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*November 30, 2019*

*Via Electronic Mail*

The Honorable Ellen Cohen, Mayor Prop-Tem  
Chair, Quality of Life Committee  
&  
All Members of City Council for The City of Houston

900 Bagby Street  
City Hall Annex  
Houston, TX 77002

***RE: Sign Code / Amendments/ Airports Corr/ Sign Code Revs REDLINE 07.30.19***

Dear Councilmembers,

Happy Holidays & Happy Small Business Saturday in the best city anyone can live in and have opportunities to succeed no matter where they come from. I would like to communicate first and foremost, that I have been a resident and a Houstonian for over thirty years, a small business owner of eighteen years in North Houston, and a community leader seeking change for our community and always in the pursuit for a better quality of life.

I strongly oppose this revision and recommend that City Council allow more public outreach and hear the voices of all the people in these areas before making a choice that will hurt Houston's increasing opportunities, affect the safety of anyone trapped in a flood along these freeways, and adversely impact many small business owners.

My first opposition comes after my short two weeks of advocacy and listening to concerns along my area of 45 North in the Proposed Airport Corridor. My Second and

strong opposition and request to kill this revision is for lack of research on conflicting regulations, policies and guideline that were not considered when planning. Also for lack of proper usage of terms that the sign industry uses on a national level. Third and major opposition is because of potential safety issue with our current flooding along these major freeways. A Fourth important reason for opposition is for lack of forth thinking on a National and International Business Level. Houston needs to move forward in Economic Development and not backwards.

After October 31, 2019- City Council Meeting I clearly seen that many who are in support of this amendment are for Big Businesses and no one can truly support the small business' voice without having them present. Not only do I represent the people of District H, District B, and District I because this is where I grew up here. But, as a current small business owner in 45 North area, I also represent the small business leaders. I understand their struggles of doing business in these areas and I am still here working hard to grow and make a change for us. As many of you may already know these districts are full of rich history in diverse minorities and cultures. Many community leaders have a language and communication barrier that requires them to have more time to speak up. Deadline of November 30<sup>th</sup> is not enough time for the people to speak with a solid educated voice. They want more information. They are overwhelmed with so many changes, issues, and they value family time during ThanksGiving. So if any task force should have been considered – it should have been us, “the People”. **Give us one week more to provide our perspective!**

I want to respectfully request that The City Council allow more time for public outreach and communication to small business owners along these freeways and kill this proposal on the grounds that no public notice or outreach has been made before coming to council nor can anyone compare these areas with other communities. Many businesses take years to figure out a marketing analysis before they find and lock into these properties. I'm including myself in this. And their main objective and vision for these locations is for the exposure it gives them along freeways. I would also request that public outreach be done on the areas that have already had this change and ask the small business owners if they were advised or given notice to allow them to make a public comment with enough time before these changes were made and approved. For example, 290 area that is now Scenic. I own property on that side as well and know many small businesses there that had no clue. No one was prepared for this change nor aware of it till after this Scenic amendment was approved. This proposal would, among many things impacts mostly the small businesses in these districts and will have a huge effect on a national level for major cities similar to Houston that are growing in population.

According to The Regulatory Flexibility Act ( RFA), as amended by the Small Business Regulatory Enforcement Fairness Act, gives small entities a voice in the rulemaking process to "any" rule that is expected to have a significant economic impact on a

substantial number of small entities. Federal levels are required by the RFA to overlook the impact of proposed rule on small businesses and to consider a fair less burdensome alternative. I ask you all in City Council, "Why", is there not a check and balance system in place that allows the same type of process for our business regulations and amendments to any ordinances that will affect the small businesses on a local level to be more transparent and communicated to all that need this information? Surely, if this proposal is passed and approved, each of you is failing to protect the many voices of the small businesses that are the true leaders of these districts, but also failing to protect the residents that depend on them. Houston needs transparency and accountability for the choices made that impacts us all.

