

PLANNING & ZONING COMMISSION MEETING

Wednesday, March 27, 2024 at 5:30 PM

Glen Rose City Hall, Council Chambers,
201 NE Vernon, Glen Rose, TX 76043



AGENDA

CALL TO ORDER

Pledge of Allegiance, Roll Call

CONSENT AGENDA

1. Consider approval of minutes from January 24, 2024 P&Z Board Meeting

PUBLIC HEARING

2. Public hearing regarding updates to Chapter 14 regarding Parking requirements
3. Public hearing regarding updates to Sign Ordinances in Section 3.10-3
4. Public hearing regarding updates to landscaping requirements in Section 3.11
5. Public hearing regarding updates to ordinance regarding outside storage facilities

INDIVIDUAL ITEMS FOR CONSIDERATION

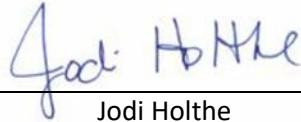
6. Discussion, consideration and possible action regarding updates to Chapter 14 regarding Parking requirements
7. Discussion, consideration and possible action regarding updates to Sign Ordinances in Section 3.10-3
8. Discussion, consideration and possible action regarding updates to landscaping requirements in Section 3.11
9. Discussion, consideration and possible action regarding updates to ordinance regarding outside storage facilities

ADJOURNMENT

In accordance with the Americans with Disabilities Act, persons who need accommodation to attend or participate in the is meeting should contact the City Secretary's office at (254) 897-2272 x 102 at least 48 hours prior to the meeting to request such assistance.

CERTIFICATION

I, the undersigned authority, do hereby certify that this NOTICE OF MEETING was posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance of the City of Glen Rose City Hall, a place convenient and readily accessible to the general public, as well as to the City's website at www.glenrosetexas.org and said notice was posted on the following date and time: **Friday, March 22, 2024, on or before 5:00 PM** and remained posted for at least two hours after said meeting was convened.



Jodi Holthe

Building, Planning Code Enforcement Department

Certification of NOTICE OF MEETING was removed on: _____ at _____ am/pm
by _____ . _____



CITY COUNCIL AGENDA ACTION FORM

AGENDA DATE:	3/27/2024		
AGENDA SUBJECT:	Consider approval of minutes from January 24, 2024 P&Z Board Meeting		
PREPARED BY:	Building/Planning/Code Enforcement Assistant Holthe	DATE SUBMITTED:	2/1/24
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:		\$00.00
	Amount Budgeted:		\$00.00
	Appropriation Required:		\$00.00
CITY ADMINISTRATOR APPROVAL:			
SUMMARY:			
RECOMMENDED ACTION:	Move to approve or deny as presented.		

Meeting Minutes
Planning & Zoning Commission – City of Glen Rose, Texas
January 24, 2024

Item 1.

1. Call to Order
 - a. The meeting was called to order to 5:30 pm by Chairperson, Pam Streeter
 - b. Pledge of Allegiance
 - c. Roll Call: Larry Cremean, Rex Miller, William Green, and Pam Streeter were in attendance. Greg Clanton joined the meeting at 5:41 pm. Additionally, Staff members Troy Hill, Larry Allen and Jodi Holthe were present. A quorum was present.

2. Consent Agenda
 - a. Approval of Meeting Minutes from December 6, 2023, was required.
 - b. No Discussion or Changes to Minutes were needed.
 - c. The motion to approve the consent agenda was made by Larry Cremean and seconded by William Green
 - d. Motion passed 4/0

3. Workshop Discussions
 - a. Procedures for Ordinance Approval Moving Forward
 - i. If identified as a need by P&Z, Staff or General Public
 1. Identify Problem
 2. Bring to Council to be made aware of the problem. Seek their approval to move forward with any input from them re: Directions.
 3. P&Z Commission and Staff will work through ordinances or amendments and seek outside opinions if needed. (this includes feedback from attorneys, developers, vendors, etc).
 4. P&Z will vote on an ordinance to recommend changes to the Council.
 5. The council will vote on the ordinance.
 - ii. If identified by the Council
 1. P&Z Commission and Staff will work through ordinances or amendments and seek outside opinions if needed. (this includes feedback from attorneys, developers, vendors, etc).
 2. P&Z will vote on an ordinance to recommend changes to the Council.
 3. The council will vote on the ordinance.
 - b. Sign Ordinance Amendment
 - i. Staff to review the new proposed ordinance and make any recommendations to the Commission.
 - ii. A Workshop will be held with sign company to provide feedback on the ordinance.
 - c. SUP Ordinance
 - i. Staff to review the new proposed ordinance and make any recommendations to the Commission. This will be placed on items for discussion at the February P&Z Commission meeting
 - d. Tree & Parking Ordinance
 - i. Staff to find a developer to provide feedback during a workshop to finalize the ordinance.
 - e. Subdivision/Development Ordinance Amendment
 - i. Staff needs to request Council permission to work on.

- ii. Items to be researched and drafted for inclusion.
 - 1. Parkland Dedication
 - 2. Sidewalk (both sides if not in existence)
 - 3. BMP/Water Retention
 - 4. Street Improvements
 - 5. Multifamily Projects require one garage per unit
 - iii. These will be reviewed and put on Items for Discussion in the Feb Commission meeting
 - f. Temporary Food Truck Usage
 - i. Staff needs to request Council permission to work on
 - g. Gas Station Category
 - i. Staff needs to request Council permission to work on
4. Having no further business before the commission, this meeting is adjourned at 7:03 pm.

Chairperson

Jodi Holthe,
Building & Planning Department



CITY COUNCIL AGENDA ACTION FORM

AGENDA DATE:	3/27/24		
AGENDA SUBJECT:	Public hearing regarding updates to Chapter 14 regarding Parking requirements		
PREPARED BY:	Troy Hill, City Administrator	DATE SUBMITTED:	3/22/24
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:		\$00.00
	Amount Budgeted:		\$00.00
	Appropriation Required:		\$00.00
CITY ADMINISTRATOR APPROVAL:			
SUMMARY:			
RECOMMENDED ACTION:			



CITY COUNCIL AGENDA ACTION FORM

AGENDA DATE:	3/27/24		
AGENDA SUBJECT:	Public hearing regarding updates to Sign Ordinances in Section 3.10-3		
PREPARED BY:	Troy Hill, City Administrator	DATE SUBMITTED:	3/22/24
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:		\$00.00
	Amount Budgeted:		\$00.00
	Appropriation Required:		\$00.00
CITY ADMINISTRATOR APPROVAL:			
SUMMARY:			
RECOMMENDED ACTION:			



CITY COUNCIL AGENDA ACTION FORM

AGENDA DATE:	3/27/24		
AGENDA SUBJECT:	Public hearing regarding updates to landscaping requirements in Section 3.11		
PREPARED BY:	Troy Hill, City Administrator	DATE SUBMITTED:	3/22/24
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY ADMINISTRATOR APPROVAL:			
SUMMARY:			
RECOMMENDED ACTION:			



CITY COUNCIL AGENDA ACTION FORM

AGENDA DATE:	3/27/24		
AGENDA SUBJECT:	Public hearing regarding updates to ordinance regarding outside storage facilities		
PREPARED BY:	Troy Hill, City Administrator	DATE SUBMITTED:	3/22/24
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY ADMINISTRATOR APPROVAL:			
SUMMARY:			
RECOMMENDED ACTION:			



CITY COUNCIL AGENDA ACTION FORM

AGENDA DATE:	3/27/24		
AGENDA SUBJECT:	Discussion, consideration and possible action regarding updates to Chapter 14 regarding Parking requirements		
PREPARED BY:	Troy Hill, City Administrator	DATE SUBMITTED:	3/22/24
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY ADMINISTRATOR APPROVAL:			
<p>SUMMARY:</p> <ul style="list-style-type: none"> • Change parking requirements for the following categories to 2 spaces, 1 being attached, and enclosed. <ul style="list-style-type: none"> • Apartment, Condo, Townhome, single family, 2 family, 3 family dwelling, 4 family dwelling • Update parking requirements in Commercial Developments related to size and number of spaces required 			
<p>RECOMMENDED ACTION: Change Chapter 14 to read: One enclosed parking space for each unit in the residential districts above mentioned, approve updated Commercial Development requirements and send to Council.</p>			

NEW**Article 12.04.043 – PARKING STANDARDS****(a) Purpose**

The purpose of this Article is to establish the number of required off-street vehicular parking spaces so as to provide for the needs of occupants, customers, visitors or others involved in the use or occupancy of any building or structure, to eliminate the undue use of the surface street system for parking purposes, to require allocation of sufficient off-street/on-site loading facilities by business and industry which ensures that the loading and unloading of vehicles will not interfere with traffic flow or block roadways and/or fire lanes, to promote and protect the public health, safety, comfort, convenience and general welfare, and to grant and define the administrative powers and duties necessary to enforce this Article.

