



Planning and Zoning Commission Meeting Agenda

COUNCIL CHAMBERS - 1209 FIORELLA STREET

Wednesday, April 08, 2026

6:30 PM

The Planning and Zoning Commission of the City of Castroville will meet in the Regular Called Meeting beginning at 6:30 p.m. in the Council Chambers at City Hall on the following items listed on the agenda.

I. Call to Order

II. Roll Call

III. Citizen Comments

The Board will hear comments from any citizen or visitor. Speakers must address their comments to the presiding officer rather than individual board members or staff; stand at the podium, speak clearly into the microphone and state your name residential address before speaking. Speakers will be allowed a maximum of 3 minutes for testimony. In accordance with the State Open Meetings Act, the Board is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

IV. Approval of Minutes

- a.** Minutes for March 25, 2026

V. Discussion

- a.** Discussion and appropriate action on a proposed amendment to the Comprehensive Zoning Ordinance, including revisions to the Table of Contents; amendments to Article I, General Provisions, Section 8 (General Definitions) to add a definition for temporary storage containers; and the addition of Article I, Section 21, establishing regulations for temporary storage containers.
- b.** Discussion and appropriate action to review and make appropriate recommendations related to parkland dedication revisions in the subdivision ordinance.
- c.** Discussion of initial sections of the draft Sign Ordinance to gather feedback and guide future revisions.

VI. Discussion on Future Agenda Items

VII. Adjourn

Accessibility Statement

The City Hall is wheelchair accessible. The exit and parking ramps are located at the rear of the building.

Non-Discrimination Statement

The City of Castroville does not discriminate on the basis of race, color, national origin, sex, religion, or disability in the employment or the provision of services.

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, Castroville, Texas on April 1, 2026 before 6:15 p.m.

/s/ Debra Howe

City Secretary



Agenda Report

Agenda of: April 8, 2026
Department: Community Development Department
Subject: Temporary Storage

Recommended Motion:

I move to recommend approval of the proposed amendments to the Comprehensive Zoning Ordinance as presented.

BACKGROUND:

Currently, the Comprehensive Zoning Ordinance does not include specific definitions or regulations for temporary storage containers. As a result, staff has encountered situations where such containers are placed on residential and commercial properties without clear guidance on duration, placement, or screening.

The absence of regulations has created challenges in enforcement and consistency. The proposed amendments are intended to fill this gap by establishing clear standards while still allowing reasonable use of these containers for moving, storage, or construction-related purposes.

ANALYSIS:

Proposed Changes

The ordinance has been revised to include the following key updates:

- **Permit Requirements**
 - Retains permit requirement for residential properties
 - Removes permit requirement for commercially zoned properties
- **Duration**
 - Maintains time limits for residential properties
 - Removes duration limits for commercially zoned properties
- **Placement Standards**
 - Strengthens placement requirements to ensure containers are not located in:
 - Public rights-of-way
 - Fire lanes
 - Required buffer areas or visibility triangles

- Requires placement on paved or stabilized surfaces
- Limits placement between the primary structure and a public street
- Allows placement within parking spaces on commercial properties only when the business is not in operation
- **Maintenance and Use**
 - Requires containers to be maintained in good condition
 - Prohibits use as permanent structures or habitable space
- **Enforcement**
 - Establishes that noncompliance with standards constitutes a violation subject to enforcement, including removal if necessary

PUBLIC NOTICE:

Notice of the public hearing was published in accordance with state law and City requirements.

FISCAL IMPACT:

No significant fiscal impact is anticipated. Any administrative costs associated with implementation and enforcement are expected to be minimal and absorbed within the existing departmental budget.

RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission forward a recommendation of approval to the City Council for the proposed amendments to the Comprehensive Zoning Ordinance.

ATTACHMENTS:

- Draft Ordinance Amendment
- Proposed Article I, Section 21 – Temporary Storage Containers
- Updated Table of Contents

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CASTROVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY AMENDING ARTICLE I, SECTION 8 (GENERAL DEFINITIONS) TO ADD A DEFINITION FOR TEMPORARY STORAGE CONTAINERS; ADDING ARTICLE I, SECTION 21, ESTABLISHING REGULATIONS FOR TEMPORARY STORAGE CONTAINERS; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTROVILLE, TEXAS:

WHEREAS, the City of Castroville is authorized to regulate zoning pursuant to Texas Local Government Code Chapter 211; and

WHEREAS, pursuant to such statutory authority the City Council has adopted the Comprehensive Zoning Ordinance, which is published by the City as a separate document from the Code of Ordinances published by the Municode Corporation, and

WHEREAS, City Council deems it appropriate to amend the Comprehensive Zoning Ordinance, by creating a new Section 21, establishing regulations for temporary storage containers.; and

WHEREAS, on the 25th day of March, 2026, the Planning and Zoning Commission conducted a properly advertised public hearing to receive citizen comments and testimony; and

WHEREAS, on the 25th day of March, 2026, the Planning and Zoning Commission made a recommendation to approve the amendment to the Comprehensive Zoning Ordinance; and

WHEREAS, on the ___th day of _____, 2026, the City Council conducted a properly advertised public hearing to receive citizen comments and testimony regarding the proposed amendment.

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

Section one. Recitals adopted. City Council finds the above stated recitals to be true and correct and said recitals are adopted herein for all purposes.

