

City of Houston, Texas, Ordinance No. 2009-_____

AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE HOUSTON SIGN CODE; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the City of Houston has since 1980 enforced a comprehensive regulatory ordinance for signs located on the premises of Houston businesses; and

WHEREAS, although such provisions have been amended as needed, changes in sign technology and business practices indicate a need to review current on-premise sign regulations; and

WHEREAS, to accomplish such review, the Mayor appointed a task force with membership comprised of individuals representing a broad range of interest in on-premise sign issues, including representatives of developers, small and large businesses, restaurants, realtors, apartments, scenic organizations, quality of life organizations, and City staff to participate in the development of revised on-premise regulations; and

WHEREAS, the goals and objectives of the task force as established by the Mayor included the following:

1. Update the sign code for on-premise signage;
2. Recognize that signage is a critical tool in supporting businesses;
3. Improve on the current proliferation of signs that hinders business;
4. Improve the visual clutter that exists in major parts of the city;
5. Develop and improve communication of signage standards to enhance enforcement;
6. Set standards for new and emerging technologies; and

WHEREAS, the task force, following an intensive process of meetings over approximately ten months, has developed a series of proposed amendments intended to accomplish the desired goals and objectives; and

WHEREAS, City sign staff have also proposed additional housekeeping amendments; and

WHEREAS, the task force and City staff have also proposed that the Public Works and Engineering Department be authorized to undertake a study over the next three years of the use and impact of on-premise changeable message and high technology signs; and

WHEREAS, on June 11, 2009, the proposed amendments to Chapter 46 of the City of Houston Building Code, the Sign Code, were received and reviewed by the City Council Quality of Life Committee; **NOW, THEREFORE**,

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

Section 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.

Section 2. That Section 4602 of Chapter 46 of that volume of the City of Houston Construction Code known as the City of Houston Building Code (the "Houston Sign Code") is hereby amended by adding, in the appropriate alphabetical order position, the following new definitions:

"CANDELA shall mean a unit of luminous intensity equal to 1/60 of the luminous intensity per square centimeter of a blackbody radiating at the temperature of solidification of platinum (2,046°K). Also called *candle*."

"CHANGEABLE MESSAGE SIGN shall mean any on-premise sign that is capable of changing its message, copy or appearance by electronic processes, and shall include but not be limited to those on-premise signs employing changeable message light emitting diode technology, commonly referred to as LED signs."

"HIGH TECHNOLOGY SIGN shall mean any sign that utilizes electronic processes, such as light emitting diode (LED) technology, rather than mechanical or other means, to display a fixed and unchangeable message."

"NIT shall mean a unit of measurement of luminance, or the intensity of visible light, where one nit is equal to one candela per square meter."

"SINGLE FAMILY RESIDENCE shall mean the use of a lot with one building designed for and containing not more than two separate units with facilities for living, sleeping, cooking and eating therein. A lot upon which is located a free-standing building containing one dwelling unit and a detached secondary dwelling unit of not more than 900 square feet also

shall be considered a single-family residence. A building that contains one dwelling unit on one lot that is connected by a party wall to another building containing one dwelling unit on an adjacent lot shall be a single-family residence."

"**VISIBLE** shall mean capable of being seen from a right-of-way, whether legibly or not, by a person of normal visual acuity without the use of visual aids."

Section 3. That Section 4602 of the Houston Sign Code is hereby amended by deleting the definition of the term **LIGHT STANDARD DECORATION**.

Section 4. That Section 4602 of the Houston Sign Code is hereby amended by amending the following definitions to read as follows:

"**EFFECTIVE DATE.** Except as otherwise provided herein, the meaning of the term 'effective date' depends upon the location of a sign or proposed sign within the sign code application area, and it shall be determined as follows:

- (1) With respect to any area within the corporate limits of the City of Houston as the corporate limits existed on May 8, 1980: May 8, 1980.
- (2) With respect to any area annexed into the corporate limits of the City of Houston between May 8, 1980, and May 31, 1985: the date of the first publication of notice for a public hearing regarding the proposed annexation as required pursuant to Section 6 of former Article 970 (a), Texas Revised Civil Statutes Annotated.
- (3) With respect to the area of extraterritorial jurisdiction of the City of Houston as defined by Section 42.021 of the Local Government Code, as the area of extraterritorial jurisdiction existed on May 31, 1985: May 31, 1985.
- (4) With respect to any area annexed into the corporate limits of the City of Houston after May 31, 1985, and any extension of the area of extraterritorial jurisdiction of the City of Houston that resulted from such an annexation: the date of the first publication of notice for a public hearing regarding the proposed annexation as required pursuant to Section 6 of former Article 970 (a), Texas Revised Civil Statutes

Annotated or Section 43.052 of the Local Government Code, as applicable."

"ELECTRONIC SIGN shall mean any off-premise sign that is capable of changing its message, copy or appearance by electronic or mechanical processes, and shall include but not be limited to those signs employing changeable message light emitting diode technology, commonly referred to as LED signs."

"SCENIC OR HISTORICAL RIGHT-OF-WAY OR DISTRICT shall mean those areas described in Appendix A to this chapter, each of which is specified with its date of creation."