(b) General Provisions

- a. Required off-street parking in residential districts shall be provided on the same site, lot, or tract, not in the front yard setback as the main use for which the parking is provided.
- b. Required off-street parking in nonresidential districts may be located on the same site, lot or tract as the main use for which the parking is provided or on a site, lot or tract located within the same zoning district and within 150 feet of the main use.
- c. If specific requirements for off-street parking result in a fraction of a parking space, the next larger whole number of spaces is required.
- d. Whenever a building or use constructed or established before <insert date> is changed or enlarged in floor area, number of dwelling units, seating capacity or otherwise, to create a need for an increase in the minimum number of required parking spaces, such additional spaces shall be provided at 50% of the normal rate to accommodate the enlargement or change.
- e. All driveways and all required off-street parking spaces shall be on a paved concrete or asphalt surface. All drive approaches shall be of paved concrete.
- f. Parking spaces provided within a public right-of-way shall not be counted as meeting the minimum requirements of this Article.
- g. In the event of the construction of a phased development, the minimum number of parking spaces provided shall apply to each phase as it is developed.
- h. In computing the parking requirements for any building or development with multiple uses, the total parking requirements shall be the sum of the specific parking requirements for each individual use included in the building or development.
- i. Residential curb cuts.
 - i. *Straight driveways.* Curb cuts for residential driveway aprons shall be not less than ten feet (10') in width, and not more than twelve feet (12') in width for a single driveway apron nor more than twenty-four feet (24') in width for a double driveway apron. Curb cuts will be permitted only for driveway aprons providing access to a garage, carport or hardstand.

Not more than one curb cut will be permitted for each residential parcel of land except as follows for circular driveways.

- ii. *Circular driveways.* Circular driveways are allowed for lots with a minimum of one hundred feet (100') of frontage. Circular driveways shall have a maximum of two sixteen-foot curb cuts with a minimum of thirty feet (30') between each cut.
 - j. Detached accessory, ancillary or storage structures in commercial and manufacturing districts shall not be located in a manner that decreases the minimum number of parking spaces required.
 - k. Areas intended for outdoor displays and general outdoor storage shall not be allowed in designated off-street parking areas or fire lanes and shall not be located in a manner that decreases the minimum number of parking spaces required.
 - l. Parking and storage, including vehicles awaiting repair, employee, customers and vendors, for automobile repairs and service cannot occur in the public right-of-way.
- (c) **Size of Space:**
- a. Each standard off-street surface parking space shall measure not less than nine (9') feet by twenty (20') feet, exclusive of access drives and aisles, and shall be of usable shape and condition.
 - b. *Wheel stops.* If wheel stops are not provided at locations where vehicles extend over the sidewalk areas, a minimum of eight feet (8') <5' or 8'> of free walking area, exclusive of vehicle overhang, width must be provided.
 - i. Wheel stops shall be designed so that the overhang of vehicles is contained totally within the parking space.
 - c. Each parking space designed for parallel parking shall have a minimum dimension of eight (8') feet by twenty-two (22') feet. D.
 - d. Each standard parking space located in a parking garage shall measure not less than ten (10') feet by twenty (20') feet, exclusive of access drives or aisles.
- (d) *Handicap accessible parking.*
- a. The number and size of the handicap parking spaces required must meet the City of Glen Rose standard and follow the Federal Americans with Disabilities Act and Texas Accessibility Standards.
- (e) **Schedule of Off-Street Parking Requirements:**
- a. See Appendix A (Schedule of Uses) – or insert table here
 - b. **New and Unlisted Uses:**
When a proposed land use is not classified in the Schedule of Uses, the parking requirements will be based on the minimum standard which applies to a specified use which is most closely related to the proposed land use, as determined by the Building Official.
 - c. **Mixed Uses:**
In the event that several users occupy a single structure, or parcels of land, the total requirements for off street parking shall be the sum of the requirements for the several uses computed separately unless it can be shown that the peak

parking demands are offset, for example with retail and residential, or theater and office uses. In such case the Planning & Zoning Commission may recommend reducing the total requirements accordingly, but not more than twenty five (25%) percent for approval by City Council.

(f) Striping

- a. All parking lots shall be striped in a manner that will clearly delineate parking spaces, fire lanes and pedestrian crosswalks.
- b. Directional arrows shall be provided in all drive lanes and driveways.

(g) Shared Access and Cross Lot Access Easements

Notwithstanding any other provisions of this Article, unless otherwise approved by the City, to reduce the number of curb cuts and access driveways, the dedication of joint-use, private access driveway easements and cross lot access easements shall be required for all commercial development.

(h) Stacking Requirement for Drive-Through Facilities

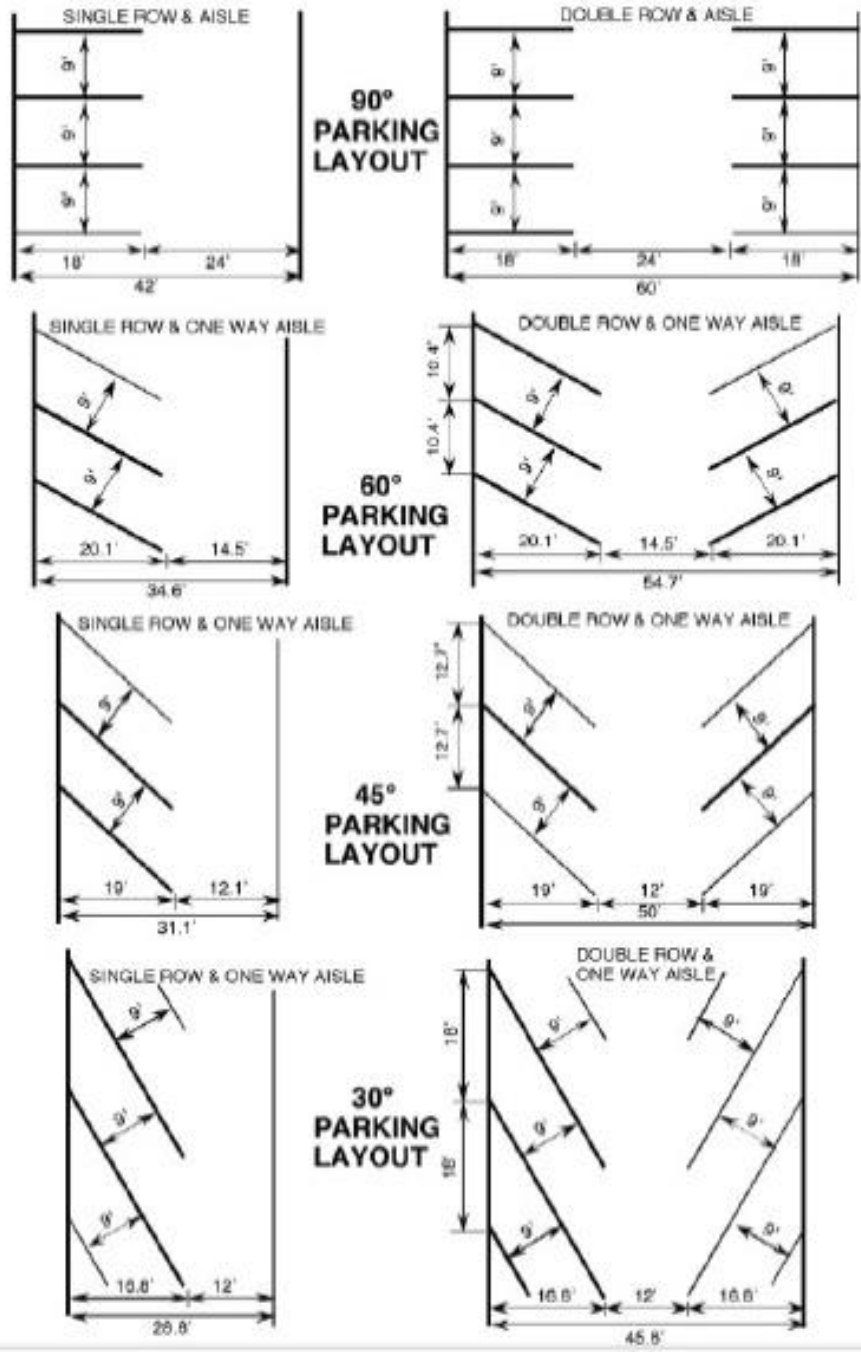
- a. A stacking space shall be an area on a site measuring eight (8') feet by twenty (20') feet with direct forward access to a service window or station of a drive-through facility which does not constitute space for any other circulation driveway, parking space, or maneuvering area.
- b. All stacking spaces shall be located entirely within the lot and shall be outside of any right-of-way, fire lane or similar access.
- c. For financial institutions with drive-through facilities, each teller window or station, human or mechanical, shall be provided with a minimum of five (5) stacking spaces.
- d. For each service window of a drive-through restaurant, a minimum of seven (7) stacking spaces shall be provided.