Section two. Amendment to Article I. Article I, Section 8, *General Definitions* is hereby amended by inclusion of the substantive language as attached in **Exhibit “A”**, hereto, which is incorporated by reference herein for all purposes.

Section three. Adoption of new Article I, Section 21. A new Section 21 (entitled “*Temporary Storage Containers*”), of Article I is hereby adopted by inclusion of the substantive language as attached in **Exhibit “B”**, hereto, which is incorporated by reference herein for all purposes.

Section four. Amending of FY 25-26 Fee Schedule. The City’s fee schedule is hereby amended by inclusion of the substantive language as attached in **Exhibit “C”**, hereto, which is incorporated by reference herein for all purposes.

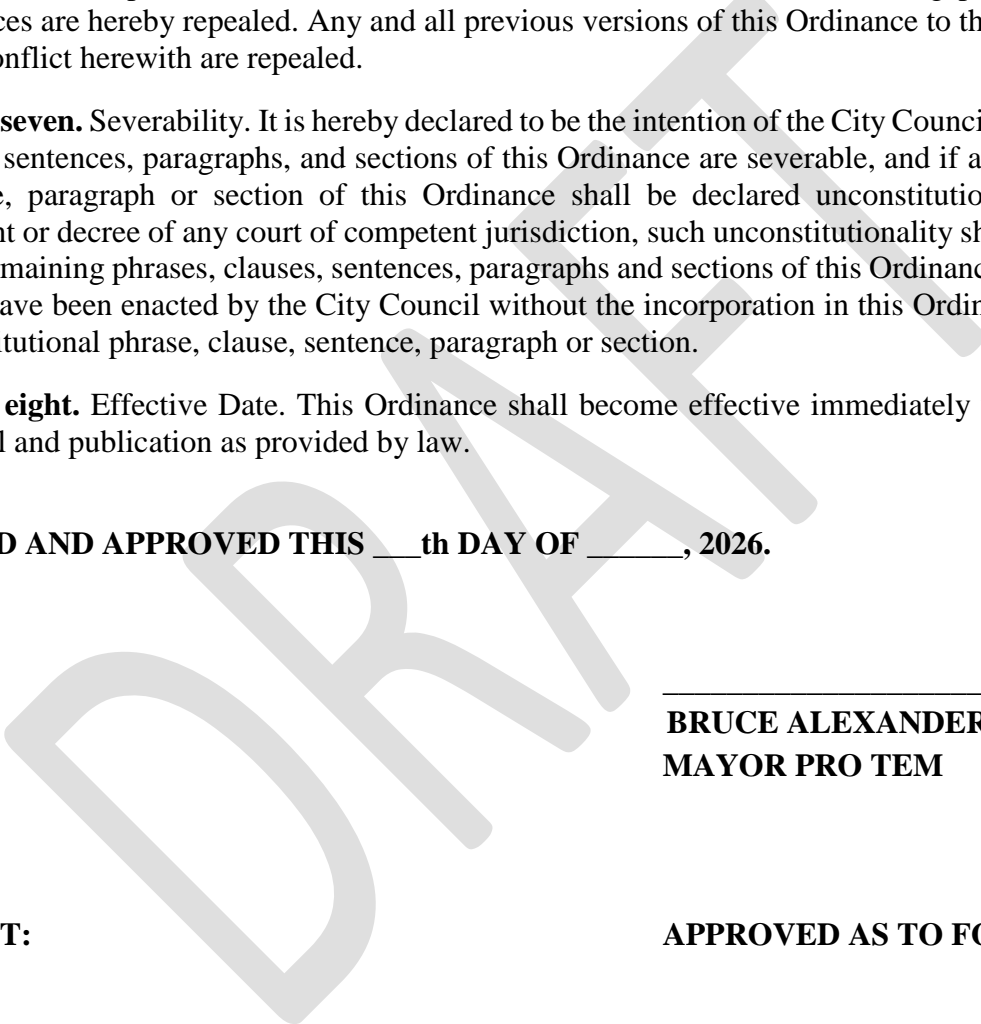
Section five. Directive to the City Secretary. The City Secretary is hereby directed and authorized to revise and republish the Comprehensive Zoning Ordinance to include **Exhibit “A”, Exhibit “B”, and Exhibit “C”** hereto.

Section six. Cumulative and Conflicts. This Ordinance shall be cumulative of all provisions of ordinances of the City of Castroville, Texas, except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. Any and all previous versions of this Ordinance to the extent that they are in conflict herewith are repealed.

Section seven. Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section eight. Effective Date. This Ordinance shall become effective immediately upon its passage, approval and publication as provided by law.

PASSED AND APPROVED THIS ___ **th DAY OF** _____, **2026.**



**BRUCE ALEXANDER,
MAYOR PRO TEM**

ATTEST:

APPROVED AS TO FORM:

DEBRA HOWE, CITY SECRETARY

DNRBH&Z PC

“Exhibit A”

ARTICLE I, SECTION 8 – GENERAL DEFINITIONS

Add the following definition alphabetically:

Temporary Storage Container –A container designed and built to hold items during shipping, transportation, or off-site storage, including but not limited to industrial shipping containers (e.g., Conex or intermodal containers), containers used for the transportation and storage of household goods (e.g., PODS), and similar portable storage units. This definition does not include motor vehicles, including rental trucks or trailers, which are regulated under other provisions of the City Code.

