

ORDINANCE NO. 2022-017

ORDINANCE OF THE CITY OF ROBINSON, TEXAS AMENDING ORDINANCE NO. 2017-022 AS AMENDED AND RELATING TO THE REGULATION OF SIGNS PROVIDING A DEFINITION OF AND SIGN REGULATION FOR UNIFIED DEVELOPMENTS; PROVIDING PROVISIONS FOR OFF-PREMISES SIGNS WITH UNIFIED DEVELOPMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND DECLARING THAT THIS ORDINANCE WAS ADOPTED AT AN OPEN MEETING.

WHEREAS, purposes of the Robinson 2034 Community Visions Comprehensive Plan include goals to promote safety, beautify and increase the City's image; and

WHEREAS, purposes of the Robinson sign ordinance include to promote safety, reduce clutter, increase legibility and aesthetics; and

WHEREAS, allowing off-premises signs within unified developments is consistent with goals of the City's comprehensive plan and purposes of the Robinson sign ordinance; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROBINSON, TEXAS THAT:

SECTION 1.

The foregoing recitals are incorporated herein and made findings of fact.

SECTION 2.

Ordinance 2017-022 as amended and relating to the Regulation of Signs shall be and is hereby amended as follows:

First, a definition of "Unified Development" is added to Section 5.5-59 "Definitions," and shall read as follows:

Unified Development: means a development occurring within the same addition and having co-location of signs on one lot that may include off-premises signs for another lot within the same addition, often by agreement between property owners.

Second, Section 5.5-68 “Standards for Off-Premises Signs,” Subsection/Part A “Limited Allowance” is amended to read as follows:

Sec. 5.5-68 Standards for Off-Premises Signs are not allowed in any zoning district except that regardless of the zoning district an off-premises sign may be located:

1. along the frontage road of a Controlled Access Highway as designated by the Texas Department of Transportation (such as IH-35) or along Loop 340 if complying with subsection 5.5-68(C); and/or
2. at any disconnected parking lot or any disconnected overflow/secondary location serving a business or establishment within 1,000 feet if complying with Section 5.5-65 Standards According to Sign Type.
3. at any separate lot that is a part of a unified development within the same addition, where there is a reduction in sign clutter by the co-location of signs on a sign structure for the betterment of the City’s image.

SECTION 3.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or in violation of federal or state law, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Robinson hereby declares that it would have adopted this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or in violation of state or federal law. All other ordinances or parts of ordinances in direct and clear conflict herewith are hereby repealed as they specifically relate to the subject matters of this Ordinance.

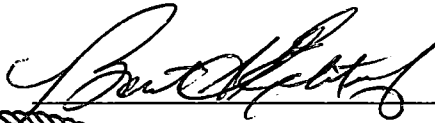
SECTION 4.

This Ordinance is effective on adoption.

SECTION 5.

It is found and declared that the City Council meeting at which this Ordinance has been adopted was open to the public and was noticed and held in accordance with Chapter 551 of the Government Code.

Passed this 3rd day of May, 2022.

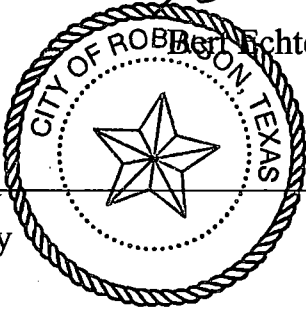


Bert Echterling, Mayor

Attest:



Misty Cryer, City Secretary



ARTICLE III. SIGNS

Sec. 5.5-56. Purpose.

Signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this article is to regulate the size, color, illumination, movement, materials, location, height and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values, the character of the various neighborhoods, the creation of a convenient, attractive and harmonious community, protection against destruction of or encroachment on historic convenience to citizens, and encouraging economic development. This article allows adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all signs. This article must be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this article is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this article which can be given effect without the invalid provision.

This article provides uniform standards for the erection and maintenance of signs. All signs covered by this article shall be erected and maintained in accordance with these standards. The general objectives of these standards are to promote health, safety, welfare, convenience and enjoyment of the public, and in part to achieve the following:

- (1) *Safety.* To promote the safety of persons and property by providing that signs do not:
 - a. Create a hazard due to collapse, fire, decay or abandonment;
 - b. Obstruct firefighting or police observation ability;
 - c. Create traffic hazards by confusing or distracting pedestrians, bicyclists or motorists;
 - d. Become obstacles that hinder the ability of pedestrians, bicyclists or motorists to read traffic signs; and
 - e. Become obstacles that hinder free passage to pedestrians, bicyclists or motorists.
- (2) *Communications efficiency.* To promote the efficient transfer of information in sign messages provided that:
 - a. Signs are permitted that provide public safety messages and other information;
 - b. Businesses and services can identify themselves;
 - c. Customers and other persons can locate a business or service;
 - d. No person or group is arbitrarily denied the use of the sight lines from the public rights-of-way for communication purposes;
 - e. Persons exposed to signs are not overwhelmed by the number of messages presented and are able to exercise freedom of choice to observe or pay no attention to such messages, according to the observer's purpose; and
 - f. The right of free speech is preserved and exercised through the use of signs.
- (3) *Landscape quality and preservation.* To protect the public welfare and to enhance the appearance and economic value of the landscape, by providing that signs:

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- a. Do not interfere with scenic views;
 - b. Do not create a nuisance to persons using the public rights-of-way;
 - c. Do not create a nuisance to occupants of adjacent and contiguous property by their brightness, size, height, or movement;
 - d. Are not detrimental to land or property values;
 - e. Do not contribute to visual blight or clutter; and
 - f. Are similar in construction materials and style as that of the structure or tract of land to which they pertain and to neighboring structures, as well as the city at large.

(Ord. No. 2017-022, § 3, 11-7-17)

Sec. 5.5-57. Geographic scope and applicability.

This article applies to all property within the incorporated municipal boundaries (i.e., city limits) and the ETJ as they exist at the time this article is adopted and as may be modified in the future.

(Ord. No. 2017-022, § 3, 11-7-17)

Sec. 5.5-58. Application and permit procedures.

