

**DRAFT FOR DISCUSSION PURPOSES
NOT APPROVED BY THE CITY ATTORNEY**

**CITY OF HOUSTON
BUILDING CODE
CHAPTER 46**

HOUSTON SIGN CODE

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SECTION 4602--DEFINITIONS

In this chapter, the following terms shall have the meanings herein ascribed to them, unless the context of their usage clearly indicates another meaning:

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ABANDONED SIGN shall mean an on-premise sign that has been without a permit for a period of two years. A multi-tenant sign shall be deemed an abandoned sign only after no cabinet on the sign structure has been permitted for a period of two years.

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AIRPORT CORRIDOR DISTRICT shall mean the areas described in Appendix B to this chapter.

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SIGN NOT IN USE shall mean an on-premise sign that does not identify, advertise, or provide information about at least one existing business, person, activity, good, product or service at the premises. A multi-tenant sign shall be deemed a sign not in use when no cabinet on the sign structure identifies, advertises, or provides information about an existing business, person, activity, goods, products or services at the premises.

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SECTION 4605--SIGN PERMITS AND FEES

(a) Permit Required. No person shall erect, reconstruct, alter, relocate or use a sign within the sign code application area without first having secured a written permit from the Sign Administrator to do so, subject to the exceptions set forth in Section 4605(b). It is an affirmative defense to prosecution under this subsection if a sign is excepted from having a permit under Section 4605(b).

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(d) ~~Operating Permit Effectiveness--Renewal Permit~~ Renewal of Operating Permit. Each operating permit issued shall be effective for a period of one year. Not less than 30 days nor more than 60 days prior to the conclusion of each permit year, applications may be made for a one year extension of the permit. Such application shall be submitted in such form as the Sign Administrator may prescribe, accompanied by payment of applicable fees, and shall be executed, verified and contain the sworn affidavit described in Section 4605(c)(2). If the application for ~~extension~~ permit renewal of ~~permit~~ fully meets the requirements of applicable law in effect at the time of such application, the Sign Administrator shall ~~issue a renewal~~ renew the permit for an additional one year period or such other time as may be required by law.

(e) Existing Signs--Operating Permits.

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(2) In order to receive operating permits, all signs existing on the effective date must conform to the requirements of Section 4607 and Section 4608(a) through (l) when an operating permit is issued; with reference to the remainder of this chapter, all signs existing on the effective date must conform to the requirements of this chapter as follows:

- a. Existing portable signs must conform when an operating permit is issued.
- b. Existing spectacular signs must conform with the provisions of Section 4608(m)(1) when an operating permit is issued; otherwise, existing spectacular signs must conform six years after the effective date.

(3) The owner of an existing, previously permitted sign must apply to make changes to advertising display features. The following advertising display changes to a previously permitted sign shall not trigger compliance with the requirements in Section 4611(i):

- a. Ornamental features
- b. Channel letters, so long as the letters and symbols remain the same
- c. Symbols
- d. Flex face, Lexan or other similar elements or materials
- e. Conversion of an illuminated sign to a high technology sign

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- (4)** No existing sign may be converted to an electrical sign, high technology sign, or changeable message sign without also fully complying with the requirements described in section 4611(j), except as allowed in 4605(e)(3).
- (35)** When any sign or a substantial part thereof is blown down or otherwise destroyed, or taken down or removed for any purpose other than maintenance operations or for changing ~~the letters, symbols or other matter on such sign~~ the advertising display pursuant to Section 4605(e)(3), it shall not be reerected, reconstructed, repaired or rebuilt, except in full conformance with this chapter. For purposes of this subsection, a sign or substantial part thereof is considered to have been destroyed if the cost of reerecting, reconstructing, repairing or rebuilding the sign is more than 60 percent of the cost of erecting a new sign of the same size, type and equivalent construction at the same location.
- (46)** ~~For purposes of Section 4605(e)(3), as to on-premise signs only, the phrase "changing the letters, symbols or other matter on such sign" shall not include replacing the sign cabinet. Any on-premise sign cabinet replacement shall remain the same size as previously permitted and shall meet the structural requirements of this chapter, provided that the voluntary replacement of an on-premise sign cabinet, not incident to the sign structure being blown down or destroyed, shall not be permitted unless the sign structure is re-erected, reconstructed, repaired or rebuilt in full conformance with this chapter.~~

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SECTION 4607--MAINTENANCE, SAFETY, REMOVAL

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(e) ~~Non-use of On-premise Sign Structure~~ Signs Not in Use and Abandoned Signs.

