
CITY OF PORT LAVACA

COUNCIL MEETING: MARCH 27, 2023

AGENDA ITEM __

DATE: 3.26.2023

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: PROPOSED EDITS TO SIGN ORDINANCE IN ANTICIPATION OF APPLYING FOR A SCENIC CITY CERTIFICATION

- Scenic Texas was inspired by the visionary leadership of first lady Lady Bird Johnson and is the only statewide 501(c)(3) non-profit organization dedicated to the preservation and enhancement of our state's visual environment. Scenic Texas. They help Texans safeguard the scenic qualities of Texas roadways, countryside, and communities. One of their programs is the Scenic City Certification Program which recognizes and supports Texas municipalities that implement high-quality scenic standards for public spaces. Once a city is accepted into the program, there are resources available to help us continue to improve on our ordinances and practices to sustain and improve our scenic beauty.
- There are 5 ranks in the Scenic City program. Two of our regional neighbors which have been certified as Scenic Cities are Cuero and El Campo, both of whom are Silver (middle ranking). Applications, with a \$1,500 application fee are accepted between Feb 1 and April 30 each year. If accepted, there is a \$750.00 annual fee.
- There are 3 mandatory requirements to even be considered: One, having to do with landscaping and the two below deal with signage.
 - 1) **Prohibit new off-premises signage (billboards).** Our current ordinance does this, but we may clarify the language so there is no question and it prohibits vehicles employed solely for the purpose of outdoor advertising.
 - 2) **Permitting process and size, placement, and quantity requirements for on-premises signage.** Our ordinance does this except we currently don't specifically address these pennant signs.

Pennant/flag Signs:

- **Shall we allow them?** Staff recommends yes with certain restrictions. Consider that a new business, in particular, can afford these much easier than investing in a permanent sign. As long as we limit the number and require that they be kept in good shape (removed once they become tattered), they provide a cost effective way for a business to advertise.
- **If yes, how many?** Some cities allow one. Looking around Port Lavaca as the current use of these type signs, we are recommending a limit of 2, but allow more for a business with a larger street frontage. Perhaps 2 for the 1st 100 ft of frontage and one additional for each additional 100 ft of contiguous frontage.

- Such pennant signs are by definition temporary signs. So would we want to limit the time a permit is valid and a new permit is required? We can talk to the sign folks, but they probably don't remain in good condition in this wind for more than 6 months.

Sec. 36-8. Signs on vehicles.

(a) No type of vehicle, including, but not limited to, cars, trucks, motor-driven cycles, or vehicles built of miscellaneous parts of other vehicles, such as sand or dune buggies, and no type of trailer, boat, or other similar type of property shall be placed on private property within the city for the purpose of advertising such item for rent, sale, or lease unless such property is on the premises where the owner of such property advertised for sale or lease resides or conducts business or is on the premises of a business establishment engaged in the rental, sale, or lease of such property.

(b) A motor vehicle not used on a regular basis for the transportation of persons or property, or that is inoperable, shall not be parked or stored with one or more signs displayed thereon or otherwise used as a substitute sign structure.

(c) Any vehicle containing advertising must be parked in an approved parking space. Any such vehicle is prohibited from otherwise being parked upon any public rights-of-way, including, but not limited to, public sidewalks, streets, alleys, or other public property, with one or more signs displayed thereon or otherwise used as a substitute sign structure.

And while we are looking at the sign ordinance, we would like to add language to deal with abandoned signs.

Abandoned sign – A sign that has not been used for advertising for one year to identify or advertise a bonafide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.

Abandoned signs would be listed as a Prohibited sign, along with off-premises signs.