“Exhibit B”

ARTICLE I – GENERAL PROVISIONS

Article I, Section 21 – Temporary Storage Containers

These standards apply to all temporary storage containers placed on any property within the incorporated city limits of Castroville and shall not apply within the extraterritorial jurisdiction (ETJ).

- A. Maximum Number – No more than one (1) temporary storage container shall be permitted on a residential property at any time, unless associated with an active building permit.
- B. Duration –
 - a. Residential: A permit shall be required for any temporary storage container placed on a residential property for more than seven (7) consecutive days. Temporary storage containers shall be permitted for a maximum of thirty (30) days per calendar year, with the option of one (1) additional thirty (30) day extension granted by the City Administrator or their designee.
 - b. Commercial: Temporary storage containers placed on commercially zoned property shall be permitted by right and shall not require a permit, provided all standards of this Section are met.
 - c. Noncompliance: Failure to comply with the standards of this Section shall constitute a violation of this Ordinance.
- C. Placement – Temporary storage containers shall comply with the following placement standards:
 - a. Shall not be located within a public right-of-way, required parking areas, fire lanes, required buffer areas, or visibility triangles;
 - b. Shall maintain a minimum setback of five (5) feet from all property lines;
 - c. Shall be placed on a paved or stabilized surface; placement on grass or unimproved surfaces is prohibited;
 - d. On commercial properties, containers shall not be located between the primary structure and a public street unless no other feasible location exists;
 - e. Shall not block required access, utilities, drainage paths, or pedestrian circulation;
 - f. Parking Areas Exception: Temporary storage containers may be placed within a parking space on commercially zoned property only when the business is not in operation and no other feasible location exists on the site, subject to the following:
 - i. The container shall not be located within fire lanes or interfere with emergency access;

- ii. The container shall not obstruct vehicle circulation, site access, or visibility;
 - iii. The container shall be removed from the parking space(s) or relocated to a compliant area when in operation.
- D. Maintenance Standards – Temporary storage containers shall be maintained in good condition and shall:
 - a. Be free of significant rust, peeling paint, graffiti, or structural defects;
 - b. Be secured at all times.
- E. Prohibited Uses – Temporary storage containers shall not be:
 - a. Used as permanent structures;
 - b. Used as accessory buildings or converted into habitable space;
 - c. Used for residential or commercial occupancy;
 - d. Used for the storage of hazardous materials.
- F. Administrative Authority - The City Administrator or designee may require relocation or removal of a temporary storage container if placement is determined to create a safety hazard, interfere with site operations, or negatively impact adjacent properties.

“Exhibit C”

PROPOSED FEE SCHEDULE UPDATE

TEMPORARY STORAGE CONTAINER
PERMIT FEE: \$25.00



AGENDA REPORT

AGENDA OF: April 8, 2026 -

DEPARTMENT: Park and Recreation Board

SUBJECT: Consider and take appropriate action on Park & Recreation Advisory Board's recommended changes to Subdivision Ordinance

RECOMMENDED MOTION:

I move to direct staff to proceed with drafting amendments to the Subdivision Ordinance consistent with the Parks & Recreation Advisory Board recommendations, as modified by City Council.

BACKGROUND:

The Parks and Recreation Advisory Board was asked to review parkland and open space dedication requirements within the Subdivision Ordinance and provide recommendations for potential updates. After multiple discussions with Community Development staff and internal deliberation, the Board brought forward a set of proposed changes.

At a recent City Council discussion, Council generally supported the Board's direction but provided additional clarification and modifications to the draft language. The primary updates discussed by Council include:

- Usability Standard: At least 65% of the required parkland dedication must be considered usable or buildable land, rather than being comprised primarily of drainage or otherwise constrained areas.
- Approval Authority: Language referencing "the City" in subsection f.1 should be revised to specify City Council approval.
- Fee-in-Lieu Usage: References to "CIP projects" should be updated to "capital projects" to allow for broader applicability of collected funds.

These updates are intended to ensure that dedicated parkland provides functional community benefit, clarify decision-making authority, and provide flexibility in how fee-in-lieu funds may be utilized.

ATTACHMENTS:

- a. Changes recommended by Parks and Recreation Advisory Board
- b. Current subdivision ordinance

CURERNT ORDINANCE

Sec. 100-53. Parkland dedication.

(a) All residential subdivision applications and requests for plat approval submitted to the city, including property being platted within the city's extraterritorial jurisdiction, shall show the area proposed for parkland to be dedicated to the public. All properties that are subdivided for residential use, including but not limited to single-family residences, multifamily housing, condominiums, town homes and manufactured home communities are subject to either a parkland dedication plan acceptable by the city or payment of cash in lieu of designated parkland. This area shall be no less than five percent of the gross area of the property being platted, and shall have a suitable means of access from a public street.

(b) In all instances, the city shall have the right to accept the dedication of parkland or to refuse it. Any parkland dedicated to the city shall be suitable for either active or passive recreational use. For example, a drainage area that serves no useful recreational purpose shall not be accepted as parkland.

(c) If the city accepts the parkland dedication, the dedication shall be made on the final plat. Parkland dedication by separate instrument shall not be accepted. No final plat dedicating parkland shall be approved until the parkland dedication requirements are met.

(d) A subdivider involved in the following platting situations may apply for a parkland dedication exemption, provided that the subdivider can show evidence of no or limited impact on the existing parks and recreational facilities of the city:

- (1) Vacating plats;
- (2) Vacating and resubdivision plats;
- (3) Amending and correcting plats; or
- (4) Plats for projects designed specifically as elderly housing.