(i) Off-Street Loading/Unloading Requirements

- a. All retail, commercial, industrial, and service structures shall provide and maintain off-street facilities for receiving and loading merchandise, supplies and materials within a building or on the lot or tract. Such off-street loading space may be adjacent to a public alley or private service drive or may consist of a truck berth within the structure. Such off-street loading space or truck berth shall consist of a minimum area of ten (10') feet by forty (40') feet and the spaces or berths shall be provided in accordance with the following schedule:

Square Feet of Gross Floor Area in Structure	Minimum Required Spaces or Berths
0 – 5,000	None
5,000 – 15,000	1
15,000 – 50,000	2
50,000 – 100,000	3
100,000 – 150,000	4
Each Additional 50,000 over 150,000	1

(j) Parking Dimensions





CITY COUNCIL AGENDA ACTION FORM

AGENDA DATE:	3/27/24		
AGENDA SUBJECT:	Discussion, consideration and possible action regarding updates to Sign Ordinances in Section 3.10-3		
PREPARED BY:	Troy Hill, City Administrator	DATE SUBMITTED:	3/22/24
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:		\$00.00
	Amount Budgeted:		\$00.00
	Appropriation Required:		\$00.00
CITY ADMINISTRATOR APPROVAL:			
SUMMARY: Update sign requirements in commercial developments related to size and standards.			
RECOMMENDED ACTION: Approve updated requirements and send to Council.			

Article 3.10 Signs

3.10.001 Findings, purpose and intent; interpretation.

1. 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 upon historic areas, and the safety and welfare of pedestrians and wheeled traffic, while providing 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 shall 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.
2. Signs not expressly permitted as being allowed by right or by special use permit under this article, by specific requirements in another portion of this chapter, or otherwise expressly allowed by the governing body are prohibited.
3. A sign placed on land or on a building for the purpose of identification, protection or directing persons to a use conducted therein shall be deemed to be an integral but accessory and subordinate part of the principal use of land or building. Therefore, the intent of this article is to establish limitations on signs in order to ensure they are appropriate to the land, building or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in subsection (i) of this section.
4. These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.
5. These regulations do not regulate every form and instance of visual speech that may be displayed anywhere within the jurisdictional limits of the city. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.
6. These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.
7. This Article 3.10 governs the erection and display of all signs, marquees and awnings in the city, except those erected and displayed by the city, the State of Texas and the United States in furtherance of their governmental responsibilities and those required by law to be erected and displayed.

8. All rights and privileges acquired under the provisions of this Article 3.10 are mere licenses revocable at any time by the director upon a violation of any applicable provision of this Article 3.10.
9. The provisions contained in this Article 3.10 shall be considered separate from, supplemental to and additional to the provisions contained elsewhere in this Article 3.10 or other city Article 3.10s. Nothing contained in this Article 3.10 shall excuse any person from compliance with all other applicable provisions of this Article 3.10 or the city code.
10. Wherever authority is to be exercised under this ordinance by the city administrator, building official or city council, the authority may also be exercised by his or her designee.
11. This article shall apply to signs, marquees, and awnings on property not used for public right-of-way. Under no circumstances shall any provision herein authorize placement of a sign on any public right-of-way.

3 Definitions.

1. A-frame sign. A two-faced sign with supports that are connected at the top and separated at the base, forming an "A" shape. These are also referred to as "sandwich board" signs. They are included in the term "portable sign."
2. Animated sign. Any sign, the character or appearance of any element or part of which changes by any device, mechanical, electrical or otherwise, except for digital text and graphic signs.
3. Awning. Any permanent or retractable structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather. This structure consists of a flexible material covering attached to and supported by a metal frame.
4. Awning sign. Any sign attached to and made a part of an awning or any similar projections from a building, with changeable, fixed or both types of lettering in use.
5. Banner. A temporary sign of flexible material affixed to a framework or flat surface.
6. Billboard. Any sign that consists of a single panel surface larger than 100 square feet in size that is installed as an independent structure or is mounted on the side or top of a building, and this sign along with its location is sold, rented, or leased to a user that is not the property's business owner.
7. Building frontage. The length of the main wall of a building which physically encloses or covers usable space. Said frontage shall be measured at the width of the wall at the height where the sign is mounted.
8. Chalk-board sign. A single-faced, framed slate, chalk-board, whiteboard, or other material that can be written on with chalk, dry erase or similar markers.
9. Changeable copy sign. A non-electronic sign or part of a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or surface of the sign.
10. Comprehensive sign plan. A plan for the signage of a property that includes multiple tenants or owners with shared parking or other facilities.
11. Curb sign. Any sign painted on a curb.
12. Digital text and graphic sign. Any sign that can change its content by way of electronic or mechanical means but maintains a consistent image and does not flash or display any

animation or movement other than the occasional changing of text or graphics occurring no more than two times per day. Digital text and graphic signs can be in the form of televisions, monitors, and other screens.

13. Double-face sign. Any sign having two parallel planes or surfaces that both bear the message.
14. Feather sign. A lightweight, portable sign mounted along one edge on a single, vertical, flexible pole the physical structure of which at may resemble a sail, bow, or teardrop. See windblown sign.
15. Flag. A piece of cloth or similar material, shaped like a pennant, rectangle, or square, attachable by one straight edge to a pole or rope or attached at the top and draped.
16. Flashing sign. Any sign consisting of, or illuminated by, flashing or intermittent lights or other lights of changing degrees of intensity, brightness or color except for digital text and graphic signs.
17. Freestanding sign. A sign that is supported by structures or supports in or upon the ground and independent of any support from any building or wall. It also means any non-portable sign supported by a fence, retaining wall, or by upright structural members or braces on or in the ground and not attached to a building. A freestanding sign can have one or two sides and can have messages on each side.
18. Height. The maximum vertical distance from the ground at the base of the sign, or, for projecting signs, at the bottom of the plane created by the face of the sign extending to the ground, to the top of the highest attached component of the sign. Height also measures the ground clearance under projecting signs.
19. Holiday displays. Any displays erected on a seasonal basis in observance of religious, national, or state holidays which are not intended to be permanent in nature and which contain no advertising material.
20. Illegal sign. Any sign erected without a required permit or which otherwise does not comply with any provisions of this article.
21. Illuminated sign. Any sign that is backlit, internally lighted or lighted by direct external lighting fixtures.
22. Marquee. Any permanent structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather. A marquee may take the form of an awning.
23. Marquee sign. Any sign attached to and made a part of a marquee or any similar projections from a building, with manually changeable, fixed or both types of lettering in use.
24. Minor sign. Any wall or freestanding sign not exceeding one (1) square foot in area and not illuminated.
25. Monument sign. Any freestanding sign consisting of a structure built on grade in which the sign and the structure are an integral part of one another. A monument sign is not a pole sign, and it does not have any visible supporting posts or poles under the sign area. This sign generally has a low profile in accordance with height restrictions for this sign type with little or no open space between the ground and the sign and has a structure constructed of masonry, wood, or materials similar in appearance.

26. Moving or windblown sign. Any sign, any element or part of which (such as a streamer, wheel, moored blimp or propeller) moves by means of a mechanized, electrical or other device or is set in motion by movement of the atmosphere, including feather signs. A flag is not a moving or windblown sign.
27. Mobile sign. Any sign mounted on wheels, built with axles to which wheels may be attached, or attached to a motor vehicle which is used primarily for the displaying of the sign, not for operating of the vehicle. Any such vehicle shall, without limitation, be considered to be used for the primary purpose of displaying the sign if it remains parked in the same location for more seven days without moving, fails to display current license plates, inspection sticker, or municipal decal, if the vehicle is inoperable, if evidence of paid-to-date local taxes cannot be made available, or if the sign alters the standard design of such vehicle or trailer. A parking permit sticker, inspection sticker, regulatory permit or bumper sticker attached to a motor vehicle shall not be considered a sign.
28. Neon sign. Any sign containing exposed tubes filled with light-emitting gas or a sign giving the appearance of being a neon sign.
29. Nonconforming sign. Any sign which was lawfully erected in compliance with applicable regulations of the city and maintained prior to the effective date of this chapter of the zoning Article 3.10 and which fails to conform to current standards and restrictions of the zoning Article 3.10.
30. Pole sign. Any freestanding sign taller than six feet that is mounted on one or more visible, ground-mounted poles. A flag, as defined by 9-102(N), on an affixed to a pole is not a pole sign.
31. Portable sign. Any temporary sign not affixed to a building, structure, vehicle or the ground and which can easily be picked up and moved to another location without the use of machinery.
32. Projecting sign. Any sign, other than a wall, awning or marquee sign, affixed to a building and supported only by the wall on which it is mounted. A projecting sign has a sign face that is not flat to the wall on which it is mounted and has two sides and can have messages on each side.
33. Public area. Any public place, public right-of-way, any parking area or right-of-way open to use by the general public, or any navigable body of water.
34. Public art. Items expressing creative skill or imagination in a visual form, such as painting, mural, or sculpture, which are intended to beautify or provide aesthetic influences to public areas or areas which are visible from the public realm.
35. Roof line. A line composed of the highest points of the roof of a building or structure not to include mechanical penthouses or other structures attached to or erected on such roof.
36. Roof sign. Any sign erected on or affixed to a building or structure which extends, in whole or in part, above the roof line or the eaves or bottom edge of the roof.
37. Sign. Any object, device, display, or structure, or part thereof, visible from a public place, a public right-of-way, any parking area or right-of-way open to use by the general public, or any navigable body of water which is designed and used to attract attention to an institution, organization, business, product, service, event, or location by any means involving words, letters, figures, designs, symbols, fixtures, logos, colors, illumination, or

projected images. The term does not include flags of any nation, state, or other geopolitical entity not related to a commercial business, product or service. The term also does not include public art or architectural elements incorporated into the style or function of a building. The term "sign" also does not include the display of merchandise for sale on the site of the display.