- (1)** ~~No on-premise sign structure shall be erected or maintained on any premises on which there is no business currently in operation that would require the use of such on-premise sign for advertising. All signs not in use shall require a permit designated for such signs.~~
- (2)** The sign owner, property owner or permittee shall keep such sign all signs not in use in good repair as required under this section, and shall, in addition, paint over, blank out or otherwise obliterate any existing advertising message on the existing sign face or faces that

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by virtue of any cessation of business operations on the premises no longer applies to those premises. Provided, further, that any such on-premise sign structure composed of a face or faces circumscribed by one or more cabinets of metal or other material shall at all times have a blank sign face contained within each such cabinet.

- (3)** Abandoned signs are prohibited.

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SECTION 4608--MISCELLANEOUS SIGN PROVISIONS

~~(j) **Change of Ornamental Features or Advertising Display.** No sign permit is required for the change of any of the ornamental features or the advertising display of a sign previously permitted. This provision shall not apply to signs under new ownership, to spectacular signs with respect to advertising display, or to converting existing signs to electronic signs, high technology signs, or changeable message signs, nor shall it release a person from complying with all other applicable permitting requirements of the City, including those of the Construction Code.~~

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SECTION 4611--ON-PREMISE SIGNS

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(b) On-Premise Sign Limitations

(1) No business shall have more than a total of five on-premise signs, provided, however, that each business may select any combination of the signs described below in this subsection to reach that total:

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- c. Roof signs, designed to be architecturally compatible with the building. Wall signs shall not occupy more than 50 percent of the total wall surface. Wall signs shall not extend above the roofline of the building to which they are attached, except for portions of the signs that are used solely for support or to anchor the signs to the building to which they are attached.

* * *

(i) Additional On-Premise Sign Provisions. Beginning September 1, 2009, and save except for signs erected pursuant to the provisions of Section 4620, the following additional provisions shall apply to new on-premise signs for which an initial permit is requested after said date; provided, however, that in the event of a conflict between these provisions and other provisions of this chapter (except for Section 4620), the more stringent provisions shall control.

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(j) Airport Corridor District. All new on-premise signs located in the Airport Corridor District for which a sign permit is issued after _____¹ shall conform to all requirements relating to on-premise signs in the Code, with the exception

¹ City Secretary shall insert date of passage and approval of this Ordinance.

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that ground signs located on major thoroughfares shall comply with the height and size provisions of Category A of Table 4611 and ground signs located on freeways shall comply with the height and size provisions of Category E of Table 4611.

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**TABLE 4611
ALLOWABLE ON-PREMISE GROUND SIGN HEIGHTS AND SIZES
BY SIGN TYPE AND CATEGORY OF RIGHT-OF-WAY**

SIGN TYPE	CATEGORY A		CATEGORY B		CATEGORY C		CATEGORY D		CATEGORY E	
	Height	Size	Height	Size	Height	Size	Height	Size	Height	Size
	(Ft.)	(SFt.)	(Ft.)	(SFt.)	(Ft.)	(SFt.)	(Ft.)	(SFt.)	(Ft.)	(SFt.)
SINGLE BUSINESS	14	100	20	150	42½	225	8	60	<u>31</u>	<u>150</u>
MULTI-TENANT 2 OR 3 BUSINESSES	19	200	26	300	42½	450	10	120	<u>31</u>	<u>300</u>
MULTI-TENANT 4 OR MORE BUSINESSES	24	300	31	450	42½	600	12	180	<u>31</u>	<u>450</u>
FLAG	20	—	35	—	50	—	—	—	—	—

CATEGORY A shall mean visible from and located on premises with frontage on scenic and historical rights-of-way and districts and major thoroughfares in the Airport Corridor District.

CATEGORY B shall mean visible from and located on premises with frontage on major thoroughfares including collector streets other than scenic and historical rights-of-way and districts.

CATEGORY C shall mean visible from and located on premises with frontage on freeways and highways other than scenic and historical rights-of-way and districts.

CATEGORY D shall mean visible from and located on premises with frontage on local streets.