(e) Exemption applications shall be made to the city council. Exemptions, if granted, may be full or partial as judged appropriate by city council.

(f) Cash payment in lieu of dedication.

(1) Initiation by the city. The city may require a subdivider to pay cash in lieu of parkland dedication. In the event that the city requires cash in lieu of parkland dedication, the subdivider shall pay a fee equal to five percent) of the total appraised value of the subdivided property, as determined by the Medina County Appraisal District.

(2) Small subdivisions. When a subdivision will result in less than 100 residential units or less than five total acres, the subdivider shall make a cash payment in lieu of parkland dedication. The subdivider shall pay a fee equal to five percent of the total appraised value of the subdivided property, as determined by the Medina County Appraisal District.

(3) Parkland fund. Cash paid in lieu of parkland dedication shall be paid into a "parkland fund" to be created by the city, and shall be expended by the City for the acquisition, development, or rehabilitation of parkland or for improvements to existing parkland.

(Ord. No. 2002-003, art. III, § 3, 1-14-2002; Ord. No. 2014-005, § 1, 12-10-2013)

REVISED ORDINANCE

Sec. 100-53. Parkland dedication.

(a) Dedication Requirements and Platting. All residential subdivision applications, including property within the city's extraterritorial jurisdiction, shall clearly show the area proposed for parkland dedication on both the preliminary and final plats. This includes the location, dimensions, and purposes of all proposed parks. All properties subdivided for residential use are subject to either an acceptable parkland dedication plan or payment of cash in lieu of land.

(b) Dedication Thresholds.

1. **Developments 5 to 200 Acres:** The developer must dedicate 5% of the gross site area to the city.
2. **Developments over 200 Acres:** The developer must dedicate 5% of the gross site area AND construct recreational amenities on the dedicated land (e.g., trails, playgrounds, sports fields). Amenities must comply with the Parks Master Plan and the Parks Director's standards.
3. **Developments under 5 Acres:** The developer shall make a cash payment in lieu of dedication (see subsection f).

(c) Valid Parkland Criteria. To be accepted, dedicated parkland must meet the following criteria:

- **Usability:** Suitable for active or passive recreation. Drainage, detention, or utility areas do not qualify unless specifically designed for recreational use.
- **Form:** Must be contiguous and functional in shape; fragmented parcels or "leftover" strips are not acceptable.
- **Access:** Must have frontage on a public street and connect to existing or planned sidewalks, trails, or active transportation facilities.
- **Clearance:** Must be free of easements, buffers, or setbacks that limit recreational use.

(d) Ownership and Maintenance. Parkland may be accepted for City ownership or maintained by a homeowners' association (HOA), subject to City approval. If maintained by an HOA, perpetual public access and maintenance standards must be established through recorded covenants approved by the City.

(e) Exemptions.

A subdivider may apply to the City Council for a parkland dedication exemption for:

1. Vacating plats.
2. Vacating and re-subdivision plats.
3. Amending and correcting plats. (Note: Housing for the elderly is no longer exempt and must provide parkland dedication).

(f) Cash Payment in Lieu of Dedication (FILO). FILO should be considered a last resort when dedication is not feasible.

1. **Criteria for FILO:** The City may require or allow FILO if the development is under 5 acres, or if the land offered does not meet city standards and no feasible space exists within the project.
2. **Calculation:** The fee shall equal 5% of the finished land value of the development's total acreage. The value must be supported by a current appraisal paid for by the developer and reviewed/approved by the City.
3. **Parkland Fund:** Fees shall be deposited into a dedicated Parkland Fund, separate from General Funds.
4. **Use of Funds:** Funds must be spent within 8 years for acquiring new parkland or for CIP projects (acquisition, development, or rehabilitation). Funds may not be used for routine maintenance, staffing, or vehicles.

(g) Approval Process. The Parks and Recreation Advisory Board and the Parks Director shall be included in the approval process for all parkland dedications to ensure compliance with the Parks Master Plan and Active Transportation Plan.

November 19, 2025

Wednesday, 9:00 a.m.

I. Call to order TIME: 9:00a

II. Roll Call

Present:

- Adriana Arrington- Calk, President
- Nicol Schriener, Vice President
- Alli Welch, Secretary
- Kyle McVay- Member
- Stephen Dauphin- Member
- Vacant- Alternate
- Vacant- Alternate
- Jonah Chang, Director of Parks and Recreation

OTHERS PRESENT:

Patrick Connor- Citizen

III. Citizen's comments

none

IV. Discussion and Action Items

a. Review shower/restroom building plans for the Castroville Pool

Discussion

No updates from Jonah. Push to December and hopefully will have quotes by then.

b. Discuss and take appropriate action on updating parkland requirements for new developments

Discussion

Comments Submitted by David Merz – Parkland Dedication Ordinance Review

Merz provided the following initial recommendations for updating the parkland dedication ordinance:

- Require parkland areas to be clearly identified throughout the development review process.
- Eliminate the cash-in-lieu option for parkland dedication.
- Remove the dwelling-unit minimum; allow any development of 5 acres or more to dedicate 5% parkland (resulting in roughly a ¼-acre park for a 5-acre development).
- Eliminate the option for PUDs to provide HOA-controlled private parks in place of public parks.

