



PLANNING & ZONING COMMISSION

Tuesday, June 27, 2023, 6:00 PM

EVENT CENTER 60 MORGAN'S POINT BOULEVARD

Call to Order

Announcements and Citizens Comments

Presentations

1. Approval of Minutes

a. Discuss and Consider - Minutes of May 23, 2023

2. Regular Agenda

a. Discuss and Consider - open discussion with the issue of allowing Chickens within residential areas

b. Discuss and consider - Application for P&Z member vacancy

c. Discuss and consider - Signs Regulations/Definitions

3. MPR Master Plan Update

4. Items for Future Agendas

5. P & Z Commission Updates & Comments

6. City Manager Updates & Comments

7. Adjournment

I certify that a copy of the June 27th agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the 23rd day of June, 2023 at 4:00PM and remained posted continuously for at least 72 hours proceeding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254 742-3206 for further information

Ophelia Rodriguez, City Secretary



PLANNING & ZONING MEETING REGULAR SESSION
Tuesday, May 23, 2023, 6:00 PM

EVENT CENTER 60 MORGAN'S POINT BOULEVARD

To View the meeting go to: www.MorgansPointResortTX.com/YouTube

Call to Order -Meeting was called to order at 6:00PM.

PRESENT

Rebecca Cooley, Chairperson
 Ken Hobbs, Vice Chair
 Nathan Kruetter
 Thomas Westmoreland
 Eric Seeliger
 Lou Guillaud

ABSENT

Roxanne Stryker (*submitted resignation immediately after being elected to serve for City Council*)

Announcements and Citizens Comments - None

Presentations- None

1. Approval of Minutes

- a. Discuss and Consider - Minutes for April 25, 2023

A motion made to approve by Commission member Lou Guillaud, seconded by Commission member Ken Hobbs.

Vote was 5 ayes to 0 Nays.

2. Regular Agenda

- a. Discuss and Consider - Revised Garbage Enclosure

A motion was made by Commission member Lou Guillaud to approve revised garbage enclosure and forward to City Council for consideration, seconded by Commission member Westmoreland.

Vote was 4 Ayes to 1 Nay.

- b. Discuss and Consider - Revised Estate Residential

A motion was made to approve and move forward to City Council for consideration by Commission member Eric Seeliger, seconded by Commission member Nathan Kruetter.

Vote was 5 Ayes to 0 Nays.

3. MPR Master Plan Update – Survey has been released and posted. No other updates at this time.

4. Items for Future Agendas – Update of ADA and Chickens

5. Adjournment- A motion to adjourn by Commission member Thomas Westmoreland, seconded by Commission member Eric Seeliger.

Vote was 5 Ayes to 0 Nays. **Meeting adjourned at 6:30 PM.**

Rebecca Cooley, Chairperson
City of Morgan’s Point Resort, Texas

ATTEST:

Ophelia Rodriguez, City Secretary
City of Morgan’s Point Resort, Texas

CHAPTER 2 ANIMAL CONTROL

ARTICLE 2.01. GENERAL PROVISIONS¹

Sec. 2.01.001. Definitions.

For the purposes of this Chapter, and as used herein, the following terms shall have the meaning in this Section given them:

Animal means a living being of the biological kingdom Animalia, having a capacity for spontaneous movement and rapid motor response to stimulation, and not of a species having a capacity for articulate speech.

At large means off the premises of the owner and not under the complete control of the owner by leash, halter, cage, or other means of confinement.

Cat means the male and female of any domesticated member of the feline species of animals. "Adult cat" shall mean any cat of more than 12 weeks of age.

Dangerous dog. (As defined by V.T.C.A., Health and Safety Code § 822.041.)

- (1) Makes an unprovoked attack on a person that causes bodily injury and occurs in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or
- (2) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.

Dog means the male and female of any domesticated member of the canine species of animals. "Adult dog" shall mean any dog of more than 12 weeks of age.

Fowl means a bird of any kind. This definition shall not include hawks or falcons kept in compliance with Federal and State permitting regulations.

Keep means to retain on the premises by any means; to harbor, shelter, control, own, or have custody of or possession of.

Maintain means to feed, shelter, protect, provide for or bear the expense of.

Nuisance means an animal shall be considered a nuisance if it:

- (1) Damages, soils, defiles, or defecates on private property (other than the owner's) [or] on public areas unless such waste is immediately removed and disposed of;
- (2) Causes unsanitary, dangerous, or offensive conditions on any property, including the owner's;

¹State law reference(s)—Authority of governing body to regulate animals, V.T.C.A., Local Government Code § 215.025 et seq.; health and safety of animals, V.T.C.A., Health and Safety Code ch. 821 et seq.

