



## Text File

File Number: 17-0239

Agenda Date: 4/11/2017

Version: 1

Status: ATS Review

In Control: Land Management

File Type: Agenda Item

### Title

Hold a public hearing on proposed amendments to Chapter 90 of the Code of Ordinances of the City of League City entitled "Signs" by amending Section 90-10 entitled "Non-Conforming Signs" to allow for certain exemptions to the non-conforming sign ordinance (Director of Planning and Development)

### ..Background:

**February 27, 2017** - City Council (1) conducted a work session on subject, and (2) initiated the process to amend the City's sign ordinance. The proposed amendment would allow the currently non-conforming pole sign at the McDonald's restaurant at FM 518/I-45 to be moved in its current state due to the forthcoming right-of-way acquisition by TxDOT.

**March 15, 2017** - Pursuant to Statute and local ordinance, notice of the forthcoming public hearings published in the GDN.

**April 5, 2017** - The Planning and Zoning Commission conducted a public hearing on the proposed amendment and made a recommendation to the City Council.

**April 11, 2017** - City Council is scheduled to conduct a public hearing and consider ordinance on first reading.

**April 25, 2017** - Subject to approval on first reading, City Council to consider ordinance on second reading.

The City's current Sign Ordinance allows for businesses to have pole signs not more than 42.5-feet in height along the I-45 corridor. Signs that legally existed prior to the City's enactment of this height provision are considered legally non-conforming (i.e. "grandfathered"); however, any such permits for new signs shall be conforming to the ordinance.

The McDonald's restaurant near the northwest corner of FM 518 and I-45 has a legally non-conforming pole sign approximately 120-feet in height. The franchise owners recently contacted the City regarding the proposed widening of I-45, which will likely require the acquisition by the State (TxDOT) of the land containing the sign. Under such a scenario, the City's Sign Ordinance provides that the business could move the sign to another location on the McDonald's property; however, such sign would need to be no more than 42.5-feet in height. The property owners wish to move the sign at its current height, which would require (1) a variance to the City's sign regulations by the Zoning Board of Adjustments (ZBA), or (2) an amendment to the sign ordinance as outlined herein.

### Project Summary:

The proposed ordinance would amend the City's sign regulations to provide for non-conforming signs, other than billboards, adjacent to I-45 within the League City limits to be relocated in their current state if such relocation is necessitated by property acquisition by the State of Texas, and such property acquisition includes land for which the non-conforming sign is located.

The Comprehensive Plan is silent on nonconforming signs. The spirit and purpose of the ordinance is to bring a structure or sign into compliance with the regulations of the ordinance when it is relocated based on a natural disaster, eminent domain, or by action of the owner.

**Staff Recommendation:**

1. Discussion by the Council of this request should include the availability of compensation to property owners affected by these types of government land acquisitions, and
2. If the Council wishes to amend the City's current regulations regarding non-conforming signs, staff recommends the regulations contained within the draft ordinance.

**Attachments:**

1. Data Sheet

**CONTRACT ORIGINATION:**

Planning and Development

**FUNDING**

NOT APPLICABLE

Funds are available from Account # \_\_\_\_\_

Requires Budget Amendment to transfer from Account # \_\_\_\_\_ to Account # \_\_\_\_\_

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