

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE "ZONING" CHAPTER OF THE CODE OF THE CITY OF ARLINGTON, TEXAS, 1987, (1) THROUGH THE AMENDMENT OF ARTICLE II, INTERPRETATIONS AND DEFINITIONS, SECTION 2-200, DEFINITIONS, (2) THROUGH THE AMENDMENT OF ARTICLE XVI, SIGN STANDARDS, SECTION 16-300, DEFINITIONS, AND (3) THROUGH THE ADDITION OF ARTICLE XVI, SIGN STANDARDS, SECTION 16-2500, MAJOR SPORTS COMPLEX SIGN STANDARDS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR A FINE OF UP TO \$2,000 FOR EACH VIOLATION OF THE ORDINANCE, PROVIDING THIS ORDINANCE BE CUMULATIVE; PROVIDING FOR SEVERABILITY, GOVERNMENTAL IMMUNITY, INJUNCTIONS, PUBLICATION AND AN EFFECTIVE DATE .

WHEREAS, the Comprehensive Plan establishes strategies to ensure that the entertainment district develops in a way that promotes quality development capitalizing on the tourist based industries; and

WHEREAS, the City Council of the City of Arlington (the "City") desires to further the festive image of major sports complexes, to promote orderly growth and aesthetic quality within and surrounding major sports complexes within the Festival District and to protect public and private investment in major sports complexes; and

WHEREAS, Article XVI of the "Zoning" Chapter of the Code of the City of Arlington, Texas, 1987, establishes sign standards in order to promote a positive City image reflecting order, harmony and pride, to contribute to a strong sense of community and to assure that all signs are properly related to the overall adjacent land use character; and

WHEREAS, certain off site signs are necessary and serve a substantial governmental interest by directing a large number of travelers to, and encouraging their patronage of, Arlington's major sports complexes; and

WHEREAS, no portion of this ordinance shall be interpreted to favor commercial speech over noncommercial speech; and

WHEREAS, after notice and public hearing on June 1, 2005, the Planning and Zoning Commission considered amendments to Article XVI of the "Zoning" Chapter of the Code of the City of Arlington, Texas, 1987, and made certain recommendations; and

WHEREAS, after notice and public hearing, and upon consideration of the recommendation of the Commission and of all testimony and information submitted during the public hearing, the City Council has determined that it is in the best interest of the public and in

support of the health, safety, morals, and general welfare of the citizens that the Zoning Ordinance be amended; and

WHEREAS, the City Council of the City desires to effect certain changes to the "Zoning" Chapter of the Code of the City of Arlington, Texas, 1987; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as a part of this Ordinance.

2.

That the “**Zoning**” Chapter of the Code of the City of Arlington, Texas, 1987, is hereby amended through the amendment of **Article II, Interpretations and Definitions, Section 2-200, Definitions**, by the amending of the definition of a "Major Tourist Attraction," which shall be and read as follows:

Major Tourist Attraction. A site of twelve (12) acres or more with a minimum of one thousand feet (1000') of frontage on an interstate highway or frontage road devoted to a single use which is an amusement theme attraction, park or stadium which promotes the tourism interests of the city. This definition also includes a municipally-owned convention center or a major sports complex with no acreage or freeway frontage requirement.

Further, **Article II, Interpretations and Definitions, Section 2-200, Definitions**, is hereby amended by the addition of a definition for a "Major Sports Complex," which shall be and read as follows:

Major Sports Complex. A sports and entertainment complex which includes a multi-functional stadium, coliseum or other community and entertainment event venue for use by one or more professional or amateur sports teams with a main facility designed to seat at least 40,000 spectators, along with areas adjacent to such main facility that are legally possessed by either (i) the City or (ii) the person or entity holding or owning (whether directly or indirectly), from time to time, the legal possessory right or interest to use or occupy such main facility. A Major Sports Complex may, at the option of the holder of the possessory right thereof, include on the main facility or any area adjacent thereto any athletic training or practice facility, store, restaurant, hotel, food preparation facility, concession, office, museum, park, entertainment use, heliport, automobile parking facility (whether structured or surface), area transportation facility, road, street or other related improvement. For the purposes hereof: (i) the phrase "indirectly" shall include any entity that is an intermediary, affiliate, parent, subsidiary, or successor in interest to any

person or entity holding a possessory right to such main facility; and (ii) an area adjacent to a main facility that is used for any of the purposes set out above shall be entitled to the applicable benefits of Section 16-2500 if such area (x) is legally possessed by the person or entity holding or owning, from time to time, the legal possessory right or interest to use or occupy such main facility or (y) is legally possessed by one or more intermediaries, affiliates, parents, or subsidiaries of such person or entity holding the possessory right to such main facility, or any successor owner or holder of such possessory right to such main facility or adjacent property; provided, however, such successor in interest must hold (i.e., own or lease) the portion of the main facility or adjacent property so used, provided, further, that no signage rights granted under Section 16-2500 hereof may be severed from the rights held by the holder of the possessory rights to a main facility and/or such adjacent area to any third party not holding such possessory rights. Signage permitted under the applicable provision of Section 16-2500 hereof may remain as permitted notwithstanding any future conveyance of such possessory interest of the land affected thereby.

Further, **Article XVI, Sign Standards, Section 16-300, Definitions**, is hereby amended by amending the definition of "Electronic Message Center Sign," which shall be and read as follows:

Electronic Message Center Sign: A sign displaying public service information, any similar public interest information, information about events (including pre-event and post-event entertainment) on the premises and/or related advertising for a general business located on the same premises (including a product, service or company offering goods or services on the premises or having a promotional relationship for events occurring on the premises, including, but not limited to, naming rights holders, multiple event sponsors and individual event sponsors) through electronically controlled intermittent light pulses or other technology that can display, emit or project (or is readily capable of displaying, emitting or projecting) animated or video images.