- (3) Creates a disturbance by excessive barking or other animal noise (and no person is trespassing or threatening to trespass or no person is teasing or provoking the animal) which would offend a person of ordinary sensibilities under the same or similar circumstances;
- (4) Chases, molests, attacks, or interferes with any person or other domestic or wild animals on public property or the private property of others;
- (5) Is repeatedly at large;
- (6) Is without an owner/guardian.

Occupied as a residence means property where a person physically resides at an address within the City limits and that said address is the same place that is the person's regular living place and is called home by that person.

Owner means any person, firm, association, partnership or corporation owning, keeping, in charge of, in control of, maintaining or harboring one or more animals or fowl, except a person holding an animal for animal control.

Person means any natural person, corporation, partnership, association, firm or legal entity.

Pet means an animal that is tamed or domesticated and kept as a companion or treated with fondness.

Stray shall be intended to mean any dog or cat not wearing a collar.

Trap means any device placed by an Animal Control Officer, employed or used in the capture of animals, which is not under the constant supervision of an officer and which functions in such a manner as to confine any animal entering same.

Wild animal means any animal or reptile which, in its natural state, possesses dangerous or vicious propensities, and includes, but is not limited to, coyotes, wolves, bears, wildcats (puma, bobcat, lynx, cougar, serval), lions, tigers, poisonous snakes, alligators, crocodiles, lizards and monkeys, whether or not said animal or reptile has been trained.

(Ord. No. 14-7A, § 2, 2-15-05; Ord. No. 2017-04, 8-8-17)

Sec. 2.01.002. Penalty.

Any person or persons violating any provision of this Chapter shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than \$1,000.00. Each and every violation of the provisions of this Chapter shall constitute a separate offense and every day of violation shall constitute a separate violation.

(Ord. No. 14-7A, § 20, 2-15-05)

Sec. 2.01.003. Owner responsibility; registration of dogs and cats.

- (a) *Animals at large.* An owner or guardian of an animal commits an offense if by criminal negligence he permits an animal to go at large upon the premises of others or upon the streets and other ways of the City (enforcement will be determined by the Animal Control Officer or Police Officer).
- (b) *Nuisances.* An owner or guardian of an animal commits an offense if by criminal negligence he allows his animal to create a nuisance as defined herein.
- (c) *Registration of dogs and cats.* It shall be unlawful for the owner or guardian of any dog or cat in the City to fail to obtain an annual license tag for such animals from the City and to display (except cats) such tag from the collar or harness about the neck of such animal. The City will review the receipt issued by the licensed

veterinarian and if in order will issue a metal tag for registration. A permanent record of tags issued will be maintained in the City files.

(Ord. No. 14-7A, § 1, 2-15-05)

State law reference(s)—Registration of dogs and cats, V.T.C.A., Health and Safety Code § 826.031 et seq.

Sec. 2.01.004. Wild animals prohibited.

The keeping or possession of wild animals within the limits of the City is prohibited, unlawful, and is hereby declared to be a nuisance. Hawks or falcons kept in compliance with Federal and State permitting regulations are exempt from this Section.

(Ord. No. 2017-04, 8-8-17)

State law reference(s)—Dangerous wild animals, V.T.C.A., Health and Safety Code § 822.101 et seq.

Sec. 2.01.005. Fighting dogs or other animals.

It shall be unlawful for any person to keep or use in any way or be connected with or have an interest in the management of or to receive money for the admission of any person to any place kept or used for the purpose of fighting dogs or other animals, or for the person to aid, encourage, assist, or arrange for a dog or other animal fight or to permit or suffer any place belonging to or under his control to be kept or so used.

(Ord. No. 14-7A, § 4, 2-15-05)

State law reference(s)—Cruelty by causing livestock animals to fight, V.T.C.A., Penal Code § 42.09(a)(6); cruelty by causing nonlivestock animals to fight, V.T.C.A., Penal Code § 42.092(b)(7); dog fighting, V.T.C.A., Penal Code § 42.10.

Sec. 2.01.006. Dogs running at large.

It shall be unlawful for the owner of any dog to permit or allow such dog to be at large within the City limits. All dogs off the property of the owner must be under the complete control of the owner either by leash, rope, chain or cage.

(Ord. No. 14-7A, § 7, 2-15-05)

Sec. 2.01.007. Impoundment of dogs and cats.