- (a) A sign permit is required for all signs except as set forth otherwise herein. Required sign permit application contents are set forth in section 5.5-75.
- (b) No sign required to have a permit by this article shall be constructed, attached, erected, located, relocated, posted, painted, or maintained by any person without first obtaining a permit from the city. Electrical signs shall also require an electrical permit and signs with a water feature shall require a plumbing permit.
- (c) No permit shall be required for the following types of signs, but such signs shall be subject to all other sections of this article:
 - (1) Yard signs in a residential district per provisions of this article.
 - (2) A temporary sign, not exceeding six square feet in area and located on property for sale, lease or rent. Such sign must be removed within seven days of when the property is sold, leased, or rented.
 - (3) Signs not exceeding one square foot in area.
 - (4) A temporary sign, not exceeding six square feet in area, on a structure under construction. Such sign must be removed when a certificate of occupancy is issued by the city for the structure.
 - (5) On-premises directional signs not exceeding eight square feet in area. Placement of such signs must be approved by the building official.
 - (6) Government sign. A sign that is constructed, placed or maintained by the federal, state or local government or a sign that is required to be constructed, placed or maintained by the federal, state or local government either directly or to enforce a property owner's rights.
 - (7) Changing a commercial message to a non-commercial message on any legal sign surface.
 - (8) A sign otherwise specifically exempted from the permit requirement in this section.
- (d) Any sign for which a permit is issued shall be inspected by the city after its erection for conformity to the provisions of this article.

Sec. 5.5-59. 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:

Abandoned sign means any permanent or temporary on-site or off-site sign that has not been in use to provide information for at least one year.

Animated or moving sign means any sign, or part of a sign, which changes physical position by any movement or rotation or which gives the visual impression of such movement or rotation.

Back to back sign means a structure containing two parallel signs whose faces are oriented in opposite directions and are spaced no more than ten feet apart.

Banner sign means a sign made of cloth, plastic or other flexible material, without a frame or backing, designed to be attached to a building, pole, or other structure.

Billboard means a sign that is designed for a change in copy, so that the characters, letters, or illustrations can be changed or rearranged within a fixed sign face to be rented for compensation or no compensation to businesses, groups, or individuals separately from any on-site goods, services, or activities on the property on which the sign is located.

Building official means the city official, also referred to as the building inspector, appointed by the city manager with the duty of processing all building permit applications, including inspections of construction, the duty of sanitary inspections in accordance with city laws, and such other duties as may be assigned.

Business firm means a commercial or industrial enterprise.

Canopy sign means a sign that is mounted or painted on, or attached to, an awning, canopy or marquee that is otherwise permitted by ordinance.

City means the City of Robinson, an incorporated municipality located in McLennan County, Texas.

City council means the governing body of the City of Robinson.

City inspector means the designated official charged by the city with inspecting to ensure compliance with the city's building, construction, plumbing and electrical standards.

City limits means the incorporated municipal boundary of the city.

City manager means the City Manager of the City of Robinson, Texas.

Commercial sign means a sign to direct attention to a business, product, service, or activity which is conducted upon the premises where such sign is located.

Development lot means a developed lot which is ground leased or which has structures for business in place for use as an established business.

Development sign means "ground signs" announcing or describing a legally approved subdivision or land development for the purpose of selling properties within the subdivision.

Electronic reader board or electronic message board means an electronically controlled sign that contains text or visual messages or images that can be changed periodically.

Electronic sign means any sign on which letters, figures, designs, or messages are formed or outlined by electric illumination, including any LED screen or any other type of video display, or by a transparent or translucent medium which is electronically illuminated, whether the illuminating device is obtained within or on the sign and

shall also include all outside building outlining, interim decorative displays, and gas tube window outlining. Signs illuminated by electric lights which are not attached to the sign and signs which are lighted by floodlights or projectors, are not classified as electronic signs within the meaning of this article.

ETJ means the extraterritorial jurisdiction of the city, which is the unincorporated area contiguous to and surrounding the city that is established by law, particularly V.T.C.A., Texas Local Government Code, ch. 42, as being the area in which the city may exercise certain authority, including sign regulation, in order to promote and protect the general health, safety, and welfare of persons residing in and adjacent to the city, the size of which is determined by the number of inhabitants residing in the city.

Flashing sign means any directly or indirectly illuminated sign which exhibits changing natural or artificial light or color effects by any means whatsoever.

Freestanding sign means any sign not permanently attached to the ground or other structure.

Governmental sign means a sign erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance or other governmental regulation.

Ground sign means any sign which is supported by structures or supports in or upon the ground and independent of support from any building.

Hanging sign means any sign suspended under an awning, canopy, or marquee.

Inflated sign means an air inflated advertisement for promotion or grand opening.

Intersection means the location where two or more roadways cross.

Monument sign means a ground sign permanently affixed to the ground at its base, supported entirely by a base structure, and not mounted on a pole or part of a building.

Multi-unit complex means a grouping of two or more business establishments that either share common parking on the lot where they are located, or that occupy a single structure or separate structures that are physically or functionally related or attached. This term also includes multi-unit residential complexes, including apartment complexes, garden homes, and retirement communities.

Nonconforming sign means a sign which was lawful prior to the adoption or revision or amendment of this article, but which fails, by reason of such adoption, revision, or amendment, to conform to the present requirements of this article.

Off-premises sign means a sign displaying advertising or information copy that refers to a business, person, organization, activity, event, place, service or product not principally located or primarily manufactured or sold on the premises on which the sign is located.

Person means an individual, corporation, association, society, firm, partnership, joint stock company, state, or political subdivision or agency of a state.

Planning and zoning commission means the Planning and Zoning Commission for the City of Robinson.

Pole sign means a sign which is permanently affixed in or upon the ground on a base and/or supported by a pole on one or more piers, not attached to any building, fence, vehicle, or other support.

Portable sign means any sign designed or constructed to be easily moved from one location to another, including signs mounted upon or designed to be mounted on a trailer, wheeled carrier, or other non-motorized mobile structure. A sign which has wheels shall still be considered a portable sign.

Projecting sign means a sign attached to and projecting from the wall of a building, or fence, and not on the same plane as the wall or fence (i.e., the sign has depth because it is not flush with surface). This includes but is not limited to channel letter signs, flexface signs secured to a return, plaques, shingles and adhesive signs/lettering.

Property means a tract of land including its buildings or other appurtenances. With respect to a tenant in a multi-unit complex, the term property refers only to the leased space.

Responsible party means

- (1) The owner/operator of the business being identified on the sign;
- (2) The owner of the property upon which the sign is located;
- (3) The owner of the sign; and/or
- (4) The person who installs a sign, or contracts with a third party to accomplish the installation.

