional restrictions on illumination to ensure that the character of signs are harmonious with the character of the structures on which they are to be placed and designated landmarks or districts in the area, provided that such restrictions are reasonably related to other conforming signs and conforming structures in the area, do not unreasonably restrict the amount of signage allowed by this section, and are in keeping with the intent of this section. Among other things, consideration shall be given to the location and illumination of the sign in relation to the surrounding buildings, the use of appropriate materials, the size and style of lettering and graphics, and the type of lighting proposed.
- (10) Revolving signs or signs with a kinetic component;
- (11) Any sandwich board which conflicts with the Americans with Disabilities Act, or which disrupts or interferes with pedestrian or other traffic;

- (12) Any sign that obscures a sign display by a public authority for the purpose of giving instructions or directions or other public information.
- (13) Any sign which consists of pennants, ribbons, spinners or other similar moving devices.
- (14) Any sign, except official notices and advertisements, which is nailed, tacked, posted or in any other manner attached to any utility pole or structure or supporting wire, cable, or pipe; or to any tree on any street or sidewalk or to public property of any description.
- (15) Moored balloons or other floating signs that are tethered to the ground or to a structure.
- (16) Any permanent or temporary sign affixed to, painted on, or placed in or upon any parked vehicle, parked trailer or other parked device capable of being towed, which is parked so as to advertize the business to the passing motorist or pedestrian; and whose primary purpose is to provide additional on-site signage or is to serve the function of an outdoor advertising sign. Excluded from this are vehicles or equipment that are in operating condition, currently registered and licensed to operate on public streets with a valid inspection sticker, and actively used in the daily function of the business to which such signs relate; vehicles/equipment engaged in active construction projects; vehicles or equipment offered for rent to the general public and stored on-premises and otherwise allowed under applicable city ordinance.

Notwithstanding the above, signs designated as a contributing sign or structure by the Historic Preservation Officer shall not be prohibited unless or until such designation is revoked.

(k) Installation. Signs, posters, decals or advertisements may not be affixed, tacked, nailed, pasted, or taped to any portion of a building, object, site or structure in a manner that will cause irreversible damage or loss, or is considered inappropriate under any applicable guidelines utilized by the office of historic preservation.

(l) Hardship Cases.

(1) Whenever the location, topography or configuration of any lot is such as will cause a hardship by the limitations placed on the signs permitted by this article due to sight distances, existing vegetation, location of buildings on adjacent lots, and/or the topography of the parcel, approval may be granted to either allow additional signage, or to increase the amount of building mounted sign area by not more than 25 percent.

(2) No additional signage shall be approved unless it is found that approval of the proposed application will not be of substantial detriment to

adjacent property and that the character of the area will not be changed by the granting of additional signage.

(3) Any additional signage approval shall be limited to the applicant only, and shall not apply to any future tenant or business.

(m) Nonconforming Status. Any legally erected sign which, by reason of revisions to this chapter, no longer complies with its provisions, shall be awarded nonconforming status upon review by all necessary city departments.

(n) Violations in River Improvement Overlay Districts and on the River Walk.

(1) In those instances where a sign is erected or maintained in violation of the aforementioned restrictions, the historic preservation officer, the department of development services, park police or code compliance shall notify the sign's owner, agent, operator, or lessee. If the owner, agent, operator, or lessee of the sign fails to remove the sign within three (3) days after notification, the department of development services or historic preservation officer may file an action in municipal court as outlined in section 28-15 of the City Code of San Antonio, Texas. In addition, nothing herein shall prevent the city attorney from seeking civil remedies.

(2) Dilapidated Signs – All signs shall be maintained in good working condition so as to present a neat and orderly appearance. All signs and components thereof shall be maintained in good repair, free of rust, peeling, flaking, fading, broken or cracked panels, and broken or missing letters. All signs, components, supports and their surroundings shall be kept free of all sign materials, weeds, debris, trash, and other refuse. The historic preservation officer, the code compliance department, department of development services or park police may give written notice to remove or repair, within 30 days, any sign which shows gross neglect or which is dilapidated. Failure to comply shall be considered a violation of this chapter, and the sign shall be removed at the owner's expense. Additionally, whether the sign has been designated a contributing structure shall be taken into account when evaluating the condition of the sign.