- (a) Any dog found to be running at large with or without a collar or harness with vaccination and license tags attached within the City limits shall be immediately impounded and kept for a minimum of 72 hours and then disposed of; provided, however, that the owner of any such animal impounded under the terms of this Section shall be allowed to take such dog from the place of impoundment upon payment of the stated impoundment fee of \$25.00 per day or any part of a day, presentation of proof of a current and valid rabies vaccination, and City license registration. The fee is to be paid to the City at the City Hall.
- (b) Any person may impound any dog or cat found on their property and deliver such to the Animal Control Officer. Such animal shall be treated the same as a dog or cat impounded by the Animal Control Officer.

(Ord. No. 14-7A, § 7a, 2-15-05)

State law reference(s)—Restraint, impoundment and disposition of dogs and cats, V.T.C.A., Health and Safety Code § 826.033.

Sec. 2.01.008. Dangerous dogs.

The owner of a dog that has been determined to be a dangerous dog as defined by this Chapter shall be responsible for complying with V.T.C.A., Health and Safety Code ch. 822, Regulation of Animals.

(Ord. No. 14-7A, § 8, 2-15-05)

State law reference(s)—Authority of City to regulate the keeping of dangerous dogs, V.T.C.A., Health and Safety Code § 822.041 et seq.

Sec. 2.01.009. Limitation on number of dogs and cats.

- (a) It shall be unlawful for any person to keep, maintain, or shelter more than four adult dogs, plus one litter to age of three months, within the City.
- (b) The provisions of this Section shall apply equally to the keeping of cats. A person may keep four dogs and four adult cats, plus a litter of each to age three months.
- (c) The limitations of this Section shall not apply to dogs or cats kept upon the business premises of any veterinarian, kennel, animal shelter, pet shop, or scientific research institution located in a zoning district zoned for such use.

(Ord. No. 14-7A, § 12, 2-15-05)

Sec. 2.01.010. Keeping animal on unoccupied property.

It shall be unlawful to keep, shelter or enclose any dog, cat or any animal on any property within the City limits which is not occupied as a residence by a person, with the exception of the Lakewood Ranches Section of the City, Sections I and II.

(Ord. No. 14-7A, § 13, 2-15-05)

Sec. 2.01.011. Raising, breeding or selling household pets.

Dogs, cats, or other household pets may be raised, bred, or kept provided they are not for any commercial purposes. The sale or trade of dogs, cats, or other household pets by persons in a household shall not be construed to be for commercial purpose as long as there are no more than ten such sales or trades per household per year.

(Ord. No. 14-7A, § 14, 2-15-05)

Sec. 2.01.012. Vehicle striking animal.

The driver of any vehicle which collides with or strikes any domesticated animal shall stop such vehicle immediately at the scene of such accident, or as close as possible without interfering with traffic, render reasonable assistance to said animal and then notify the owner of said animal or report said accident and the injury to the Police Department. The provisions of this Section shall not apply to any emergency vehicle or to a driver taking an ill or injured person to medical care, [and] it shall not require assistance to an animal if providing such assistance would place any person in danger from the animal or traffic.

(Ord. No. 14-7A, § 7b, 2-15-05)

Sec. 2.01.013. Destruction of diseased animals and fowl.

It shall be the duty of every person keeping or maintaining any animal or fowl which becomes infected or afflicted with a disease which is contagious or a threat to the life and health of other such animals and fowl, or to humans, to humanely destroy said animal or fowl and dispose of its remains when directed, in compliance with the established regulations of the County Health Department and applicable State laws and regulations.

(Ord. No. 14-7A, § 9, 2-15-05)

Sec. 2.01.014. Disposal of dead animals and fowl.

- (a) *Generally.* It is the responsibility of an animal owner, except for animals and fowl kept by veterinarians or persons engaged in medical or scientific research, and those mounted by a taxidermist, to dispose of dead animals and fowl within 24 hours of the time of death. The manner in which dead animals and fowl are disposed of shall, at minimum, comply with the established regulations of the Health Department and applicable State laws and regulations.
- (b) *Disposal on public property prohibited.* It shall be unlawful for any person to dispose of any dead animal or fowl upon the public property within the City. Public property shall include, but not be limited to, streets, alleys, easements, parks, buildings and grounds owned, operated or rented by any level of government.

(Ord. No. 14-7A, §§ 9a, 9b, 2-15-05)

Sec. 2.01.015. Disposal of animal waste.

The owner of every animal shall make sanitary disposal of any excreta deposited by his animal on public walks, streets, or recreation areas, or upon private property not within the control, possession or supervision of said owner.