Right-of-way means the area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easement in which a governmental entity has an interest.

Sandwich sign means a portable sign attached upon an A-frame.

Sign means an outdoor lettered, numbered, symbolic, pictorial, or illuminated visual display which is affixed to or represented directly or indirectly upon a building, structure, or piece of land and which directs attention to an object, product, place, activity, institution or business. The term sign shall include all other devices or structures as may reasonably be included under it; whether attached or unattached. This definition also excludes all flags, non-electronic window displays, graffiti, signs located on an athletic field, and the official announcements or signs of government.

Sign area means the entire face of the sign, including the communicative surface and any framing, trim, or molding but not including the supporting structure.

Sign structure means the supports, mounts, poles, braces, or base with or without a sign thereon, situated upon or attached to the property, upon which any sign is or is intended to be installed. This definition does not include a building, fence, wall, or earthen berm.

Sloping roof sign means a sign that is displayed above the eaves and under the peak of a building. This term includes a sign painted, erected, constructed, or maintained on the roof of a building.

Temporary sign means a banner, pennant, poster, or advertising display constructed of papers, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or other like materials that appears to be intended or is determined by the code official to be displayed for a limited period of time.

Wall sign means a sign painted on, or otherwise made an integral part of a wall. Typically, a wall sign is on the same plane as the wall (i.e. flush with the wall surface). The term does not include a sign that can be removed from the wall and remain substantially intact (e.g., banner signs or projecting signs as they are defined in this article). Unless stated otherwise in this article, no wall sign shall exceed 64 square feet in sign area.

(Ord. No. 2017-022, § 3, 11-7-17 ; Ord. No. 2019-011, § 2, 6-4-19)

Sec. 5.5-60. General sign provisions.

- (a) *Display of permit.* Every permitted sign or visual information structure must display in a conspicuous place the date of erection, the permit number and the voltage of any electrical apparatus used.
- (b) *Building code.* A sign may not be erected in violation of the city's building code.
- (c) *Unlawful signs.*
 - (1) A sign may not be erected or maintained in violation of the requirements of this section or of the sign permit requirements in all other sections of this article. An unlawful sign is not a nonconforming sign and must be removed or brought into conformance.

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- (2) If the building official finds that a sign is erected or maintained in violation of this section or any other section of this article, the building official must give written notice of the violation to the permittee or the owner of the property where the violation exists.
 - (3) An unlawful sign that is lightweight or portable (for example, banner or H frame sign) must be removed within 24 hours after notice of violation. An unlawful sign that is not lightweight or portable (for example, freestanding or monument sign) must be removed within 30 days after notice of violation.
 - (4) If the permittee or owner fails, after notice, to timely abate a violation, the building official may undertake enforcement by filing a complaint in municipal court, seeking quasi-judicial enforcement through the building and standards commission, and/or bringing a civil action. In addition, the city may declare the sign a public nuisance and abate the nuisance in accordance with section 5.5-76 below.
 - (5) The building official may immediately and without notice or compensation remove any sign that presents an immediate peril to persons or property.
- (d) **Maintenance.** The owner of a sign is responsible for maintenance of the sign. Any sign not maintained in accordance with this article is hereby deemed a public nuisance and is subject to the provisions of section 5.5-76 below.
- (1) Maintain all signs and keep them in good repair;
 - (2) Keep all signs with painted or plastic faces free of fading, rusting, cracking, peeling, gaps and holes;
 - (3) Repair or remove any sign that has more than 25 percent of its face damaged;
 - (4) Repair or remove a sign in its entirety with broken or damaged sign faces;
 - (5) Install blank sign faces on signs with faces removed due to vacancy of the building;
 - (6) Remove sign poles with open metal frames;
 - (7) Keep signs with paper or fabric faces free of tears, rips, fading and voids where part of the text or face is missing;
 - (8) Keep ties or ropes that hold in place signs with fabric faces secure and taut with no loose or missing ties;
 - (9) Maintain sign poles in a uniform and sound condition;
 - (10) Repair or remove poles that are dented to the point where they are leaning out of plumb or have damage to the support or hangers;
 - (11) Maintain sign poles free of rust, peeling or fading so that they are uniform in color;
 - (12) Maintain flags, banners and pole banners free of tears, fading and rips; and
 - (13) Remove flags, banners and pole banners when they become torn, faded or ripped.
- (e) **Luminance.**
- (1) An applicant may not erect a lighted sign within 150 feet of a residential district unless the lighting is shielded from view of the residential district.
 - (2) A sign must not be illuminated with lights that:
 - a. Glare into or upon the surrounding area or any residential property; or
 - b. Distract operators of vehicles or pedestrians on the public right-of-way.
 - (3) Digital changeable message signs shall be equipped with an automatic means to dim the display to prevent glare during nighttime hours.

Sec. 5.5-61. Prohibited signs.

The following signs are prohibited:

- (1) *Abandoned signs.* The owner of an abandoned sign must remove the sign. A tarp may be used to cover an abandoned sign for a period not to exceed 30 days. An abandoned sign not removed or tarped in accordance with this section is hereby deemed a public nuisance and is subject to the provisions of section 5.5-76 below.
- (2) *Animated or moving signs.* Signs that are animated by means of flashing, scintillating, blinking or traveling lights or other means not providing constant illumination are prohibited. This shall not include electronic reader boards as allowed in this section.
- (3) *Bench signs.* Signs fastened to a bench are prohibited.
- (4) *Cardboard signs.* Signs made of cardboard are prohibited.
- (5) *Glaringly illuminated signs.* A sign must not be illuminated with an intensity great enough to cause annoyance, discomfort or loss in visual performance and visibility, unwanted lighting of adjacent properties.
- (6) *Handmade signs.* A sign made by hand that is not produced by a commercial sign-making establishment is prohibited.
- (7) *Obstructing signs.* A person may not erect, relocate or maintain a sign so as to prevent free ingress to or egress from any door, window or fire escape. A person may not attach a sign to a stand pipe or fire escape.
- (8) *Portable signs.* Portable signs are prohibited. In addition, a person may not convert a portable sign into a permanent sign.
- (9) *Sign creating a traffic hazard.* A sign must not:
 - a. Obstruct free and clear vision at any street intersection;
 - b. Interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device for any reason, including because of its position, shape or color; or
 - c. Present a traffic hazard by using illumination resembling an emergency signal.
- (10) *Other signs.* Signs that emit audible sound, that are located in the city's right of way or that are attached to a utility pole, street lamp post, tree, street sign, fire hydrant, traffic sign, bridge or other public property within the city (excluding signs so placed by the city for government purpose), roof signs:
- (11) *Unlisted sign.* Any sign not listed, classified or defined in this article is prohibited.
- (12) *Unsafe signs.* A sign must not constitute a hazard to safety or health by reason of inadequate design, construction, repair or maintenance.
- (13) *Signs on or over public property or right-of-way.*
 - a. A sign must not be erected so as to project into the public street, right-of-way of any street or alley. Any projecting sign must not extend outward from any building face to the public street right-of-way for a distance of more than ten feet or to within one foot of the street curb, whichever is more restrictive.

