

12-13-17

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ORDINANCE NO. _____

An ordinance amending Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending the designation of Arts District Sign District, definitions, special provisions for all signs, attached private signs, and detached private signs regulations in Sections 51A-7.1201, 51A-7.1203, 51A-7.1205, 51A-7.1207, and 51A-7.1208; adding Section 51A-7.1214.2 to add sign regulations for Subdistrict B; providing a property description of the Arts District Sign District; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Section 51A-7.1201, “Designation of Arts District Sign District,” of Division 51A-7.1200, “Provisions for Arts District Sign District,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“SEC. 51A-7.1201. DESIGNATION OF ARTS DISTRICT SIGN DISTRICT.

(a) A special provision sign district is hereby created to be known as the Arts District Sign District. For purposes of this article, the boundaries of the Arts District Sign District are described in the Exhibit A attached to Ordinance No. _____, passed by the Dallas City Council on December 13, 2017 ~~[the same as those of the Dallas Arts District (Planned Development~~

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District No. 145) established by Ordinance No. 17710, passed by the Dallas City Council on February 16, 1983].

(b) Subdistrict A is hereby created within the Arts District Sign District. For the purposes of this division, Subdistrict A is the area bounded by Flora Street to the northwest, Leonard Street to the northeast, Ross Avenue to the southeast, and Crockett Street to the southwest and more particularly described in the Exhibit A attached to Ordinance No. _____, passed by the Dallas City Council on December 13, 2017.

(c) Subdistrict B is hereby created within the Arts District Sign District. For the purposes of this division, Subdistrict B is the area bounded by Woodall Rodgers Freeway to the northwest, Crockett Street to the northeast, Munger Avenue to the southeast, and Pearl Street to the southwest, and more particularly described in the Exhibit A attached to Ordinance No. _____, passed by the Dallas City Council on December 13, 2017.

(d) The property described in Subsection (a), which was formerly part of the Downtown Special Provision Sign District, is no longer considered to be part of that district. This division completely supersedes Division 51A-7.900 with respect to the property described in Subsection (a).”

SECTION 2. That Subsection (a) of Section 51A-7.1203, “Definitions,” of Division 51A-7.1200, “Provisions for Arts District Sign District,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(a) In this division:

(1) ARTS DISTRICT means Planned Development District No. 145 (the Dallas Arts District).

(2) ARTS DISTRICT OFFICIAL LOGO means the official logo of the Arts District as depicted in Exhibit A, which is attached to ~~[and made a part of this]~~ O[er]dinance No. 20345, passed by the Dallas City Council on June 14, 1989.

(3) AWNING SIGN means a sign that is or appears to be part of an awning.

(4) BLOCK means an area bounded by streets on all sides.

(5) BLOCKFACE means all of the lots on one side of a block.

(6) BUILDING CORNICE AREA means that portion of a building facade above the highest story, but below the actual roof structure.

(7) BUILDING IDENTIFICATION SIGN means any sign composed of one or more characters that identify a specific building's name.

(8[7-1])CANOPY means a permanent non-fabric architectural element projecting from the face of a building

(9[7-2])CANOPY FASCIA SIGN means a sign with a digital display that is attached to, applied on, or supported by the fascia or soffit of a canopy.

(10[8]) CBD STREETScape PLAN means the Dallas Central Business District Streetscape Guidelines approved by the Dallas City Council on April 15, 1981, by Resolution No. 81-1118.

(11[9]) CHARACTER means a symbol, as a letter or number, that represents information.

(12[9-0])CONSTRUCTION BARRICADE SIGN means a sign that is affixed to a construction barricade.

(13[9-1])CULTURAL INSTITUTION means any facility used primarily for the visual or performing arts; open to the public, such as a museum, concert hall, theater, or similar facility; and established by a public or philanthropic entity.

(14[9-1.1]) CULTURAL INSTITUTION DIGITAL SIGN means a monument sign with a digital display that identifies the cultural institution; the district; a sponsor of the cultural institution, district, or arts organization; or an arts organization such as a symphony, dance troupe, or theatre group that uses that cultural institution.

(15[9-2])CULTURAL INSTITUTION IDENTIFICATION SIGN means a premise sign that identifies the cultural institution or the primary arts organization such as a symphony, dance troupe, or theater group that uses that cultural institution.

(16[40])DETACHED PREMISE SIGN means a sign that is both a detached sign and a premise sign as defined in Section 51A-7.102.