(Ord. No. 14-7A, § 10, 2-15-05)

Sec. 2.01.016. Tampering with traps set by Animal Control.

It shall be unlawful for any person to tamper with, move, destroy, damage, spring, or cause to malfunction any trap set by the Department of Animal Control, or to release any dog or cat from any such trap.

(Ord. No. 14-7A, § 11, 2-15-05)

Sec. 2.01.017. Bow hunting or trapping.

- (a) It shall be unlawful for any person or persons to operate or use a bow and arrow, crossbow or similar device for the purpose of hunting and the taking of any animal or game bird within the City limits.
- (b) It shall be unlawful for any person or persons to set or use any trap, snare or other device for the purpose of entrapment of any fur-bearing animal or game bird within the City limits. It shall be a defense to prosecution under subsection (b) of this Section if special permission is obtained from the Chief of Police for the control of nuisance animals.

(Ord. No. 14-18, 11-1-84)

ARTICLE 2.02. RABIES CONTROL

Sec. 2.02.001. Vaccination of dogs, cats and ferrets required.

The owner of each dog, cat, or domestic ferret kept within the City shall have every such dog, cat or domestic ferret vaccinated against rabies in accordance with V.T.C.A., Administrative Code § 169.29 and once each year thereafter. It shall be unlawful for any person to own or keep a dog, cat, or domestic ferret within the City limits unless the same has been vaccinated against rabies.

State law reference(s)—Rabies vaccinations, V.T.C.A., Health and Safety Code § 826.021 et seq.

Sec. 2.02.002. Wearing of vaccination tag.

It shall be unlawful for an owner to allow a dog over the age of four months to be at large without wearing a current metal vaccination tag issued by a veterinarian during the preceding 12 months. The vaccination tag must be for the animal that is wearing it. It shall be prima facie evidence of vaccination against rabies that a dog is wearing attached to its collar a current metal vaccination tag.

Sec. 2.02.003. Reporting of suspected rabid animals; quarantine.

- (a) A person having knowledge of an animal bite or scratch to an individual that the person could reasonably foresee as capable of transmitting rabies or knowledge of an animal that is reasonably suspected to be rabid shall report such knowledge immediately to Animal Control or the Police Department.
- (b) The owner of an animal that is reported to be rabid or to have exposed an individual to a risk of contracting rabies shall submit the animal to a licensed veterinarian to be quarantined until such time as it can be definitely determined whether such animal is infected with rabies, but in no case less than ten days. All regulations of V.T.C.A., Health and Safety Code tit. 10, Health and Safety of Animals, ch. 826, must be followed.
- (c) It is an offense under this Chapter for a person to refuse to submit for quarantine any animal reasonably suspected of being rabid. It is also an offense to knowingly sell, release or otherwise dispose of an animal before the expiration of the quarantine period if the animal is reasonably suspected of being rabid.
- (d) An animal that is lacking proof of current vaccination for rabies at the time it bites a person is presumed to be under suspicion of rabies.

State law reference(s)—Rabies reports and quarantine, V.T.C.A., Health and Safety Code § 826.041 et seq.

Sec. 2.02.004. Designation of Local Rabies Control Authority.

- (a) The position of Local Rabies Control Authority is hereby created to enforce all State statutes, the ordinances or rules of the City, and the rules adopted by the Executive Commissioner under the rabies quarantine provisions of V.T.C.A., Health and Safety Code § 826.045.
- (b) The Code Enforcement Officer of the City is designated as the Local Rabies Control Authority.

(Ord. No. 2016-06, 4-14-16)

ARTICLE 2.03. ANIMALS OTHER THAN HOUSEHOLD PETS

Sec. 2.03.001. Limitation on number.

- (a) Animals or fowl may be raised, bred, or kept in pens or enclosures provided there is a minimum of two contiguous acres at the residence, but limitations are listed below for the total number of animals and/or fowl per residence. This Section only applies to Lakewood Ranches 1 and 2 and Stonehenge.
 - (1) Large animal: one (horse, mule, donkey, llama, cow, etc.) per one and one-fourth acres.
 - (2) Medium size animals: two (sheep, goat, miniature horse, etc.) per one and one-fourth acres.
 - (3) Small animals: four per three-fourths acre.
 - (4) Fowl: four per three-fourths acre.
- (b) A combination of animals is allowed, but in no case shall the number of animals on any single residence exceed ten animals.

(Ord. No. 14-7A, § 15, 2-15-05)

Sec. 2.03.002. Keeping on unoccupied property; sheds and other structures; keeping for commercial purposes.