"SIGN shall mean any outdoor display, design, pictorial or other representation that shall be so constructed, placed, attached, painted, erected, fastened or manufactured in any manner whatsoever so that the same is designed, intended, or used to advertise or inform, or any similar display, design, pictorial, or other representation appearing in a window in a manner to be visible from the right-of-way. The term 'sign' shall include the sign structure. Every sign shall be classified and conform to the requirements of each of such classifications set forth in this chapter."

"SIGN STRUCTURE shall mean any structure that supports or is capable of supporting any sign, including all inter-related parts and materials designed to be used or intended to be used to support a sign face whether containing a message or not. A sign structure may be a single pole and may or may not be an integral part of a building."

Section 5. That in Subsection (a) of Section 4603 of the Houston Sign Code the definition of **ON-PREMISE SIGN** is hereby amended to read as follows:

"ON-PREMISE SIGN shall mean any sign identifying, advertising, or providing information about the business, person, activity, goods, products or services primarily sold or offered for sale on the premises where the sign is installed and maintained when such premises is used for business purposes."

Section 6. That in Subsection (b) of Section 4603 of the Houston Sign Code the definition of **BANNER SIGN** is hereby amended to read as follows:

"**BANNER SIGN** shall mean any sign constructed of cloth, canvas, light fabric or other light material, not to exceed 40 square feet in size; provided that portable signs, flag signs, and awning signs shall not be considered banner signs."

Section 7. That Item (1) of the definition of the term **SPECTACULAR SIGN** in Subsection (c) of Section 4603 of the Houston Sign Code is hereby amended to read as follows:

"(1) Automatically changing message that changes more often than once every five minutes;"

Section 8. That Subsection (f) of Section 4604 of the Houston Sign Code is hereby amended to read as follows:

"(f) Sign Advisory Council. There is hereby authorized a Sign Advisory Council consisting of ten members, to serve on an ad hoc basis as the Mayor shall determine. Six members at a meeting shall constitute a quorum. The positions on said Council shall be filled as follows:

- Position 1 A representative of the on-premise sign industry
- Position 2 A representative of the off-premise sign industry
- Positions 3 & 4 Local civic group representatives
- Position 5 At-large member who shall be chair of the Sign Advisory Council
- Positions 6 & 7 Business persons located in the city who utilize signs
- Positions 8 & 9 Land developers operating in the city
- Position 10 The Sign Administrator of the City of Houston, or his designee, who shall also serve as the Secretary of the Sign Advisory Council.

The Sign Administrator may designate, in writing, a person under his supervision to act in his place as his duly authorized representative, said representative to enjoy all rights and privileges of the position. A copy of such a designation, specifying the dates any such person shall act as representative of the Sign Administrator, shall be filed with the minutes of the Sign Advisory Council. The Mayor shall designate as chairman a member of the local business community.

Upon a determination by the Mayor that the Sign Advisory Council should be constituted, members of the Sign Advisory Council shall be

appointed by the Mayor, with the approval of the City Council, and shall serve for such term as the Mayor shall designate, with the approval of the City Council, not to exceed one year.

Whenever any position on the Sign Advisory Council becomes vacant by reason of death, resignation or removal, said vacancy shall be filled for the unexpired term of the member being replaced. Should a vacancy occur on the Sign Advisory Council, the Mayor shall appoint, subject to the consent of City Council, another qualified person to serve the unexpired term of such vacancy. Any member of the Sign Advisory Council may be removed at any time by the Mayor without consent of City Council. Each member of the Sign Advisory Council shall serve without compensation.

A City employee member of the Sign Advisory Council shall not vote as a member of such Council on any motion, resolution or recommendation by the Sign Advisory Council, but shall be permitted to give a written opinion or report to the Mayor and City Council concerning any such resolution or recommendation by the Sign Advisory Council.

The duty of the Sign Advisory Council shall be to consider and make recommendations to the Mayor and City Council concerning proposals to create scenic or historical districts or rights-of-way. The Sign Advisory Council may submit a written recommendation to the City Council concerning a scenic or historic district or right-of-way proposed to be created under the provisions of Section 4610 at any time prior to final City Council action on such proposal. Any such report, opinion or recommendation of the Sign Advisory Council is advisory only.

The Sign Advisory Council shall adopt reasonable rules and regulations for the conduct of its duties. A majority of the members of the Sign Advisory Council present, and lawfully meeting, shall determine the wishes of the Sign Advisory Council. All reports or recommendations delivered to the Mayor and City Council shall be rendered in writing with copies to the Sign Administrator.

The Sign Advisory Council shall prepare an agenda in advance of its meetings. The agenda shall be published by conspicuously posting a copy thereof at the City Hall and in the Sign Administration Office."

Section 9. That Items (1) and (2) of Subsection (b) of Section 4605 of the Houston Sign Code are hereby amended to read as follows:

"(1) Signs painted on glass surfaces or windows or doors; provided however, that electrical signs or signs with structures, greater than six square feet in size, that appear in a window in a manner to be visible from the right-of-way shall require a permit as a wall sign. In addition, no more than twenty percent of a glass storefront may be covered with advertising content.