(17[41])FLAT ATTACHED SIGN means an attached sign projecting four inches or less from a building.

(18[42])FLORA STREET FRONTAGE AREA means the "Flora Street Frontage Area" as defined in the Arts District PD ordinance (Ordinance No. 17710, as amended).

(19[42-1])FREESTANDING IDENTIFICATION SIGN means a monument sign that identifies the cultural institution; the district; a sponsor of the cultural institution, district, or arts organization; or an arts organization such as a symphony, dance troupe, or theater group that uses that cultural institution.

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(20[43])GENERIC RETAIL IDENTIFICATION SIGN means a sign identifying a type or category of retail establishment without identifying a specific establishment.

(21[44])GOVERNMENTAL TRAFFIC SIGN means a sign, signal, or other traffic control device installed by a governmental agency for the purpose of regulating, warning, or guiding vehicular or pedestrian traffic on a public highway. Examples of these signs include stop signs, one-way signs, no parking signs, and electronic pedestrian and vehicular signalization devices and their fixtures.

(22[45])INSTITUTIONAL MOVEMENT INFORMATION SIGN means a sign showing the location of or route to a specific cultural institution or a parking area serving that institution.

(23[45.1])INTEGRATED SIGN means a premise sign within Subdistrict A or Subdistrict B that is integrated into the design of the building and may be a monument sign.

(24[46])KIOSK means a small structure with one or more open sides used to display artwork or temporary signs.

(25[47])MARQUEE SIGN means a sign attached to, applied on, or supported by a permanent canopy projecting over a pedestrian street entrance of a building, and consisting primarily of changeable panels, words, or characters.

(26[47.1]) MONUMENT SIGN means a detached sign applied directly onto a grade level support structure (instead of a pole support) with no separation between the sign and grade.

(27[48])PLAQUE means a permanent tablet, the contents of which are either commemorative or identifying.

(28[48.1]) PREMISE means the entire Arts District Sign District land area as defined in 51A-7.1201(a).

(29[49])PRIVATE SIGNS means those signs that are not “public signs” as defined in this section.

(30[20])PROJECTING ATTACHED SIGN means an attached sign projecting more than four inches from a building.

(31[24])PROMOTIONAL SIGN means a sign that promotes a cultural event or activity.

(32[22])PUBLIC SIGNS means governmental traffic signs, institutional movement control signs, generic retail identification signs, promotional signs, or plaques as defined in this section.

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(33[23])RESTAURANT/RETAIL IDENTITY SIGN means an attached premise sign located on a building in Subdistrict B that has a restaurant, retail, or personal service use located on the ground floor and that identifies that specific restaurant, retail, or personal service tenant.

(34) SASAKI PLAN means the urban design plan prepared by Sasaki Associates, Inc. in August, 1982 to serve as the guideline for development in the Dallas Arts District. The Sasaki Plan is attached to and made a part of the Arts District PD ordinance (Ordinance No. 17710, as amended).

(35[24])SIGN HARDWARE means the structural support system for a sign, including the fastening devices that secure a sign to a building facade or pole.

(36[24.1])SPONSORSHIP CONTENT means goods and services sold by the sponsor of the cultural institution, district, or arts organization whether sold on or off the premises.

(37[24.2])TENANT IDENTITY SIGN means an attached premise sign within Subdistrict A or Subdistrict B located on a building that is primarily used for office uses that identifies a specific office tenant.

(38[25])THIS DISTRICT means the Arts District Sign District.

(39[26])WINDOW SIGN means a sign temporarily or permanently attached to, applied on, or supported by a window.”

SECTION 3. That Subsection (c) of Section 51A-7.1205, “Special Provisions for All Signs,” of Division 51A-7.1200, “Provisions for Arts Sign District,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(c) Except in Subdistrict A and Subdistrict B, no sign may obscure a window or a significant architectural element of a building.”

SECTION 4. That Paragraph (1) of Subsection (a), “In General,” of Section 51A-7.1207, “Attached Private Signs,” of Division 51A-7.1200, “Provisions for Arts District Sign District,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(1) This section applies to all attached private signs except building identification signs, cultural institution identification signs, canopy fascia signs, and tenant identity signs within Subdistrict A and Subdistrict B. For the regulations governing building identification

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signs, see Section 51A-7.1209. For the regulations governing cultural institution identification signs, see Section 51A-7.1210. For the regulations governing canopy fascia signs, see Section 51A-7.1211. For the regulations governing tenant identity signs within Subdistrict A, see Section 51A-7.1214.1. For the regulations governing tenant identity and restaurant/retail identity signs within Subdistrict B, see Section 51A-7.1214.2.