2<sup>nd</sup> Reason to Oppose: I am respectfully requesting that this proposal not only be killed, but also be revised before brought back to council. Many sections should've been researched by Sign Administration for national standards. Many other cities are collaborating with industry professionals to learn from each other. Our Houston Sign Code clearly shows a lack of collaboration for an effective sign code that can be easily understood and easier to enforce. Currently we have a poor code that causes much unnecessary conflict among the sign planner, the sign contractor, and leaving the end user suffering with no signage for their business for months and sometimes having a delayed process of approval for up to a year. Being more consistent and having the proper education for sign industry terms is needed for all our City of Houston planners and management to help us as a city give the best service to anyone looking to open a new business. The City of Chicago recently went through their own process change and we Houstonians would like to see a change as well and a more clear sign ordinance that will not cause long delays.( <https://youtu.be/x2NPpsiw33U>) Mayor Lightfoot Budget Address.10.23.2019.

Here are some of many issues we face and I am sure if you request surveys from contractors or new investors to speak up – they will each have a story to elaborate on this huge concern. Since our paperless change the main concern is customer service. We have become just a number. This uninviting process for new business is hurtful to our city and is leaving a bad taste in many that no longer want to build in Houston or even have a business in The City of Houston limits. I have countless emails to support this statement, in which some have been forwarded to Sign Administration. The other issue is egoistic process on who is right. Although rejections are needed at times to always focus on the safety of our community – some rejections become a personal agenda and unhealthy patterns of not being able to deal with complaints of our very long process. Our planners are looking overwhelmed and not able to perform to their best ability. If more planners and inspectors are “not” added to Sign Administration’s budget- the end users, business owners, and Houston will continue to suffer.

Our Sign Code requires proper revision or we will continue to experience these issues. On drafted proposal / Section 4608 – Miscellaneous Sign Provisions has the wording,

“ no sign permit is required” – this proposed section should be reconsidered to follow our International Building Code ( IBC) for structural standards, because anytime channel letters are changed out for re-branding or for breakage on structure, the attachment is removed and a new attachment will need to be completed after a patch and repair of the existing wall. Therefor permits should be required for the attachment of this structure and complying with IBC standards. Even if the channel letters are on a pylon (ground sign) - the existing structure would need to be inspected and treated as a refurb permit. During October 31<sup>st</sup> City Council meeting the business, IKEA located on 7810 Katy Freeway with 4 large wall signs was mentioned as an example. A grandfather clause should've been made for this type of signage before the revision of not allowing over 1000 sq. ft was approved on these huge wall signs. We should not request this type of change and allow no permits on all channel letters structures. Faces are understandable but not structure that is attached to a wall – the City of Houston will lose tons of revenue and proper install reviews on attachments. We as a City should not change a code ordinance that is more favorable for some businesses to keep their huge wall signs freeway frontage, but yet request a decrease amendment for freeways frontage signs along 45 and 59 by asking them to reduce their square feet and their height on ground signs. This makes no common sense and will not fix anything.

The correct way to handle this is to follow the refurb ordinance and allow a grandfather clause for all to follow. However, any business that wants to remove structure must follow our International Building Code (IBC) national standards. We currently have a code that allows us to reface box signs with faces because no structure is moved or altered. This is called a New Owner Face Change, but the structure is not removed and only the faces are allowed to be changed. If only the faces fall off then yes – allow no permits to have corrected, but if the structure falls off the wall then we must correct the wall and permit as a refurb. I recently applied for a permit for a Barber Shop that had an existing wall sign with an active permit. The planner on this permit rejected my application and asked to provide a method of attachment on vinyl graphics which is like a sticker when no face were being removed and this delay caused the business owner to suffer and not have his sign up for grand opening. The process and wording is still unclear on proposal. If this proposed draft is approved The City of Houston will not fix anything & lose out on many refurbish funds. Not requiring a permit is a bad idea and will give an open window for unlicensed unexperienced sign contractors to install non-compliance signs. This proposed section makes no sense for someone who understand the sign industry and the life cycle of signs. Sign structures have to be removed and structure should be permitted. Most business rebrand and reconstruct with their new branding and new images at least every six to eight years. Special requests should not be allowed on this amendment that will affect City's revenue. If a permit record of all the signs in Houston that have over 1000 square feet in wall signage is pulled – the number is very low and again should be treated as a refurbish permit with all requirements of a refurbish project has including permits.

