



RESOLUTION NO. 20190827-02

**A RESOLUTION ADOPTING A SIGN GUIDELINES POLICY
FOR ALL TEXAMERICAS CENTER CAMPUSES**

WHEREAS, TexAmericas Center is a political subdivision of the State of Texas with the powers and authorities specified in Chapter 3503 of the Special District Local Laws Code of the State of Texas; and

WHEREAS, the Board of Directors finds that it is in the best interest of TexAmericas Center in fulfilling its role and obligations to redevelop its property for job creation and economic growth to adopt a Sign Guidelines Policy promoting public welfare and safety by safe placement and installation of appropriate signage on its three campuses; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors does hereby adopt and impose upon its property known as the TexAmericas Center-East Campus, the TexAmericas Center-Central Campus, and the TexAmericas Center-West Campus, a Sign Guidelines Policy as set forth in said Policy attached hereto as Exhibit "A"; and

BE IT FURTHER RESOLVED, that as provided in said Sign Guidelines Policy, the Board of Directors reserves the right to amend the Policy from time to time in accordance with the provisions set forth in said Policy.

PASSED and APPROVED this 27th day of August, 2019.



Boyd Sartin, Chairman of the Board

ATTEST:



Ben King, Secretary

Attached: Exhibit "A" – Sign Guidelines Policy

SIGN GUIDELINES

Sec. 1. - Introduction

- a) *Short title.* This chapter shall be known and may be cited as "The TexAmericas Center Sign Guidelines." This chapter may also be cited as the "TexAmericas Sign Policy", "TAC Sign Policy", "Sign Policy", "TexAmericas Center Sign Policy", "TAC Sign Policy" or the 'Sign Requirements".
- (b) *Minimum standards.* The requirements of these regulations are maximum permissible standards; and it is expected that developers and the respective decision-making authority will normally strive for quality developments which will not exceed these minimum requirements.

Sec. 2. - Purpose

The sign guidelines as herein established have been made for the purpose of promoting public welfare and safety by safe placement and installation of appropriate signage at TexAmericas Center (TAC). They have been designed to establish reasonable regulations to promote economic vitality for local businesses and services; and to enhance the visual environment of TAC. The regulation of signs at TAC is necessary and in the public interest to promote and aid the public and private sectors in identification, location and advertisement of goods and services; to balance sign function with the TAC's aesthetic standards; to allow for adequate and effective signs in all land use districts while preventing signs from dominating the appearance of the area; and to maintain a high quality of signs throughout TAC.

Sec. 3. – Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agricultural sign means an accessory sign identifying the agricultural use of the property on which it is placed and advertising the produce, crops, animals or poultry raised or quartered thereon that is consistent with the TAC brand.

Banner means a temporary sign of fabric, plastic, paper or other light pliable material not enclosed in a rigid frame.

Changeable electronic variable message sign (CEVMS) means a sign with the capability of displaying words, symbols, figures or images controlled by electronic communications or mechanical processes.

- (1) The message or image on the CEVMS must remain static for a minimum of eight seconds or more and a change of message shall be accomplished simultaneously on the entire sign face.
- (2) CEVMS must contain a default mechanism that freezes the sign in either one position or a black screen if a malfunction occurs.
- (3) No CEVMS shall be erected without a light detector/photocell (dimmer switch) by which the sign's brightness shall be dimmed when ambient conditions darken so that signs are not unreasonably bright for the safety of the motoring public. The maximum brightness shall not exceed 5,000 nits from sunrise to sunset and 1,000 nits from sunset to sunrise.
- (4) CEVMS shall not:
 - a. Be illuminated by flashing lights, strobe lights, lights resembling emergency vehicles, or moving lights;

- b. Contain or display moving video or streamed video advertising;
 - c. Consist of a static image projected upon a stationary object;
 - d. Be a mobile sign located on a truck, trailer, or any moving vehicle; or
 - e. Be attached to any wall, window, or any type exterior facade of any building.
- (5) The owner of CEVMS shall coordinate with local authorities to display public service announcements (PSAs), and when appropriate, emergency information important to the traveling public, such as amber alerts or alerts concerning terrorist attacks or natural disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.
- (6) If lawfully existing on August 23, 2019, a nonconforming CEVMS shall be allowed to continue at its existing location subject to the following:
- a. The face of the sign may be changed, provided that no change or alteration shall be made that would increase the nonconformity; and
 - b. Removal of a nonconforming sign or any sign structure (whether or not the structure contains signage) shall be required if:
 1. The business, person, or activity that the sign originally identifies or advertises either has ceased to operate on the premises or no longer has a valid certificate of occupancy;
 2. The certificate of occupancy changes for the business, person, or activity that the sign advertises or identifies;
 3. The sign or sign structure is a hazard or substandard as determined by the TAC designee; or
 4. The cost of repairing the sign or sign structure is more than 60 percent of the cost of erecting a new sign of the same type at the same location.

Monument sign means a sign on its own self-supporting permanent foundation detached from supportive elements of a building and would contain the tenant name within an overall sign framework that is consistent with the TAC brand.

Name plate means an accessory sign showing only the name and address of the owner or occupant of the premises on which it is erected or placed.

Pylon sign means a freestanding identification sign located on property abutting a road or part of a complex or center abutting a road that is oriented to and intended to be read from the road for the purpose of identifying an associated commercial, industrial or mixed-use development and tenants within that development.

Tenant sign means a sign located at the entry drive to each business located within TAC and would contain the tenant name within an overall sign framework that is consistent with the TAC brand.