Further, **Article XVI, Sign Standards**, is hereby amended by the addition of **Section 16-2500, Major Sports Complex Sign Standards**, which shall be and read as follows:

Section 16-2500 Major Sports Complex Sign Standards.

A. **Applicability, Interpretations and Exemptions.**

1. **Applicability.** The requirements of this Section and Section 9.02 of the "Streets" Chapter of the Code of the City of Arlington, shall apply to all signs visible from a public street or adjacent property within a major sports complex, except as otherwise provided herein. This includes restrictions regarding obstructions to view. The special regulations contained in this Section are the

exclusive requirements and limitations under this Chapter for major sports complex signs and shall supersede all other requirements and limitations of this Chapter (including Section 16-2100). This Section is solely applicable to major sports complex signs.

2. **Main Facility.** The term "main facility" with respect to a major sports complex means a facility designed to seat at least 40,000 spectators for professional or amateur sports events.

3. **Exemptions.** All signs within a major sports complex that are not visible from a public street or adjacent property shall be exempt from all requirements and limitations of this Chapter. Any scoreboard, sign or video screen that is located in, on or around a main facility (extending to the more expansive of (a) the admission perimeter, (b) the drip line of such main facility or (c) on-site pedestrian pathways adjacent to and contiguous with such main facility, whether or not visible from a public street or adjacent property) of a major sports complex shall be exempt from all requirements and limitations of this Chapter. Notwithstanding the foregoing, signs that are visible from a public street or adjacent property and that are attached to the exterior (not including any field side) of a main facility designed to (i) seat at least 40,000 spectators but less than 70,000 spectators and (ii) house major league baseball games shall be subject to the requirements and limitations of Subsection 16-2500(N). Additionally, any permanent video screen that (a) is located within a major sports complex, (b) is not oriented toward a public street and (c) may only be incidentally visible from a public street shall be exempt from the requirements and limitations of this Chapter. No special exception shall be required for electronic message center signs permitted under this Section.

4. **Promotional Relationship.** Any sign authorized by this Section that directs attention, directly or indirectly, to any of the following promotional relationships with either a major sports complex or the person or entity holding or owning, from time to time, the legal possessory right or interest to use or occupy a main facility shall not be considered "off premise" advertising: events (including pre-event and post-event entertainment), products, services and companies located within a major sports complex and products, services and companies having a promotional relationship for teams at a main facility or events occurring within a major sports complex (including, but not limited to, naming rights holders, multiple event sponsors and individual event sponsors).

5. **Permits.** No permit under Article VII of the "Construction" Chapter of the Code of the City of Arlington shall be required for any of the following where located within a major sports complex: primary and decorative flags and vertical banners, air balloons, temporary special events banners and temporary video screens.

6. **Maintenance.** All signs authorized by this Section, together with all their supports, braces, guys and anchors, shall be kept in good repair and proper working condition subject to normal wear and tear.

7. **Primary Route for Ingress or Egress.** The phrase "primary route for ingress or egress" means the specific portions of arterial streets designated in Exhibit "A" attached to this ordinance and incorporated herein for all purposes.

8. **On-Site / Off-Site.** The phrase "on-site" means located within a major sports complex. The phrase "off-site" means located outside a major sports complex.

B. Primary and Decorative Flags / Vertical Banners.

Permissible Location

On-Site – Yes

Off-Site – Only along arterial streets that are identified as a primary route for ingress or egress for a main facility

Maximum area

On-Site – 87 sq. ft. per flag or vertical banner

Off-Site – 35 sq. ft. per flag or vertical banner

Maximum height

35 feet

Minimum height

Six feet from pole base to the bottom of the flag/vertical banner

Lighting

External

Spacing

None

Time limit

None

Permitted in right-of-way

Primary or Decorative Flags - No

Vertical Banners – Yes

Special Conditions:

- i. Torn or severely weathered flags shall not be permitted.
- ii. Flags and vertical banners shall be secured at all points of attachment to a pole.
- iii. No more than two flags or vertical banners per pole shall be permitted.
- iv. The maximum height of roof-top flags shall be 25' measured from the top of the building structure.

- v. Up to 20% of each flag and vertical banner located outside a major sports complex as authorized by this Section may display the name and logo of any and all of the following: (1) products, services and companies located within a major sports complex and (2) any product, service or company having a promotional relationship for teams at a main facility or events (including pre-event and post-event entertainment) within a major sports complex (including, but not limited to, naming rights holders, multiple event sponsors and individual event sponsors). Up to 100% of each flag and vertical banner located outside a major sports complex may display the name and logo of any and all of the following: (1) teams at a main facility and events (including pre-event and post-event entertainment) within a major sports complex and (2) special community sponsored events. Up to 100% of each flag and vertical banner located within a major sports complex may display the name and logo of any and all of the following: (1) products, services and companies located within a major sports complex, (2) teams at a main facility and events (including pre-event and post-event entertainment) within a major sports complex, (3) any product, service or company having a promotional relationship for such teams or events (including, but not limited to, naming rights holders, multiple event sponsors and individual event sponsors) and (4) special community sponsored events. For purposes of this Section, a "special community sponsored event" is an event sponsored by community based, nonprofit entities, with an expected attendance of 20,000 or more persons and approved by City Council resolution.
- vi. Vertical banners may be attached to light standards or other poles in the right-of-way in accordance with a right-of-way use agreement approved by the City Manager and City Attorney. No monetary fee shall be imposed for such use of the right-of-way under such agreement.
- vii. The area of a vertical banner shall be calculated on the basis of one side. When used in this Section, "side" shall refer to a single plane.

C. **Pole Signs.**

Permissible Location

On-Site – Only as specifically authorized under "Special Conditions"

Off-Site – Only (i) as specifically authorized under "Special Conditions" and (ii) at any location with a Specific Use Permit

Maximum area

700 square feet. Where an electronic message center sign is provided, the maximum permitted area shall be increased to 1,200 square feet.

Maximum height

80 feet; except signs that are within 660 feet of and visible from the main travel lanes of a controlled access freeway shall not exceed 42.5 feet in height above the higher surface elevation of the nearest frontage road or main travel lane.