- b. It is unlawful for any person to place a sign, except a governmental sign or subdivision entry sign, on the premises of any public property, including but not limited to park land, median strips and public rights-of-way.
- c. A person may not attach any sign, paper, material, paint, stencil or write any name, number (except house or street address numbers) or otherwise mark on or obstruct any sidewalk, curb, gutter or street.
- d. A person may not erect a sign over or in the public street right-of-way except for traffic control devices, street signs, directional signs, or subdivision entry signs or kiosks that the city or state has authorized.

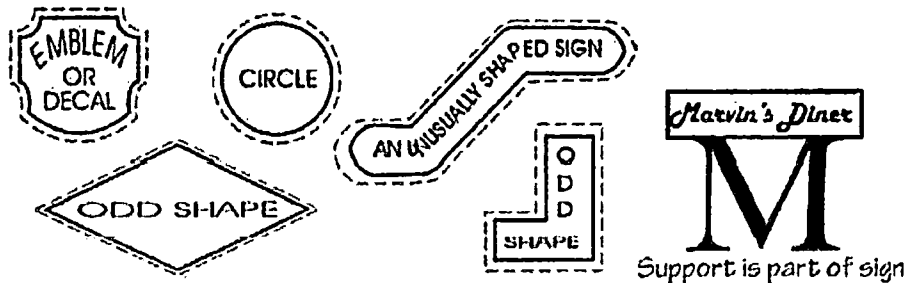
(Ord. No. 2017-022, § 3, 11-7-17)

Sec. 5.5-62. Sign measurement standards.

The following principles control the measurement of sign area, sign height and sign setback.

(1) Sign area.

- a. The area of a sign includes all lettering, wording, designs and symbols, together with the background, whether open or enclosed, on which they are displayed. The area of uprights, bracings and other structures supporting a sign may be omitted in measuring the area of the sign unless such upright or bracing is made part of the message, face or border of the sign or is otherwise designed or used to attract the attention of the public.

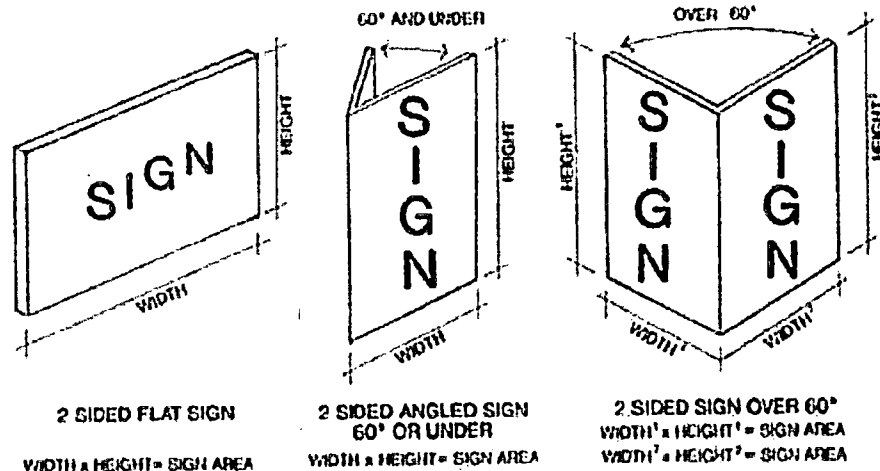


- b. Where a sign consists of individual letters, words or symbols attached to a surface, the sign area is deemed to be the area of the smallest rectangle that completely encompasses all such letters, words or symbols and any accompanying background of a color different than the color of the wall.



- c. The area for a sign with more than one face is measured by adding together the area of all sign faces, except where the angle at which the two sign faces are placed does not exceed 60 degrees or where the sign faces are parallel and not more than 36 inches apart.

COMMENTARY: It is presumed that where sign faces are placed less than 60 degrees apart, both faces are not readable from any one point.



- (2) *Sign height.* The height of a sign is measured as the distance from the base of the sign at finished grade to the top of the highest attached component of the sign. Finished grade is the newly established grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign.
- (3) *Sign setback.* The setback of a sign is measured as the shortest distance from each property line to the leading edge of the sign.

(Ord. No. 2017-022, § 3, 11-7-17)

Sec. 5.5-63. Number of signs.

- (a) Limits on the number of signs are contained in the table at section 5.5-65.
- (b) Specific standards for the number of permitted freestanding signs are set forth in section 5.5-66(d).

(Ord. No. 2017-022, § 3, 11-7-17)


Sec. 5.5-64. Special height signs.




- (a) Only special height signs may exceed the maximum building height permitted in the specific district.
- (b) Special height signs are allowed in association with office uses or retail sales and service uses as listed in the use table in the zoning ordinance containing six acres or more, or when located on or adjacent to IH 35. These signs must not exceed 75 feet in height.



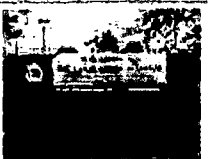

(Ord. No. 2017-022, § 3, 11-7-17)




Sec. 5.5-65. Standards according to sign type.


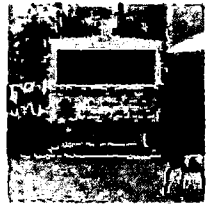
The standards applicable to each permitted sign type are set forth in the table below. The term "res" as used in the table refers to "residential" and encompasses the RE, SF-1, SF-2, SF-3, 2F, PH, MF-1, MF-2, and MH zoning districts.