November 19, 2025

Wednesday, 9:00 a.m.

Board Discussion:

The Board discussed eliminating the cash option; however, several members felt it may still be appropriate in certain situations. It was suggested that the Board review examples of communities that have successfully implemented a no-cash ordinance to better understand how such policies are applied.

Additional discussion included strategies for acquiring land adjacent to existing parks, such as conservation easements, direct purchase, or potential bond options. Members questioned whether cash-in-lieu should be considered a last resort and emphasized that any payment must be meaningful. Ideally, developers should present requests for cash alternatives to the Parks Board before Council consideration. The Board also noted that the current valuation method is too low and should be updated to fair market value rather than appraisal district figures.

In discussion of HOA run vs. city run parks, Jonah reported that current staffing levels can support maintenance of additional small pocket parks, but larger parks would require more staff.

Westheim's park space was noted as an example where HOA insurance costs were prohibitive. Patrick suggested requiring HOAs to carry appropriate insurance through initial development agreements.

Board members expressed the importance of providing parks throughout the city, regardless of proximity to existing parks.

The Board discussed removing Section 2 relating to small subdivisions (per Merz's notes) and reviewed NRPA recommendations, including the 5% land dedication guideline. Members also discussed creating a dedicated Parkland Fund for any in-lieu payments to ensure clear, restricted use for park development.

Discussed the board developing a "user guide" outlining desired park features and expectations for future development review. In the meantime, a draft recommendation for updating parkland dedication ordinance to council will be prepared for the December meeting.

Motion: no motion- left as discussion

V. Future agenda Items

November 19, 2025

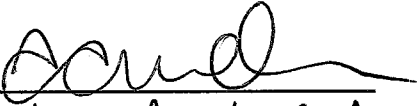
Wednesday, 9:00 a.m.

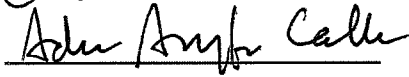
VI. Adjourn TIME 10:06am

Motion: To Adjourn

Motion By: Kyle 2nd By: Nicol

Vote: Yes# 5 No# 0 Pass

Prepared By 

Approved By 

February 18, 2026

Wednesday, 6:30p.m.

Registration Cap & Residency Considerations

The program is approaching capacity and may soon need to cap registration. Price indicated a likely cap of approximately 800 participants, while Jonah suggested a more manageable range of 700–750 participants. The board discussed potential strategies to address growth and related concerns, including designating parking spaces tied to specific field reservations (which would require coordination and planning by the Parks Department), limiting participation to MVISD students, and implementing additional fees for non-residents. Price noted that Hondo currently charges additional fees for non-citizens; although this would impact only a small number of participants locally, it could serve as a starting point.

VI. Discussion and Action Items

- a. Discuss and take appropriate action on the Parkland Dedication ordinance updates (board packet page 12)

Jonah noted that maintenance of a small park (approximately one-quarter acre) would be manageable and feasible. Adrianna discussed FILO and the current 5% allocation, asking whether the board wished to recommend a higher percentage. Nicol commented that setting the percentage higher could make it less desirable for developers which could be beneficial for the city because ultimately, we would like land over FILO. Kyle expressed a desire for the board to have input on park matters within new developments.

MOTION- Adopt and recommend the parkland dedication ordinance with the edits provided during the meeting.

**Motion Alli Second Kyle
Pass 5-0**

- b. Discuss and take appropriate action on the Community Center Policy (board packet page 16)

Kyle complimented Jonah and the policy. Board indicated that it was very thorough.

Motion by Kyle to accept policy.
2nd by Stephen
Pass 5-0

- c. Discuss and take possible action on the Medina Valley Soccer Association presentation and their usage at Regional Park

Breana Soto

From: Jonah Chang <Jonah.Chang@castrovilletx.gov>
Sent: Friday, March 27, 2026 9:14 AM
Cc: Debra Howe
Subject: Parkland Dedication Recommendations From Council

******Parks & Rec Advisory board on bcc******

Good morning,

At the last Council meeting, the City Council reviewed and recommended the Parkland Dedication move to P&Z for review with some minor changes.

Recommended changes:

1. Add "Council" approval at the end of the statement(B3)
2. Recommends adding that the land should be 60-70% usable(C- Usability)
3. Add "City Council"(F1)
4. Remove CIP and change to "Capital"(F4)

I've highlighted the areas and made the changes(GREEN highlight.) I would like to see what the board recommends for bullet point #2.

If you'd like to hear exactly what Councilman Lee said, please follow the link & he starts lining out these recommended changes at 3:06:14

- <https://www.youtube.com/watch?v=u4UrabHeodc>

Thank you,

Jonah Chang, CPRP CPO

Director of Parks & Recreation

City of Castroville

Office: (830)931-0033

Cell: (830)423-6050

Jonah.chang@castrovilletx.gov





Agenda Report

Agenda of: April 8, 2026

Department: Community Development Department

Subject: Discussion of initial sections of the draft Sign Ordinance to gather feedback and guide future revisions.

Recommended Motion:

No action recommended.

Background:

The Planning and Zoning Commission will continue its review of the draft Sign Ordinance by focusing on Sections 4 and 5, which address enforcement mechanisms and the treatment of existing nonconforming signs.

At the previous meeting, the Commission reviewed Sections 1–3, which established the general framework of the ordinance. Sections 4 and 5 focus on implementation, including how the City addresses noncompliant, abandoned, and nonconforming signs.