Tenant directional sign is a temporary sign utilizing the tenant's corporate logo or name with a directional arrow to direct traffic to place of business. These may be placed on the shoulder of the road within the right-of-way.

Wall sign means a sign fastened to or painted on the exterior wall of a building or structure in such a manner that the wall becomes the supporting structure for or forms the background surface of the sign.

Sec. 4. - Sign regulations

The land uses districts in which the various types of signs are permitted are indicated in *Sec. 12. - Legend for Interpreting Schedule of Use of the TexAmericas Center Land Use & Site Design Policy*. The following special provisions shall apply to the various types of signs in the districts indicated under the sections of this article.

Permanent Type signs:

Sign Type	Maximum Area	Land Use District Permitted	Spacing Standards
Name Plate	Two square feet per tenant per entry	All districts	one per door entry
Tenant Sign	12 Square Feet	T1, T2, LI, HI	One per drive
Pylon Sign ¹	48 Square Feet	NS, C	One per street frontage
Monument Sign ⁴	48 Square Feet	All districts	One per street frontage.
Wall Sign	32 Square Feet	All districts	One per street frontage
Agricultural sign	100 Square Feet	T1, T2	200 feet between signs
Changeable Electronic Variable Message Sign (CEVMS)	35 square feet	All districts	All CEVMS shall be measured by the square footage of the electronic screen and not by the overall sign structure
Temporary Type Signs³:			
Construction sign	60 square feet	all districts	None

Promotional/banner sign	64 square feet	all districts	See below ³
Tenant Directional Sign	6 square feet	All districts	See below ⁵
Development sign	400 square feet	In all districts	See below ²

¹- Refer to *Sec. 17. – Height Regulations; (b) Sign Heights in Business Districts of the TexAmericas Center Land Use & Site Design Policy* for additional height limitations.

²- For each development of ten acres or less, a maximum of two signs shall be permitted. Development with frontage on two or more streets may have signs on any two street frontages. Development with frontage on one street may have two signs where street frontage exceeds 500 feet. Development of more than ten acres may have a maximum of three signs.

³- All Temporary Signs shall be maintained and in good condition with no tears, peeling or missing letters, broken or missing sign faces or deteriorating or damaged structure, properly installed and be clean and legible at all times. Promotional/banner signs shall be allowed for 30-day intervals and applicant must seek reapproval for each 30-day interval.

⁴- Monument signs on the TexAmericas Center Central Campus (TAC Central) shall conform to the guidelines in Exhibit A. Monument signs on the TexAmericas Center East Campus (TAC East) shall conform to the requirements in this section.

⁵- Tenant Directional Signs are intended to be utilized until such time that they are no longer needed or that TAC signage, multi-tenant, directional or other, is erected.

Sec. 5. - Sign Approval

- (a) No sign shall be erected or placed in position without first receiving approval by TAC designee for a proposed site plan or amendment to an existing site plan, specifying the location, description and physical dimensions of the proposed sign and the applicant shall further be required to meet all permit requirements of the applicable building code prior to installation of a sign.
- (b) Violation of any provision of this Section shall subject the owner of the sign, and the owner of the property upon which the sign is located (other than TexAmericas Center as Landlord), to a civil penalty of \$500.00 per day of the violation commencing upon the 31st day after receipt of the notice from TAC of the violation. Enforcement of the civil penalty shall be in the Justice of the Peace Court of the precinct in which the property is located. Additionally, the owner of the sign, and the owner of the property upon which the sign is located (other than TexAmericas Center as Landlord) shall pay the expense for reasonable attorney's fees incurred by TAC in enforcing the civil penalty and assessed court costs for the proceeding. Nothing herein shall be construed to prohibit or limit TAC from instituting injunction proceedings to require removal of the unauthorized sign.
- (c) Applicants seeking approval for signage outside of these guidelines may follow the variance process outlined in *Sec. 21. – Variance Process of the TexAmericas Center Land Use & Site Design Policy*

Sec. 6. - Interference with traffic on streets

No sign shall be located or constructed so as to interfere with or confuse the control of traffic on the public streets and no sign shall use a rotating beacon, beam or flashing illumination resembling an emergency signal.

Sec. 7. - Nonconforming signs.

Any nonconforming sign which is damaged or is deteriorated to a point where its restoration costs exceeds 50 percent of its replacement value shall be removed.

Sec. 8. - Right-of-way Encumbrance

No sign shall be erected so as to project into the right-of-way of any street (public or private) or alley.

Sec. 9. - Precedence.

No provision of this article shall supersede or replace any other ordinance of TAC having to do with sign standards, materials or construction, except the provisions of this article pertaining to the use of the various types of signs in the various land use districts shall take precedence over all other ordinances, regulations and standards.

Sec. 10. - Damaged signs.

All signs which are damaged, in need of repair, abandoned or have become obsolete as determined by TAC designee, shall be removed or repaired by the owner of the business or premises upon which it is located. TAC will not be responsible for replacement of damaged signs on property leased to tenants.

Sec. 11. - Utility or public easements.

Any sign desired to be placed in an easement, public or private, shall be approved by TAC designee. Any signage placed in an easement is subject to removal for the purpose of installing, maintaining or removing infrastructure within the easement. Replacement or re-erection of removed signage shall be the responsibility of the sign owner.

Sec. 12. – Political Campaign Signs.

Political Campaign Signs meant to promote a candidate, campaign or agenda are prohibited on road right-of-way and TAC controlled properties. Political Campaign Signs may be placed on private property in each of the TexAmericas Center campuses not controlled by TAC and may not exceed 4 feet by 6 feet in size.

EXHIBIT A