Lighting

Internal or External

Permitted in right-of-way

Yes, in accordance with a right-of-way use agreement approved by the City Manager and City Attorney.

Time Limit

None

Special Conditions:

- i. Each pole sign authorized under this Section shall be separated by not less than 625 feet from any other pole sign authorized under this Section.
- ii. Each main facility of a major sports complex is authorized to place a total of six pole signs in the City in any of the following locations: (a) within a major sports complex; (b) fronting arterial streets identified as a primary route for ingress or egress for a major sports complex (provided, however, no such sign shall front East Lamar Boulevard between Ascension Boulevard and Brookhollow Plaza Drive); and (c) located in the vicinity of Interstate Highway 20 at its intersection with State Highway 360, as shown more particularly on Exhibit "B" attached to this ordinance and incorporated herein for all purposes. If located within 660 feet of a controlled access freeway, such signs shall not be placed outside a commercial or industrial zone.
- iii. In addition to the above, a main facility designed to seat at least 70,000 spectators is authorized to place one pole sign on a lot with frontage on Interstate Highway 30. Such sign may be located within or outside a major sports complex and may be located within 660 feet of a controlled access freeway. Additionally, such sign shall not be placed either (a) outside a commercial or industrial zone or (b) within 100 feet of any residential zone outside a major sports complex.
- iv. In addition to the above, the pole sign fronting Interstate Highway 30 for the main facility used as a major league baseball park shall be permitted as a pole sign authorized under this Subsection, provided such sign complies with the requirements and limitations of this Subsection.
- v. In addition to the above, all main facilities in the City are authorized to collectively place up to two pole signs on lots with frontage on Interstate Highway 30 and one pole sign on a lot with frontage on State Highway 360. Such signs may be located within or outside a major sports complex and may be located within 660 feet of a controlled access freeway. Additionally, such signs shall not be placed either (a) outside a commercial or industrial zone or (b) within 100 feet of any residential zone outside a major sports complex.

- vi. Electronic message center signs shall be permitted on all pole signs authorized under this Section.
- vii. Sponsor panels for products, services and companies located within a major sports complex and products, services and companies having a promotional relationship with teams at a main facility or events (including pre-event and post-event entertainment) occurring within a major sports complex (including, but not limited to, naming rights holders, multiple event sponsors and individual event sponsors) shall be permitted on all pole signs authorized under this Section. A sponsor panel must be removed if the sponsor product, service or company ceases to be located within the major sports complex and/or all applicable promotional relationships (with respect to such sponsor panel) with teams at a main facility or events occurring within the major sports complex end.
- viii. Sponsor panels may be located on any portion or all of each permitted on-site pole sign. Sponsor panels may be located on any portion of each permitted off-site pole sign, subject to the following limitations: (a) if less than the entire display area is an electronic message center sign, then no more than 35% of the total display area may be used for sponsor panels; and (b) if the entire display area is an electronic message center sign, then no more than 35% of each half-hour period during which messages are displayed may be used for the display of products, services and companies located within a major sports complex or having a promotional relationship for events occurring within a major sports complex (provided, however, at any time, permitted pole signs may depict any or all of the following: the theme of a major sports complex, the name of a main facility, the name of a parking area, the name of a location within a major sports complex, an event to occur at a main facility, one or more professional or amateur sports teams that play at a main facility and the location of Arlington, Texas).
- ix. Reader boards may be incorporated into permitted pole signs, provided the combined area of reader boards for any one sign does not exceed 75% of such sign's display area.
- x. Each pole sign may contain multiple display areas on multiple sides or all sides. The combined area of the pole sign shall be measured by summing the individual rectangle(s) enclosing each display area, exclusive of the pole(s). For spherical, free-form, sculptural and other non-planar signs, the sign area shall be the sum of the areas using only the four vertical sides of the smallest hexahedron that will encompass the sign. Where there is more than one side to a pole sign, the total allowable area shall be doubled and the area may be distributed among the various sides, with no single side exceeding the original allowable area.

D. **Ground Signs.**

Permissible Location

On-Site – Yes

Off-Site – No

Maximum area

400 square feet.

Maximum height

24 feet.

Lighting

Internal or External

Permitted in right-of-way

Yes, in accordance with a right-of-way use agreement approved by the City Manager and City Attorney.

Time Limit

None

Special Conditions:

- i. One ground sign is permitted for each 200 lineal feet of street frontage or portion thereof within a major sports complex. Each ground sign must be separated by not less than 150 feet.
- ii. Electronic message center signs and reader boards shall be permitted on ground signs.
- iii. Sponsor panels for products, services and companies located within a major sports complex and products, services and companies having a promotional relationship with teams at a main facility or events (including pre-event and post-event entertainment) occurring within a major sports complex (including, but not limited to, naming rights holders, multiple event sponsors and individual event sponsors) shall be permitted on ground signs. A sponsor panel must be removed if the sponsor product, service or company ceases to be located within the major sports complex and/or all applicable promotional relationships (with respect to such sponsor panel) with teams at a main facility or events occurring within the major sports complex end.
- iv. Sponsor panels may be located on any portion of each permitted ground sign, subject to the following limitations: (a) if less than the entire display area is an electronic message center sign, then no more than 90% of the total display area may be used for sponsor panels; and (b) if the entire display area is an electronic message center sign, then no more than 90% of each half-hour period during which messages are displayed may be used for the display of products, services and companies located within a major sports complex or having a promotional relationship for events occurring within a major sports complex (provided, however, at any time,

permitted ground signs may depict any or all of the following: the theme of a major sports complex, the name of a main facility, the name of a parking area, the name of a location within a major sports complex, an event to occur at a main facility, one or more professional or amateur sports teams that play at a main facility and the location of Arlington, Texas).