Sections 4 and 5 of the draft ordinance introduce several key changes compared to the current Chapter 24:

- Abandoned Signs
- Maintenance and Dilapidated Signs
- Violations and Enforcement
- Nonconforming Signs
- Relief and Flexibility

Attachments:

- Discussion Focus
- Draft Sign Ordinance (Sections 4-5 highlighted)
- Side by Side from Chapter 24

Castroville Sign Ordinance

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Section 4. Abandoned Signs, Dilapidated Signs, and Sign Violations

- A. The owner of any premise on which there is displayed or maintained any abandoned or dilapidated signs shall comply with the following requirements:
1. The owner of any dilapidated sign shall remove the sign within thirty (30) days after receiving written notice from the City Administrator or the adoption of this Ordinance, whichever is later;
 2. The owner of a supporting structure used or designed to be used with a dilapidated sign shall remove the supporting structure within thirty (30) days after receiving written notice from the City Administrator.
 3. If an abandoned supporting structure does not have a can, frame, or similar part of the supporting structure that would hold the sign or to which the sign would be attached, the supporting structure shall be removed or made to comply with the provisions of the Ordinance.
 4. Any modifications, alterations or changes to an abandoned sign or supporting structure shall be made in full compliance with the requirements of this Ordinance.
 5. Any dilapidated sign or dilapidated supporting structure not in compliance with this Ordinance is an unlawful sign and may be removed by the City in compliance with C below and the owner may be prosecuted or be enjoined from continuing such violation.
 6. If a sign that conforms to the regulations of this Ordinance is abandoned, the owner, user, and persons who benefit from the sign and the owner, operator, and tenants of the property on which the sign is located shall remove it, paint out or cover the message portion of the sign, put a blank face on the sign, or otherwise bring it into compliance with this Ordinance so as to leave the message portion and supporting structure neat and unobtrusive in appearance, within ninety (90) days after receiving written notice from the City Administrator.
- B. The following are required for the use, display, maintenance, or permitting of an alteration of any abandoned sign or supporting structure regardless of when the sign was abandoned:
1. Like Material

Only the same like, or better quality material as that being replaced shall be used as a face on or in the abandoned sign. The face of the supporting structure must be one that the supporting structure is designed to support.
 2. Covered Messages
 - a. Abandoned signs may be painted in order to “blank” the face.
 - b. However, the paint must completely cover the sign face or message portion of the structure. The covered, painted over message must not show through the paint.
 - c. Covered sign faces must be of a material or substance that renders the resulting sign face completely blank, opaque, and resistant to deterioration. It is a violation of these regulations to allow a covered message to bleed or show through the paint or covering.
 - d. Routed, embossed, or raised messages or sign copy must not be visible to the ordinary observer, if the face or message is blanked
 3. No person shall alter an abandoned sign or supporting structure without first obtaining a permit to do so from the City Administrator.

C. Sign Violations and Removal

1. The City Administrator shall have the authority to issue a sign violation notice and shall be empowered to enter upon the premises of any person within the City or its ETJ for the purpose of enforcing the provisions herein.
2. The City is authorized to take all legal means to ensure that a sign violation is removed or remedied.
3. When a sign requiring a permit is erected without a sign permit, the City Administrator shall use the following procedures.
 - a. The City shall give written notice of violation to the responsible party or to the occupant of the premises if the responsible party is not known. The notice shall include a description of the violation, the date such violation was noted, instructions to contact the City Administrator to apply for a permit for the sign, if applicable, and the fine schedule if the notice is not heeded, refused or unclaimed. The notice is deemed delivered when deposited in the United States Postal Service mail, with postage paid to the last known address of the party responsible for such sign.
 - b. If the City is unable to deliver written notice to the responsible party, a telephone call shall be made by the City Administrator, date and time recorded, informing the owner of the premises on which the sign is located that on a set day, a fine shall commence to be assessed to the owner of the sign for each day of the violation until the sign(s) are removed.
 - c. If, within ten (10) calendar days, the responsible party fails to contact the City Administrator in writing, bring the sign into conformance with this Ordinance, or apply for a permit for the sign, the City Administrator shall have the sign removed or impounded without further notice, or shall fine the owner on a daily basis as set forth within this Ordinance.
 - d. The party responsible for the sign shall, upon conviction, be guilty of a misdemeanor and shall (a) forfeit both the sign and any permit associated with the sign; and (b) pay the fines set by the court, not to exceed the fines specified in Section 3 for each violation. Each day of the continued violation shall constitute a separate violation.
4. Any sign which in the judgment of the City Administrator has become an imminent hazard to public safety, either because of an incident of damage or because of neglect of maintenance, shall be repaired or removed by the responsible party without delay. Notice of the existence of the hazard shall specify the maximum time which may be allowed for repairs or removal in order to ensure public safety, and the notice may be served upon the responsible party by certified mail. A hazardous sign which is not repaired or removed within the time specified shall be removed by the City and the actual cost of such removal shall be charged to the responsible party for the sign. The City shall impound and dispose of hold such unmaintained or unrepaired signs in accordance with 5, below.
5. Impoundment of Signs
 - a. The City Administrator shall have the authority to remove all signs, without notice to the owners thereof, placed within any street or highway Right-of-Way, or attached to trees, telephone and utility poles, other natural features or signs otherwise prohibited or not authorized by this Ordinance, and to immediately and permanently dispose of the signs.
 - b. The owner of an impounded sign may recover the same upon payment of an impoundment fee for each sign, and all costs associated with the removal of the sign, prior to the expiration of the fourteen (14) day impoundment period; in the event the sign is not claimed and retrieved from the City's possession within fourteen (14) days, the City Administrator shall have authority

to dispose of such sign. The owner shall be responsible for all costs associated with removal and disposal of the sign.