Type	District Permitted	Max. Area	Permit Required	Time Limit	Standards	Illustration
Sign in Agricultural District	AG	100 SF	Yes	None	One per every 200 LF	
Apartment or Multi Unit Residential Complex sign	All	64 SF	Yes	None	One per street frontage	
Awning	All except res. and AG	20% of surface area of awning	Yes	None	<p>Not less than 9 feet above the level of the sidewalk or public thoroughfare over which it is erected. Not extending beyond 1 foot inside the curb line.</p> <p>Words may be painted or otherwise permanently placed in a space on the front and side of the awning.</p> <p>Awnings must be constructed of a rigid framework with an approved covering that is flame resistant in accordance with NFPA 701 or has a flame spread index not greater than 25 when tested in</p>	




					accordance with ASTM E 84.	
Banner	All except res. and AG (allowed in res. Under temporary sign rules)	10% of facade mounted on. On multi-tenant buildings, not to exceed 10% of leased frontage facade it is mounted on.	No	None	One per building or tenant. Must be affixed flush to a facade, awning or canopy, or attached flush to a fence. No stakes, posts, poles, A—frames or H-frames are permitted to secure a banner to the ground.	
Banner, Pole	All except res. and AG	12 SF	No	None	One per every 40 LF, separated by a minimum of 5 feet, not to exceed 10 pole banners per property. Height of pole must not exceed 35 feet. Must be secured to permanent pole and mounted with brackets manufactured for that purpose. No T-posts allowed. May not exceed a combined total of 10.	
Canopy	All except res. and AG	25% of surface	Yes	None	Must not be less than 9 feet above the level of the sidewalk or public thoroughfare over which it is erected. Must not extend beyond 1 foot inside the curb line.	


					Words may be painted or otherwise permanently placed in a space on the front and side of the awning.	
Directional Sign	All except SF1 - SF3 and AG	3 SF or per MUTCD	No	None	Signs may be attached or detached. A maximum of two signs may be visible from the roadway. Must be stationary. If a sign is an attached sign, the words must not exceed 4 inches in height.	
Directory Sign	All except res. and AG	4 SF	Yes	None	One per street frontage.	
Fence Sign	All except res. and AG	25% of fence area, not to exceed 60 SF	Yes	None	One per street frontage. Fence signs must be affixed directly to and flush with the fence. Extender poles are not allowed. Fence signs are prohibited in shopping centers.	
Flag	All except res. and AG	48 SF	No	None	One per 40 feet of street frontage, separated by a minimum of 5 feet, not to exceed 10 flags per property. Combinations of	

					<p>flags and pole banners may be used, but may not exceed a combined total of 10. Height of pole must not exceed 35 feet.</p> <p>When tags become torn, tattered or faded, they must be removed or replaced.</p>	
Flag, State and National	All	I-35 and Loop 340. 150 SF in nonresidential district. 48 SF in residential district.	No	None	<p>Anytime the American flag is displayed, it will be in accordance with Public Law 94-344, dated July 7, 1976, and will not be torn, tattered or faded. Height of pole must comply with each Zoning District Regulation.</p>	
Freestanding (pole or ground) Sign	All except res. and AG	See Section 5.5-66				
Government Signs	All		No	None	None	
Handheld Sign	All	10 SF	No	None		

Inflatable device	All except res. and AG	N/A	Yes	14 consecutive days per permit. 30 days after grand opening.	Maximum of 2 permits per year per business. Maximum of 20 feet tall. Must be ground mounted; must not be affixed to roof.	
Message (Reader) Board Electronic	All except res. and AG (with exception for permitted non-residential uses—churches, schools, etc)	150 SF	Yes	None	A message board must not have any distracting appearance of animated motion of graphics, blinking, flashing or shimmering. A message board with an electronic message may have a scrolling message. When the display of a message board with an electronic message displays changes from message to message, it must change as rapidly as technologically practicable with no phasing, rolling, flashing or blending and must change no more frequently than once every 8 seconds.	


Name Plate Sign	All	2 SF in residential district; 6 SF in nonresidential district	No	None	One per building or tenant per street frontage	
Projecting Sign	All except res. and AG	50 SF for horizontal sign; 100 SF for vertical	Yes	None	The distance between the principal faces of a projecting sign may not exceed 18 inches. Every projecting sign must be placed at least 9 feet above the public sidewalk over which it is erected, a maximum of 2 feet from the face of the wall to which it is attached, measuring from the point of the sign nearest the wall and at least 1 foot from the curb line. Every projecting sign must be placed at least 15 feet above the public driveway, alley or thoroughfare over which it is erected. A projecting sign over public property is allowed to be permitted only in the C-1 district. In other locations, a projecting sign	



					over public property requires a Street Use License by the City Council.	
Permanent Small Sign on Property	All	1 SF	No	None	A maximum of 2 per property.	
Roof Sign	All except res. and AG	300 SF	Yes	None	A roof sign may not be placed on the roof of any building or structure in such manner as to prevent free passage along the roof or interfere with openings in the roof. Highest point must not extend 20 feet above the roof level.	
Searchlight	All except res. and AG	N/A	Yes	3 consecutive days per permit	Must not have glaring or illumination that interferes with traffic safety. Must not be within 500 feet of a residential area. Must not be placed in public street right-of-way. Limit of 2 permits per year per business.	
Streamers	All	N/A	Yes	3 consecutive days per permit; 3 permits per business per	In residential districts streamers are allowed only at entrances of developments under construction. Must not be tied	

				calendar year	to a utility pole or other public structure.	
Subdivision Entry Sign	All except I-1 and I-3	80 SF	Yes		<p>A maximum of 2 signs located at each entrance to a subdivision.</p> <p>Must be constructed of masonry and/or wood, and metal, or other natural materials.</p> <p>The placement of all signs must comply with the 15-foot visibility triangle setback from property corners and intersections.</p> <p>Sign placement within public street right-of-way will require Street Use Licenses and be subject to visibility and vehicle safety review during the permit process.</p> <p>Must not project more than 8 feet above the curb line.</p>	
Temporary Signs on Property Generally Year Round	All	4 SF	Yes	<p>Res. : 10 consecutive days two times per year</p> <p>Other Districts: 30 consecutive days two times per year</p>	<p>For purposes of this Section a year is counted from the first day on which the sign is erected counting backwards and from the last day on which the sign exists counting forward.</p>	