(2) Signs erected by or on behalf of the State of Texas (including political subdivisions thereof) or by or on behalf of the federal government. This exception shall not extend to signs erected by the City and City lessees unless the signs are situated upon property under the jurisdiction of the City's Aviation Department or property leased to the Harris County - Houston Sports Authority. Prior to April 9, 2002, this exception included signs erected by all City departments and City lessees; any sign lawfully erected by the City or any of its lessees as part of a construction project for which the building permit or a sign permit was issued before that date may be erected and continue to be repaired and maintained and may also be replaced with an equivalent sign erected in like manner in the event that the sign is destroyed by a casualty or in the event that the sign is removed and relocated for purposes relating to expansion or renovation of the facility that it serves."

Section 10. That Item (13) of Subsection (b) of Section 4605 of the Houston Sign Code is hereby deleted.

Section 11. That Item (1) of Subsection (c) of Section 4605 of the Houston Sign Code is hereby amended to read as follows:

"(1) The application for a permit shall be submitted in such form as the Sign Administrator may prescribe and shall be accompanied by drawings and descriptive data to verify compliance with the provisions of this chapter. Construction permit applications for any new signs, when erected or constructed to heights exceeding eight feet above ground level or in excess of sixty square feet in size, shall be accompanied by a design drawing of the sign structure and the sign, followed by an as-built drawing based on an on-the-ground inspection, both of which have been prepared by and certified by a professional engineer registered in the State of Texas; the Sign Administrator at his option may also require similar certification by a registered professional engineer where any unusual structural

provisions of a proposed sign indicate such certification is necessary in the interest of public safety."

Section 12. That Subsection (j) of Section 4608 of the Houston Sign Code is hereby amended to read as follows:

"(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."

Section 13. That Subsection (m) of Section 4608 of the Houston Sign Code is hereby amended to read as follows:

"(m) Spectacular Signs . Spectacular signs are prohibited."

Section 14. That the title of Table 4609 of the Houston Sign Code is hereby amended by inserting a footnote that reads as follows:

"1. Applies to signs initially permitted prior to September 1, 2009. For signs permitted after that date, see Table 4611."

Section 15. That 4611 of the Houston Sign Code is hereby amended by adding the following caption at the beginning of Subsection (g):

"Identifying Number Required."

Section 16. That Section 4611 of the Houston Sign Code is hereby amended by adding new Subsections (h) and (i) to read as follows:

"(h) Changeable Message and High Technology Signs. Save and except for signs erected pursuant to the provisions of Section 4620, the following provisions shall apply to all existing and new changeable message and high technology signs:

- (1) Blinking, rotating, moving, chasing, flashing, glaring, strobe, scintillating, or spot lights are prohibited.
- (2) Lights or colored elements creating a continuously moving, shimmering, or prismatic effect, or the use of rotating or moving parts in association with such lights or colored elements, are prohibited.
- (3) A changeable message sign may not change the message more often than every five minutes and must change the message within one second or less; a high technology sign may not change the message without a new permit.
- (4) Brightness limits shall be set at a maximum of 6500 nits between sunrise and sunset, and at a maximum of 1250 nits between sunset and sunrise, and each sign shall be fitted with a qualified light sensing device to automatically adjust the brightness in accordance with these standards.

(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.

- (1) **Definitions and references.** In this subsection, the following terms shall have the meanings herein ascribed to them, unless the context of their usage clearly indicates another meaning:
 - a. All references in this Code to the size and height limitations contained in Table 4609 of this Code shall be interpreted to refer to the new size and height limitations contained in Table 4611.
 - b. **BUSINESS** shall mean any entity that uses an on-premise sign.
- (2) **Additional restrictions for ground signs.**
 - a. For any business to which the multi-tenant standards of Category B and Category C of Table 4611 of this Code could apply that instead applies for a permit to utilize a single business ground sign, the single

business ground sign shall be permitted and constructed in accordance with the size and height limitations for the next smaller category of right-of-way; that is, a single business Category C sign shall be permitted and constructed to the Category B standards of Table 4611, and a single business Category B sign shall be permitted and constructed to the Category A standards of Table 4611. This provision shall not apply to any new ground sign that is more than 350 feet from another ground sign at the same location.

- b. All permanent signs other than wall signs and marquee signs will be counted as ground signs, including flag and fence signs.
- (3) **Additional restrictions for roof signs.** Roof signs are prohibited.
- (4) **Additional restrictions for wall signs.**
- a. The area of wall signs shall not exceed in the aggregate 25 percent of the area of the wall on which they are mounted or painted, or 1000 square feet, whichever is smaller.
 - b. Wall signs may be attached only to buildings devoted exclusively to business purposes; wall signs attached to buildings or other structures not used exclusively in the furtherance of the primary business purpose shall be treated as ground signs. For the purposes of this provision, wall signs on parking garages located on the premises of the business shall be considered for business purposes.
 - c. No wall sign may extend above the supporting exterior wall unless mounted on a mansard or facade, and in any event no wall sign may extend more than ten feet above the roof line of the supporting wall.
 - d. In the central business district the maximum height of a wall sign shall not

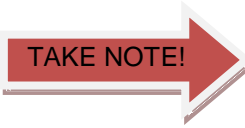
exceed
42-1/2
feet.

(5) Additional restrictions for projecting signs.