38. Sign face. The portion of a sign structure bearing the message.
39. Sign structure. Any structure supporting or bearing a sign face.
40. Temporary sign. Any sign intended to be displayed for a short time period based on a property condition. All temporary signs are not illuminated. Unless a different time period is specified, a temporary sign may not be displayed for more than 120 continuous days, and there must be a 30-day interruption between postings of temporary signs.
41. Wall sign. Any sign attached to a wall or painted on or against a flat vertical surface of a structure.
42. Window sign. Any sign visible from outside a building and visible through any window or door and attached to or within four feet in front of or behind the surface of a window or doors.

Sign approval.

1. Approval required
 - (1) No sign, marquee or awning may be erected, displayed, constructed, reconstructed or altered unless it complies with the Uniform Statewide Building Code. Compliance may require that, in addition to the permits required by any other section of this Article 3.10, a permit or permits be obtained from the building code official.
 - (2) Application for a permit shall be made on forms furnished by the building code official
 - (3) The department of planning and Zoning shall review each sign application
 - (4) Historic Preservation Commission shall review each sign application in the Historic District Overlay as well as on any registered Historic property within the city limits.
2. Zoning approval not required
 - (1) Signs erected by a governmental body or required by law.
 - (2) Flags as allowed within each zone.
 - (3) The changing of messages on and/or maintenance of an existing sign, except that repair of a nonconforming sign must comply with _____
 - (4) Temporary signs as allowed within each zone.
 - (5) Pavement markings on an area of property where traffic management is necessary.
3. Coordinated sign special use permit. Comprehensive sign plans may be approved by special use permit in a unified development more than three acres in size, which contains more than one building, more than one parcel or private streets. The comprehensive sign plan shall establish the time, manner, and placement of signs, frequency of message changes, the materials, the hours of lighting, the height of signs, the total number of square feet of sign surface, and the number of signs to be placed on a site. Height of signs shall not be modified above the height permitted in the zoning Article 3.10. The applicant for a coordinated sign special use permit shall submit a statement of justification for such

program in addition to information which describes the number, location, size, height, clearance, color, material, type of illumination, if applicable, of all proposed signs within the program. A proposed coordinated sign program may be approved if council finds that it provides the same or greater benefits to the public as the sign regulations otherwise applicable.

4. Waiver of requirement by special use permit. A special use permit may be obtained pursuant to _____ which authorizes the provision of signage otherwise not permitted by this Article 3.10, subject to the following:
 - (1) The special use permit applicant shall demonstrate that the proposed signage would correspond with the intent of this Article 3.10; and
 - (2) City council finds that:
 - a. The proposed signage has an exceptional design or approach that cannot be accomplished within the existing regulations;
 - b. The proposed signage will not have an adverse impact on the nearby neighborhood; and
 - c. The signs comply with the applicable standards for approval of a special use permit set forth in _____

Prohibited signs

In addition to signs prohibited elsewhere in the zoning Article 3.10, City Code or by applicable state or federal law, the following signs are prohibited in all zones:

1. General prohibitions.
 - a. Signs displayed without complying with all applicable regulations of this chapter or that violate any city, state or federal law.
 - b. Signs simulating, or which are likely to be confused with, a traffic control sign or any other sign displayed by a public authority. Any such sign is subject to immediate removal and disposal by an authorized city official as a nuisance.
2. Prohibitions based on materials.
 - a. Animated signs. This subsection does not apply to flags expressly permitted under this article.
 - b. Flashing signs.
 - c. Moving or windblown signs.
 - d. Mobile signs.
 - e. Signs that emit smoke, flame, scent, mist, aerosol, bubbles, liquid or gas.
 - f. Signs that emit sound.
 - g. Signs which utilize a spotlight or other device which projects a beam of light in the direction of any street, road, highway, alley or parking area so that it may be seen by the operator of a motor vehicle when the vehicle is not parked.
 - h. Illuminated signs located higher than 35 feet above grade or unless a special use permit is approved after a finding that the sign meets the following criteria:
 - i. Only one sign per building is permitted;
 - ii. The building may not be located within, the courthouse square or historic district overlay
 - i. The sign must meet any applicable design guidelines and follow any additional applicable process for approval;

- j. The sign must be appropriate in scale, design and color and compatible with the building;
 - k. The sign may not be a neon sign;
 - l. The sign shall be subject to such conditions as the SUP may impose to ensure that the sign functions without glare or disturbance with nearby uses, including those rules which may alter, modify or supersede the rule stated in section _____ with regard to the lighting not operating between 11:00 p.m. and 6:00a.m.; and
 - m. The sign shall be wall mounted.
3. Portable signs. This subsection does not apply to A-frame signs allowed herein.
 4. Billboards.
 5. Internally illuminated translucent rectangular panel signs. Signs that use a lightbox configuration where a light fixture is inside a rectangular box with the front surface consisting of a translucent panel on which information is displayed. This prohibition does not apply to channel lettering signs that use individual light boxes shaped like discrete letters or symbols.
3. Prohibitions based on location.
1. Signs erected on public land other than 1) those approved by the city administrator or his or her designee in writing, 2) those where an Article 3.10 authorizing such encroachment has been enacted by city council, 3) those authorized by law without such approval. Any sign not so authorized is subject to immediate removal and disposal by any authorized official. Removal of the sign under this provision does not preclude prosecution of the person responsible for the sign.
 2. Roof signs.
 3. Any sign that obstructs free or clear vision, or otherwise causes a safety hazard for vehicular, bicycle, or pedestrian traffic due to its location.
 4. Signs affixed to certain property. No temporary sign may be painted, marked, written, posted or displayed on, or otherwise affixed to, any private street sign, bus stop sign or traffic sign, sidewalk, crosswalk, curb, curbstone, street, lamp post, hydrant, railroad trestle, electric light or power pole or telephone pole or wire appurtenance thereof, fixture of the fire alarm system, drinking fountain, natural features such as trees, shrubs, rocks or tree stakes or guards.

Standards and removal.

1. Standards.
 - a. Maintenance.
 - i. All signs, marquees and awnings shall be maintained at all times in a safe structural condition and in a neat and clean condition, and shall be kept free from defective or missing parts or peeling paint.
 - ii. The building official may find cause to have signs removed or repaired immediately without written notice any sign which, in his or her opinion, has become insecure, in danger of falling, or otherwise unsafe, and, as such, presents an immediate threat to the safety of the public. If such action is necessary to render a sign safe, the cost of such emergency removal or repair shall be at the expense of the owner or lessee thereof as provided in the Uniform Statewide Building Code.

- b. Illumination.
 - i. Lighted signs facing and in close proximity to a residential zone shall not be illuminated between 11:00 p.m. and 6:0a.m, unless the sign lighting meets the dark sky lamination requirements.
 - ii. Such signs shall be constructed so that the lighting elements are shielded from view of the residential zone by nontransparent or translucent material or other means designed to eliminate glare.
 - c. Illumination is prohibited for all temporary signs.
 - d. Illuminated signs higher than 35 feet are subject to section _____
 - e. Reflection. No sign shall contain any reflective device.
 - f. Non-commercial sign substitution. Wherever this article permits a sign with commercial content, non-commercial content is also permitted subject to the same requirements of size, color, illumination, movement, materials, location, height and construction.
 - g. All free standing signs must comply with all applicable vision clearance requirements in _____ of the zoning Article 3.10.
2. Removal.
- a. Whenever the use of a building or structure or real property is discontinued, all signs pertaining to that use which were previously erected or displayed shall be removed within 30 days of the discontinuance of the use.
 - b. Irrespective of any continued use or any discontinuance in use of a building or structure, a supporting standard or structure for a sign shall be removed if the standard or structure is not occupied by a sign permitted by this Article 3.10 for a continuous period of one year.
 - c. It shall be the responsibility of the owner of the building, structure, or real property to accomplish the removal. If, after written notice to the owner from the director, such signs or supporting standards or structures are not removed within ten days of the notice, the city manager shall cause the removal and charge the cost to the owner.

Computation of sign area.