(3) Abandoned Signs – A sign, including its supporting structure or brackets, shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer on the premises and such sign has been determined to be abandoned under the provisions of Chapter 28. Such sign, if not removed within 30 days from the determination of abandonment by such business, shall be considered to be in violation of this chapter, and shall be removed at the owner's expense. This does not include signs that are approved as contributing structures.

Amendment - 4

Section 35-678 (p) is hereby amended as follows, and Section 35-681 is hereby created as follows:

Sec. 35-681. Signs on the Riverside of Properties Abutting the River.

This section governs all exterior signs on the riverside of public and private property abutting the San Antonio River and its extensions, and all interior signs hung within ten (10) feet of an exterior fenestration, or those signs intended to be read by exterior patrons on the riverside of a building.

(a) **Character of Signs.** Signs should respect and respond to the character of the historic River Walk area. The display of signs and other graphics on the riverside of property abutting the river shall not be permitted except as provided for in this article. Additionally, when reviewing applications for signage the historic preservation officer and the historic and design review commission shall consider the visual impact on nearby historic resources.

(b) **Sign Definitions.** For signage definitions, refer to section 35-612(b) and Chapter 28 of the city code.

(c) **Standards for Signage.**

(1) **Proportion.** For all signage, signage width and height must be in proportion to the facade, respecting the size, scale and mass of the facade, building height, and rhythms and sizes of window and door openings. The building façade shall be considered as part of an overall sign program but the sign shall be subordinate to the overall building composition. Additionally, signs should respect and respond to the character and/or period of the area in which they are being placed.

(2) **Size.** The maximum allowable size for any sign on the riverside of property abutting the publicly owned River Walk and visible from the River Walk shall be eight (8) square feet. If a building surface is used for signage, the letters or design shall not exceed a surface area of eight (8) square feet. However, additional square footage may be approved provided that the additional signage is in conformity, and does not interfere with, the pedestrian experience on the River Walk. The additional square footage shall be based upon the size and scope of the site, and shall be appropriate for the area in which it is being placed.

(3) **Roof Top/Parapet Signs.** No signs shall be displayed from the parapet or roof of any building unless designated by the historic preservation officer as a contributing structure.

(4) Signs for River Walk Business Only. No sign, visual display, or graphic shall be placed in the River Walk area unless it advertises a bona fide business conducted in, or on premises adjacent to the River Walk. Only buildings that have an entrance directly onto the River Walk may display a sign or graphic.

(5) Number of Signs. Only one (1) identification sign shall be allowed for each store, shop, restaurant, nightclub, or place of business in the River Walk area and fronting on the River Walk. In addition to a sign, establishments serving food or beverages may erect a menu board, which shall be used only for displaying menus.

(6) Illumination. Internally illuminated signs are prohibited. The light source for exterior illumination shall be steady light concealed by a hood or other acceptable method of indirect lighting. Flashing lights, rope lighting and exposed neon lights are prohibited.

(7) Materials. Signs may be constructed of wood, metal, glass. Lettering may be painted, stamped, etched, carved, applied metal or wood. Vinyl lettering may be permitted for interior signs provided it respects and responds to the character of the historic River Walk area.

(8) Pedestrian Menu Boards and Sandwich Boards. Pedestrian menu boards shall not exceed two square feet. Permanently displayed menus may be properly installed inside the business' window or in an approved wall-mounted or freestanding display case adjacent to the business entrance. Notwithstanding provisions of Chapter 28-17, sandwich boards are permitted in historic districts, River Improvement Overlay Districts, and historic landmarks as on premise signs provided permitting requirements of Chapter 28, section 28-17 are met. The name of the establishment may not be displayed on the menu board if business has other signage installed on premises. It is permissible for the name of the restaurant to be placed on the actual menu. The established logo of a business is considered a sign. All items listed on a menu board must be placed within the border of the menu board or within the display case. There may be no more than one pedestrian menu board per establishment unless there are two primary entrances to a building on different facades, in which case a pedestrian menu board for each entrance may be approved.