- a. No projecting sign shall extend above the roof line of the supporting exterior wall.
- b. In the central business district the maximum height of a projecting sign shall not exceed 42-1/2 feet.

(6) Additional restrictions for changeable message signs.

- a. Only one changeable message sign shall be permitted per business.
- b. No changeable message sign shall be located on a local street.
- c. No changeable message sign located on or facing a collector street shall be permitted within 150 feet of the property line of a single family residence.
- d. For a changeable message sign located on or facing a collector street, that portion of the sign where the changeable message is located shall not exceed in height those standards for Category A signs contained in Table 4611.
- e. That portion of the face of a changeable message sign devoted to changing the message shall be limited in area to fifty percent of the total area of the sign face, not to exceed 100 square feet.
- f. The height of a changeable message wall sign shall not exceed thirty-five feet or the roof line of the supporting exterior wall, whichever is shorter.
- g. An existing sign may only be converted into a changeable message sign in conformance with the standards for a new changeable message sign."



Section 17. That Section 4611 of the Houston Sign Code is hereby amended by adding new Table 4611 at the end thereof to read as follows:

**"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	
	Height	Size	Height	Size	Height	Size	Height	Size
	(Ft.)	(SFt.)	(Ft.)	(SFt.)	(Ft.)	(SFt.)	(Ft.)	(SFt.)
SINGLE BUSINESS	14	100	20	150	42½	225	8	60
MULTI-TENANT 2 OR 3 BUSINESSES	19	200	26	300	42½	450	10	120
MULTI-TENANT 4 OR MORE BUSINESSES	24	300	31	450	42½	600	12	180
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.

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."

Section 18. That Item (2) of Subsection (b) of Section 4612 of the Houston Sign Code is hereby amended to read as follows:

"(2) Electronic and off-premise high technology signs are prohibited. This prohibition shall include the construction, reconstruction, upgrading, or conversion of an existing off-premise sign to an electronic or off-premise high technology sign, such that no electronic or off-premise high technology signs are permitted."

Section 19. That Subitem c of Item (10) of Subsection (a) of Section 4617 of the Code of Ordinances, Houston, Texas, is hereby amended by replacing the term "Sign Permitting Fund" with the term "Building Inspection Fund."

Section 20. That Subsection (a) of Section 4620 of the Houston Sign Code is hereby amended by deleting the definition of the term **NIT**.

Section 21. That the Houston Sign Code is hereby amended by adding thereto a new Appendix A, which reads as set forth in Exhibit A, attached hereto and incorporated herein.

Section 22. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 23. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect at 12:01 a.m. on September 1, 2009.

PASSED AND APPROVED this ____ day of _____, 2009.

Mayor of the City of Houston

Prepared by Legal Dept. _____
LWS:asw 06/17/2009 Senior Assistant City Attorney
Requested by Michael S. Marcotte, P.E., Director, Department of Public Works and Engineering
L.D. File No. _____

EXHIBIT A

APPENDIX A

SCENIC OR HISTORICAL RIGHTS-OF-WAY OR DISTRICTS

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SCENIC OR HISTORICAL RIGHTS-OF-WAY OR DISTRICTS shall mean the following areas, each of which is specified with its date of creation:

- (1) T.C. Jester -from 11th Street to 43rd Street, designated by Ordinance No. 80-351, effective May 8, 1980.
- (2) Memorial Drive -from Houston Avenue to the limits of Hunters Creek Village, thence through Bunker Hill Village to the west boundary of the city limits of the City of Houston, designated by Ordinance No.80-351, effective May 8, 1980 (Dairy Ashford Road).
- (3) Woodway -from Memorial Drive to Voss Road, designated by Ordinance No. 80-351, effective May 8, 1980.
- (4) Allen Parkway -from Bagby to Kirby Drive to San Felipe, designated by Ordinance No. 80-351, effective May 8, 1980.
- (5) North Braeswood -from Hillcroft to Frankway, from Frankway to Braeswood to N. MacGregor to Almeda, designated by Ordinance No. 80-351, effective May 8, 1980.
- (6) South Braeswood -from Gessner to Main, designated by Ordinance No. 80-351, effective May 8, 1980.
- (7) North MacGregor -from Almeda to Calhoun, designated by Ordinance No. 80-351, effective May 8, 1980.
- (8) South MacGregor -from Almeda to Calhoun, designated by Ordinance No. 80-351, effective May 8, 1980.
- (9) South Freeway State Highway 288 (the South Freeway)-from Highway 59 to Loop 610, designated by Ordinance No. 80-351, effective May 8, 1980.
- (10) Post Oak Scenic District as designated by City Council Motion No. 83-3403, effective December 26, 1983.
- (11) Hardy Toll Road from the North Loop East (Loop 610) to Halls Bayou , as designated by City of Houston Ordinance No. 85-710, effective May 15, 1985.
- (12) Richmond/Weslayan Scenic District , being the following area:

Beginning at a point at the intersection of Lake Street and West Alabama and going west along the south side of West Alabama to Loop 610 West, then south along Loop 610 to the intersection of Highway 59, then

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following the north right-of-way line of 59 east to the east right-of-way line of Wesleyan, then south along the east right-of-way line of Wesleyan to the Southern Pacific railroad tracks to the west right-of-way line of Buffalo Speedway, then north along the west right-of-way line of Buffalo Speedway to the north right-of-way line of Highway 59, then east along the north right-of-way line of Highway 59 to the west right-of-way line of Kirby, north on Kirby to Lory Park, west on Lory Park to Lake Street and then North on Lake Street back up to the intersection of West Alabama and Lake Street as designated by Ordinance No. 85-1079, effective June 26, 1985.