1. The area of a sign is the sum of the areas within rectangular lines inscribed around each separate word, symbol or pictorial element on the face of a sign, and the height of a sign shall be measured to include the sign and supporting apparatus for any freestanding sign; provided that:
2. The area of a sign, or any portion thereof, having a distinctive or ornamental border shall include both the area enclosed by the border, and the area enclosed within the border.
3. The area of a sign, or any portion thereof, having a distinctive or ornamental background, which sets the background apart from a larger surface so that it forms an integral part or element of the sign, shall include the area of the background.
4. The area of a freestanding sign, or any portion thereof, having a background which extends beyond the words, symbols or pictorial elements thereof shall include the area of the background including the base for monument signs.

5. If any portion of the words, symbols or pictorial elements of a sign extends beyond a border or background or has no border or background, the area of that portion of the sign shall be the area of a rectangle inscribed around it.
6. The area of a marquee, or any panel thereof, which specifically provides a background for a sign shall be included in the area of the sign.
7. The area of any sign hung, placed, painted or displayed on a marquee or awning shall be included in determining the total area of signs erected or displayed.
8. The area of a double-face sign shall be considered to be the area of the one face having the larger area.

Sec. 3.10.003- Sign regulations by zoning district.

1. Residential district signs.

- a. Except as otherwise prohibited in this article, the following signs are permitted as accessory to residential or non-residential uses in the following residential districts.

- b. In the R-1, R-2, R-2M, R-3, R-4 zones the following regulations shall apply:

- i. On property used for residential purposes only the following signs are permitted:

1. Flags:

- a. Number and size limits: One flag per 20 feet (or portion thereof) of lot width to a maximum of three flags per property with a maximum size of 16 square feet for each flag.
- b. Mounting and installation regulations: Freestanding flags may only be less than 25 feet in height. Wall mounted flags may only be on a projecting pole no longer than six feet or mounted flat against the wall or on a window provided that the flag does not cover more than 20 percent of the glazing area of the window where it is installed. The clearance under a projecting wall mounted flag shall not be less than eight feet directly below the location where the flag is mounted.

2. Temporary signs:

- a. Number, size and time limits for each dwelling unit on a lot:
 - i. Signage with a total area of no more than ten square feet, however no single sign is permitted to be larger than four square feet.
 - ii. One sign or combination of signs with a total area of no more than seven square feet in area on any property for sale or rent during the time the property is actively marketed and advertised for sale or actively marketed and advertised for rent.
- b. Mounting and installation regulations: Signs may be ground mounted, wall mounted, or displayed within a window provided that it does not cover more than 20 percent of the

glazing area of the window where it is installed.
 Freestanding signs may only be less than 42 inches in height, but for properties that are actively marketed and advertised for sale or rent, the sign permitted in subsection 1.b above can have a height that shall not exceed six feet.

- ii. Permanent signs:
 - 1. Minor signs:
 - a. Number and size limits: Maximum of two signs per property per street frontage with a maximum size of one square foot for each sign.
 - b. Mounting and installation regulations: Freestanding minor signs may only be less than 36 inches in height. Wall mounted signs may only be mounted flat against the wall.
 - 2. Signs at the entrance to a neighborhood:
 - a. Number and size limits: One permanent sign is permitted per entrance to a distinguishable neighborhood with a maximum size of 24 square feet for each sign.
 - b. Mounting and installation regulations: Such signs may only be installed as a monument sign that shall not exceed six feet in height.
 - 3. Signs painted on the curb:
 - a. Number and size limits: One permanent sign is permitted per property with a maximum size of 0.5 square foot.
 - b. Mounting and installation regulations: Such signs may only be painted directly on the face of a curb on private property.
 - 4. Additional signs at a multifamily property in the RB zone:
 - a. Number and size limits: One permanent sign is permitted per multi-family property to be located at each of the property's street frontages with a maximum size of 40 square feet for each sign if wall mounted or 32 square feet if free standing.
 - b. Mounting and installation regulations: Such sign can be freestanding or wall mounted. Freestanding installation is only permitted on a lot with a width of at least 100 feet at the front lot line only where off-street parking is provided, leaving a distance between the building and a side lot line of 25 feet or more, or where a building is setback 25 feet or more from the front lot line. If freestanding, the sign shall be installed as a monument sign less than six feet in height, and shall be setback at least ten feet from the front lot line. Wall mounted signs may only be mounted flat against the wall.
- c. On property used for non-residential purposes:

1. Flags:
 - a. Number and size limits: One flag per 20 feet (or portion thereof) of lot width to a maximum of maximum of five flags per property with a maximum size of 24 square feet for each flag. Freestanding flags may only be attached to a pole less than 35 feet in height.
 - b. Mounting and installation regulations: Wall mounted flags may only be on a projecting pole no longer than six feet or may be mounted flat against the wall or on a window provided that the flag does not cover more than 20 percent of the glazing area of the window where it is installed. The clearance under a projecting wall mounted flag shall not be less than eight feet directly below the location where the flag is mounted.
2. Temporary signs:
 - a. Number, size and time limits:
 - i. Signage with a total area of no more than 30 square feet, however no single sign is permitted to be larger than 24 square feet.
 - ii. One sign or combination of signs with no more than seven square feet in area on any property for sale or rent during the time the property is actively marketed and advertised for sale or actively marketed and advertised for rent. Such sign, if freestanding, shall not exceed six feet in height.
 - b. Mounting and installation regulations: Unless otherwise specified, freestanding temporary signs may only be less than five feet in height. Wall mounted temporary signs may only be mounted flat against the wall or on or in a window provided that the temporary sign does not cover more than 20 percent of the glazing area of the window where it is installed.
3. Permanent signs:
 - a. Minor signs:
 - i. Number and size limits: A maximum of five signs per property for each street frontage per 100 feet of lot width with a maximum size of one square foot for each sign.
 - ii. Mounting and installation regulations: Freestanding minor signs may only be less than 36 inches in height. Wall mounted minor signs may only be mounted flat against the wall.
 - b. Signs at locations within ten feet of the curb edge of a parking lot or driveway only at intersections or areas where

motor vehicles or pedestrians would need to turn or change their course of travel:

- i. Number and size limits: A maximum of one sign is permitted facing each direction at an intersection or area where motor vehicles or pedestrians would need to change their course of travel with a maximum size of six square feet for each sign.
 - ii. Mounting and installation regulations: These signs may only be freestanding and less than 42 inches in height.
- c. Signs along property's street frontage:
- i. Number and size limits: A maximum of one sign with a maximum size of 40 square feet for each sign is permitted if wall mounted or 32 square feet if free standing at each property street frontage.
 - ii. Mounting and installation regulations: Such sign can be freestanding or wall mounted. Freestanding installation is only permitted on a lot with a width of at least 100 feet at the front lot line only where off-street parking is provided, leaving a distance between the building and a side lot line of 25 feet or more, or where a building is setback 25 feet or more from the front lot line. If freestanding, the sign shall be installed as a monument sign less than six feet in height, and shall be setback at least ten feet from the front lot line. Wall mounted signs may only be mounted flat against the wall.
- d. Signs painted on the curb:
- i. Number and size limits: One permanent sign is permitted with a maximum size of 0.5 square foot.
 - ii. Mounting and installation regulations: Such signs may only be painted directly on the face of a curb.
- e. Signs at the entrance to a neighborhood:
- i. Number and size limits: One permanent sign is permitted per entrance to a distinguishable neighborhood with a maximum size of 24 square feet for each sign.
 - ii. Mounting and installation regulations: Such signs may only be installed as a monument sign with less than six feet in height.

3.10.03 - Commercial, special, overlay, and industrial district signs.,

(A) Generally. Except as provided otherwise in this article, the following signs are permitted as accessory uses in the B1, B2, I

1. Flags

- a. Number and size limits: One flag per 20 feet (or portion thereof) of lot width with a maximum size of 24 square feet for each flag. The area used for flags shall be deducted from area allowed for permanent wall signage or other temporary wall signage, as permitted in _____
 - ii. Mounting and installation regulations: Freestanding flags may only be attached to a pole less than 35 feet in height. Wall mounted flags may only be on a projecting pole no longer than six feet or may be mounted flat against the wall or on a window provided that the flag does not cover more than 20 percent of the glazing area of the window where it is installed. The clearance under a projecting wall mounted flag shall not be less than eight feet directly below the location where the flag is mounted.
- 2. Temporary signs:
 - a. Number, size and time limits:
 - i. A maximum of one sign with a maximum size of one square feet for each linear foot of building width for the wall on which the sign is mounted per frontage on a street, alley, or parking lot only when located on property where a building permit is active. Such sign shall be wall mounted and may only be mounted flat against the wall or installed as a window sign. The area allowed for this temporary signage shall be deducted from area allowed for permanent wall signage or other temporary wall signage, as permitted in section 9-202(A)ii.1.b or in sections 9-201(A)iii.6 or 9-201(A)iii.7.
 - ii. A maximum of one sign with a maximum size of one square feet for each linear foot of building width for the wall on which the sign is mounted per frontage on a street, alley, or parking lot only when located on property is actively marketed and advertised for sale or actively marketed and advertised for rent. The area allowed for this temporary signage shall be deducted from area allowed for permanent wall signage or other temporary wall signage, as permitted in section 9-202(A)ii.1.a or in sections 9-201(A)iii.6 or 9-201(A-iii.7.
 - iii. One sign with a maximum size of the greater of 20 square feet or 0.5 square feet for each linear foot of building width for the wall on which the sign is mounted up to 100 square feet. The maximum period for this sign is 60 days per six-month period of a year.
 - b. Mounting and installation regulations: Such sign shall be wall mounted and may only be mounted flat against the wall or installed as a window sign. Such sign cannot be higher than 20 feet above grade measured from the location immediately below the sign to the top of the sign. On a vacant lot, such sign can be freestanding, but shall have a height no greater than six feet and an area no greater than 40 square feet.
- 3. Permanent signs:
 - a. Minor Signs