- v. Each ground sign may contain multiple display areas on multiple sides or all sides. The combined area of the ground sign shall be measured by summing the individual display areas. For spherical, free-form, sculptural and other non-planar signs, the sign area shall be the sum of the areas using only the four vertical sides of the smallest hexahedron that will encompass the sign. Where there is more than one side to a ground sign, the total allowable area shall be doubled and the area may be distributed among the various sides, with no single side exceeding the original allowable area.

E. Directional and Site Circulation Signs.

Permissible Location

On-Site – No

Off-Site – Only (i) as specifically authorized under "Special Conditions" and (ii) at any location with a Specific Use Permit

Maximum area

400 square feet.

Maximum height

24 feet.

Lighting

Internal or External

Permitted in right-of-way

Yes, in accordance with a right-of-way use agreement approved by the City Manager and City Attorney.

Time Limit

None

Special Conditions:

- i. Directional and site circulation signs that are related to a major sports complex and owned or controlled, from time to time, by the person or entity holding or owning the legal possessory right or interest to use or occupy a main facility of a major sports complex shall be permitted where fronting arterial streets identified as a primary route for ingress or egress for a major sports complex.
- ii. One directional or site circulation sign shall be permitted for each 250 lineal feet of street frontage or portion thereof (provided however, no more than six such signs shall be permitted to front East Lamar Boulevard

between Ascension Boulevard and Brookhollow Plaza Drive). Each such sign must be separated by not less than 250 feet.

- iii. Directional and site circulation signs may be any type of sign.
- iv. Electronic message center signs and reader boards shall be permitted on directional and site circulation signs.
- v. Sponsor panels for products, services and companies located within a major sports complex and products, services and companies having a promotional relationship with teams at a main facility or events (including pre-event and post-event entertainment) occurring within a major sports complex (including, but not limited to, naming rights holders, multiple event sponsors and individual event sponsors) shall be permitted on directional and site circulation signs. A sponsor panel must be removed if the sponsor product, service or company ceases to be located within the major sports complex and/or all applicable promotional relationships (with respect to such sponsor panel) with teams at a main facility or events occurring within the major sports complex end.
- vi. Sponsor panels may be located on any portion of each permitted directional and site circulation sign, subject to the following limitations: (a) if less than the entire display area is an electronic message center sign, then no more than 35% of the total display area may be used for sponsor panels; and (b) if the entire display area is an electronic message center sign, then no more than 35% of each half-hour period during which messages are displayed may be used for the display of products, services and companies located within a major sports complex or having a promotional relationship for events occurring within a major sports complex (provided, however, at any time, permitted directional and site circulation signs may depict any or all of the following: the theme of a major sports complex, the name of a main facility, the name of a parking area, the name of a location within a major sports complex, an event to occur at a main facility, one or more professional or amateur sports teams that play at a main facility and the location of Arlington, Texas).
- vii. Each directional and site circulation sign may contain multiple display areas on multiple sides or all sides. The combined area of such signs shall be measured by summing the individual display areas. For spherical, free-form, sculptural and other non-planar signs, the sign area shall be the sum of the areas using only the four vertical sides of the smallest hexahedron that will encompass the sign. Where there is more than one side to a ground sign, the total allowable area shall be doubled and the area may be distributed among the various sides, with no single side exceeding the original allowable area.

F. **Wall Signs.**

Permissible Location

On-Site – Yes

Off-Site – No

Maximum area

70% of wall area (including exempt wall signs at the main facility).

Lighting

Internal or External

Permitted in right-of-way

n/a.

Time limit

None

Special Conditions:

- i. No wall sign shall (1) extend horizontally more than 18 inches from the wall to which it is attached, (2) extend vertically above the height of the parapet of the wall to which it is attached (unless contiguous with a roof sign permitted under this Section) and (3) extend vertically below 10 feet above the height of the finished sidewalk along the adjacent right-of-way or pedestrian pathway (except that signs that do not exceed 65 square feet in size are exempt from this requirement, provided there is a separation between such signs of at least 50 linear feet along the adjacent right-of-way or pathway).
- ii. Electronic message center signs and reader boards shall be permitted on wall signs.
- iii. Wall murals shall be permitted as wall signs and may be sponsor panels.
- iv. Sponsor panels for products, services and companies located within a major sports complex and products, services and companies having a promotional relationship with teams at a main facility or events (including pre-event and post-event entertainment) occurring within a major sports complex (including, but not limited to, naming rights holders, multiple event sponsors and individual event sponsors) shall be permitted on wall signs, and may be located on any portion or all of each wall sign. A sponsor panel must be removed if the sponsor product, service or company ceases to be located within the major sports complex and/or all applicable promotional relationships (with respect to such sponsor panel) with teams at a main facility or events occurring within the major sports complex end.

G. **Stadium Entrance Gate and Parking Lot Entrance Signs.**

Permissible Location

On-Site – Yes

Off-Site – No

Maximum area
450 square feet each.
Maximum height
60 feet
Lighting
Internal or External
Permitted in right-of-way
Yes, in accordance with a right-of-way use agreement approved by the
City Manager and City Attorney.
Time limit
None

Special Conditions:

- i. Up to three signs per entrance gate of each main facility and per each entrance to a parking area owned or controlled, from time to time, by the person or entity holding or owning the legal possessory right or interest to use or occupy a main facility of a major sports complex (whether directly, or indirectly through one or more intermediaries, affiliates, parents or subsidiaries, including any combination thereof and any successors and assigns thereof) shall be permitted; no minimum spacing.
- ii. Electronic message center signs and reader boards shall be permitted on stadium entrance gate signs and parking lot entrance signs.
- iii. Stadium entrance gate signs and parking lot entrance signs may be any type of sign.
- iv. Sponsor panels for products, services and companies located within a major sports complex and products, services and companies having a promotional relationship with teams at a main facility or events (including pre-event and post-event entertainment) occurring within a major sports complex (including, but not limited to, naming rights holders, multiple event sponsors and individual event sponsors) and off-premise advertising shall be permitted on stadium entrance gate signs and parking lot entrance signs, and may be located on any portion or all of each such sign. A sponsor panel must be removed if the sponsor product, service or company ceases to be located within the major sports complex and/or all applicable promotional relationships (with respect to such sponsor panel) with teams at a main facility or events occurring within the major sports complex end.
- v. Each stadium entrance gate sign and parking lot entrance sign may contain multiple display areas on multiple sides or all sides. The combined area of the sign shall be measured by summing the individual rectangle(s) enclosing each display area, exclusive of any pole(s). For spherical, free-form, sculptural and other non-planar signs, the sign area shall be the sum of the areas using only the four vertical sides of the smallest hexahedron

that will encompass the sign. Where there is more than one side to a sign, the total allowable area shall be doubled and the area may be distributed among the various sides, with no single side exceeding the original allowable area.