- (13) Heights Boulevard Scenic District , being the following area:

A corridor 450 feet in width, extending 225 feet on both sides of the center line of Heights Boulevard; said corridor being bounded on the south by the intersection of Heights Boulevard and the northerly right-of-way line of Interstate Highway 10, and being bounded on the north by the intersection of Heights Boulevard and the southerly right-of-way line of 20th Street, as designated by Ordinance No. 86-284, effective February 25, 1986.

- (14) Tanglewood Area Scenic District , being the following area:

Beginning at the intersection of the center line of Woodway Drive and the center line of Buffalo Bayou;

Thence, in a westerly direction, along the center line meanders of Buffalo Bayou to a point 300 feet west of the west right-of-way of Voss Road;

Thence, in a southerly direction along a line 300 feet west of and parallel to the west right-of-way of Voss Road to a point 300 feet south of the south right-of-way of Westheimer Road;

Thence, in an easterly direction along a line 300 feet south of and parallel to the south right-of-way line of Westheimer Road to a point of intersection in the center line of Chimney Rock Road;

Thence, in a northerly direction along the center line of Chimney Rock Road to the intersection with the center line of Woodway Drive;

Thence, in an easterly direction along the center line of Woodway Drive to the point of beginning.

Save and except any area that may be within the corporate limits of any other city.

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Save and except any area that may be within an existing scenic or historic district, as designated by Ordinance No. 86-693, effective May 20, 1986.

- (15) South Freeway II Scenic District , being the following area:

Commencing at the intersection of the south right-of-way line of Interstate Highway 610 with the east right-of-way line of SH 288, thence easterly along the south right-of-way of Interstate Highway 610 to a point for corner, said point being 660 feet east of the east right-of-way line of SH 288 and the point of beginning;

Thence, in a generally southerly direction 660 feet east of and parallel to the east right-of-way line of SH 288 to the center line of Clear Creek, also being the Harris County Line;

Thence, in a westerly direction along the meanders of the center line of Clear Creek, also being the Harris County Line, to a point for corner; said point being 660 feet west of the west right-of-way line of SH 288;

Thence, in a generally northerly direction 660 feet west of and parallel to the west right-of-way line of SH 288 to a point for corner, said point being the intersection with the south right-of-way line of Interstate Highway 610;

Thence, in an easterly direction along the south right-of-way line of Interstate Highway 610, crossing SH 288 and continuing easterly to the point of beginning;

Save and except any area that may be within the corporate limits or extraterritorial jurisdiction of any other city;

Save and except any area that may be within an existing scenic or historic district, as designated by Ordinance No. 86-1282, effective July 29, 1986.

- (16) Richmond Avenue Scenic District , being the following area:

Commencing at the intersection of the east right-of-way line of Dairy-Ashford Road and the north right-of-way of Richmond Avenue, thence northerly 300 feet to a point for corner, said point also being the point of beginning;

Thence, easterly along an imaginary line 300 feet north of and parallel to the north right-of-way line of Richmond Avenue to the intersection with the westerly right-of-way line of Wilcrest Drive;

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Thence, continuing easterly across the right-of-way line of Wilcrest Drive to the intersection with the easterly right-of-way line of Wilcrest Drive and point for corner;

Thence, southerly along the easterly right-of-way line of Wilcrest Drive, crossing the right-of-way of Richmond Avenue and continuing southerly 300 feet to a point for corner;

Thence, westerly along an imaginary line 300 feet south of and parallel to the southerly right-of-way line of Richmond Avenue to the intersection with the easterly right-of-way line of Dairy-Ashford Road and point for corner;

Thence, northerly along the easterly right-of-way line of Dairy-Ashford Road, crossing the right-of-way of Richmond Avenue and continuing northerly 300 feet to the point of beginning;

Save and except any area that may be within the corporate limits or extraterritorial jurisdiction of any other city;

Save and except any area that may be within an existing scenic or historic district, as designated by Ordinance No. 86-1283, effective July 29, 1986.

(17) Dairy-Ashford Scenic District , being the following area:

Commencing at the south right-of-way line of Interstate Highway 10 and the east right-of-way line of Dairy-Ashford Road, thence, easterly along the south right-of-way line of Interstate Highway 10 a distance of 300 feet to a point for corner and the point of beginning;

Thence, in a southerly direction along an imaginary line 300 feet east of and parallel to the east right-of-way line of Dairy-Ashford Road to the intersection with the north right-of-way line of Alief-Clodine Road and point for corner;

Thence, westerly along the north right-of-way line of Alief-Clodine Road, crossing the right-of-way of Dairy-Ashford Road and continuing westerly 300 feet to a point for corner;

Thence, northerly along an imaginary line 300 feet west of and parallel to the westerly right-of-way line of Dairy-Ashford Road to the intersection with the south right-of-way line of Interstate Highway 10 and point for corner;

Thence, easterly along the south right-of-way line of Interstate Highway 10, crossing the right-of-way of Dairy-Ashford Road and continuing east a distance of 300 feet to the point of beginning;

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Save and except any area that may be within the corporate limits or extraterritorial jurisdiction of any other city;

Save and except any area that may be within an existing scenic or historic district, as designated by Ordinance No. 86-1283, effective July 29, 1986.