- (a) All existing unoccupied structures or structures to be built to house animals or fowl must be approved by the Building Control Board before being utilized to house the animals or fowl. No animals or fowl shall be raised, bred, or kept for commercial purposes within the City limits.
- (b) No shed, coop, barn, or other structure shall be erected, placed, or altered on any real property until construction plans of the structure and specifications and a plat map showing the location of the structure have been approved by the City Building Control Board as to the quality of workmanship and materials and harmony of external design with the existing structures within the area. No used building materials shall be used that will be exposed on the exterior or the structure unless said materials will be painted, stained, or covered with masonry.

(Ord. No. 14-7A, § 16, 2-15-05)

Sec. 2.03.003. Enclosure required; location of enclosures.

- (a) *Horses, cows and similar animals.* It shall be the duty of every person who is authorized to raise or keep any horse, mule, pony, cow, goat, or similar animal to keep said animal in a stable, shed, pen, fence, or other enclosure a minimum distance of 150 feet from every building or structure used for sleeping, dining, or living. Such pen, stable, shed, fence or other enclosure must be kept in a manner not to jeopardize the health and comfort of the public or persons residing in the vicinity of the enclosure. In the event that a building or structure is built for sleeping, dining, or living within 150 feet of the enclosure it shall be incumbent upon the owner of the animals to move the enclosure the required distance of 150 feet from the building or structure that was built. If the 150 feet requirement cannot be met for any reason, the owner of the animals must remove the animals from the property. The pen or cage cannot be closer than 25 feet to the nearest property line of the lot, tract, or parcel on which said pen or cage is located.
- (b) *Fowl or small animals.* It shall be the duty of every person who is authorized to raise or keep chickens, ducks, geese, guineas, rabbits, pigeons, guinea pigs, white rats, white mice, hamsters, and other small animals and fowl to keep such in a pen, coop, or enclosure and it shall be unlawful to allow said animals to be at large. Such pen, coop, or enclosure must be a distance of 150 feet from any building or structure used for sleeping, dining, or living. Such pen, coop, or enclosure must be kept in a manner not to jeopardize the health and comfort of the public or persons living in the vicinity of such enclosures. In the event that a building or

structure used for sleeping, dining, or living is built within the 150 feet distance of such enclosure, it shall be incumbent upon the owner of such animals to move the such enclosure the required 150 feet from the building or structure that was built. If the 150 feet requirement cannot be met for any reason, the owner of the animals must remove the animals from the property.

(Ord. No. 14-7A, § 17, 2-15-05)

Sec. 2.03.004. Special provisions for 4-H and FFA projects.

Notwithstanding the limitations of Section 2.03.002, the keeping of rabbits and fowl as a bona fide 4-H club or FFA project sponsored by the Belton or the Temple Independent School District may be authorized but strictly controlled under the following rules and limitations:

- (1) A permit must be obtained from the City by application to the City before rabbits or fowl are brought into the City.
- (2) A permit fee of \$5.00 must be paid to the City.
- (3) A statement signed by the schoolteacher who is to sponsor the project, giving the following information, must accompany the application:
 - a. The name of the student who will have the project.
 - b. The type of project, fowl or rabbit (not both).
 - c. The number of animals or fowl applicable to the project.
 - d. The date the project will be completed (each year is a separate project).
 - e. A statement that it is a bona fide project in connection with the 4-H club or FFA sponsored by the Belton or Temple School District.
- (4) Not more than 25 broiler or capon fowl shall be raised as a project. No other fowl shall be part of the project.
- (5) Not more than two adult doe rabbits shall be in a project. The doe shall not be bred more than four times per year. Not more than eight young per litter shall be raised.
- (6) Not more than one adult buck rabbit shall be in a project. He shall be kept in a separate hutch.
- (7) The cages, hutches, and other facilities used for the project shall be built, cleaned, and cared for in accordance with the Texas Agricultural Extension Service, Texas A & M University, Publication PS5.141 for fowl and SA5.010 for rabbits. The Building Inspector must approve cages or hutches.
- (8) The permit for the project shall expire on the date stated in subsection (3)d above. Cages or hutches shall be removed from the premises not more than 30 days from the date of the completion of the project.
- (9) Noises or odors resulting from the conduct of the projects which are offensive to neighbors and which are not corrected within five days after a written complaint by a neighbor shall be a violation of this Chapter as provided in Section 2.01.002 hereof.

(Ord. No. 14-7A, § 18, 2-15-05)

Sec. 2.03.005. Swine prohibited.