SECTION 5. That Paragraph (1) of Subsection (b), “Detached Premise Signs,” of Section 51A-7.1208, “Detached Private Signs,” of Division 51A-7.1200, “Provisions for Arts District Sign District,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(1) This subsection applies to all detached premise signs except building identification signs, cultural institution identification signs, cultural institution identification signs, cultural institution digital signs, freestanding identification signs, construction barricade signs, and integrated signs within Subdistrict A and Subdistrict B. For the regulations governing building identification signs, see Section 51A-7.1209. For the regulations governing cultural institution identification signs, see Section 51A-7.1210. For the regulations governing cultural institution digital signs, see Section 51A-7.1212. For the regulations governing freestanding identification signs, see Section 51A-7.1213. For the regulations governing construction barricade signs, see Section 51A-7.1214. For the regulations governing integrated signs within Subdistrict A, see Section 51A-7.1214.1. For the regulations governing integrated signs within Subdistrict B, see Section 51A-7.1214.2.”

SECTION 6. That Division 51A-7.1200, “Provisions for Arts District Sign District,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding Section 51A-7.1214.2, “Subdistrict B,” to read as follows:

“SEC. 51A-7.1214.2. SUBDISTRICT B.

(a) In general. Except as provided in this division, the provisions of the Arts District Sign District apply in this subdistrict.

(b) Tenant identity signs and building identification signs.

(1) Number.

(A) Two tenant identity signs or building identification signs are permitted on the Woodall Rodgers Freeway facade and must be located at or above the third story.

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(B) Tenant identity signs are prohibited on the Munger Avenue and Crockett Street facades.

(2) Composition and illumination. Tenant identity signs must be composed of individual letters only and illumination of these signs, if any, must be internal to each letter. No illuminated sign or element of a sign may turn on or off or change its brightness.

(3) Color. All tenant identity signs and building identification signs must be the same white and silver color.

(4) Facade coverage. Tenant identity signs and building identification signs may not exceed four percent of the facade to which it is affixed.

(c) Restaurant/retail identity signs.

(1) Two restaurant/retail identity signs are allowed on the Pearl Street facade and two restaurant/retail signs are allowed on the Woodall Rodgers Freeway facade.

(2) Restaurant/retail identity signs must be composed of individual letters only and illumination of these signs, if any, must be internal to each letter. No illuminated sign or element of a sign may turn on or off or change its brightness.

(3) All restaurant/retail signs must be the same white and silver color.

(4) Restaurant/retail identity signs may not exceed four percent of the facade to which it is affixed.

(5) Restaurant/retail identity signs may be located a maximum of 24 feet above grade.

(d) Integrated sign.

(1) Only one integrated sign is permitted.

(2) This sign must be a monument sign.

(3) This sign may be located at the building line.

(4) This sign may be located within five feet of a public right of-way. This sign must be located on Pearl Street a minimum of 15 feet from Woodall Rodgers Freeway and 100 feet from Munger Avenue.

(5) The maximum height for the sign is eight feet measured from the bottom of the sign face to the top of the sign face.

(6) The maximum effective area for the sign is 175 square feet. Tenant names are limited to a maximum effective area of 60 square feet. The portion of the sign that contains the address and that does not contain tenant names must have a clear or transparent appearance.

(7) All elements of an integrated sign must be a consistent color and materials to the building.”

SECTION 7. That the city attorney is authorized to insert the enrolled number of this ordinance in Section 51A-7.1201 in Chapter 51A.

SECTION 8. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 9. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 10. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 11. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 12. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By _____
Assistant City Attorney

DEC 13 2017

Passed _____

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GIS_Approved

**EXHIBIT A
ARTS DISTRICT SPSD**

PERIMETER

(created per ORD 17710)
(follows an urban Design Plan known as the Sasaki Plan")

BEING all of City Blocks 301, 302, 303, 320, 321, 322, A/322, 521, 522, 527, A/527, 529, A/529, 530, 531, A/531, 533, 534, A/534, 535, 536, and 537 and all of Lot 5 in City Block 305 and being generally bounded by Woodall Rodgers Freeway on the northwest, Routh Street on the northeast, Ross Avenue on the southeast and St. Paul Street on the southwest, containing approximately 60.1279 acres

SUBDISTRICT A

(created under ORD 28471)