- (18) Lindale Park Area Scenic District , being the following area:

Beginning at the intersection of the easterly right-of-way line of the North Freeway (Interstate Highway 45) and the northerly right-of-way line of Cavalcade Street;

Thence, northerly along the easterly right-of-way line of the North Freeway (Interstate Highway 45) to a point for curve to the right;

Thence, continuing along a curve to the right to the intersection with the southerly right-of-way line of the North Loop (Interstate Highway 610);

Thence, easterly along the southerly right-of-way line of the North Loop (Interstate Highway 610) to a point for corner, said point being 125 feet east of the east right-of-way line of Robertson Street;

Thence, southerly along an imaginary line 125 feet east of and parallel to the easterly right-of-way line of Robertson Street to the intersection with an imaginary line 400 feet south of and parallel to the southerly right-of-way line of Cavalcade Street and point for corner;

Thence, westerly along said imaginary line 400 feet south of and parallel to the southerly right-of-way line of Cavalcade Street to the intersection with the easterly right-of-way line of Fulton Street;

Thence, continuing westerly, crossing Fulton Street along the westerly projection of the previously described imaginary line to the intersection with the easterly right-of-way line of the North Freeway (Interstate Highway 45) and point for corner;

Thence, northerly along the easterly right-of-way line of the North Freeway (Interstate Highway 45) to the intersection with the northerly right-of-way line of Cavalcade Street and point of beginning;

Save and except any area that may be within the corporate limits of any other city;

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Save and except any area that may be within an existing scenic or historic district, as designated by Ordinance No. 86-1715, effective September 30, 1986.

- (19) Beltway 8 Scenic District , being all that real property situated within 660 feet as measured in any direction from any point situated upon the right-of-way, whether acquired or proposed, for the Beltway 8 system, as described on the following maps of the Texas Department of Transportation (formerly the Texas Department of Highways and Public Transportation - SDHPT), Harris County Engineering Department (HCED) and the Texas Turnpike Authority (TTA), to wit:

1. SDHPT Account Maps No. 8012-1-73, Part 1;
2. SDHPT Account Maps No. 8012-1-73, Part 2;
3. SDHPT Account Maps No. 8012-1-70;
4. SDHPT Account Maps No. 8012-1-63;
5. SDHPT Account Maps No. 8012-1-68, Part 1;
6. SDHPT Account Maps No. 8012-1-68, Part 2;
7. SDHPT Account Maps No. 8012-1-72, Part 1;
8. SDHPT Account Maps No. 8012-1-72, Part 2;
9. SDHPT Account Maps No. 8012-1-71;
10. SDHPT Account Maps No. 8012-1-69;
11. SDHPT Account Maps No. 8012-1-76;
12. SDHPT Account Maps No. 8012-1-64;
13. SDHPT Account Maps No. 8012-1-67;
14. SDHPT Account Maps No. 8012-1-65, Part 1;
15. SDHPT Account Maps No. 8012-1-65, Part 2;
16. SDHPT Account Maps No. 8012-1-65, Part 3;
17. SDHPT Account Maps No. 8012-1-74;
18. SDHPT Account Maps No. 8012-1-75;
19. HCED Right-of-Way Maps Series No. 35390; and
20. TTA Right-of-Way Maps File No. 5017-017.

Microfilm negatives of the foregoing maps are on file in the Office of the City Secretary for copying and inspection and are incorporated herein by reference.

Save and except any portion that is not within the corporate limits of the City of Houston or the area of its extraterritorial jurisdiction.

Save and except any portion that is within an existing scenic or historic district, as designated by Ordinance No. 86-2193, effective December 16, 1986.

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- (20) F.M. 1093 Scenic District , being the following area:

Commencing at the intersection of the center line of F.M. 1093 and State Highway 6, thence easterly along the center line of F.M. 1093 to a point for corner, said point being 660 feet east of the center line of State Highway 6;

Thence in a generally southerly direction, perpendicular to the center line of F.M. 1093 to the POINT OF BEGINNING, said point being 660 feet south of the south right-of-way line of F.M. 1093;

Thence in a generally westerly direction 660 feet south of and parallel to the south right-of-way line of F.M. 1093 to a point for curve, said point being 660 feet south of the south right-of-way line of F.M. 1093;

Thence along a curve to the left being 660 feet south of and parallel to the south right-of-way line of F.M. 1093 to a point for tangency, said point being the intersection with the easterly projection of a line 660 feet south of and parallel to the southerly right-of-way line of F.M. 1093;

Thence in a generally southwesterly direction 660 feet south of and parallel to the south right-of-way line of F.M. 1093 to a point for curve; said point being 660 feet south of the south right-of-way line of F.M. 1093;