(9) Signage on Umbrellas or Street Furniture. Advertising brand name products may not be placed on umbrellas, tables, chairs, table decorations or other street furniture that are located on outdoor patio areas. Additionally, logos or wording of any kind may not be placed on umbrellas, tables, chairs, table decorations or other street furniture that are located on outdoor patio areas.

(10) Directory Signage. Buildings with several businesses may be permitted to install directory signage in lieu of individual signs. Directory signage may not exceed three (3) square feet.

(11) Revolving Signs, Etc. Revolving signs, flashing lights, search lights and attention-getting devices, including, but not limited to, banners, festoons, paper and vinyl rope-like-banners are not permitted. Digital and/or LED lighted signs, with or without rotating, flashing lettering, full motion video, icons or images are also not permitted.

(12) Pole Signs. Blade signs hung from poles are allowed on the riverside of properties abutting the publicly owned river right-of-way as long as the pole height does not exceed seven (7) feet and the pole diameter does not exceed three (3) inches.

(13) Temporary Signage. Temporary signage may be permitted with prior approval of the historic preservation officer. Temporary is understood to mean less than thirty (30) days and shall apply, but not be limited to, real estate signage, construction signage, and special signage in lieu of permanent signage. Permanent signage shall meet all stipulations, as applicable, found in this article.

(14) Prohibited Signs. No billboards, junior billboards, portable signs, posters or advertising benches shall be allowed on the riverside of buildings abutting the river. Any sign, visual display, or graphic which is located in the River Walk area and which is visible from the publicly owned portion of the San Antonio River channel or adjacent walkways must meet the requirements for signs, visual displays, and graphics as set out in this division. No sign, visual display or graphic shall be allowed in the River Walk area unless it is advertising or giving information concerning a business or activity that is located on the same lot as the sign, visual display or graphic.

(d) Installation. Signs, posters, decals or advertisements may not be tacked, nailed, pasted, or taped to any portion of a building, object, site or structure in a manner that will cause irreversible damage or loss, or is considered inappropriate under any applicable guidelines utilized by the office of historic preservation.

(e) Hardship Cases.

(1) Whenever the location, topography or configuration of any lot is such as will cause a hardship by the limitations placed on the signs permitted by this article due to sight distances, existing vegetation, location of buildings on adjacent lots, and/or the topography of the parcel, approval may be granted to either allow additional signage, or to increase the amount of building mounted sign area by not more than 25 percent.

(2) No additional signage shall be approved unless it is found that approval of the proposed application will not be of substantial detriment to adjacent property and that the character of the area will not be changed by the granting of additional signage.

(3) Any additional signage approval shall be limited to the applicant only, and shall not apply to any future tenant or business.

(f) Nonconforming Status. Any legally erected sign which, by reason of revisions to this chapter, no longer complies with its provisions, shall be awarded nonconforming status upon review of all necessary city departments.

(g) Violations in River Improvement Overlay Districts and on the River Walk. In those instances where a sign is erected or maintained in violation of the aforementioned restrictions, the historic preservation officer, the department of development services or park police shall notify the sign's owner, agent, operator, or lessee. If the owner, agent, operator, or lessee of the sign fails to remove the sign within three (3) days after notification, the department of development services, park police or historic preservation officer may remove the sign within three (3) days after notification, and/or the department of development services, the historic preservation officer or park police may file an action in municipal court as outlined in section 28-15. In addition, nothing herein shall prevent the city attorney from seeking civil remedies.

(1) Dilapidated Signs – All signs shall be maintained in good working condition so as to present a neat and orderly appearance. The historic preservation officer, through the office of historic preservation, code compliance department, department of planning and development services or the park police may give written notice to remove or repair any sign which shows gross neglect or which becomes dilapidated. Failure to comply shall be considered a violation of this chapter, and the sign shall be removed at the owner's expense.

(2) Abandoned Signs – A sign, including its supporting structure or brackets, shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer on the premises and such sign has been determined to be abandoned under the provisions of Chapter 28. Such sign, if not removed within 30 days from the determination of abandonment by such business, shall be considered to be in violation of this chapter, and shall be removed at the owner's expense. This does not include signs that are currently approved as contributing structures.