BEING a tract of land situated in the John Grigsby Survey, Abstract No. 495, City Block No. 530, City of Dallas, Dallas County, Texas and being all of Lot 1, Block 530 of Lone Star Development, an addition to the City of Dallas as recorded in Volume 88106, Page 466, Deed Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at an "x" cut in concrete at the intersection of the northwest line of Ross Avenue (an 80 foot right-of-way) and the northeast line of Crockett Street (an 48 foot right-of-way);

THENCE North 45 degrees 22 minutes 00 seconds West along the northeast line of said Crockett Street a distance of 345.80 feet to an "x" cut in concrete at the intersection of the southeast line of Flora Street (a variable width right-of-way);

THENCE North 45 degrees 27 minutes 06 seconds East along the southeast line of said Flora Street a distance of 106.10 feet to a 1/2 inch iron rod set for an angle point;

THENCE North 44 degrees 39 minutes 58 seconds East along the southeast line of said Flora Street a distance of 76.52 feet to a 1/2 inch iron rod set up for an angle point;

THENCE North 45 degrees 04 minutes 25 seconds East along the southeast line of said Flora Street a distance of 159.18 feet to an "x" cut in concrete for corner at the intersection of the south west line of said Leonard Street (a variable width right-of-way);

THENCE South 45 degrees 45 minutes 15 seconds East along the southwest line of said Leonard Street a distance of 345.09 feet to an "x" cut in concrete for corner at the intersection of the north west line of said Ross Avenue;

THENCE South 45 degrees 58 minutes 35 seconds West along the northwest line of said Ross Avenue a distance of 344.13 feet to the POINT OF BEGINNING and contain 118, 397.92 square feet or 2.7180 acres of land.

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GIS_Approved

SUBDISTRICT B
(DALLAS SYMPHONY)

WHEREAS DALLAS SYMPHONY ASSOCIATION is the owner of a 0.6021 acre tract of land located in Block 533, City of Dallas, Dallas County, Texas, and being that certain tract of land conveyed to DALLAS SYMPHONY FOUNDATION as recorded in Volume 95032, Page 3262, Deed Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found at the intersection of the southwest right-of-way line of Crockett Street (50' width R.O.W.), and the southeast right-of-way line of Woodall Rodgers Freeway (variable width R.O.W.);

THENCE South 45 degrees 22 minutes 00 seconds East, along the southwest line of Crockett Street, a distance of 182.09 feet to pk nail found for corner in the northwest right-of-way line of Munger Avenue (at this point 40.22 feet wide R.O.W.);

THENCE South 45 degrees 37 minutes 30 seconds West, continuing along the northwest line of Munger Avenue, a distance of 151.63 feet to a 1/2" iron rod found in the East end of the intersection cutoff to the northeast right-of-way line of North Pearl Street (variable width R.O.W.);

THENCE North 86 degrees 48 minutes 08 seconds West, along said cutoff, a distance of 10.79 feet to a 5/8" iron rod set for corner on the northeaster line of said North Pearl Street;

THENCE North 39 degrees 15 minutes 48 seconds West, along the northeast line of said North Pearl Street, a distance of 99.84 feet to a p.k nail found at the beginning of a curve to the right;

THENCE northerly, along the northeast line of N. Pearl Street, along said curve to the right having a radius of 90.00 feet and a central angle of 25 degrees 09 minutes 38 seconds, an arc distance of 39.52 feet, said arc having a chord which bears North 26 degrees 40 minutes 59 seconds West, 39.20 feet, to a 5/8" "BDD" capped iron rod found at the end of said curve and an angle point;

THENCE North 57 degrees 06 minutes 15 seconds West, continuing along the northeast line of N. Pearl Street, a distance of 0.32 foot to a 5/8" "BDD" capped iron rod found for corner and at the beginning of a curve to the right;

THENCE Northerly, along the easterly line of N. Pearl Street, along said curve to the right having a radius of 90.00 feet and a central angle of 35 degrees 11 minutes 35 seconds, an arc distance of 55.28 feet, said arc having a chord which bears North 04 degrees 16 minutes 39 seconds East, 54.42 feet, to a 1/2" iron rod found for corner on the southeast line of Woodall Rodgers Freeway;

THENCE North 44 degrees 59 minutes 27 seconds East, along the southeast line of Woodall Rodgers Freeway, a distance of 94.18 feet to the POINT OF BEGINNING and