Thence along a curve to the right being 660 feet south of and parallel to the south right-of-way line of F.M. 1093 to a point for tangency, said point being the intersection with the easterly projection of a line 660 feet south of and parallel to the southerly right-of-way line of F.M. 1093;

Thence in a generally westerly direction 660 feet south of and parallel to the south right-of-way line of F.M. 1093 to a point for corner, said point being on Houston's five-mile extra territorial jurisdiction line as established in Ordinance No. 72-901, finally approved August 16, 1972;

Thence in a generally northerly direction along Houston's five mile extra territorial jurisdiction line to a point for corner, said point being 660 feet north of the north right-of-way line of F.M. 1093;

Thence in a generally easterly direction parallel to the north right-of-way line of F.M. 1093 to a point for curve, said point being 660 feet north of the north right-of-way line of F.M. 1093;

Thence along a curve to the left being 660 feet north of and parallel to the north right-of-way line of F.M. 1093 to a point for tangency, said point being

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the intersection with the westerly projection of a line 660 feet north of and parallel to the northerly right-of-way line of F.M. 1093;

Thence in a generally northeasterly direction 660 feet north of and parallel to the north right-of-way line of F.M. 1093 to a point for curve, said point being 660 feet north of the north right-of-way line of F.M. 1093;

Thence along a curve to the right being 660 feet north of and parallel to the north right-of-way line of F.M. 1093 to a point for tangency, said point being the intersection with the westerly projection of a line 660 feet north of and parallel to the northerly right-of-way line of F.M. 1093;

Thence in a generally easterly direction 660 feet north of and parallel to F.M. 1093 to a point for corner, said point being 660 feet east of the center line of State Highway 6;

Thence in a generally southerly direction to the POINT OF BEGINNING, said point being 660 feet south of the south right-of-way line of F.M. 1093;

Save and Except any area that may be within the corporate limits or extra territorial jurisdiction of any other city;

Save and Except any area that may be within an existing scenic or historic district, as designated by Ordinance No. 90-1092, effective September 12, 1990. The operation of the said scenic district does not extend to any on-premise sign that is situated within that portion of the City's area of extra territorial jurisdiction that lies in Harris County, Texas, as provided in the said ordinance.

(21) Gateway U.S. 59/Midtown Scenic District , being the following:

Beginning at a point at the intersection of Loop 610 and the north right-of-way line of U.S. Highway 59;

Then east along the north right-of-way line of U.S. Highway 59 to its intersection with the east right-of-way line of Wesleyan;

Then south along the east right-of-way line of Wesleyan to its intersection with the Southern Pacific railroad tracks;

Then east along the Southern Pacific railroad tracks to its intersection with the west right-of-way line of Buffalo Speedway;

Then north along the west right-of-way line of Buffalo Speedway to its intersection with the north right-of-way line of U.S. Highway 59;

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Then east along the north right-of-way line of U.S. Highway 59 to its intersection with the west right-of-way line of Kirby Drive;

Then north along the west right-of-way line of Kirby Drive to its intersection with Norfolk;

Then west along the south right-of-way line of Norfolk to its intersection with the west right-of-way line of Lake Street;

Then north along the west right-of-way line of Lake Street to its intersection with the south right-of-way line of West Alabama;

Then east along the south right-of-way line of West Alabama to its intersection with the east right-of-way line of Montrose;

Then north along the east right-of-way line of Montrose to its intersection with the south right-of-way line of Westheimer;

Then east along the south right-of-way line of Westheimer to its intersection with the west right-of-way line of Brazos Street;

Then north along the west right-of-way line of Brazos Street to its intersection with the south right-of-way line of Tuam Avenue;

Then west along the south right-of-way line of Tuam to its intersection with the west right-of-way line of Bagby Street;

Then north along the west right-of-way line of Bagby to its intersection with the south right-of-way line of McGowen;

Then west along the south right-of-way line of McGowen Avenue to its intersection with the southwest right-of-way line of Bailey Street;

Then north along the southwest right-of-way line of Bailey Street to its intersection with the north right-of-way line of West Webster;

Then east along the north right-of-way line of West Webster to its intersection with the north right-of-way line of Webster;

Then west along the north right-of-way line of Webster to its intersection with the south right-of-way line of West Gray;

Then east along the south right-of-way line of West Gray to its intersection with the west right-of-way line of Baldwin Street;

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Then north along the west right-of-way line of Baldwin Street to its intersection with the south right-of-way line of Arthur Street;

Then west along the south right-of-way line of Arthur to its intersection with the north right-of-way line of Cleveland;

Then east along the north right-of-way line of Cleveland to its intersection with the south right-of-way line of Interstate Highway 45;

Then east along the south right-of-way line of Interstate Highway 45 to its intersection with the east right-of-way line of Smith Street;

Then south along the east right-of-way line of Smith Street to its intersection with the north right-of-way line of Gray;

Then east along the north right-of-way line of Gray to its intersection with the west right-of-way line of State Highway 288/U.S. 59;

Then south along the west right-of-way line of State Highway 288 to its intersection with the south right-of-way line of MacGregor Way;

Then westerly along the south right-of-way line of MacGregor Way to Hermann Drive;

Then westerly along the south right-of-way line of Hermann Drive to its intersection with the east right-of-way line of Montrose;

Then north along the east right-of-way line of Montrose to its intersection with the south right-of-way line of Bissonnet;

Then west along the south right-of-way line of Bissonnet to its intersection with the east right-of-way line of Kirby Drive;

Then westerly following the boundary lines between the cities of West University Place and Bellaire and Houston to the east right-of-way line of Loop 610;

Then north along the east right-of-way line of Loop 610 to its intersection with the north right-of-way line of U.S. Highway 59, the point of beginning.