The Proposed Section 4611 – On Premise Signs (1) c – is not following national standards for wording on these types of signs causing a long process and many more future disputes. The correct word here should be using is, “high rise wall sign”. Please see our Current Sign Code Section 4611 (4){ additional restrictions for wall signs } a., c., d. is where this definition should read under. Approval of this draft will cause more confusion that can easily be made clear by just adding, “high rise wall sign” to SEC. 4611 (4) c. which clearly allows us to have these high-rise signs to extend ten feet or less above the roof line of the supporting wall. Many other states use this term and also the sign industry as a whole uses this term because of it’s special way to install these signs. One very well-known national installation with this type of high-rise wall sign is the Hard Rock Café Guitar in Vegas. The top portion is above the roof line but the installation is clearly on a wall attachment. These signs are not roof signs- they are high rise wall signs with a high-rise crane installation and special angle iron frame method to support them. A licensed contractor is required to engineer these signs for permit approval and we are to follow IBC wind load standards.

Another error on Proposal is on Sec. 4605 – Sign Permits and Fees clearly states the word, “relocate”. With the new expansion along these freeways it’s clear many signs will need to “relocated” and nowhere on this draft does it read that these businesses will be allowed to keep their height.

Current Sign Code Section 4611(e) Relocation of Certain On-Permise Signs, only protects a business owner that has a “VALID OPERATING PERMIT”. Business owners stay busy, The City of Houston fails to collect renewals and send reminders to countless amount of businesses. So unless these business owners know they need to pay for renewals, many signs get left unpaid till someone catches it or an eminent domain happens and then guess what happens- signs are forced to be dropped.

If we pull permit history record on similar situations when a business owner is forced to relocate their sign, many planners did not allow the height to stay and the signs had to comply to the new revisions for that area. An example of these ground sign relocate situation is 290 freeway – many permits were rejected and not approved to stay at the height these business owners had before expansion and before Scenic Houston took over that area. Another example is the ground signs when the Metro Rail construction took place. It’s Unfortunate and not fair to the end users / business owners that our planners do not stay consistent and are not on the same page on how to follow our unclear ordinance making the end users suffer and delay the permit process. When administrators, management, planners, and inspectors change so do their way of process, their interpretation of our code, and when and if they want to approve applications. Our city needs a more transparent effective sign code that will not make end users suffer if the relocation is not by choice. I also would like to suggest more training for our planners across the board to make it clear that all planners must approval and protect the height when relocation is not by choice.

The Proposed Table 4611 should not be approved for many more reasons that I could elaborated with a book of research, but mostly because when this proposed sign Code revision first started in November of 2017, full and complete research was “NOT” done on how pending Infrastructure Design Manual will effect these changes. Our current design 2018 manual has many conflicting requirements for larger properties designs. Also our City of Houston Minimum Property Standards for Rehabilitation, Reconstruction & New Construction Revised December 2013 requires trees to be planted along these properties that will surpass the sign and covering it up at this, 31’ heights and even covering up some signs that are already at 42 ½’ along these freeways. Proposal lacks clear grandfather clauses for any business that has a fire and will have to reconstruct. Our sign code also needs to catch up and adapt to national standards that will be updated on our National Electrical Code (NEC ) 2020 and use their terms on retrofit kit general use & retrofit sign specific. Education to our Planners is clearly needed so many issues are cleared up with Pending Proposal.

Research from International Sign Association, Sign Research Foundation, and Texas Sign Association has been provided to Sign Administration via email. We cannot emphasis enough the need to learn from each and how we must pull together for safer and more thriving communities.

2<sup>nd</sup> Major Reason to Oppose this Amendment is Safety issues. For many years we have used signs to communicate to the general public. Without realizing it, we also use signs for their visibility and illumination along our communities. Please google any online photo during a Houston flood in these areas to see my point and concerns expressed by many. Our most recent flood in the 45 north area less than three months ago left us with a dead body floating along the freeway and found the next morning in front of Marlen’s Auto Paint Supply located on 415 W. Mount Houston Rd. These areas are very dark and dangerous at night. These large high signs assist people during a state of shock when road signs are not visible. I have spoken with people who walk these roads and listened to their concerns. If you google photos during any flood pay close attention, you will soon find out for yourself that branding works and people do identify with logos and it has been proven that color choices shift our vision to certain light. I also request that all first responders be interviewed and asked to provide their statement history during emergencies. So, it can be proven that signs serve for safety. The numbers on homes and businesses are not enough for first responders to locate people. I have gathered videos and photos along these Freeway during Night and Day and during floods. These videos are too long to share via email but I will give access via DropBox. Each district is unique in it’s own way. District H, B, and I are hit the hardest when it comes to flooding. Lowering these signs will cause a safety issue that we as a City are not prepared for till a solution with the flood is 100 % under control.

Along West Rd. and 45 North the over pass and freeway areas we were completely covered passing the top part of many vehicles. I was trapped for a while on the freeway

and the only way to communicate to my family where I was, was by the visibility of the Mambo Seafood Sign and it's vivid neon. People risked their lives just trying to get home using these high signs to communicate to their loved ones their locations. Many walk in groups with water passed they shoulders in hope that they can make it. Unless you live or work in these areas you do not know what we face as a community. Please hear us out when it comes to our safety. This is a true declaration of an emergency not just unfavorable first impression by visitors.

Another safety issue that concerns me is a passing 18-wheeler missing their exit because they don't just depend on the highway signs- they look for on-premise business signs to assist them and guide them with verbal given directions. We all don't always depend on our phones to guide us everywhere we go which brings me to yet another Safety concern – I would say it has to do more with long term quality of life in memory. Removing signage visibility along our freeways and in these areas will also cause a safety issue because of our high crime. Visual Communication also known as signs play a major factor to recall call memory. According to Arthur Caplan, a medical ethicist at New York University's School of Medicine, “eliminating memory might be something the individual wants but won't be so great for society. Memory plays a crucial role in our legal system.” (2019. Special Time Edition. The Science of Memory / The Story of our Lives. p.81) For example if a crime happens people will need to remember their surroundings and not just trees. Eliminating the visibility of signs makes us more dependent on technology which has also been proven to decline our cognitive thinking and recall memory. Visual Communication assist us in wayfinding in large hospitals, airports, and along our major freeways. Do you recall coming out of a store not knowing where you parked? Has a sign assisted you in finding your favorite restaurant along a freeway? Has visual communication caught your attention or helped you know where you are at when lost? These are the questions we should be asking and not seeing these signs as a burden but as a major safety requirement.

3<sup>rd</sup> Opposition of this amendment is also for lack forth thinking for us as a Leader in International Business Affairs. We need to come together for our City in setting the tone for a more artistic innovative ideas that require deeper collaboration within Business Leaders in Retail, Business Leaders in International Culture, Business Leaders in Branding, Advanced Artist Designers for Sign Manufacturing along Freeways, City Planners, Sign Industry Engineers, Sign Industry Professionals with Passion like myself, International and Local Support with Sign Industry Associations, and also with having a peaceful solution with Scenic Houston on signs and visual communication. This long battle and influence from the beginning of removing billboards, then other forms of visual communication, to now lowering our signs along our freeways has to stop. Everyone who knows the history of Scenic Houston would question what the true agenda is, because I know I do and no one had to influence me to say this. I did my own research and spoke to many people on what has been going on from both sides. We must not move backwards. We must keep moving forward. We are the 4<sup>th</sup> largest city in the US and smaller cities in Texas that are clearly more open minded for collaboration and are seeing