It shall be unlawful for any person to raise, breed, or keep any kind of swine within the City limits.

(Ord. No. 14-7A, § 19, 2-15-05)



Planning & Zoning Committee Application

Thank you for your interest in volunteering to join the Planning & Zoning Committee! Use this form to provide useful information about yourself. The following information will be shared with members and City Administration.

Your name: Justin Strawn

Your Home Phone Number: _____ Cell number: 254-702-6802

Your address: 11 Robin Cir, Belton TX 76513

How long have you lived in Morgan's Point Resort: 10 years

Your email address (please write it carefully):
jstrawn@Kirbos.com

Briefly describe why you would like to join:

Would like to learn from community leaders and assist with making positive decisions for the community.

Your current organizational affiliations (names of the organization and your role(s):

1. NA



If you join the Planning & Zoning Committee, you agree that you can provide at least 2-4 hours a month in attendance to meetings, and that you do not have any conflict-of-interest in participating.

Your signature: Justin Sturman Date: 6-22-23

If you are not selected as a member of the Committee, or if you decide not to join, would you like to be a volunteer to assist our organization in various ways that match your skills and interests?

- Yes No Perhaps

Section XX Sign Regulation

XX. 1 General Purpose and Description. This section defines and establishes regulations on signs in the City of Morgan's Point Resort.

XX.2 Definitions

insert definitions

XX.3 Summary

Insert Chart

XX.4 Allowed in all zoning districts:

1. Construction signs: Shall not exceed eight (8) feet in height and 24 square feet in area.
2. Commemorative signs: Shall be allowed at the discretion of the City, State, or Federal Government.
3. Real Estate signs: Shall be non-illuminated, see zoning district for height and size restrictions.
4. Election Signs: Shall be located on private property and out of the right of way. Signs will be allowed 90 days prior to election day/run-off day and 7 days after election day/run-off day. See zoning district for height and size restrictions.

XX.5 Residential zoning districts:

A. Prohibited in all residential zoning districts:

1. Roof signs
2. Neon signs
3. Changing message devices
4. Animated signs
5. Awning signs
6. Marquee
7. Murals
8. Window strip lighting
9. Wind activated and inflatables (for advertising)

B. Agricultural (AG), Estate Residential (ER), Single-Family Residential (SFR), Multiple-Family (MF) zoning districts—

1. One nonilluminated sign, maximum of one square foot in area and mounted flat against the wall of the building or structure; including plaques, window signage, wall signs.
2. One nonilluminated ground sign, maximum of twelve (12) square feet in area; including monument, pylon, pole, real estate, and election signs.
3. Subdivision signs located at the entrance of a single family subdivision neighborhood, condominium neighborhood, townhome communities, or apartment complex shall be limited to:
 - a. Externally illuminated ground monument signs
 - b. Pylon and pole signs are prohibited
 - c. Maximum height: 15 feet
 - d. Maximum sign square footage: 24 square feet

C. Manufactured Homes (MH) zoning districts—

1. One externally illuminated ground sign not exceeding a maximum of 24 square feet in area allowed along the right of way if a mobile home park of more than ten (10) homes. This includes monument, pylon, pole, real estate, and election signs.
 2. Temporary banner signs are allowed for 45 days.
- D. Assembly and institutional uses, including but are not limited to; churches, temples, synagogues, and schools, located in residential zoning districts.
1. One nonilluminated or externally illuminated monument sign
 - a. Maximum height: 15 feet
 - b. Maximum sign square footage: 24 square feet
 - c. The sign shall be located no closer than 50 feet from a single-family home located in a residential zoning district and may not be located within the first ten (10) feet of a property.
 2. Temporary banner signs are allowed for 45 days.

XX.6 Recreational Vehicle/Camper (RV/C)

XX.7 Commercial/Retail (C/R)

Sec. XX.2- Definitions

For the purposes of this Chapter, the following terms and words shall have the following meanings:

1. **Animated sign:** a sign with motion, action of flashing or other light and color changes which is activated by mechanical, electrical or other nonnatural means. Does not include changing message devices or wind-activated elements such as flags, pennants, or banner signs.
2. **Awning sign:** lettering placed on and awning with a structural frame that is attached to a building façade.
3. **Banner sign:** a sign made of canvas or other flexible materials with or without a structural frame and attached to a building, canopy, pole or other structure.
4. **Changing message device:** any sign that either:
 - a. Displays a static message which can be changed manually.
 - b. Displays a message that scrolls from left to right, for no more than eight seconds with an eight second break between messages, with all other portions of the sign static and unchanging, or
 - c. Changes electronically under the following conditions:
 - (i) The entire portion of the sign that can change shall be static and unchanging for at least eight seconds.
 - (ii) The time to completely change the entire portion of the sign that can change is a maximum of one second.
 - (iii) The change shall occur simultaneously for the entire portion of the sign that can change; and
 - (iv) No flashing or strobing
5. **Construction sign:** a temporary sign erected or placed on premises on which construction is taking place during the period of such construction indicating the names of owners, architects, engineers, landscape architects, contractors, artisans, financial supporters, or others having a role or interest with respect to the structure or project.
6. **Commemorative sign-** a sign, tablet, or plaque commemorating or memorializing a person, event, structure, or site.
7. **Directional or directing sign:** an on-premises incidental sign, not exceeding a maximum of four-square feet in area, designed to guide or direct pedestrian or vehicular traffic for information only. Such signs shall not contain any form of advertisement.
8. **Free expression sign:** a nonilluminated sign, not in excess of four square feet in size (area) per side and the top of the sign is not more than six feet off the ground, that functions to communicate information or views on matters of public policy concern or containing any other noncommercial message, that is otherwise lawful; provided, however, that in commercial zoning districts, a free expression sign may also function to communicate either a commercial message or a noncommercial message. Signs shall not display gestures or words, which are obscene, profane, or pornographic in nature.
9. **Freestanding sign:** a sign which is not attached to a building.

- a. Monument sign: a sign mounted directly to the ground with a base and with no visible space between the ground and the sign for the length of the base.(Figures 1, 2 and 3, located at the end of this section).
- b. Pylon/pole sign: a sign with a visible support structure, which support structure may or may not be enclosed with a cover (Figure 4, located at the end of this section).

10. Illuminated sign:

- a. Externally illuminated sign: a sign illuminated by a light source which is aimed at the sign.
- b. Internally illuminated sign: a sign illuminated through transparent or translucent material from a source within the sign. Including, but not limited to: Neon, channel face lit, halo, and back lighting.

11. Marquee sign: a sign which is attached to, or hung from, a permanent roof like structure which is supported by a building wall and which projects out from the building line usually, over a public right-of-way such as a sidewalk.

12. Mural: Any picture, scene, or diagram painted on any exterior wall or fence not interpreted by to be advertising. Murals determined to be advertising shall be considered a sign and shall be included in the calculations of allowable sign area.

13. Occupancy frontage: the length of that portion of a building occupied by a single office, business or enterprise abutting a street, parking area, or other means of customer access.

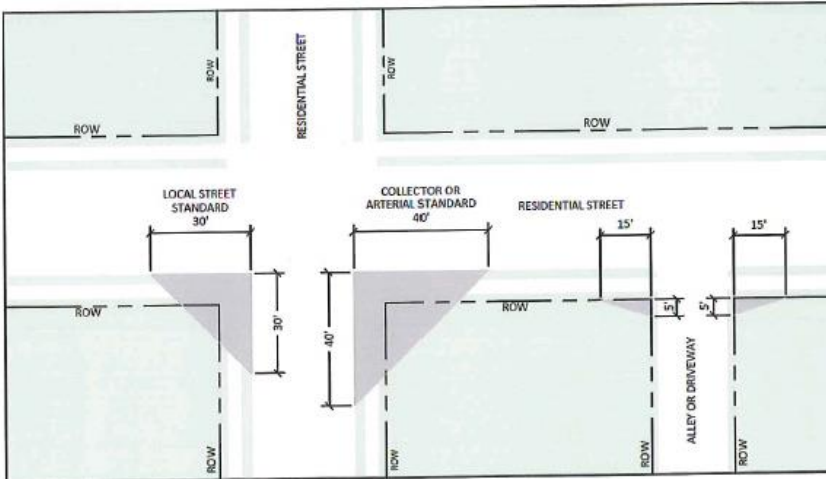
14. Off-site sign: any combination of structure and message in the form of an outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard, advertising structure, advertising logos, symbol or other form, whether placed individually on or a V-type, back-to-back, side-to-side, stacked or double-faced display, designed, intended or used to advertise or inform, any part of the advertising message or informative contents of which is visible from any place on the main or traveled way and which sign relates in its subject matter to offices, products, accommodations, services or activities which are sold, produced, available, conducted or rendered at locations other than on the premises where the sign is located. The term does not include an official traffic control sign, official marker, specific information panel erected, or other form of public information caused to be erected or approved by any government upon its property or right-of-way.