CATEGORY E shall mean visible from and located on premises with frontage on freeways in the Airport Corridor District.

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SECTION 4620--SPECIAL DISPLAY SIGNS AT CERTAIN FACILITIES

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(f) Provisions for special display signs at certain facilities. No provision of Section 4611(i) relating to the regulation of on-premise signs in the Airport Corridor District, shall apply to or restrict the rights of owners for special display signs at facilities included under Section 4620 of the Code.

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APPENDIX B

AIRPORT CORRIDOR DISTRICT

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The **AIRPORT CORRIDOR DISTRICT** of the City shall include the following areas:

- (1) The Interstate 45 corridor including the right-of-way and frontage roads, and extending 660 feet beyond each boundary of the right-of-way and frontage roads of Interstate Highway 45 from its intersection with Dixie Farm Road (Highway 1959) [the southern-most entrance to Ellington Airport] on the south to its intersection with Beltway 8 on the north;
- (2) The George Bush Intercontinental Airport Entrance corridor including the right-of-way and frontage roads and extending 300 feet beyond each boundary of the right-of-way and frontage roads of John F Kennedy Boulevard from its intersection with Beltway 8 on the south to the entrance to George Bush Intercontinental Airport on the north;
- (3) The Hobby Airport Entrance corridor including the rights-of-way and extending 300 feet beyond each boundary of the rights-of-way of each of (a) Broadway and Monroe from their intersections with Interstate Highway 45 on the north to their intersections with Airport Boulevard on the south and (b) Airport Boulevard from its intersection with Telephone Road on the west to its intersection with Interstate 45 on the east and (c) Telephone Road from its intersection with Loop 610 on the north to its intersection with Airport Boulevard on the south [being the primary entrances to William P. Hobby Airport from Interstate 45];
- (4) The Ellington Airport Entrance corridor including the right-of-way and extending 300 feet beyond each boundary of (a) the right-of-way of Dixie Farm Road (Highway 1959) from its intersection with Interstate Highway 45 on the south to its intersection with Galveston Road (Highway 3) on the north and (b) the right-of-way of Scarsdale Boulevard from its intersection with Interstate Highway 45 on the south to its intersection with Galveston Road (Highway 3) on the north (c) the right-of-way of Galveston Road (Highway 3) from its intersection with Beltway 8 to its intersection with Clear Lake City Boulevard (Highway 2351 [being the primary entrances to Ellington Airport from Interstate 45];
- (5) The Highway 59 corridor including (a) the right-of-way and frontage roads and extending 660 feet beyond each boundary of the right-of-way and frontage roads of Highway 59 from its intersection with the Downtown Scenic District at Jensen Drive on the south to its intersection with Langley Road on the north;
- (6) The Highway 59 corridor including (a) the right-of-way and frontage roads and extending 660 feet beyond each boundary of the right-of-way and frontage roads of Highway 59 from its intersection with Aldine Bender Road on the south to its intersection with Will Clayton Parkway on the north and (b) continuing to the west along Will Clayton Parkway, including the right-

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of-way and extending 300 feet beyond the right-of-way of Will Clayton Parkway to its intersection with Lee Road; and

- (7) The Hardy Toll Road corridor including the right-of-way and frontage roads and extending 660 feet beyond each boundary of the right-of-way and frontage roads of Hardy Toll Road, both as it currently exists and as it may be extended in the future south of Loop 610 into Downtown Houston on the south, and to its intersection with Halls Bayou on the north;
- (8) The Hardy Toll Road corridor including the right-of-way and frontage roads and extending 660 feet beyond each boundary of the right-of-way and frontage roads of Hardy Toll Road from its intersection with Aldine Bender Road on the south through its intersection with and continuing along the Hardy Toll Road Airport Connector to its intersection with Hoods Bayou at the boundary of George Bush Intercontinental Airport; and
- (9) The principal exits from the foregoing corridors into their intersecting streets in Downtown Houston, specifically (a) the Pease/St. Joseph Parkway exit from Interstate Highway 45 north-bound, (b) the Milam, McKinney, and Pierce-Jefferson exits from Interstate Highway 45 south-bound, (c) the North Hamilton Street exit from Highway 59 south-bound, and (d) the exit from and entrance to Hardy Toll Road, both as it currently exists and as it may be extended in the future, to their intersections with the intersecting streets in Downtown Houston.