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Temporary Signs during Campaign	All	16 SF in residential district; 32 SF in nonresidential district	No	From 60 days before to 7 days after an election or referendum	Must comply with State Law.	
Temporary Signs During Development	Res., AG	128 SF Exterior 320 SF Interior	No	From issuance of Building Permit to 7 days after completion of project	Two per entrance at exterior/perimeter roads of development. One interior residential sign per 40 LF, not to exceed total of 10, with a maximum combined area of 320 SF. Signs may be double faced. Must have uniform design elements and colors.	
Temporary Signs While Property for Sale or Rent, Commercial	All except res. and AG	32 SF	No	7 days after sale or rental of subject property	One per platted lot or tract. For acreage, one per 200 feet of street frontage. The setback for a nonresidential sign is 8 feet from the property line. The maximum height of an on-premise real estate sign in a nonresidential district is 15 feet. An off-premise real estate sign is allowed only if erected on a City-authorized kiosk.	
Temporary Signs While	Res., AG	6 SF	No	7 days after sale or	Two signs per platted lot or	

Property for Sale or Rent, Residential				rental of subject property	tract. On corner lots, two signs per street frontage per platted lot or tract. For acreage, one sign per 200 feet of street frontage, with combined maximum area of 32 SF. H-Frame sign is allowed.	
Vehicular Sign	All	N/A	No	None	<p>A vehicular sign must not extend more than 24 inches from the top of any vehicle. It is unlawful to attach any sign to a trailer, skid, boat or similar mobile structure or to a vehicle, where the primary use of such structure or vehicle is to provide a base for such sign or constitute a sign itself.</p> <p>Signs painted on or attached to an inoperable vehicle are prohibited.</p> <p>This Section does not prohibit transportation of a sign to a site of permanent erection.</p> <p>Signs on temporary construction trailers on</p>	

					construction sites are allowed.	
Wall Sign	All except res. and AG	See Section 5.5-67				
Window Sign	All except AG, I	25% of the window area	No	None Temp only for Residential	Must not obstruct visibility of the cashier clerk from the street level.	

(Ord. No. 2017-022, § 3, 11-7-17)

Sec. 5.5-66. Freestanding (pole or ground) signs.

(a) *Maximum height and area.*

- (1) Freestanding signs must conform to the area-height-setback relationship indicated in the table below and comply with each Zoning District requirement.

Maximum Area (sq. ft.)	Maximum Height (ft.)	Minimum Setback (ft.)
0 to 50	15	0
51 to 100	20	5
101 to 150	25	5
151 to 200	30	10
201 to 250	40	10
251 to 300	50	15

- (2) Freestanding signs must not exceed a height of greater than 50 feet above the level of the street upon which the sign faces, or above the adjoining ground level, if such ground level is above the street level.
- (3) Freestanding signs must not exceed 300 square feet in area.
- (b) *Minimum setback.* A freestanding sign must have a setback from the property line of the property on which the sign is erected in relation to its area and height, as indicated in the table above.
- (c) *Minimum separation.* A freestanding sign must not be nearer than ten feet to any other sign, building or structure measured from the sign building or structure to the leading edge of the sign.
- (d) *Maximum number allowed.* One freestanding sign is allowed per lot, tract or separate building. A lot or tract located at a street intersection is allowed one freestanding sign per street frontage.
- (e) *Multiple businesses, services, tenants.*
- (1) Buildings housing multiple tenants are encouraged to group signage. A 30 percent increase in sign area is allowed for a group sign, advertising a center with multiple businesses, with no corresponding effect on sign setback and height specified in the table above. This incentive may be increased to 35 percent over the sign area allowed in the table above if a group sign is combined with landscaping.
- (2) The number of freestanding signs allowed may be increased by one of the following credits.

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- a. If more than one business, service or tenant occupies a single building on a lot or tract, a maximum two freestanding signs are allowed. The combination of sign area for the two signs must not exceed the maximum allowed area in the table above in relation to sign height and setback.
 - b. If the lot, tract or parcel exceeds 200 feet of frontage along the street where the sign is proposed, additional freestanding signs are allowed, in accordance with the following table.

Property Frontage (ft.)	Maximum Signs Permitted
0 to 200	1
201 to 400	2
401 to 600	3
601 or greater	4

- (f) *Alternate sign plan.* If the provisions in subsections 5.5-66(e)(1) and 5.5-66(e)(2) above do not satisfactorily meet the applicant's needs, the city council may review a variance request for an alternate signage plan that meets the unique advertising needs of the site, business, service or tenant and, at the same time, carries out the intent of this article to balance on site advertising needs with community appearance.

(Ord. No. 2017-022, § 3, 11-7-17)

Sec. 5.5-67. Wall signs.

(a) *Location and area.*

- (1) A maximum 50 percent of each tenant's store front, side or rear oriented to each street may be utilized for a wall sign. A single wall sign may not exceed 300 square feet in area.
- (2) A wall sign must not cover wholly or partially any wall opening, nor project beyond the ends or top of the wall to which it is attached in excess of four feet.
- (3) A wall sign must not extend more than six inches beyond the building line or be attached to a wall at a height of less than 10 feet above the sidewalk or ground.

(Ord. No. 2017-022, § 3, 11-7-17)

Sec. 5.5-68. Standards for off-premise signs.

(a) *Limited allowance.* Off-premises signs are not allowed in any zoning district except that regardless of the zoning district an off-premises sign may be located:

- (1) along the frontage road of a Controlled Access Highway as designated by the Texas Department of Transportation (such as IH-35) or along Loop 340 if complying with subsection 5.5-68(c) ; and/or
- (2) at any disconnected parking lot or any disconnected overflow/secondary location serving a business or establishment within 1,000 feet if complying with section 5.5-65 Standards According to Sign Type.

(b) *Sign permit required.* A person may not erect an off-premise sign without a sign permit issued in accordance with this article. The building official may issue a permit for an off-premise sign only when all requirements of this section are met. A permit for off-premise sign construction is valid for a period of six months from date of issuance. The building official may extend the time limit for construction of a sign for up to one additional year. The permittee may present, and the building official must consider, evidence relating to

market conditions for new sign construction, availability of local financing for new sign construction, the permittee's history of compliance with the requirements of this section, and other relevant factors.

(c) *Dimensional standards.*

(1) *Minimum spacing.*

- a. An off-premise sign may not be erected within 1,500 feet of another off-premise sign, except that, in exchange for the removal of one double-faced sign that is larger than 386 square feet, three 386-square-foot double-faced signs may be erected within 1,500 square feet of another off-premise sign.
- b. Spacing is measured on the same side of the road, between points along the public street right-of-way of the regulated highway perpendicular to the center of the signs.

(2) *Area.* The maximum dimensions of an off-premise sign must be 14 feet by 48 feet, for a total area per face of 672 square feet.

(3) *Height.* An off-premise sign must be a maximum of 42 feet in height. Sign height is measured from the grade level of the centerline of the main-traveled way closest to the sign, at a point perpendicular to the sign location.

(4) *Setback.* An off-premise sign must be set back a minimum of 20 feet from public street right-of-way line, measured from the closest part of the sign.

(d) *Design standards.*

(1) *Faces.* An off-premise sign may be single-faced or double-faced, but may not contain more than one face on each side of the display.

(2) *Roof.* An off-premise sign may not be erected or maintained upon the roof of any building structure.

(3) *Light.* An off-premise sign may not be constructed where it obscures or shades the windows or doorways of adjacent buildings.

(4) *Traffic hazard.* An off-premise sign is not permitted that, because of its size, shape or location, may endanger or obscure or obstruct the view of vehicular or pedestrian traffic. An off-premise sign must not be designed to be confused with any authorized traffic control device.

(5) *Construction.* An off-premise sign must have a steel post and be constructed and erected in conformance with Chapter 5, City Code, Buildings and Building Regulations.

(6) *Encroachment.*

- a. A part, foundation or support of any off-premise sign may not be placed on, in or over any of the following:
 - i. Public property or street rights-of-way;
 - ii. Telephone or utility poles; or
 - iii. Natural features such as trees and rocks.
- b. Encroachment into a public utility or drainage easement may be allowed with a street use license.

(e) *Consent.* A part, foundation or support of any off-premise sign may not be placed on, in or over any private property without the written consent of the property owner.

(f) *Protected vegetation.* Notwithstanding any other provision or other applicable law or regulation, a person may not remove, cut or otherwise alter any vegetative screening on public property or private landscaping

required in this article in order to improve the visibility of a nearby off-premise sign. Should such an alteration occur, any off-premise sign so benefited is deemed nonconforming and must become the next nonconforming off-premise sign relocated.

- (g) *Identification.* An off-premise sign must be permanently identified with the name of the sign owner or operator with letters of sufficient size to be easily read from the nearest roadway.
- (h) *Alteration.* An off-premise sign may not be altered with regard to size, shape, orientation, height or location without the prior issuance of an alteration or relocation permit. Ordinary and necessary repairs that do not change the size, shape, orientation, height or location of an off-premise sign do not require an alteration permit. An alteration permit expires if the approved modifications are not completed within 90 days of permit issuance.
- (i) *Demolition.* A demolition permit is required prior to removal of an existing off-premise sign. Demolition must be completed within 90 days from permit issuance. The permit must state the number of faces to be demolished.
- (j) *Maintenance.* If the building official finds that any off-premise sign is not maintained in good repair but has not deteriorated more than 60 percent of its replacement value, the building official will notify and order the owner to repair the sign within 30 calendar days. If the building official finds that an off-premise sign has deteriorated more than 60 percent of its replacement value, or is not repaired within 30 calendar days, the building official must notify the owner of the off-premise sign and the owner of the real property on which the off-premise sign is located to remove the off-premise sign or poster panel from the property within a specified time. If the sign is not removed within 30 days of written notification to the responsible party, it shall be deemed a nuisance and subject to the provisions of section 5.5-76 below. A sign so removed under the provisions of this section shall be kept in storage for a period of 60 days, and if it is not claimed within said period, it may be disposed of in a lawful manner by the city.
- (k) *Relocation.* If a sign located within the proposed public street right-of-way of a state highway is to be relocated to accommodate a regulated highway project and the Texas Department of Transportation issues a permit for relocation of the sign, the building official may also issue a sign permit if the sign meets all current city standards, except that the relocated sign:
 - (1) Does not require payment of a permit fee;
 - (2) May be erected a minimum of five feet from any highway right-of-way line;
 - (3) May be constructed with the same number of poles and same type of materials as the existing sign; and
 - (4) May be erected without enlarging the sign face.

(Ord. No. 2017-022, § 3, 11-7-17 ; Ord. No. 2019-011 § 2, 6-4-19)

Sec. 5.5-68. Electronic reader boards.

- (a) *Definition.* For the purposes of this section, "electronic reader board" means an electronically controlled sign that contains text or visual messages or images that can be changed periodically.
- (b) *On-premises only.* An electronic reader board is only allowed as a component of an on-premises sign, and then, only as provided in this section and as part of a sign permit.
- (c) *No stand-alone electronic reader board signs allowed.* Electronic reader boards are only allowed as a component of a conventional sign and not as stand-alone signs.
- (d) *No portable or movable electronic reader boards signs allowed.* Portable or movable electronic reader board signs are prohibited.

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- (e) *Electronic reader board allowed under certain conditions.* A sign may include an electronic reader board subject to the following:
- (1) No more than one electronic reader board may be located on a premises.
 - (2) No more than 50 percent of any sign permitted in this ordinance may consist of an electronic reader board, and the reader board portion shall not exceed a total of 150 sq. ft. in area when utilized within a wall sign.
 - (3) The reader board portion shall be architecturally incorporated into the overall design of the sign.
 - (4) No such sign shall be considered to be architecturally incorporated unless the reader board is contiguous to the remainder of the sign face and is bounded by the same or similar framework.
- (f) *Restrictions on movement, rotation, change and flashing/blinking.* The electronic message and/or image shall:
- (1) Display the intended message in increments of not less than eight seconds, and must scroll, travel, fade or dissolve between displays in no less than two seconds;
 - (2) Not use flashing or blinking characters; and
 - (3) Not utilize streaming video, streaming text, or live feeds;
 - (4) Not rotate, spin, or turn.
- (g) *Location of electronic reader boards.* Electronic reader boards incorporated as part of any sign shall conform to the setback requirements of those signs allowed in their respective zoning districts. Additionally, signs containing an electronic reader board shall:
- (1) Not be permitted in residential dwelling districts except as set forth herein;
 - (2) Not be located within 100 feet of a property line of a residential dwelling except as set forth herein; and
 - (3) Not directly face a property line of a residential dwelling except as set forth herein;
 - (4) Be allowed at non-residential uses allowed in residential districts, however must conform to the requirements of this subsection.
- (h) *Brightness of electronic reader boards.* The luminance of electronic reader boards shall:
- (1) Not exceed 0.3-foot candles above ambient light as measured using a foot candle (lux) meter at a distance of 100 feet from the sign. Prior to issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed 0.3-foot candles above ambient light as measured from 100 feet from the display; and
 - (2) Be controlled and equipped with a light sensing device that will automatically dim the intensity of the light emitted by the sign during ambient low-light conditions and at night so that the sign does not exceed the maximum brightness levels allowed in this section.
- (i) *Maintenance of electronic reader boards.* All reader boards must be maintained in a good working order. If the sign's electronic display malfunctions or is unable to clearly display its intended message or image; the operator must turn the electronic reader board "off" until appropriate repairs can be made.