how signage along our freeways are an important asset and long term investment to our Economic Development Opportunities. For example; The City of Katy and their new iconic 120' Pylon for Katy Mills Mall a Simon Center is visible from I- 10 Freeway was recently completed by Houston Sign Company - Future Sign Co before Black Friday of November 29, 2019. Another example; The City of SugarLand recently in 2017 had a massive 90' LandMark Sign for Smart Financial Centre visible from Freeway 59 installed by another Houston Sign Company- National Signs. The list goes on and on, yet we here in Houston keep fighting to keep our 42 ½' signs visible and we can not seem to educate our own city planners on how important these signs are to all of us in our community and why we should not lower our on-premise freeway signs but raise the height for the economic value large retail malls and event centers provide any international culture with a large population like Houston . We are unique yet our sign ordinance does not want us to stand out because of the bad history Billboards has had with Scenic Houston. The past history clutter and the lack of unique design we have in our signs along these freeways is not reason enough to lower our signs. This is completely unfair to the on-premise business owners and the future development potential these freeways still have.

Mall History: Economic Opportunity effects of proposal on three of our very first shopping centers for multicultural communities are in these freeways. One Mall being the first to be built is North Town Plaza on E. Tidwell and 45 North. Second mall is North Line Mall on Airline and 45 North which is now called Northline Commons after remodel in 2007 in which, "Councilman Adrian Garcia was on hand for the raising of new sign", (Houston Public Media). Third is Gulfgate Mall located on 45 South. All three malls have been providing many opportunities in jobs for their communities. These Retail Shopping Center always remodel and build high rise pylons. Amendment to our sign code with freeway expansions will not allow visibility to them to properly use their branding because our new construction codes have tree requirements that will surpass the height being proposed. Research has shown by the National Council of Real Estate Investment Fiduciaries (NCREIF) and collected investment managers, that the shopping center industry is vibrant., (2018.ICSCs Albert Sussman e-Library. Industry Insights/ 2018 First-Quarter Results Show a Healthy Sector).

Please kill this amendment and most importantly, do not lower our signs and consider our safety, our small businesses, and our economic opportunities in retail and event centers these freeways have potential for.

Thank you for your time and please feel free to contact me for anything that I can assist in or questions you may have.



A Concerned Houstonian,

Brenda Velazquez



CC :

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Continued CC VIA EMAIL :

Aldine SD  
American Council of Engineering  
American Appeal & Footwear Association  
American Association of retired Persons  
American Lighting Association  
American Moving & Storage Association  
American Petroleum Institute  
American Trucking Institute  
Asian American Chamber of Commerce  
Alzheimer's Association Houston Chapters  
Association for Emergency Responders and Firefighters  
All Texas State Representatives  
Business Solutions Association  
Community Coordinating Team  
Construction Industry Round Table  
Family Research Council Action  
Food Marketing Institute  
Gas and Welding Association  
Great Houston Sign Association  
Great Northside Houston Association  
HISD  
Houston Community College  
Houston Hispanic Chamber of Congress  
Houston Police Department  
Houston Pro Fighter Association  
  
International Dairy Foods Association  
International Foodservice Distributors Association  
International Sign Association  
League of United Latin American Citizens Council 60  
LULAC Council 18

LULAC Council 60  
LULAC Council 151  
LULAC Council 402  
LULAC Council 688  
LULAC Greater Houston Council# 4976  
National Minority Association  
North Houston Association  
MHEADA- Material Handling Equipment Distributors Association  
PISD  
Retail Industry Leaders Association  
Small Business & Entrepreneurship Council  
Society of Houston Latin FireFighters  
Tejano Center for Community Concerns  
Texas Sign Association  
Texas Small Business Association  
Texas Commission of Arts  
U.S. Chamber of Commerce  
Women Construction Owners & Executives, USA