

**CITY OF SAN ANTONIO**  
**EXTERNAL RELATIONS DEPARTMENT**  
**CITY COUNCIL AGENDA MEMORANDUM**

AGENDA ITEM NO. **27**

**TO:** Mayor and City Council

**FROM:** Christopher J. Brady, Assistant City Manager

**SUBJECT:** Resolution in support of Senate Bill 57 that would grant Texas counties the authority to regulate billboard construction within their jurisdiction.

**DATE:** April 7, 2005

**SUMMARY AND RECOMMENDATION**

A resolution in support of Senate Bill 57, authored by Texas Senator Jane Nelson, that would grant Texas counties the authority to regulate billboard construction within their jurisdiction.

Staff recommends approval.

**BACKGROUND INFORMATION**

Scenic Texas, Inc. is a non-profit organization with five chapters around the state, including Austin, Dallas, Houston and San Antonio. The organization has historically supported public policies designed to eliminate billboards from state and local roadways to protect the state's scenic beauty and has requested that City Council adopt a resolution in support of Senate Bill 57. This bill would grant Texas counties the authority to regulate billboard construction within their jurisdiction. The resolution was considered by the Council Intergovernmental Relations Committee on March 24, 2005, and was recommended to the full Council for its consideration. On February 8, 2005 the Bexar County Commissioners Court adopted a similar resolution of support for this bill.

In April 2003, City Council adopted a resolution supporting two Scenic Texas proposals: 1) legislation calling for a National Scenic Byways program in Texas that would provide for additional federal funding for roads designated aesthetically, culturally, recreationally or historically significant and 2) a bill encouraging the Texas Department of Transportation to increase its current expenditure for landscaping by using low maintenance or adaptive non-invasive plant materials.

**POLICY ANALYSIS**

According to Scenic Texas, approximately 330,000 billboards exist today in Texas. In an effort to curtail the proliferation of billboards statewide, many large municipalities, including Houston, Dallas, Fort Worth, McAllen and San Antonio have adopted resolutions in support of the similarly proposed legislation. Currently, 1,908 billboards are located in the City of San Antonio

and its ETJ. This number has been reduced from 2,243 billboards identified in 1986. The city prohibits billboards in its designated Scenic Corridors. The purpose of Senate Bill 57 is to grant counties the authority to stop new billboards along roadways that lie within the unincorporated area of the county. As a management tool for new growth, the adoption of SB 57 could protect capital projects and other public investments and promote a quality environment that would assist in strengthening the economy of the county and city.

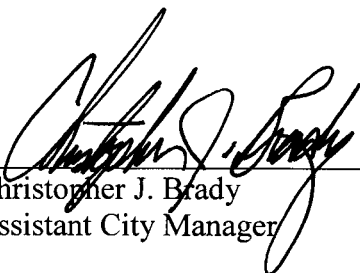
A copy of the proposed resolution is attached.

### **FINANCIAL IMPACT**

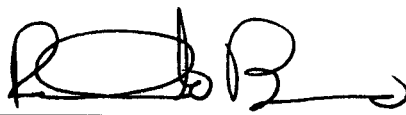
There is no fiscal impact associated with the adoption of this resolution.

### **COORDINATION**

This item has been coordinated with the Planning Department and the City Attorney's Office.



Christopher J. Brady  
Assistant City Manager



J. Rolando Bono  
Interim City Manager

## **Scenic Texas Resolution Promoting Economic Development, Roadway Beauty and Tourism**

WHEREAS, over 200 Texas cities have stopped new off-premises sign ("billboard") construction within their jurisdictions but have no authority to stop billboards on the gateways that lead into their respective cities; and

WHEREAS, the roads within the state are a public investment; and

WHEREAS, the roads are heavily traveled by tourists and residents who fund the construction, operation and maintenance of the roads; and

WHEREAS, the roads are heavily traveled by tourists and residents who participate in the regional and the State economy; and

WHEREAS, as a public investment, the roads must be protected; and

WHEREAS, the regional and State economy is dependent on the preservation of the state's natural beauty; and

WHEREAS, landscaping enhances the aesthetics of public roadways; and

WHEREAS, there are roadways in the City that are significant either aesthetically, recreationally or historically significant that should be considered for designation as scenic byways; and

WHEREAS, the region's roadways and their scenery are directly related to the local and State economy; and

WHEREAS, it is desirable to protect and provide for the general welfare of the traveling public; and

WHEREAS, it is desirable to promote the health, safety, welfare, morals, convenience, and enjoyment of the public; and

WHEREAS, it is desirable to protect the public investment in the state roadways; and

WHEREAS, it is desirable to protect and encourage economic development through tourism; and

WHEREAS, it is desirable to preserve and promote the natural beauty of the region as well as all other state roadways.

THEREFORE, the City of \_\_\_\_\_ hereby adopts this resolution to endorse  
the following legislative proposal:

- A bill that stops the construction of new billboards statewide or a bill that grants counties the authority to stop new billboards on any road or portion of road that lies within its jurisdiction but outside the corporate limits of a city.

**THIS WILL:**

Promote the convenience and enjoyment of the traveling public;

Protect the public investment in the state roadways;

Protect and encourage city, regional, and State economic development;

Promote the local and State tourism industry;

Preserve and promote the natural beauty of the public roadways;

Enhance recreational resources; and

Promote the natural beauty of the state landscape and its regional characteristics.

\_\_\_\_\_  
Title: \_\_\_\_\_

City of \_\_\_\_\_

\_\_\_\_\_  
Title: \_\_\_\_\_

Dated: \_\_\_\_\_

By: Nelson

S.B. No. 57

A BILL TO BE ENTITLED

AN ACT

relating to county regulation of billboards.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 391.252(a), Transportation Code, is amended to read as follows:

(a) A person may not erect an off-premise sign that is adjacent to and visible from:

(1) U.S. Highway 290 between the western city limits of the city of Austin and the eastern city limits of the city of Fredericksburg;

(2) State Highway 317 between the northern city limits of the city of Belton to the southern city limits of the city of Valley Mills;

(3) State Highway 16 between the northern city limits of the city of Kerrville and Interstate Highway 20;

(4) U.S. Highway 77 between State Highway 186 and State Highway 44;

(5) U.S. Highway 281 between State Highway 186 and Interstate Highway 37;

(6) State Highway 17 between State Highway 118 and U.S. Highway 90;

(7) State Highway 67 between U.S. Highway 90 and Farm-to-Market Road 170;

(8) Farm-to-Market Road 170 between State Highway 67

1 and State Highway 118;

2 (9) State Highway 118 between Farm-to-Market Road 170  
3 and State Highway 17;

4 (10) State Highway 105 between the western city limits  
5 of the city of Sour Lake to the eastern city limits of the city of  
6 Cleveland;

7 (11) State Highway 73 between the eastern city limits  
8 of the city of Winnie to the western city limits of the city of Port  
9 Arthur;

10 (12) State Highway 21 between the southern city limits  
11 of the city of College Station and U.S. Highway 290;

12 (13) a highway located in:

13 (A) the Sabine National Forest;

14 (B) the Davy Crockett National Forest; or

15 (C) the Sam Houston National Forest; or

16 (14) a road or portion of a road that lies outside the  
17 corporate and extraterritorial limits of a municipality, if  
18 designated by order of the governing body of the county where the  
19 road is located, effective on the date of receipt of written notice  
20 to the department.

21 SECTION 2. This Act takes effect September 1, 2005.