D. Conformance to Standards Required

Signs must meet all applicable standards as set forth herein and all City codes as amended, regardless of whether a permit is required.

Section 5. Nonconforming Signs and Relief from Requirements

A. Nonconforming Sign

1. These regulations shall apply to all Nonconforming Signs. All Nonconforming Signs shall be brought into compliance with this Ordinance in accordance with the provisions of these regulations.
2. Signs erected on a property prior to its annexation and not in compliance with this Ordinance shall be considered Nonconforming Signs until such time as they are brought into compliance in accordance with this Ordinance.
3. All Nonconforming Signs that were erected in violation of the ordinances of the City in existence at the time the sign was permitted or should have been permitted, and which violation was or has not been cured, shall, upon written notice, be required to be brought into compliance with this Ordinance or removed within a reasonable time frame specified by the City Administrator, but not to exceed thirty (30) days from the date of notice.
4. Nonconforming Signs that do not comply with the City Building Codes shall be subject to enforcement under the Building Codes, as well as this Ordinance. Repairs or modifications required under the City Building Codes shall not entitle the owner of the Nonconforming Sign to compensation under this Ordinance.
5. All Nonconforming Signs shall be subject to the following provisions:
 - a. Whenever a land use changes, any nonconforming sign must be modified so as to be in full compliance with these sign regulations.
 - b. Any Nonconforming Sign that has been destroyed or damaged to the extent that the cost of repairing the sign is more than sixty (60) percent of the cost of erecting a new sign of the same type at the same location shall be removed or shall be brought into compliance with this Ordinance within six (6) months from receipt of an order from the City Administrator, without compensation being paid by the City to the owner.
 - c. No Nonconforming Sign shall be required to be relocated or removed unless such Nonconforming Sign is more than sixty (60) percent destroyed or damaged as provided in b above.

B. Sign Requirements Relief Procedures

1. Petition for Waiver.

A Petition for a Waiver to a particular standard or requirement of this Ordinance is to determine whether such particular standard or requirement should be applied to an application or modified. A Waiver is a change to the standards, not otherwise permitted by this Ordinance.
2. Application.
 - a. A request for a Waiver to a particular standard or requirement of this Ordinance shall be submitted on a form provided by the City and accompanied by the prescribed fee set forth in the City's adopted Fee Schedule.
 - b. The petition shall state the grounds for Waiver.
 - c. The Applicant bears the burden of proof to demonstrate in the application the following:
 - i. the requirement for which the Waiver is requested imposes an undue hardship on the Applicant;
 - ii. the proposed sign shall be of a unique design or configuration;

- iii. the Waiver is needed due to a hardship caused by restricted area, shape, topography, or physical features that are unique to the property or structure on which the proposed sign would be placed, and such hardship is not self-imposed;
 - iv. the Waiver will substantially improve the convenience and welfare of the public and does not violate the intent of this Ordinance; and,
 - v. the requirement or standard will not adversely impact an adjacent property owner.
- d. Incomplete applications shall not be accepted or considered for waivers.
 - e. An application for a Waiver shall not be accepted for a sign that is prohibited by this Ordinance.
3. Procedure.
- a. The City Administrator shall review the application and create a report for the Planning and Zoning Commission. Every application shall automatically be forwarded to the Planning and Zoning Commission for consideration as a Public Hearing Item.
 - b. The Planning and Zoning Commission may vote to recommend approval, approval with amendments and conditions, table, or deny in whole or in part the application for a Waiver for any reason.
 - c. The Planning and Zoning Commission recommendation shall be forwarded to the City Council for consideration at their next regularly scheduled meeting. The City Council may vote to approve, approve with amendments and conditions, table, or deny in whole or in part the application for a Waiver for any reason. The City Council has final authority to approve a waiver at a City Council meeting in conformance with Texas Government Code, Chapter 551, as amended.
4. Dispensation.
- The Planning and Zoning Commission may recommend, and City Council may impose, conditions upon the granting of a waiver under this Section. Such conditions must be related to the variance sought, and be generally intended to mitigate the adverse effects of the sign on neighboring tracts and the general aesthetic ambiance of the community. An Applicant's failure to comply with conditions placed on a waiver may result in the City Council voiding the waiver and authorizing all available code enforcement actions and other remedies available in equity or at law.
5. Consideration for Amortization.
- When considering the granting of a requested waiver under this Section, the City may take into consideration an Applicant's commitment to bring pre-existing nonconforming signs into compliance with this Ordinance, and the removal of any pre-existing nonconforming signs.

DISCUSSION FOCUS: SECTIONS 4–5

Section 4: Abandoned Signs, Dilapidated Signs, and Sign Violations

This section establishes standards and procedures for identifying, maintaining, and removing signs that are abandoned, unsafe, or in violation of the ordinance.