H. **Major Site Identity Signs.**

Permissible Location

On-Site – Yes

Off-Site – Only (i) as specifically authorized under "Special Conditions" and (ii) at any location with a Specific Use Permit

Maximum height

100 feet.

Maximum width

60 feet.

Maximum area

12,000 sq. ft.

Lighting

Internal or External

Permitted in right-of-way

Yes, in accordance with a right-of-way use agreement approved by the City Manager and City Attorney.

Time limit

None

Special Conditions:

- i. Each major site identity sign authorized under this Section shall be separated by not less than 625 feet from any other major site identity sign authorized under this Section.
- ii. Each main facility of a major sports complex is authorized to place a total of six major site identity signs in the City in any of the following locations: (a) within a major sports complex; (b) fronting arterial streets identified as a primary route for ingress or egress for a major sports complex (provided, however, no such sign shall front East Lamar Boulevard between Ascension Boulevard and Brookhollow Plaza Drive); and (c) located in the vicinity of Interstate Highway 20 at its intersection with State Highway 360, as shown more particularly on Exhibit "B" attached to this ordinance and incorporated herein for all purposes. If located within 660 feet of a controlled access freeway, such signs shall not be placed outside a commercial or industrial zone.
- iii. Each major site identity sign shall be some form of ground-based pylon.
- iv. Electronic message center signs shall be permitted on major site identity signs.

- v. Each major site identity sign may contain multiple display areas on multiple sides or all sides.
- vi. Reader boards may be incorporated into permitted major site identity signs, provided the combined area of reader boards for any one sign does not exceed 25% of such sign's area.
- vii. Sponsor panels for products, services and companies located within a major sports complex and products, services and companies having a promotional relationship with teams at a main facility or events (including pre-event and post-event entertainment) occurring within a major sports complex (including, but not limited to, naming rights holders, multiple event sponsors and individual event sponsors) shall be permitted on all major site identity signs authorized under this Section. A sponsor panel must be removed if the sponsor product, service or company ceases to be located within the major sports complex and/or all applicable promotional relationships (with respect to such sponsor panel) with teams at a main facility or events occurring within the major sports complex end.
- viii. Sponsor panels may be located on any portion or all of each permitted on-site major site identity sign. Sponsor panels may be located on any portion of each permitted off-site major site identity sign, subject to the following limitations: (a) if less than the entire display area is an electronic message center sign, then no more than 35% of the total display area may be used for sponsor panels; and (b) if the entire display area is an electronic message center sign, then no more than 35% of each half-hour period during which messages are displayed may be used for the display of products, services and companies located within a major sports complex or having a promotional relationship for events occurring within a major sports complex (provided, however, at any time, permitted major site identity signs may depict any or all of the following: the theme of a major sports complex, the name of a main facility, the name of a parking area, the name of a location within a major sports complex, an event to occur at a main facility, one or more professional or amateur sports teams that play at a main facility and the location of Arlington, Texas).
- ix. The combined area of each major site identity sign shall be measured by summing the entire area of all sides of the sign. For spherical, free-form, sculptural and other non-planar signs, the sign area shall be the sum of the areas using only the four vertical sides of the smallest hexahedron that will encompass the sign.

I. **Roof Signs.**

Permissible Location
 On-Site – Yes
 Off-Site – No

Maximum area
6,500 square feet.
Maximum height
60 feet above the roof of the building to which it is attached.
Lighting
Internal or External
Permitted in right-of-way
n/a
Time limit
None

Special Conditions:

- i. Up to a total of six roof signs per main facility may be attached to any structure within a major sports complex. Signs that are either exempt under Subsection 16-2500(A)(3) or regulated under Subsection 16-2500(N) shall not be included in the six (6) signs authorized above.
- ii. Each roof sign shall not extend more than 18 inches beyond the front of any elevation of the building to which it is attached.
- iii. Roof signs located within 660 feet of the right-of-way of a controlled access freeway are permissible, provided such signs are (a) not oriented toward a controlled access freeway and (b) either not visible from or only incidentally visible from the main travel lanes of a controlled access freeway.
- iv. Each roof sign may contain multiple display areas on multiple sides or all sides.
- v. Electronic message center signs and reader boards shall be permitted on roof signs.
- vi. The combined area of each roof sign shall be measured by summing the entire area of all sides of the sign. For spherical, free-form, sculptural and other non-planar signs, the sign area shall be the sum of the areas using only the four vertical sides of the smallest hexahedron that will encompass the sign.
- vii. Roof murals that are not visible from the ground shall be permitted without area limitation, as roof signs.
- viii. Sponsor panels for products, services and companies located within a major sports complex and products, services and companies having a promotional relationship with teams at a main facility or events (including pre-event and post-event entertainment) occurring within a major sports complex (including, but not limited to, naming rights holders, multiple event sponsors and individual event sponsors) shall be permitted on roof

signs, and may be located on any portion or all of each roof sign. A sponsor panel must be removed if the sponsor product, service or company ceases to be located within the major sports complex and/or all applicable promotional relationships (with respect to such sponsor panel) with teams at a main facility or events occurring within the major sports complex end.

J. **Arcade Signs.**

Permissible Location

On-Site – Yes

Off-Site – No

Maximum area

60 square feet.

Maximum height

3 feet.

Maximum width

20 feet.

Minimum vertical clearance

8 feet from the floor to the bottom of sign.

Lighting

Internal or External

Permitted in right-of-way

n/a

Time Limit

None

Special Conditions:

- i. Arcade signs shall be (a) either suspended from the ceiling of or projected from a wall of a roofed-passageway that has retail uses on at least one side and (b) located completely within the outside limits of the structural surfaces that delineate such passageway.
- ii. One arcade sign shall be permitted for each entrance.
- iii. Electronic message center signs and reader boards shall be permitted on arcade signs.
- iv. Each arcade sign shall not have more than two parallel display sides. The area of an arcade sign shall be calculated using the area of the largest display side.
- v. Sponsor panels for products, services and companies located within a major sports complex and products, services and companies having a promotional relationship with teams at a main facility or events (including pre-event and post-event entertainment) occurring within a major sports complex (including, but not limited to, naming rights holders, multiple event sponsors and individual event sponsors) shall be permitted on arcade

signs, and may be located on any portion or all of each arcade sign. A sponsor panel must be removed if the sponsor product, service or company ceases to be located within the major sports complex and/or all applicable promotional relationships (with respect to such sponsor panel) with teams at a main facility or events occurring within the major sports complex end.

K. **Air Balloons.**

Permissible Location

On-Site – Yes

Off-Site – No

Maximum area

None

Maximum height of balloon

100 feet

Lighting

Internal or External

Spacing

50 feet

Permitted in right-of-way

Only during permitted parade.

Time limit

Sixty (60) consecutive days for each special event.

Special Conditions:

- i. Thirty feet of clearance shall be maintained from all power lines to balloons. This applies to all balloons over three cubic feet, whether cold air or not.
- ii. Cold and hot air balloons may be used to announce any of the following: (1) products, services and companies located within a major sports complex, (2) events (including pre-event and post-event entertainment) within a major sports complex, (3) any product, service or company having a promotional relationship for such events (including, but not limited to, naming rights holders, multiple event sponsors and individual event sponsors). Hot air balloons may display off-premise advertising.

L. **Temporary Special Events Banners.**

Permissible Location

On-Site – Yes

Off-Site – No

Maximum area

None

Maximum height

None

Lighting

External

Spacing

No limits

Permitted in right-of-way

Yes, in accordance with a right-of-way use agreement approved by the City Manager and City Attorney.

Time limit

Sixty (60) consecutive days for each special event.

Special Conditions:

- i. Within a major sports complex, no limit in number applies.
- ii. Banners shall only be used to announce any of the following: (1) events (including pre-event and post-event entertainment) held at a major sports complex; (2) products, services and companies located within a major sports complex; or (3) products, services and companies having a promotional relationship with teams at a main facility or events occurring within a major sports complex (including, but not limited to, naming rights holders, multiple event sponsors and individual event sponsors).
- iii. Torn or weathered banners shall not be permitted.

M. **Temporary Video Screens.**

Permissible Location

On-Site – Yes

Off-Site – No

Maximum area

3,500 square feet.

Maximum height

None

Lighting

Internal or External

Spacing

No limit

Permitted in right-of-way

No.

Time limit

Sixty (60) consecutive days for each special event.

Special Conditions:

- i. Temporary video screen units meeting the requirements of this subsection are allowed at a major sports complex.

- ii. Sponsor panels and off-premise advertising are allowed on temporary video screens. Sponsor panels and off-premise advertising may be located on any portion or all of a temporary video screen and shall not be required to be part of a temporary video screen.
- iii. Temporary video screens shall not be oriented toward any publicly dedicated street and may only incidentally be visible from any publicly dedicated street.

N. **Major League Baseball Main Facility Signs.**

- 1. **Applicability.** Any sign that is (a) attached to the exterior (not including any field side) of a main facility designed to (i) seat at least 40,000 spectators but less than 70,000 spectators and (ii) house major league baseball games, and (b) visible from a public street or adjacent property shall be permitted based on this Subsection 16-2500(N).

2. **Decorative Flags and Pole Banners.**

- (a) Permissible location: on poles attached to and extending from the building roof or face.
- (b) Maximum area: 90 square feet per side.
- (c) Maximum height: decorative flags 25 feet from base of roof; pole banners 60 feet above grade.
- (d) Maximum number: no limit in number applies to decorative flags; a total of 30 pole banners shall be permitted, as follows: two at each corner entrance (i.e., Home Plate, First Base and Third Base) and six per side of the main facility.
- (e) No more than one flag or banner per pole shall be permitted.
- (f) Torn or severely weathered flags and banners shall not be permitted.
- (g) Sponsor panels displaying the name and logo of any and all of the following may be located on any portion or all of each decorative flag and pole banner: (a) products, services and companies located within a major sports complex, (b) teams at the main facility and events (including pre-event and post-event entertainment) within a major sports complex, and (c) any product, service or company having a promotional relationship for such teams or events (including, but not limited to, naming rights holders, multiple event sponsors and individual event sponsors).

3. **Archway Banners.**

- (a) Permissible location: attached to the inside of an open archway.
- (b) Maximum area: 750 sq. ft.
- (c) Maximum height: top of open archway.
- (d) Maximum number: a total of 27 shall be permitted, as follows: one per corner ticketed entrance and six per side of the main facility.
- (e) Torn or severely weathered banners shall not be permitted.
- (f) Sponsor panels displaying the name and logo of any and all of the following may be located on any portion or all of each archway banner: (a) products, services and companies located within a major sports complex, (b) teams at the main facility and events (including pre-event and post-event entertainment) within a major sports complex, and (c) any product, service or company having a promotional relationship for such teams or events (including, but not limited to, naming rights holders, multiple event sponsors and individual event sponsors).