- i. Number and size limits: Maximum of five signs per property for each street frontage per 100 feet of lot width with a maximum size of one square foot for each sign.
 - ii. Mounting and installation regulations: Freestanding minor signs may only be less than 36 inches in height. Wall mounted signs may only be mounted flat against the wall.
 - b. Signs at the entrance to a neighborhood:
 - i. Number and size limits: One permanent sign is permitted per entrance to a distinguishable neighborhood with a maximum size of 24 square feet for each sign.
 - ii. Mounting and installation regulations: Such signs may only be installed as a monument sign that shall not exceed six feet in height.
 - c. Signs painted on the curb:
 - i. Number and size limits: One permanent sign is permitted with a maximum size of 0.5 square foot.
 - ii. Mounting and installation regulations: Such signs may only be painted directly on the face of a curb on private property.
 - d. Signs at locations within ten feet of the curb edge of a parking lot or driveway only at intersections or areas where motor vehicles or pedestrians would need to turn or change their course of travel:
 - i. Number and size limits: A maximum of one sign is permitted in each direction at an intersection or area where motor vehicles or pedestrians would need to change their course of travel with a maximum size of six square feet for each sign.
 - ii. Mounting and installation regulations: These signs may only be freestanding and less than 42 inches in height.
 - e. Freestanding signs at a property's street frontage:
 - i. Number and size limits:
 1. At a lot containing no more than two businesses, a maximum of one freestanding sign is permitted with a maximum area of 32 square feet and a maximum height of six feet above grade to the top of the sign.
 2. At a lot containing three or more businesses, a maximum of one freestanding sign is permitted with a maximum area of 40 square feet and a maximum height of six feet above grade to the top of the sign.
 3. A lot with a width of more than 200 feet at the front lot line may contain two freestanding signs in compliance with either (i) or (ii) above.
 4. When the street frontage of a lot is in excess of 300 feet, the number of signs and allowable sign area may be increased with a special use permit.
 - ii. Mounting and installation regulations: Freestanding installation shall only be permitted on a lot with a width of at least 100 feet at the front lot line

and only where drive-in service or off-street parking is provided, leaving a distance between the building and a side lot line of 25 feet or more, or where a building is setback 25 feet or more from the front lot line. If a freestanding, the sign shall be installed as a monument sign, and it shall be setback at least ten feet from the front lot line. A freestanding sign shall have no more than two faces and shall be double faced back to back only. No signs other than those indicated on the sign application shall be attached to a freestanding sign.

- f. Wall signs:
 - i. Number and size limits: The total area of all signs displayed on a building wall which faces a street, alley or parking area shall not exceed one square foot for each foot of building width facing the street, alley or parking area.
 - ii. Mounting and installation regulations: Such signs shall be wall mounted and may only be mounted flat against the wall. Such sign cannot be higher than 20 feet above grade measured from the location immediately below the sign. Such signs may be mounted on an awning or marquee. Marquees and awnings are only permitted to encroach upon a public right-of-way if permitted by an enacted encroachment Article 3.10 or which city council has expressly authorized installation.
4. Wall signs higher than 20 feet above grade on a multi-story building:
5. a.
6. Number and size limits: The total area of all signs displayed on a building wall higher than 20 feet above grade on a multi-story building which faces a street, alley or parking area shall not exceed one square foot for each foot of building width facing the street, alley or parking area.
7. b.
8. Mounting and installation regulations: Such sign shall be wall mounted and may only be mounted flat against the wall. No part of this sign is permitted to be lower than 20 feet above grade measured from the location immediately below the sign.
9. 8.
10. Projecting signs at the entrance to a non-residential building or non-residential part of a building:
11. a.
12. Number and size limits: The total area of all signage on the building shall be 16 square feet. The area allowed for this signage shall be deducted from area allowed for permanent wall signage or other temporary wall signage, as permitted in section 9-202(A)ii.1.b or in sections 9-201(A)iii.6 or iii.7.
13. b.
14. Mounting and installation regulations: Such signs shall be wall mounted. Such sign shall not project more than four feet from the building wall or within one foot of an established curb line and the bottom of the sign is to be at least eight feet above a sidewalk or parking area and at least 14.5 feet above an alley. Such sign cannot be higher than 20 feet above grade measured from the location immediately below the sign. Such signs are only permitted to encroach upon a public right-of-way if permitted by an

enacted encroachment Article 3.10 or which city council has expressly authorized installation.

15. 9.
16. Projecting signs higher than 20 feet above grade on a multi-story building:
17. a.
18. Number and size limits: The total area of all signage on the building shall be 24 square feet. The area allowed for this signage shall be deducted from area allowed for permanent wall signage or other temporary wall signage, as permitted in section 9-202(A)ii.1.b or in sections 9-201(A)iii.6 or 9-201(A)iii.7.
19. b.
20. Mounting and installation regulations: Such signs shall be wall mounted. Such sign shall not project more than four feet from the building wall or within one foot of an established curb line. Such signs are only permitted to encroach upon a public right-of-way if permitted by an enacted encroachment Article 3.10 or which city council has expressly authorized installation. No part of this sign is permitted to be lower than 20 feet above grade measured from the location immediately below the sign.
21. iv.
22. Any sign larger than 100 square feet in area shall have each letter or symbol installed as a separately mounted unit. No sign that measures 100 square feet or larger shall consist of an individual panel.
23. v.
24. Size and location limitations. Signs permitted within a commercial zone under section 9-202(A) may be displayed on any building wall which faces a street, alley or parking area or may be freestanding signs, and shall comply with the provisions herein.
25. vi.
26. Marquees and awnings. Marquees and awnings may be used as a sign background.
27. (B)
28. Window signs. The total area of window signs, in any one window shall not exceed 20 percent of the glazing area of the window where it is installed. The total area of window signs shall be included in determining the total area of signs erected or displayed on the wall that contains the window.
29. (C)
30. A-frame signs on the property of individual businesses. Notwithstanding any provision to the contrary in this Article 3.10, A-frame signs are permitted on private property in commercial districts that are not within the Parker-Gray District or the Old and Historic Alexandria District subject to compliance with the following standards:
31. (1)
32. Location. An A-frame sign shall only be located:
33. a.
34. On the property of the owner of the sign;
35. b.
36. Outside of a minimum lateral walkway clearance of five feet for pedestrian travel;
37. c.
38. Within 15 feet of the front facade of the building;

39. d.
40. Not encroaching in the line of vision clearance for motor vehicles; and
41. e.
42. A minimum of 15 feet from any driveway or roadway intersection.
43. (2)
44. Number. A maximum of one sign is permitted per business.
45. (3)
46. Size. Signs may not exceed 42 inches in height and 24 inches in width.
47. (4)
48. Pedestrian safety. Pedestrian safety shall be preserved through the placement and securing of signs so as to permit safe and adequate pedestrian throughway along the walkways, crossing of streets or parking areas, entry and alighting from cars and buses, and access to curb ramps.
49. (5)
50. Temporary. All signs, including installation materials, shall be temporary and shall be readily removable without any damage to the pavement or ground surface.
51. (6)
52. Time limits. An A-frame sign is permitted outdoors only during operating hours of the establishment where the sign is located.
53. (7)
54. Materials and design.
55. a.
56. Only high quality, durable materials shall be used, such as slate, marker board, stainless steel, aluminum, aluminum composite, laminate plastic or medium density overlay plywood painted with enamel paint.
57. b.
58. Illumination is prohibited.
59. c.
60. Braces are required to ensure that the sign legs remain adequately spread to prevent it from falling.
61. d.
62. The sign shall be a minimum weight of 20 pounds properly balanced to ensure that it would not blow away in the wind.
63. (8)
64. Compliance with law. All signs shall comply with all applicable city, state and federal laws and regulations.
65. 9-203- Industrial district signs.
66. [SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD \(DOCX\) OF SECTIONEMAIL SECTIONCOMPARE VERSIONS](#)
67. (A)
68. Generally. In the I and UT zones, any sign, marquee and awning permitted in a commercial zone under section 9-202 may be erected or displayed so long as it complies with all other applicable requirements of this Article 3.10; provided, that the total area of any signs in an industrial or utility zone which face real property in a commercial,

industrial or utility zone may exceed the area allowed in section 9-202 by up to 50 percent.