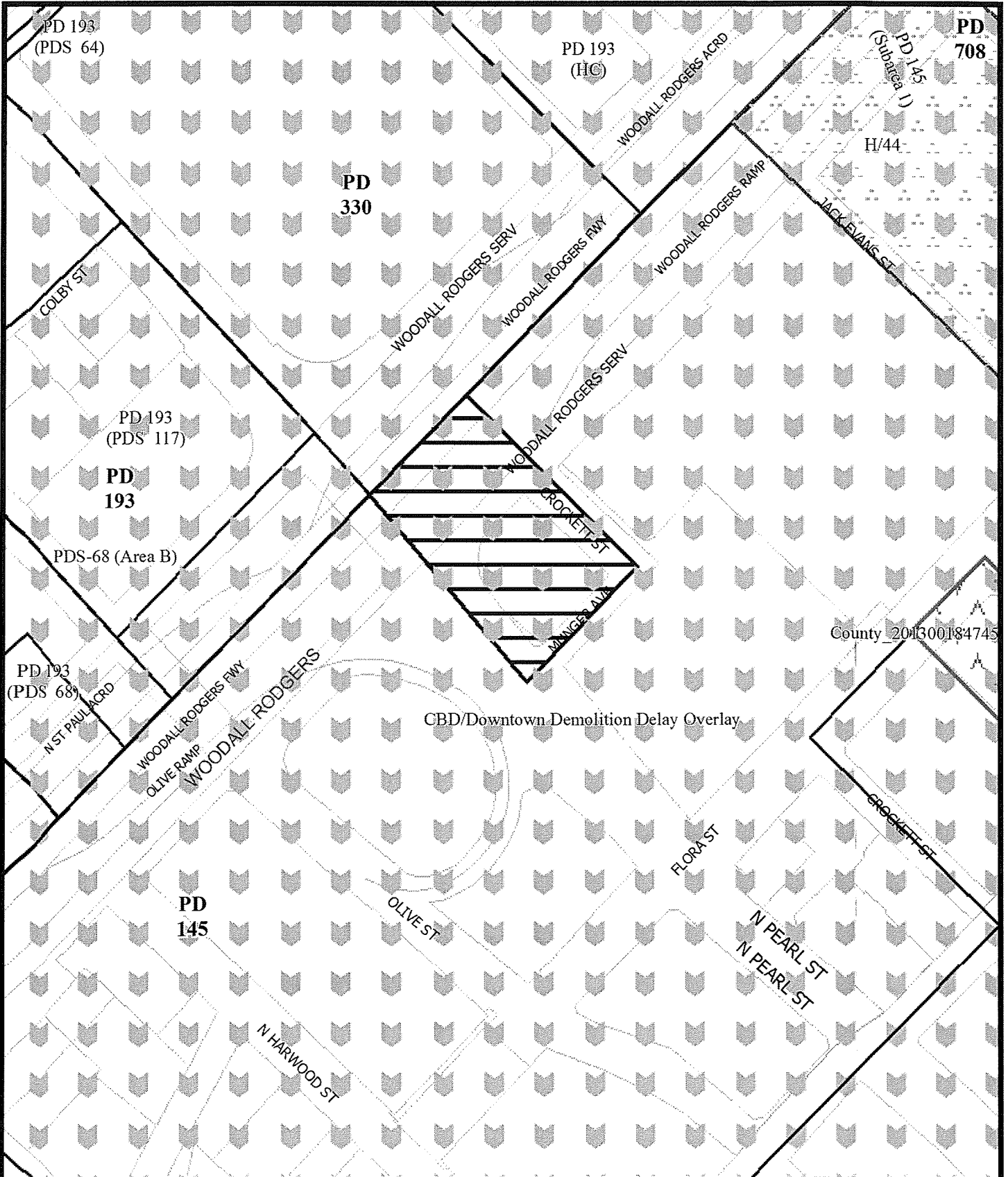
SPSD167-002(Exhibit A_new Subdistrict B in Arts District SPSP)

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containing 26,229 square feet or 0.6021 acres of land, more or less.

GIS_Approved

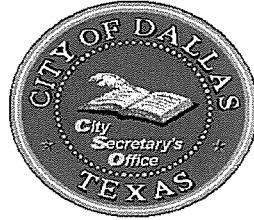


1:2,400

ZONING MAP

Case no: SPSD167-002

Date: 9/19/2017



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL DEC 13 2017

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ORDINANCE NUMBER _____

DATE PUBLISHED DEC 16 2017

ATTESTED BY: