

**ORDINANCE NO. 2016-04-05-10**

**AN ORDINANCE AMENDING CHAPTER 32, SECTIONS 32.217, 32.218, 32.219, 32.221 AND 32.267, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013, REGARDING SIZE AND HEIGHT OF SIGNS; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS:**

**I.**

That Chapter 32, Section 32-217, of the Revised Code of Ordinances, City of Elgin, Texas, 2013, is hereby amended to read as follows:

**Sec. 32-217. - Zoning lots with one establishment.**

Any establishment located on a zoning lot with one establishment may erect signs as follows:

- (1) Number: maximum of four signs, but in no case shall two freestanding signs be allowed on the same zoning lot.
- (2) Types: wall, monument, pole, projecting, awning, canopy or marquee.
- (3) Maximum sizes and heights.
  - a. Wall or marquee sign: 32 square feet of area or 1½ feet of sign area per two linear feet of building frontage on which the sign or signs are to be attached, up to a maximum of 100 square feet in area for all wall or marquee signs, whichever is greater. The top of all wall and marquee signs shall be no greater than five (5') feet above the roofline and at a height no greater than 35 feet above the ground.
  - b. Pole sign: one square foot of sign area per three linear feet of lot frontage on which the sign or signs are to be erected not to exceed 100 square feet. For zoning lots with one establishment fronting U.S. Highway 290, the maximum sign area of a pole sign is 150 square feet. The top of the sign shall not exceed 40 feet in height and the base of the sign shall be at least seven feet above the ground.
  - c. Monument sign: One square foot of sign area per five linear feet of lot frontage on which the sign or signs are to be erected, up to a maximum of 50 square feet in area. The height of a monument sign shall not exceed seven feet.
  - d. Projecting sign: 1½ square feet of sign area per two linear feet of building frontage on which the sign or signs are to be attached, up to a maximum of 12 square feet in area. The top of all projecting signs shall be located below the roofline and at a height not greater than 16 feet above the ground. The base of all projecting signs shall be no less than eight feet above the ground. Projecting signs shall not project from the exterior wall of a building more than six feet.
  - e. Awning or canopy sign: 1½ square feet per two linear feet of awning or canopy, up to a maximum of 16 square feet in area. No awning or canopy sign shall extend above the top of the awning or canopy.

## II.

That Chapter 32, Section 32-218, of the Revised Code of Ordinances, City of Elgin, Texas, 2013, is hereby amended to read as follows:

### **Sec. 32-218. - Multiple establishments on single zoning lots.**

Multiple establishments on single zoning lots that do not constitute a shopping center may collectively erect one monument sign with a maximum height of seven feet not to exceed 50 square feet in area or one pole sign with a maximum size of 50 square feet and height of 40 feet. In addition, each establishment located on a single zoning lot with two or more establishments may erect one sign as follows:

- (1) Type: wall, projecting, awning, canopy or marquee.
- (2) Maximum size and height.
  - a. Wall or marquee sign: 1½ square feet of sign area per two linear feet of building frontage on which the signs are to be attached. The top of all wall and marquee signs shall be no greater than five (5') feet above the roofline and at a height no greater than 40 feet above the ground.
  - b. Projecting sign: 1½ square feet of sign area per two linear feet of building frontage on which the signs are to be attached, up to a maximum of 12 square feet in area. The top of all projecting signs shall be located below the roofline and at a height not greater than 16 feet above the ground. The base of all projecting signs shall be no less than eight feet above the ground. Projecting signs shall not project from the exterior wall of a building more than six feet
  - c. Awning or canopy sign: 1½ square feet per two linear feet of awning or canopy, up to a maximum of 16 square feet in area. No awning or canopy sign shall extend above the top of the awning or canopy.
  - d. Pole sign: Each sign shall have a minimum area of 16 square feet and a maximum area of one square foot per 300 square feet of gross building floor area up to 100 square feet in area or one square foot of sign per three linear feet of street frontage on which sign or signs are to be erected up to 100 square feet. For multiple establishments on single zoned lots fronting U.S. Highway 290, the maximum sign area of a pole sign is 150 square feet. The top of the pole sign shall not exceed 40 feet in height and the base of the pole sign shall be at least seven feet above the ground.

## III.

That Chapter 32, Section 32-219, of the Revised Code of Ordinances, City of Elgin, Texas, 2013, is hereby amended to read as follows:

### **Sec. 32-219. - Shopping centers.**

- (a) Centers with five or more establishments. Shopping centers with five or more establishments planned as an integrated development shall be authorized to erect signs based on the criteria set forth in this section.
- (b) Center identification sign. One monument or one pole sign per street fronting the center, not to exceed a total of two signs, identifying the name of the center. The name of any major establishment



within the center may serve as the name of the entire center. In addition to identifying the name of the center, the sign may identify the individual establishments within the center.

- (1) Wall or marquee sign: 1½ square feet of sign area per two linear feet of building frontage on which the signs are to be attached. The top of all wall and marquee signs shall be no greater than five (5') feet above the roofline and at a height no greater than 40 feet above the ground.
- (2) Monument sign. Each sign shall have a minimum area of 20 square feet and a maximum area of one square foot per 1,000 square feet of gross building floor area up to 80 square feet in area and a maximum height of 12 feet.
- (3) Pole sign. Each sign shall have a minimum area of 16 square feet and a maximum area of one square foot per 300 square feet of gross building floor area up to 100 square feet in area or one square foot of sign per three linear feet of street frontage on which sign or signs are to be erected up to 100 square feet. For shopping centers fronting U.S. Highway 290, the maximum sign area of a pole sign is 150 square feet. The top of the pole sign shall not exceed 40 feet in height and the base of the pole sign shall be at least seven feet above the ground.

#### IV.

That Chapter 32, Section 32-221, of the Revised Code of Ordinances, City of Elgin, Texas, 2013, is hereby amended to read as follows:

##### **Sec. 32-221. - Office and/or industrial centers.**

Office and/or industrial centers at least two acres in size and planned as an integrated development shall be authorized to erect signs based on the following criteria:

- (1) Center identification signs. One monument sign per public street frontage, not to exceed a total of two monument signs, identifying the name of the center only and not exceeding 50 square feet in area and seven feet in height.
- (2) Individual building signs. Where an office and/or industrial center is comprised of two or more buildings, each individual building may erect one monument sign, not to exceed 32 square feet in area and five feet in height, identifying the principal establishment within the building.
- (3) Individual establishment signs. Each individual establishment within an office and/or industrial building may erect one wall sign of a size which does not exceed 1½ square feet of sign area per two linear feet of building frontage on which the sign or signs are to be attached, up to a maximum of 32 square feet in area. The top of the wall sign shall be located no greater than five (5') feet above the roofline and at a height no greater than 15 feet above the ground.

#### V.

That Chapter 32, Section 32-267, of the Revised Code of Ordinances, City of Elgin, Texas, 2013, is hereby amended to read as follows:

##### **Sec. 32-267. - Enumerated.**

The following are expressly prohibited unless specifically stated otherwise in this chapter:

- (1) Animated and moving signs. Including, but not limited to, pennants, flags with commercial messages, banners, streamers, propellers, discs and searchlights.
- (2) Flashing signs. Any signs that include lights which flash, blink or turn on and off intermittently, not including time and temperature signs.

- (3) Glaring signs. No sign shall be illuminated to such an intensity or in such a manner as to cause glare of brightness to a degree that it constitutes a hazard or nuisance to traffic. Moving, flashing, intermittently lighted, changing color, beacons, revolving or similarly constructed signs shall not be allowed, except for time and temperature on an otherwise permitted sign.
- (4) Inflatable signs and objects. Including, but not limited to, balloons, for a period of over two weeks in any given year.
- (5) Off-premises signs, including billboards. Any sign which is not located on the premises that it identifies or advertises.
- (6) Portable signs. Any sign that is not permanently affixed to a building, structure or the ground. This shall not apply to authorized temporary signs.
- (7) Posters and handbills. Any signs affixed to trees or other natural vegetation, rocks or utility poles. Such as but not limited to, garage sale, lost animals, political, any for sale signs, etc., except as provided in section 32-105, flags, emblems or insignia.
- (8) Roof signs. Any signs which are erected on a roof..
- (9) Simulated traffic signs and obstructions. Any sign which may be confused with or obstruct the view of any authorized traffic sign or signal, obstruct the sight distance triangle at any street intersection or extend into the public right-of-way.
- (10) Strings of lights. Including lights that outline property lines, sales areas or any portion of a structure, and are intended to advertise or draw attention to a business or commercial activity, but excluding a string of lights displayed for nonadvertising purposes during the Christmas season, from November 24 to January 4 of each year.
- (11) Vehicular signs. Any sign displayed on a parked vehicle, where the primary purpose of the vehicle is to advertise a product or business or to direct people to a business or activity. For the purposes of this chapter, vehicular signs shall not include business logos, identification or advertising on vehicles primarily used for other business purposes.

## **VI.**

**A.** All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

**B.** The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

**C.** The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject matter hereof was discussed, considered and formally acted upon, all as required by the Open Meeting Act, Chapter 551, Texas Government Code, as amended.



By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

**READ, PASSED, and ADOPTED** on first reading this 5th day of April, 2016.

  
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MARC HOLM, MAYOR

ATTEST:

  
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LUCRETIA ALVAREZ, CITY SECRETARY



LUCRETIA ALVAREZ  
City Secretary