Key elements include:

- Defines and regulates abandoned signs, including requirements for blanking sign faces
- Establishes clear maintenance and safety standards for all signage
- Identifies hazardous or dilapidated signs and requires repair or removal
- Provides a structured enforcement process, including:
 - Written notice of violation
 - Defined compliance timeframe (e.g., 10 days)
 - Daily violations for continued noncompliance
 - Authorizes the City to remove signs that are not brought into compliance
 - Improves clarity and consistency for enforcement staff

Discussion Questions:

- Does the definition and treatment of abandoned signs provide enough clarity?
- Is the 10-day compliance window appropriate, or should it be adjusted?
- Should the City have stronger or more limited authority to remove signs?
- Are the maintenance standards clear and enforceable?
- Does this approach strike the right balance between compliance and fairness?

Section 5: Nonconforming Signs and Relief from Requirements

This section addresses how existing signs that do not meet current standards are regulated and establishes when they must be brought into compliance.

Key elements include:

- Defines nonconforming signs and allows continued use under certain conditions
- Establishes triggers for compliance, including:
 - Significant damage
 - Alterations or modifications
 - Redevelopment or change in use
 - Clarifies when repairs require full compliance with current standards
 - Introduces a more structured approach to relief and administrative decision-making
 - Creates a pathway toward long-term compliance over time

Discussion Questions:

- Should nonconforming signs be allowed to remain indefinitely, or phased out over time?
- Are the compliance triggers (damage, redevelopment, etc.) appropriate?
- Should a damage threshold (e.g., percentage) be defined more clearly?
- Does the ordinance provide enough flexibility for existing businesses?
- Is the relief process clear and appropriate?

COMPARISON

Topic	Existing Chapter 24 (Current Approach)	Draft Sign Ordinance (Proposed)
Abandoned Signs	“Abandoned signs” are listed as prohibited signs; however, the ordinance does not define what constitutes an abandoned sign or provide a process for addressing or removing such signs.	“Abandoned signs may be painted in order to blank the face of the sign; however, the covered or blanked message must not show through the new surface. No person shall alter an abandoned sign without first obtaining a permit in accordance with this Ordinance.”
Maintenance Standards	“All signs shall be maintained in good structural condition and in compliance with all applicable building and electrical codes.”	“Any sign which has become an imminent hazard to persons or property shall be repaired or removed. The City shall provide written notice specifying the required corrective action and the timeframe for compliance.”
Dilapidated / Unsafe Signs	Maintenance and unsafe conditions are generally addressed through broad code enforcement or nuisance provisions without sign-specific thresholds or procedures.	“Any sign that is structurally unsafe, has defective electrical components, or is otherwise in a state of disrepair so as to pose a hazard shall be declared a hazardous sign and shall be repaired or removed within the time specified in the notice. If not corrected, the City may remove the sign.”
Violation Process	“Any person violating any provision of this chapter shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than \$200. Each day such violation continues shall constitute a separate offense.”	“The City Administrator or designee shall issue a written notice of violation describing the nature of the violation and the required corrective action. If the violation is not corrected within ten (10) calendar days, or within the time specified in the notice, the City may take appropriate enforcement action, including removal of the sign.”
Notice & Compliance	Notice procedures are not specific to signage and rely on general enforcement provisions within the Code of Ordinances.	“The City shall provide written notice to the property owner or sign owner identifying the violation and providing a specified period of time for compliance. Failure to comply within the stated timeframe shall result in further enforcement action.”
Removal Authority	Removal of noncompliant signs may require additional legal or nuisance procedures and is not clearly outlined within the sign ordinance itself.	“If the violation is not corrected within the specified timeframe, the City Administrator or designee shall have the authority to remove the sign, and the cost of removal may be assessed to the property owner.”

Topic	Existing Chapter 24 (Current Approach)	Draft Sign Ordinance (Proposed)
Nonconforming Signs	The ordinance allows existing nonconforming signs to remain and includes language encouraging compliance, such as: “Incentives may be offered to bring pre-existing nonconforming signs into compliance.”	“A nonconforming sign lawfully existing at the time of adoption of this Ordinance may be continued; however, such sign shall not be enlarged, expanded, or structurally altered except in conformity with the provisions of this Ordinance.”
Repairs & Alterations	“Ordinary and routine necessary repairs and maintenance may be performed on any sign without requiring the sign to be brought into compliance with current standards.”	“Any alteration, relocation, or structural modification of a nonconforming sign shall require the sign to be brought into full compliance with the provisions of this Ordinance.”
Damage Threshold / Compliance Trigger	The ordinance does not establish a clear threshold for when damage requires a sign to be brought into compliance.	“If a nonconforming sign is damaged or destroyed to an extent exceeding fifty (50) percent of its replacement value, the sign shall not be reconstructed except in full compliance with this Ordinance.”
Redevelopment / Change of Use	The ordinance does not clearly tie site redevelopment or change in use to sign compliance requirements.	“When a property undergoes redevelopment or a change in use, all signage on the property shall be brought into compliance with the provisions of this Ordinance.”
Relief / Flexibility	Relief mechanisms are limited and primarily incentive-based, such as variance incentives for voluntary compliance.	“The City Administrator or designated body may grant relief from the strict application of this Ordinance where it is determined that such relief will not adversely affect public safety or the intent of the Ordinance.”
Enforcement Clarity	Enforcement relies on general provisions and may be applied inconsistently due to limited sign-specific procedures.	The ordinance establishes a clear, step-by-step enforcement process including notice, compliance period, and removal authority, resulting in more consistent and predictable enforcement.