69. (B)
70. Window signs. Window signs are permitted up to 20 percent of the glazing area of a window and count toward the maximum square footage of wall signs permitted. Window signs are permitted only on the first floor of a building unless the applicant only has business operations located on an upper floor where the window sign is to be displayed.
71. 9-204- Signs permitted in all zones.
72. [SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD \(DOCX\) OF SECTIONSEMAIL SECTIONCOMPARE VERSIONS](#)
73. (A)
74. Additional temporary signs no larger than the largest temporary sign allowed on the property pursuant to section 9-200 are permitted on any property with the permission of the property owner for no more than 90 days, and there shall be a 30-day interruption between posting periods for temporary signs in this section.
75. (Ord. No. 5029, -ß 2, 6-18-16)
76. Sec. 9-300- Signs within the Old and Historic Alexandria, Parker-Gray and 100 year old building districts.
77. [SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD \(DOCX\) OF SECTIONSEMAIL SECTIONCOMPARE VERSIONS](#)
78. 9-301- Review required.
79. [SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD \(DOCX\) OF SECTIONSEMAIL SECTIONCOMPARE VERSIONS](#)
80. (A)
81. Certificate of appropriateness. A certificate of appropriateness from the board of architectural review or the director pursuant to sections 10-113 and 10-203 is required for any sign, marquee or awning permanently affixed or displayed when subject to view from a public street or place and affixed to a building or structure located in or otherwise displayed within the Old and Historic Alexandria District or the Parker-Gray District or when affixed to or displayed on a 100-year-old building designated by city council under section 10-300.
82. (B)
83. Exemptions. The following signs shall not be subject to the requirement of section 9-301(A):
84. (1)
85. Any window sign that is not internally illuminated;
86. (2)
87. One sign of one square foot or less in area that is not internally illuminated;
88. (3)
89. Temporary signs as follows: One sign, no more than 20 square feet in area and located no more than 20 feet above the building average finished grade. Such sign may be freestanding, wall mounted, projecting or inserted within a window. Freestanding temporary signs shall not exceed six feet in height. If signs are being installed on a brick

surface the installation should not damage the brick, and the sign should be anchored into the mortar joints.

90. (C)
91. Compliance required. Any sign, marquee or awning required to obtain a certificate of appropriateness under section 9-301(A) and any sign identified in section 9-301(B) may be erected or displayed only if authorized by and in compliance with all other applicable requirements of this Article 3.10.
92. (D)
93. Grandfathered signs. Any sign, marquee or awning legally erected or displayed within the Old and Historic Alexandria District on or before January 12, 1976, or within the Parker-Gray District on or before November 16, 1985, or on a lot or building listed under section 10-300 on or before the date of such listing may continue to be displayed and may be repainted with the same text, colors and design or repaired without a certificate of appropriateness; provided, that a certificate of appropriateness shall be required before any such sign, marquee or awning is altered, rebuilt or moved to a new location.
94. (E)
95. Prohibited signs. No freestanding signs which are located on a parcel fronting the George Washington Memorial Parkway or Washington Street, shall be permitted unless it is the minimum signage necessary to comply with section 9-7-7 of the city code.
96. (Ord. No. 5029, -ß 2, 6-18-16; Ord. No. 5057, -ß 1, 3-18-17; Ord. No. 5189, -ß 5, 12-15-18)
97. Sec. 9-400- Administration and enforcement.
98. [SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD \(DOCX\) OF SECTIONEMAIL SECTIONCOMPARE VERSIONS](#)
99. 9-401- Reserved.
100. [SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD \(DOCX\) OF SECTIONEMAIL SECTIONCOMPARE VERSIONS](#)
101. 9-402- Nonconforming signs.
102. [SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD \(DOCX\) OF SECTIONEMAIL SECTIONCOMPARE VERSIONS](#)
103. (A)
104. Signs lawfully in existence on the effective date of this chapter or prior Article 3.10s, which do not conform with the provisions of this article, and signs which are accessory to a nonconforming use shall be deemed to be nonconforming signs and may remain except as qualified below. The burden of establishing nonconforming status of signs and of the physical characteristics/location of such signs shall be that of the owner of the property. Upon notice from the zoning administrator, a property owner shall submit verification that sign(s) were lawfully existing at time of erection. Failure to provide such verification shall be cause for order to remove sign(s) or bring sign(s) into compliance with the current Article 3.10.
105. (B)
106. No nonconforming sign shall be enlarged nor shall any feature of a nonconforming sign, such as illumination, be increased.
107. (C)

108. Nothing in this section shall be deemed to prevent keeping in good repair a nonconforming sign other than a pole sign. Nonconforming signs shall not be extended or structurally reconstructed or altered in any manner, except a sign face may be changed so long as the new face is equal to or reduced in height and/or sign area. Nonconforming pole signs shall be removed within seven years of the date of adoption (June 18, 2016).
109. (D)
110. No nonconforming sign shall be moved for any distance on the same lot or to any other lot unless such change in location will make the sign conform in all respects to the provisions of this article.
111. (E)
112. A nonconforming sign that is destroyed or damaged by any casualty to an extent not exceeding 50 percent of its area may be restored within two years after such destruction or damage but shall not be enlarged in any manner. If such sign is so destroyed or damaged to an extent exceeding 50 percent, it shall not be reconstructed but may be replaced with a sign that is in full accordance with the provisions of this article.
113. (F)
114. A nonconforming sign which is changed to becoming conforming or is replaced by a conforming sign shall no longer be deemed nonconforming, and thereafter such sign shall be in accordance with the provisions of this article.



CITY COUNCIL AGENDA ACTION FORM

AGENDA DATE:	3/27/24		
AGENDA SUBJECT:	Discussion, consideration and possible action regarding updates to landscaping requirements in Section 3.11		
PREPARED BY:	Troy Hill, City Administrator	DATE SUBMITTED:	3/22/24
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY ADMINISTRATOR APPROVAL:			
<p>SUMMARY: Updates to tree ordinance requirements in commercial and residential developments related to size and standards.</p>			
<p>RECOMMENDED ACTION: Approve updated requirements and send to Council.</p>			

- **Tree Preservation and Mitigation.**

- (a) *Purpose and Intent.* The purpose of this section is to conserve, protect and enhance existing healthy trees and natural landscape to meet the definition of the City Mission statement regarding “preserve natural beauty and small town charm.” It is recognized that the preservation of existing trees contributes to the overall quality and environment of the City. Trees can and do contribute to the processes of purification, oxygenation, regeneration, groundwater recharge, reduction of pollution and contaminants in aquifers, erosion and dust control, abatement of noise, provision of wildlife habitat and enhancement property values. Indiscriminate clearing or stripping of natural vegetation on any parcel is prohibited.
- (b) It is hereby declared the intent of the City to encourage the preservation of all trees within the City limits. While the layout of a property with respect to the placement of buildings, parking facilities and other site requirements is at the discretion of the developer of the property, it is the policy of the City to promote site layout and design in a manner which preserves the maximum amount of Protected Class and Heritage Class trees possible.
- (c) *Applicability and Exemptions.*
- (d) The provisions of this section are applicable to the following:
 - a. all new residential and nonresidential development within the City;
 - b. redevelopment of any residential or nonresidential property within the City that results in an increase in the building footprint or the total destruction and reconstruction;
 - c. any grading, filling or clearing of land in the City limits; and
 - d. any selective or individual removal of any Protected Class or Heritage Class Tree in the City limits.
- (e) The following definitions shall be applicable to the provisions of this section:
 - a. *Protected Class Trees.* Trees having a DBH (diameter at breast height measured four and one half feet above existing ground level) between eight inches (8") and less than twenty-four inches (24") are designated as "Protected Class Trees".
 - b. *Heritage Class Trees.* Trees having a DBH greater than or equal to twenty-four inches (24") are designated as "Heritage Class Trees".
 - c. *Damage.* Damage shall be considered any injury to a tree including, but not limited to:
 - i. Uprooting.
 - ii. Severance of the root system or main trunk;
 - iii. Storage of topsoil, construction materials, debris or chemicals within the drip line area;
 - iv. Compaction of soil within the drip line area;
 - v. A substantial change (more than 1") in the natural grade above a root system or within the drip line area;
 - vi. pruning or removal of more than twenty-five percent (25%) of the living tissue; or

- vii. Paving with concrete, asphalt or other impervious material within the drip line area. Tree grates or tree wells may be provided to preserve pervious surface within the drip line area.
- d. The following are exempt from the preservation, mitigation and permitting requirements of this section:
 - i. Protected Class Trees located within the area of a proposed on-site sewage facility (OSSF) (A waiver to mitigation for Heritage Class trees may be requested) ;
 - ii. Protected Class and Heritage Class Trees located within a right-of-way to be dedicated to and maintained by the City and shown on the City's Master Thoroughfare Plan;
 - iii. Protected Class Trees located within any utility easement, Heritage Class Trees located within any utility easement are exempt from preservation requirements only (A waiver to mitigation for Heritage Class trees may be requested);
 - iv. Protected Class and Heritage Class trees damaged or destroyed by floods, fire, wind or other natural causes;
 - v. Dangerous, diseased, damaged, dead or dying Protected Class or Heritage Class trees as determined by a tree survey and a letter from a certified Texas Arborist; provided, notwithstanding the title of this section; and
 - vi. Protected Class trees from the Undesirable Trees list in _____ (A waiver to mitigation for Heritage Class trees may be requested)
- e. Protected Class and Heritage Class trees of the following exempted tree species:

