

Legislation Text

File #: 18-540, **Version:** 1

Presenter/Contact

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SUBJECT:

Approval of the second and final reading of an ordinance amending Chapter 106 - Signs, to move the location of Subdivision Entry Signs from Sec. 106-10(b)(13) to Sec. 106-14(b)(8) Permanent On-Premise Sign Regulations.

BACKGROUND / RATIONALE:

Council District: City-wide

Applicant: City of New Braunfels, Texas

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At their August 27, 2018 meeting, City Council approved the first reading of this ordinance on consent.

Chapter 106 (Sign Ordinance) Section 6 Permits and Registration states:

(a) Permits. A building permit shall be required to build, structurally alter, or provide more than normal maintenance of a sign, except signs listed in section 106-10.

Regulations for Subdivision Entry Signs are located in Section 106-10, which is titled "Signs exempt from regulation or permits". These signs are in the second part of this section which states, "*The signs listed below may be erected without a sign permit provided the standards of this section are met.*"

These are the standards for Subdivision Entry Signs that then follow:

(13) Subdivision entry signs. Subdivision entry signs are allowed at any entrance into a subdivision, subject to the following standards:

- a) Subdivision entry signs must be a monument sign, or a sign on a screening or decorative wall, subject to the definition of this Code, and may contain a maximum of 40 square feet per sign face with a maximum height of six feet;*
- b) Subdivision entry signs must be constructed of masonry, stone, brick, wood or other material (s) compatible with surrounding development.*
- c) Subdivision entry signs must be setback a minimum of five feet from the property line outside of the required sight triangle and located outside of any drainage easement and not in public or private right-of-way.*

- d) *Subdivision entry signs must provide a landscaped area equal to twice the area of the sign face, providing one, five-gallon shrub for every ten square feet of landscaped area.*
1. *One of the following irrigation methods shall be used to ensure the survival of the required plant material in the landscaped areas.*
- A. *Conventional system. An automatic or underground irrigation system that may be a conventional spray or bubbler type heads.*
 - B. *Drip or leak-pipe system. An automatic or underground irrigation system in conjunction with a water-saving system such as a drip or a leaky-pipe system.*
 - C. *Temporary and above-ground watering. Landscape areas utilizing xeriscape plants and installation techniques, including areas planted with native grasses, wildflowers and trees may use temporary and above ground system, and shall be required to provide irrigation for the first three growing seasons.*
 - D. *No irrigation shall be required for undisturbed natural areas or undisturbed trees.*
2. *The owners of the landscaped property shall be responsible for the maintenance of the landscaped area.*

The regulation of these signs are in the exempt from sign permit section of the code. This was intended to mean that a *sign permit* as defined by this section of code is not required; however *building permits* would still be required since there is usually a masonry wall, electricity, and irrigation system that will be installed which require separate building permits and inspections to ensure adherence to building and safety codes. Additionally, if a city has adopted standards for certain types of signs, there must be a permit process to review and ensure, through inspections, that the standards adopted by City Council are upheld.

The proposed changes to Chapter 106 (Sign Ordinance) clarify the process while upholding the intent of New Braunfels' adopted Sign Ordinance. The changes would be as follows (see attachments):

- Deletes Sec. 106-10b(13), Subdivision Entry Signs, from Sec. 106-10, Signs Exempt from Regulation or Permits.
- Creates a new section for Subdivision Entry Signs under Sec. 106-14, Permanent On-Premise Sign Regulations, with the same adopted standards.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

Yes	City Plan/Council Priority: Clarity of City Ordinance. <i>Pros and Cons Based on Policies Plan</i>	Pros: The proposed changes provide clarity of the requirements for permitting signs that have standards associated with them. Cons: None.
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FISCAL IMPACT:

N/A

COMMITTEE RECOMMENDATION:

At their meeting on August 7, 2018, the Planning Commission recommended approval of the clarifying code amendments unanimously.

STAFF RECOMMENDATION:

Staff recommends approval to provide clarity of intent and process to the development and contractor community.