4. **Primary Entrance Signs.**

- (a) Permissible location: attached parallel to the building face and above a primary building entrance.
- (b) Maximum area: 150 sq. ft. per side.
- (c) Maximum height: 80 feet above grade.
- (d) Maximum number: a total of seven shall be permitted, with no more than one per primary building entrance.
- (e) Sponsor panels displaying the name and logo of any and all of the following may be located on any portion or all of each primary entrance sign: (a) products, services and companies located within a major sports complex, (b) teams at the main facility and events (including pre-event and post-event entertainment) within a major sports complex, and (c) any product, service or company having a promotional relationship for such teams or events (including, but not limited to, naming rights holders, multiple event sponsors and individual event sponsors).

5. **Secondary Entrance Signs.**

- (a) Permissible location: attached perpendicular to the building face and adjacent to a secondary building entrance.
- (b) Maximum area: 20 sq. ft. per side.
- (c) Maximum height: 10 feet above grade.
- (d) Maximum number: a total of 24 shall be permitted, with no more than six per side of the main facility.
- (e) Sponsor panels displaying the name and logo of any and all of the following may be located on any portion or all of each secondary entrance sign: (a) products, services and companies located within a major sports complex, (b) teams at the main facility and events (including pre-event and post-event entertainment) within a major sports complex, and (c) any product, service or company having a promotional relationship for such teams or events (including, but not limited to, naming rights holders, multiple event sponsors and individual event sponsors).

6. **Roof Signs.**

- (a) Permissible location: at or above the roof line.
- (b) Maximum area: 6,500 sq. ft.
- (c) Maximum height: 30 feet above the roof of the main facility.
- (d) Maximum Number: four total, with no more than one per side of the main facility
- (e) Electronic message center signs and reader boards shall not be permitted.
- (f) Roof murals that are not visible from the ground shall be permitted without area limitation, as roof signs.
- (g) Sponsor panels displaying the name and logo of any and all of the following may be located on any portion or all of each roof sign: (a) the name of the main facility, (b) the name of a naming rights holder and (c) the logo of a naming rights holder.

3.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed **Two Thousand and NO/100 Dollars (\$2,000)** for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

4.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed. Notwithstanding the generality of the foregoing, this ordinance shall fully supersede all prior ordinances of the City of Arlington that create additional or inconsistent requirements related to or affecting the signs authorized hereunder.

5.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

6.

Should any provision of this ordinance be declared unconstitutional by a court of competent jurisdiction, any permit issued under such provision shall be deemed null and void ab initio, and any sign constructed under such provision or permit shall be removed with 30 days of final judgment.

7.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

8.

All of the regulations provided in this ordinance are hereby declared to be consistent with the purposes of the Federal Highway Beautification Act of 1965, 23 United States Code §131, the Texas Highway Beautification Act, Texas Transportation Code Chapter 391, and with customary use. This ordinance shall not be construed as a waiver of the City's control over

outdoor advertising signs and the City hereby reserves any and all of the rights reserved to cities under the referenced statutes and the Texas Administrative Code.

9.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

10.

The caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

11.

This ordinance shall become effective ten (10) days after first publication as described above.

PRESENTED AND GIVEN FIRST READING on the ____ day of _____, 2005, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the ____ day of _____, 2005, by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of the City of Arlington, Texas.