(Ord. No. 2017-022, § 3, 11-7-17)

Sec. 5.5-69. Permit applicability.

- (a) It is unlawful for any person to erect, relocate, structurally alter or change the face panel or copy of any sign requiring a sign permit within the jurisdiction of this article without first obtaining a sign permit.
- (b) A sign permit is not required for repair, repainting or maintenance of a sign that does not entail structural change or for changing the copy on a permitted message board sign.

(Ord. No. 2017-022, § 3, 11-7-17)

Sec. 5.5-70. Permit review process.

- (a) *Building official review.* The building official must review the submitted application.

(Ord. No. 2017-022, § 3, 11-7-17)

Sec. 5.5-71. Review criteria.

In determining whether to approve, approve with conditions or deny a sign permit, either initially or on appeal, the reviewing authority must consider whether the proposed sign complies with the sign standards in Chapter 5.5 Businesses, Article III. Signs, and all other standards of the city.

(Ord. No. 2017-022, § 3, 11-7-17)

Sec. 5.5-72. Expiration.

If the work authorized under a sign permit is not completed within six months after the date of issuance, the permit becomes null and void.

(Ord. No. 2017-022, § 3, 11-7-17)

Sec. 5.5-73. Variance.

The owner of a sign or property owner may request a variance to the requirements set forth in this article by filing a request for variance with the city council. The city council, at the next regular meeting, will consider the request for a variance based upon the merits of the case as then presented by the petitioner and make the final decision.

(Ord. No. 2017-022, § 3, 11-7-17)

Sec. 5.5-74. Appeals.

Any sign owner or property owner may appeal a decision of the building official or his designee by filing a notice of appeal with the city secretary within ten business days from receiving notice of the decision. A hearing will be held before the city council at the next regular meeting. Decisions of the city council are final. Should petitioner be dissatisfied with the actions of the city council, the petitioner may pursue all legal remedies to review the city council decision as permitted by law.

(Ord. No. 2017-022, § 3, 11-7-17)

Sec. 5.5-75. Sign permit application contents.

Application for a sign permit must be made upon a form that the building official provides and must contain the following information:

- (1) Name, address and telephone number of the applicant and name and firm of person erecting sign;
- (2) If applicant is not the owner of real property where sign is proposed to be erected, written consent of the property owner;
- (3) Location of building, structure, address or legal lot and block to which or upon which the sign is to be attached or erected;
- (4) Site plan, indicating street frontage, property lines, sight visibility triangles, proposed and existing public street rights-of-way, location of sign on property, relationship of proposed sign to ingress and egress points and relationship of proposed sign to any other sign within 15 feet spacing of the proposed sign;
- (5) Copy of stress diagrams or plans containing information necessary for the building official to determine safety and structural integrity of the sign;
- (6) Indicate whether the sign will require electricity, and if so, obtain an electrical permit as required;
- (7) Copy of Texas Department of Transportation approved permit if state law requires a state permit; and
- (8) Such other information as the building official may require to fully show compliance with this article and all other city standards.

(Ord. No. 2017-022, § 3, 11-7-17)

Sec. 5.5-76. Abatement procedures for certain prohibited and unlawful signs.

This section shall apply to abandoned signs as described in section 5.5-61, unlawful signs as described in section 5.5-60(c), and signs in violation of maintenance standards as provided for in section 5.5-60(d). These signs shall be deemed a public nuisance.

- (1) *Failure to remove a nuisance sign.* Should the owner of an abandoned, poorly maintained, or unlawful sign fail to remove the abandoned sign within ten days after notice to the owner to do so in writing or by letter addressed to the owner at owner's post office address, or within ten days after notice by publication at least twice within ten consecutive days in any newspaper in the city if personal service may not be had as aforesaid, or if the owner's address is not known, the city may remove the subject sign at owner's expense and may charge the owner for any costs incurred for the city to remove said sign. If work is done or improvement made at the expense of the city, the expense shall be addressed on the real estate or lot upon which the expense was incurred.
- (2) *Appeals.* If the owner fails to comply with the aforementioned regulations, owner shall have ten days after service of such notice to appeal to the municipal court by filing with the municipal court clerk notice of appeal and specifying grounds therefor. An appeal shall stay all proceedings in furtherance of the action appealed until the hearing on the appeal is had by the municipal court.
- (3) *Creation of lien to recover city expenses.* If an owner or person in charge of the premises fails or refuses to comply with the notice given by the director of community services pursuant to this article, and no appeal is made, or if the order of the municipal court is not complied with, such nuisance shall be abated by the city. The expenses incurred in abating the nuisance shall be charged against the property and a lien for the amount of the charges, including salary and wages of all employees and reasonable

charges for machinery, tools and vehicles used in abating the nuisance, shall be created. Such lien shall be set forth in a statement of the expenses incurred, signed by the mayor, and filed in the deed records of the county, in accordance with V.T.C.A., Health and Safety Code § 342.007. Interest shall accrue on the lien at the rate of ten percent per annum, beginning on the date that work by the city is completed. Payment of all liens created in accordance with this article shall be made to the city secretary. For payments made subsequent to the filing of the lien, to the county clerk, an appropriate release will be prepared, and the mayor is hereby authorized to sign all such releases for the city. Suit may be filed by the city for the collection of any liens so created and a foreclosure had in the name of the city. The statement of the mayor shall be prima facie proof of the amount of money expended to abate the abandoned, poorly maintained, or unlawful sign that constitutes a public nuisance.

(Ord. No. 2017-022, § 3, 11-7-17)

Secs. 5.5-77—5.5-85. Reserved.