

**THIS IS A DRAFT ORDINANCE AND WILL BE REPLACED BY THE FINAL,
SIGNED ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

ORDINANCE

**AMENDING CHAPTER 28, SIGNS, OF THE CITY CODE OF SAN
ANTONIO, TEXAS, TO ALLOW FOR THE CREATION OF THE
DIGITAL MEDIA AND ARTS PILOT PROGRAM.**

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WHEREAS, in the 1980s, there were around 2,300 billboards within the San Antonio City limits and, over time, that number has decreased to around 1,200 billboards; and

WHEREAS, the City has previously authorized a pilot program for digital billboards as recent technology has improved the ability to monitor and regulate digital displays; and

WHEREAS, in January 2022, OutFront Media and the Urban Activation Institute approached the Development Services Department (DSD) and the Department of Arts & Culture (DA&C) to propose downtown Digital Media and Arts Pilot Program in San Antonio; and

WHEREAS, in March 2023, the Planning and Community Development Committee (PCDC) instructed city staff to collaborate with the proponents to explore the proposal further, and in January 2024, DSD recommended to the PCDC that staff hold community meetings for feedback on these districts; and

WHEREAS, in March 2025, DSD presented the results of the stakeholder surveys and a proposal for a pilot program, and PCDC requested coordination with TxDOT and the development of 2-3 recommendations for the committee to consider; and

WHEREAS, in April 2025, PCDC selected one of the recommendations presented by staff and requested the item be presented at a City Council A Session; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager, or designee, or the Director of Development Services Department, is authorized to establish the Digital Media and Arts (DMA) pilot program for an initial term of two (2) years, to be administered by the Development Services Department. The City Manager, or designee, or the Director of Development Services Department, is authorized to execute all related documents or agreements with respect to administering the DMA pilot program.

SECTION 2. The Development Services Department is authorized to develop and administer DMA program guidelines, and the DMA permits are subject to the terms and conditions outlined in the said guidelines. Up to ten (10) new off-premises digital sign permits may be granted through said two (2) year pilot program. Said permits shall only be granted for use within the eight (8)

districts established herein. Said districts are more particularly described in Attachment I and said Attachment I is incorporated herein for all purposes.

SECTION 3. Any time limitation for the issuance of new off-premises digital sign permits established under any prior pilot program is hereby waived solely for the purpose of issuing the ten (10) permits associated with the DMA pilot program.

SECTION 4. Chapter 28 of the City Code of San Antonio, Texas, is hereby amended by adding the language that is underlined (added) as follows:

Sec. 28-54. - Digital display; off-premise.

* * *

(a) New, off-premise digital signs are prohibited within the jurisdiction of the city, provided however, that the director was previously authorized to issue fifteen (15) off-premise digital sign permits pursuant to Ordinance No. 2007-12-06-1247. The director may be authorized to issue additional off-premise digital sign permits pursuant to any future pilot program ordinance adopted by City Council. Existing off-premise digital signs are subject to this section and all other relevant provisions of this chapter, the City Code, and state and federal law.

Commentary: Under the one (1) year pilot program, thirteen (13) off-premises digital signs were permitted. No new off-premise digital signs are permitted in the City or the ETJ, with the exception of one additional digital sign permit authorized by City Council ordinance, and the ten (10) permits authorized by City Council through the Digital Media and Arts pilot program. The thirteen (13) existing off-premises digital displays that were approved, and any additional approved off-premises digital displays, are required to be maintained in accordance with the requirements listed here in this section.

* * *

(d) Notwithstanding subsection (a) above, the owner of an existing legally permitted off-premises digital sign erected under the 2007 one-year pilot program may place a second digital display of not more than six hundred seventy-two (672) square feet on the backside of the existing digital sign provided that the following conditions are met:

* * *

(g) Notwithstanding any prior permit limitations, the Director may issue up to ten (10) off-premise digital display permits associated with the Digital Media and Arts (DMA) two (2) year pilot program.

(1) The DMA permits shall be authorized for use only in the eight (8) districts established by, and more particularly described in, the DMA pilot program ordinance, being:

- UTSA District
- Downtown West District
- Downtown East District
- Downtown South District
- Alamodome East District
- Port San Antonio District
- Brooks City Base District
- Toyota Field District

(2) No more than three (3) permits may be authorized for use in any one (1) district.

(3) Two (2) of the DMA permits shall be reserved for use on City facilities and shall be subject to the City's procurement process and procedures.

(4) DMA permittees shall be subject to the DMA pilot program policy and guidelines, including any revenue sharing and cost-bearing conditions.

(5) DMA participation revenue detail:

i. Revenue Share- 10% during the two (2) year pilot program and thereafter.

ii. Revenue shall go to the City of San Antonio Arts and Culture Department.

iii. Display Time Share for City Use - 20% of display time guaranteed, plus an additional 5% remnant time, if available.

iv. Pilot Art Contribution- \$100,000.00 per permit.

(6) At the end of the two (2) year pilot program, said program will be evaluated by City for potential program time extension. City Council shall have sole discretion to authorize any additional program time beyond the initial two (2) year pilot program.

(7) A limited number of digital displays on existing buildings that allow off-premise advertising will be allowed with the City receiving a percentage of revenue share and time share on the display.

(8) Size limitations- maximum display size shall be limited to 25% of the side of a building on which a display is located. On regulated streets, the display must meet all Texas Department of Transportation regulations which may require smaller digital display size.

(9) To the best of permittee's ability, each display will strive for carbon neutrality.

(10) Lighting intensity levels shall comply with the provisions of this chapter.

(11) No display shall be located on the San Antonio Riverwalk.

(12) No display shall be located on any historic designated structures.

(13) Any display to be located in the RIO District shall require HDRC and OHP approval.

(14) The content of any display shall conform to existing laws and City policy. Permittee voluntarily agrees to not display prohibited content including, but not limited to:

i. Explicit images

ii. Advertising for smoking or vaping products, vendors or facilities

SECTION 5. (Financials to be provided)

SECTION 6. All other provisions of Chapter 28 of the City Code of San Antonio, Texas, shall remain in full force and effect.

SECTION 7. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 8. The City Clerk is directed to publish notice of this ordinance amending City Code, Chapter 28. Publication shall be in a newspaper in the City in accordance with Section 17 of the City Charter.

SECTION 9. The publishers of the City Code of San Antonio, Texas are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

SECTION 10. This ordinance shall become effective September 15th, 2025.

PASSED AND APPROVED this ____ day of _____, 2025.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

Attachment I

DRAFT