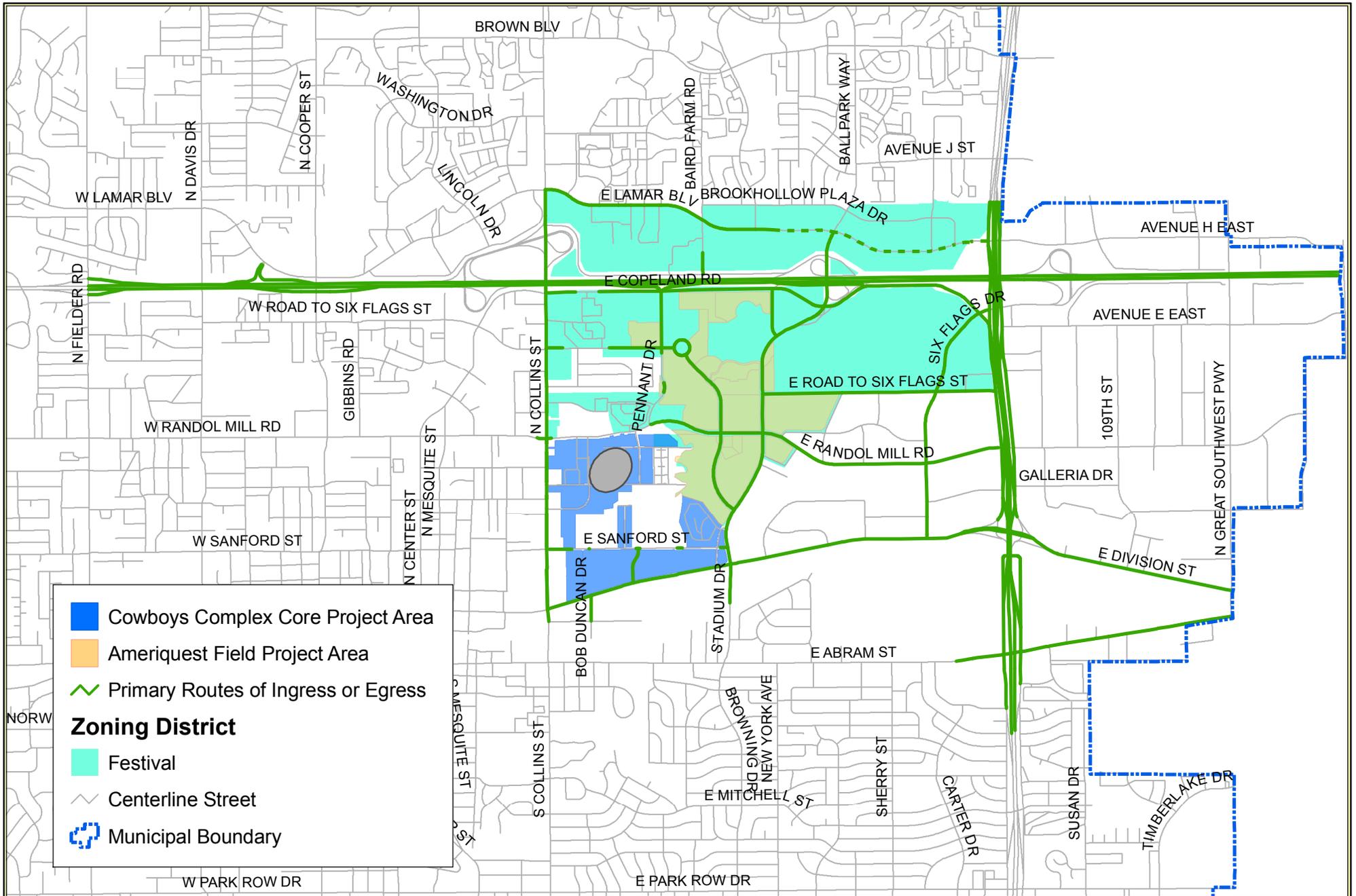
ROBERT N. CLUCK, Mayor

ATTEST:

BARBARA G. HEPTIG, City Secretary

APPROVED AS TO FORM:
JAY DOEGEY, City Attorney

BY _____



DISCLAIMER: This data has been compiled by The City of Arlington using various official and unofficial sources. Although every effort was made to ensure the accuracy of this data, no such guarantee is given or implied.

Exhibit A Primary Routes of Ingress or Egress

0 1,500 3,000 Feet

City of Arlington Geoprocessing
A Division of Information Technology
Printed: 21 June 2005

Location: X:\Geoprocessing\...\sign_dist_prop2.mxd



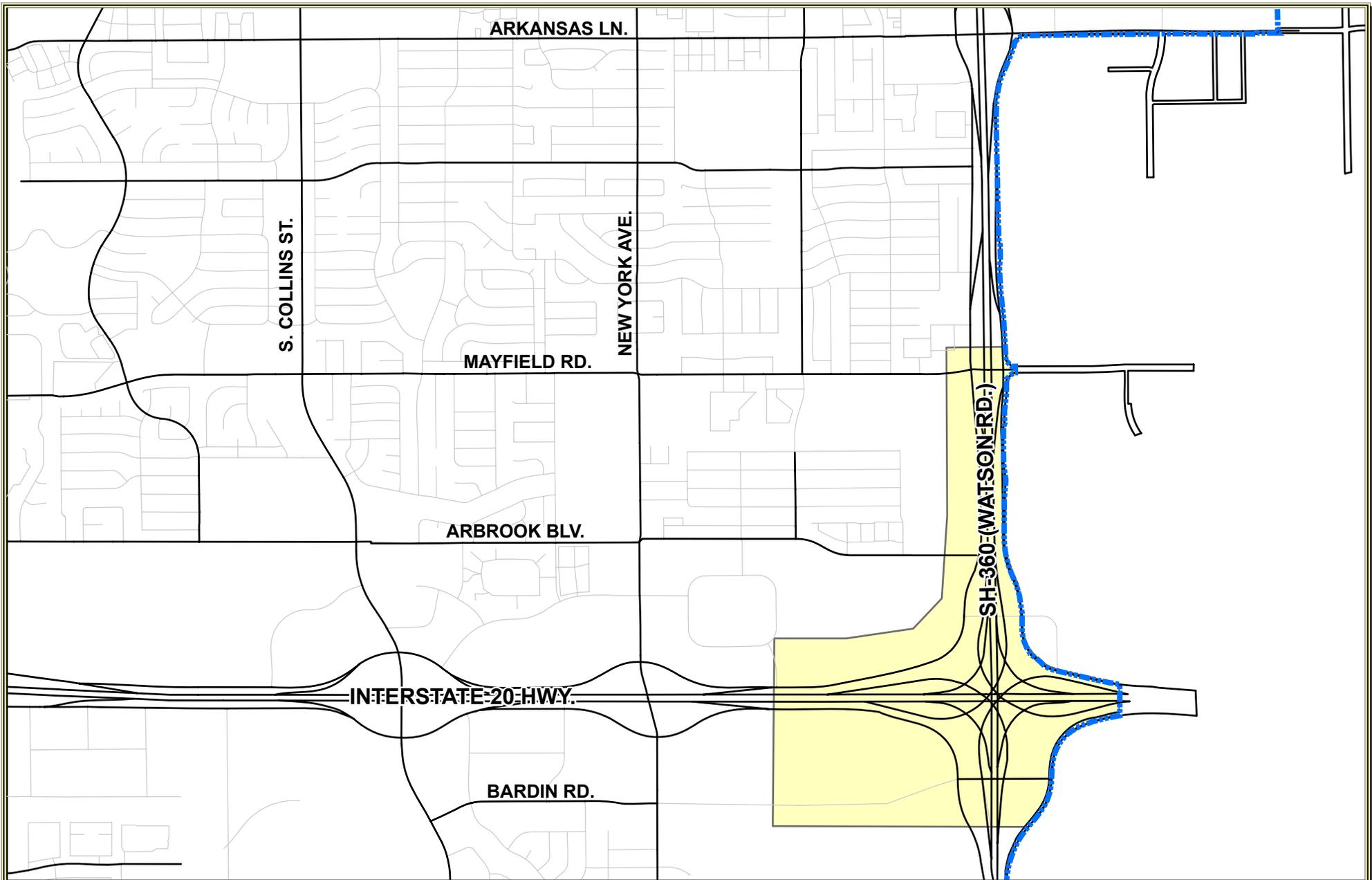


Exhibit B

Permissible Sign Locations



0 335670 1,340 2,010 2,680 Feet

City of Arlington Planning
& Development Services
Printed: 24 June 2005