15. On-site sign: any sign which advertisement is exclusively related in its subject matter to the use of the premises on which it is located or to offices, products, accommodations, services or activities sold, produced, provided, available or conducted on the premises where the sign is located.

16. Projecting sign: a sign which is erected or supported on the wall of a building or other structure and projects from it. Signs which extend into or over public space or street right-

of-way, including roof signs, shall be considered as projecting signs (Figure 5, located at the end of this section).

17. Real estate sign: a temporary sign advertising the real estate upon which the sign is located as being for sale or rent.
18. Roof sign: a sign erected, constructed or maintained on the roof of a building or structure above the eaves, or above mansards, parapets, or other similar architectural features of buildings or structures which are capable of supporting signs.
19. Sign: a painting, structure, projected image, or device which is placed, erected, constructed or maintained on or in the ground or on or outside of an enclosed building, or other object or structure or affixed or painted on or inside an exterior window of a building for the purpose of display, information, advertisement or attraction of the attention of persons. Sign also includes any structure previously used as a sign, where the sign face, advertising or informational copy has been removed or become unreadable but the sign structure remains.
20. Sign area computation: the method by which the area of each surface of a sign is computed. For signs with fixed boundaries, frames or edges, it shall be computed by calculating the area within and including the exterior boundaries, frames or edges enclosing the letters or graphic matter which composes each sign surface. For signs with no fixed boundaries, frames or edges, such as where a sign is composed of separate letters which are placed or painted upon or against a building or upon or through a window or other similar surface not designed, framed or edged specifically for sign presentation, the sign area shall be computed on the basis of the smallest triangle, rectangle, square or circle encompassing the outermost exteriors of the outermost individual letters, words or numbers which yields the least total square footage of area. Computation of sign area shall include border trim.
21. Sight Visibility Triangle: the corner visibility triangle is defined at an intersection by extending the two ROW lines from their point of intersection to a distance as shown. These two points are then connected with an imaginary line to form the corner visibility triangle. If there are curbs existing, then the triangular area shall be formed by extending the curblines for a distance of thirty feet (30') from their point of intersection. A sign on the corner of a collector or arterial street must have a 40 ft x 40 ft sight visibility triangle. No sign of any style, size, or material shall be constructed in the sight visibility triangle.



22. Street frontage: the property line of a lot abutting the right-of-way line of public or approved private streets, excluding alleys to which such property has the legal right of access.
23. Street frontage sign: a sign which is allowed pursuant to this Section based on the amount of street frontage a lot has. A street frontage sign may be a ground, a freestanding or a roof sign.
24. Subdivision identification sign: a sign located at the intersection of two street rights-of-way where the only lettering shall be the name of the subdivision. Such sign may be illuminated only when the sign is abutting a right-of-way which is classified as collector or higher.
25. Temporary election sign: a temporary nonilluminated sign that functions to communicate support for or opposition to a candidate or stating a position regarding a ballot issue upon which the voters of the City shall vote. In a residential zoning district the maximum size (area) per side is four square feet. In a commercial zoning district the maximum size (area) per side is 16 square feet.
26. Wall sign: a sign attached to and parallel with a wall, including signs printed or painted on walls.
27. Wind-activated signs and inflatables: any display or sign designed and fashioned in such a manner as to move when subjected to wind pressure. Including: pennants, ribbons, feather signs, streamers, inflatables, and similar signs or devices.
28. Window sign: a sign painted on or otherwise affixed to a window or glass door, or located within five feet behind, and facing, a window, or glass door.

Sec. XX.X- Summary

Zoning District	AG	ER	SFR	MF	MH	RV/C	C/R
Sign Type							
Animated sign	P	P	P	P	P	A	A
Awning sign	P	P	P	P	P	A	A
Banner sign	A	P	P	P	P	A	A
Changing message device	P	P	P	P	P	A	A
Construction sign	A	A	A	A	A	A	A
Commemorative sign	A	A	A	A	A	A	A
Directional/ directing sign	A	P	A	A	A	A	A
Marquee sign	P	P	P	P	P	P	A
Monument sign	A	A	A	A	A	A	A
Mural	P	P	P	P	P	P	A
Projecting sign	P	P	P	A	P	P	A
Pylon/pole sign	A	P	P	A	A	A	A
Real estate sign	A	A	A	A	A	A	A
Temporary election sign	A	A	A	A	A	A	A
Wall sign	A	A	A	A	A	A	A
Wind-activated signs/ inflatables	P	P	P	P	A	A	A
Window sign	A	A	A	A	A	A	A

A- Allowed

P-Prohibited

C-Conditional?