Save and except any portion that is within an existing scenic or historic district; created by Ordinance No. 2000-948, effective November 1, 2000.

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- (22) Downtown Scenic District , being the following:

Beginning at the intersection of the centerline of the right-of-way of Hutchins Street with the centerline of the right-of-way of Webster Avenue;

Thence in a northwesterly direction with the centerline of the right-of-way of Webster Avenue to the centerline of the right-of-way of U.S. Highway 59;

Thence in a northeasterly direction with the centerline of the right-of-way of U.S. Highway 59 to the centerline of the right-of-way of Gray Avenue;

Thence in a northwesterly direction with the centerline of the right-of-way of Gray Avenue to the centerline of the right-of-way of Baldwin Street;

Thence in a northeasterly direction with the centerline of the right-of-way of Baldwin Street to the centerline of the right-of-way of Pierce Avenue;

Thence in a northwesterly direction with the centerline of the right-of-way of Pierce Avenue to the extended centerline of the right-of-way of Buckner Street;

Thence in a northerly direction with the extended centerline of Buckner Street to the centerline of the right-of-way of Cleveland Street;

Thence in an easterly direction with the centerline of the right-of-way of Cleveland Street to the centerline of the right-of-way of Arthur Street;

Thence in a northerly direction with the centerline of the right-of-way of Arthur Street to the centerline of the right-of-way of West Dallas Street;

Thence in an easterly direction with the centerline of the right-of-way of West Dallas Street to the centerline of the right-of-way of Crosby Street;

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Thence in a northerly direction with the centerline of the right-of-way of Crosby Street to the centerline of the right-of-way of Allen Parkway;

Thence in an easterly direction with the centerline of the right-of-way of Allen Parkway to the centerline of the right-of-way of Sabine Street;

Thence in a northerly direction with the centerline of the right-of-way of Sabine Street to the centerline of the right-of-way of Memorial Drive;

Thence in an easterly direction with the centerline of the right-of-way of Memorial Drive to the centerline of the right-of-way of Houston Avenue;

Thence in a northerly direction with the centerline of the right-of-way of Houston Avenue to the centerline of the right-of-way of Washington Avenue;

Thence in an easterly direction with the centerline of the right-of-way of Washington Avenue to the centerline of the right-of-way of Elder Street;

Thence in a northeasterly direction with the centerline and extended centerline of the right-of-way of Elder Street to the centerline of the right-of-way of Dart Street;

Thence in a westerly direction with the centerline of the right-of-way of Dart Street to the centerline of the right-of-way of Beachton Street;

Thence in a northerly direction with the centerline of the right-of-way of Beachton Street to the centerline of the right-of-way of Bingham Street;

Thence in a westerly direction with the centerline of the right-of-way of Bingham Street to the centerline of the right-of-way of Holly Street;

Thence in a northerly direction with the centerline of the right-of-way of Holly Street to the centerline of the right-of-way of the Southern Pacific Railroad;

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Thence in an easterly direction with the centerline of the right-of-way of the Southern Pacific Railroad to the centerline of the right-of-way of McKee Street;

Thence in a southerly direction with the centerline of the right-of-way of McKee Street to the centerline of the right-of-way of Lyons Avenue;

Thence in an easterly direction with the centerline of the right-of-way of Lyons Avenue to the centerline of the right-of-way of Jensen Drive;

Thence in a southerly direction with the centerline of the right-of-way of Jensen Drive to the centerline of the right-of-way of Cline Street;

Thence in a westerly direction with the centerline of the right-of-way of Cline Street to the centerline of the right-of-way of the Houston Belt and Terminal Railroad;

Thence in a southerly direction with the centerline of the right-of-way of the Houston Belt and Terminal Railroad to the centerline of the right-of-way of Hutchins Street;

Thence in a southwesterly direction with the centerline of the right-of-way of Hutchins Street to the centerline of the right-of-way of Preston Avenue;

Thence in a southeasterly direction with the centerline of the right-of-way of Preston Avenue to the centerline of the right-of-way of Bastrop Street;

Thence in a southwesterly direction with the centerline of the right-of-way of Bastrop Street to the centerline of the right-of-way of Rusk Avenue;

Thence in a northwesterly direction with the centerline of the right-of-way of Rusk Avenue to the centerline of the right-of-way of Hutchins Street;

Thence in a southwesterly direction with the centerline of the right-of-way of Hutchins Street to the point of beginning at the centerline of the right-of-way of Webster Avenue.

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Save and except any portion that is within an existing scenic or historic district; created by Ordinance No. 2002-238, effective April 9, 2002. Notwithstanding any other provision of this Code to the contrary, the creation and existence of the Downtown Scenic District shall not preclude placement and maintenance of the special facility display signs that are authorized in Section 4620 of this Code.

- (23) Any other areas designated under the provisions of Section 4610.