Table of Exempted Tree Species	
Common Name	Scientific Name
Hackberry	Celtis Occidentalis
Eastern Red Cedar	Juniperus virginiana
Comman Ashe Juniper	Juinperis ashei
Chinaberry	Melia azedarach
Mesquite	Propropis spp.
Ligustrum	Ligustrum spp.
Chinese Pistach	Pistacia Chinensis
Bradford Pear	Pyrus Calleryana

- (f) *Tree Preservation.* The existing natural landscape character, especially native oaks, elms, and pecan trees, shall be preserved to the maximum extent reasonable and feasible. Except as otherwise exempted in section _____ above, a tree removal permit is required for the removal of any tree with a DBH greater than eight inches.
- (g) *Protected Trees.* Any Protected Trees not exempt from preservation in section _____ above may be removed upon approval of a Tree Removal Permit by the Building Official Office. Any decision of the Building Official Office regarding a tree removal permit may be appealed to the Planning and Zoning Commission in accordance with _____.
- (h) *Heritage Trees.* Any Heritage Trees to be removed may be removed upon approval of a Tree Removal Permit by the Building Official Office. Any decision of the Building Official Office regarding a tree removal permit may be appealed to the Planning and Zoning Commission in accordance with _____. All Heritage Trees shall be required to meet the mitigation requirements of this section.
- (i) *Minimum Preservation.* Any tree not preserved must have a mitigation plan that is to be reviewed and accepted by both the City and property owner.
- (j) *Tree Mitigation.* Any trees that are removed or damaged as a result of the approval of a Tree Removal Permit shall be mitigated for on the same site as the proposed development. The species of trees planted for mitigation purposes must be like trees removed and may not include those listed as exempt in subsection _____ above nor any of the undesirable trees identified in table _____.
- (k) All trees planted for mitigation purposes must be a species of shade tree identified in _____. In the event that mitigation is not feasible on the same site as the proposed development, an applicant may request to donate trees, meeting the mitigation requirements of this section, to be planted at public parks, schools, or other approved public facilities throughout the City or provide a fee-in-lieu of payment. The fee will be two times the trees to be used for replacement cost, which will be used to place trees at public parks, schools, or other approved public facilities throughout the City.
- (l) Tree mitigation funds may also be utilized to install irrigation, to repair or remove damaged or destroyed trees, to preserve and protect existing Protected Class and Heritage Class trees and to purchase equipment for the preservation or protection of existing trees.
- (m) Mitigation requirements are:
- a. *Protected Class Trees.* Protected trees shall be mitigated at a one-to-one (1:1) DBH inch ratio for every tree removed. Replacement trees shall have a minimum DBH of two and one half inches (2.5").
 - b. *Heritage Class Trees.* Heritage Class trees shall be mitigated at a three-to-one (3:1) DBH inch ratio for every tree removed. Replacement trees shall have a minimum DBH of two and one half inches (2.5").
 - c. *Damaged Trees.* Any trees that are designated for preservation and are damaged during the construction process or that die within two (2) years of issuance of a certificate of occupancy shall be mitigated for in accordance with subsection _____ and _____ above.
 - d. *Mitigated Trees.* Trees planted and counted towards the necessary mitigation requirements that are damaged after planting or that die within two (2) years

of issuance of a certificate of occupancy shall be mitigated for at a one-to-one (1:1) DBH inch ratio for every tree damaged or that dies.

- e. The amount of tree mitigation per acre is capped at 100 inches per acre. For properties where the trees are generally clustered, staff has the discretion to define the acreage of the property as an area extending 20' beyond the tree canopy of the cluster in determining the acreage.

(n) *Tree Protection Standards.*

- a. All trees to be preserved on site shall be protected from damage caused by site excavation or construction in accordance with the following:
 - i. All trees shall be protected by a fence, frame or box constructed around the drip line of the preserved tree. Protection measures may not be removed until construction is complete.
 - ii. A minimum of one inch (1") of mulch or compost shall be spread beneath the drip line of the preserved tree.
 - iii. No person shall excavate any ditches, tunnels, or trenches, place any paving material or place any drive or parking area within the drip line of any Protected Class or Heritage Class Tree without prior written approval of the Building Official Office at the time of Site Plan approval.
 - iv. No person shall attach any rope, wire, nails, advertising posters or other contrivance to any Protected Class or Heritage Class Tree.
- b. It is the intent of the City to control and prevent the spread of Oak Wilt.
 - i. If any oak tree is wounded by intentional damage or pruning or as a result of natural causes, the damaged area shall be immediately treated with tree wound dressing.
 - ii. All necessary and reasonable efforts shall be given during the permitted removal of any trees to utilize best known practices to prevent the spread of Oak Wilt disease to any other surrounding trees.
- c. *Tree Preservation Credits—Nonresidential and Multifamily Developments.* To encourage the preservation of existing Protected Class or Heritage Class Trees contained within a proposed development, tree preservation credits may be requested to reduce the amount of new trees required on nonresidential and multifamily sites. Tree preservation credits can be issued for landscape buffer requirements when the tree being preserved is located within the buffer. Tree preservation credits can be issued to satisfy total trees per acre requirements of _____
- d. The following minimum tree preservation credits may be requested:
 - i. Protected Class Trees shall receive a credit against the minimum required landscaping or mitigation standards at a one-to-one (1:1) caliper inch ratio;
 - ii. Heritage Class Trees shall receive a credit against the minimum required landscaping or mitigation standards at a three-to-one (3:1) caliper inch ratio;
- e. *Tree Survey Required.* Every application for a final plat for residential development or Site Plan for nonresidential and multifamily development shall be accompanied by a tree survey that includes the following information:

- i. total number of DBH caliper inches of Protected Class and Heritage Class on the site;
 - ii. total number of DBH caliper inches of Protected Class and Heritage Class to be removed; and
 - iii. total number of DBH caliper inches of Protected Class and Heritage Class to be preserved.
- f. *Tree Removal Permit.* A tree removal permit is required for the removal of any Protected Class or Heritage Class trees not exempt in section _____ above. The permit must be accompanied by an appropriate application and shall contain a tree preservation plan showing the following:
 - i. existing/proposed topography;
 - ii. location of property lines, easement, rights-of-ways, setbacks, parking areas and sidewalks;
 - iii. location, species and size (in DBH) of each Protected Class and Heritage Class Tree, except those trees exempted by section _____ above;
 - iv. a tree inventory that summarizes the following.
 - 1. total number of DBH caliper inches on the site.
 - 2. total number of DBH caliper inches to be removed.
 - 3. total number of DBH caliper inches to be preserved.
 - 4. location of any proposed tree mitigation.
 - 5. any proposed tree preservation credits.
 - 6. a summary of the tree protection methods to be utilized.
- g. *Waiver.*
 - i. *General.* The City Council may authorize waivers from the provisions of this Article when, in their opinion, undue hardship will result from requiring strict compliance. Waivers may be granted only to items specifically stated in this section. Waivers must meet one of the following eligibility requirements:
 - 1. The tree is proposed for removal in order for the property to achieve compliance with other applicable City requirements and standards (i.e. site design or storm water management);
 - 2. The tree is proposed for removal because it is within a future public utility location.
 - ii. *Criteria for approval.* Waivers shall be evaluated using the following criteria:
 - 1. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees or windbreaks;
 - 2. The requested waiver does not violate the intent of this section _____ or UDC.
 - 3. Strict interpretation of the provisions of the section would deprive the applicant of rights commonly enjoyed by other nearby properties in the same zoning district or with the same land use that would comply with the same provisions;

4. A reasonable effort to preserve the tree has been made and reasonable alternatives have been evaluated and determined to not be feasible.

3.

Any decision of the Building Official or his/her designee regarding waivers to the provisions of this section may be appealed to the Planning and Zoning Commission. When considering an appeal, the Planning and Zoning Commission shall consider the same standards as the Building Official or his/her designee as outlined above.



CITY COUNCIL AGENDA ACTION FORM

AGENDA DATE:	3/27/24		
AGENDA SUBJECT:	Discussion, consideration and possible action regarding updates to ordinance regarding outside storage facilities		
PREPARED BY:	Troy Hill, City Administrator	DATE SUBMITTED:	3/22/24
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:		\$00.00
	Amount Budgeted:		\$00.00
	Appropriation Required:		\$00.00
CITY ADMINISTRATOR APPROVAL:			
SUMMARY: Change outside storage facilities to Special Use permit. Add Inside to description.			
RECOMMENDED ACTION: Change 14.02.045 Appendix A, Outside storage description to read" Storage, non-accessory, Outside/Inside. Designate a Special Use permit.			