

ORDINANCE NO. 12-1995

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

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

PART 1: That Chapter 23, Subpart E, "Zoning," of the Abilene Municipal Code be amended as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

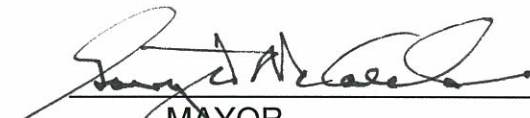
PASSED ON FIRST READING this 9 day of March A.D. 19 95

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 5 day of March, 19 95, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 9:00 a.m., on the 23 day of March, 19 95, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 23 day of March, A.D. 19 95.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

ORDINANCE NO. 12-1995

EXHIBIT "A"

Amend Section 23-303.2

E. CORRIDOR (COR) OVERLAY ZONE

The City of Abilene recognizes the benefits of attractive and aesthetically pleasing corridors that serve as approach routes and major thoroughfares of the City of Abilene. Regulations pertinent to the Corridor Overlay Zone are designed to permit establishment of non-residential activities in RS, RM, and AO districts located in areas with direct frontage on the corridor's major thoroughfare, where appropriate and desirable under conditions that assure an acceptable level of harmony among land uses. The district is also designed to ensure that standards of aesthetics are guaranteed with any new non-residential development that occurs along the corridor. These standards relate to signage, landscaping, screening, and driveway separation.

Use of the COR Zone is to be directed toward Abilene's newly developing areas typically at or near the city's periphery. It is not directed toward the established older parts of the city where development is already in place. The COR Zone is designed for corridors with a mix of residential and commercial land uses. It is not designed for corridors of an industrial/manufacturing character. The COR Zone is intended for land uses along appropriate major arterial routes and not the Interstate highway, freeway, or expressway corridors.

Application of the COR Zone shall be considered appropriate when in accordance with at least one of the following objectives:

1. Promote quality development of lots along the major corridor in harmony with adjacent land uses and the surrounding environment.
2. Ensure that residential neighborhoods are protected from encroachment of incompatible commercial activities that occur along the corridor.
3. Establish that the corridor is developed with special and specific standards and design that provide a pleasing and positive image.

Add Section 23-345

SECTION 23-345

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Amend Section 23-302.2

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Add Section 23-345

SECTION 23-345

CORRIDOR (COR) OVERLAY ZONE

Activities shall be governed by all regulations applicable to the underlying zoning district, unless otherwise specified in this section.

The Corridor Overlay Zone shall be at least one mile in length, 600 feet in width on each side of the centerline of the major thoroughfare.

1. LAND USES

A. Permitted Land Uses

Uses permitted in the underlying or base zoning district shall be permitted in the Corridor Overlay Zone with the exception of liquor stores (unrestricted) off-premise consumption which shall not be permitted in the SC zoning district.

B. Land Uses Permitted By Special Exception

- (1) In all RS, RM and AO districts within the Corridor Overlay Zone, the uses listed in Table 1 shall be permitted by special exception in addition to those uses permitted by the underlying zoning.
- (2) In addition to all other conditions established by this Section, the following conditions shall apply to uses (excluding Home Occupations Group B) permitted in Table 1 based on intensity level as specified in Section 23-345(1)(B)(2)(c).
 - (a) The property on which the use is located must front on the major thoroughfare, and;
 - (b) The property on which the use is located must have direct access to and from the major thoroughfare, and;
 - (c) The property must meet the following:

- (1) Low intensity level uses are permitted by Special Exception within RS, RM and AO zoning on property with a minimum lot size of one (1) acre, on property which abuts a commercial zoning district, or on property which abuts an existing commercial development, or;
- (2) Medium and low intensity level uses are permitted by Special Exception within AO zoning on property with a minimum lot size of one (1) acre, on property which abuts a commercial zoning district, or on property which abuts an existing commercial development, or;
- (3) High, medium and low intensity level uses are permitted by Special Exception within AO zoning on property with a minimum lot size of two (2) acres, or on property which abuts a commercial zoning district, or on property which abuts an existing commercial development; and

(d) A Site Plan shall be required.

TABLE 1: USES PERMITTED BY SPECIAL EXCEPTION

Low Intensity

Home Occupations
Plant Material - Sales only
Electrical Appliance Repair - small
Interior Decorating Services
Shoe Repair, Shoe Shinning & Hat Cleaning
Tailoring (custom)
Clothing and Apparel Accessories - Sales
Travel Arranging and Ticketing Services
Books and Stationery Sales
Coins and Stamps
Dairy Products - Sales
Gifts, Novelties and Souvenirs - Sales
Optical Goods - Sales

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Beauty and Barber Services
Libraries, Museums and Art Galleries
Office (General)
Stenographic Services
Duplicating and Mailing
Key and Lock - Sales and Repair
Trading Stamps
Art, Music and Dancing Schools
Watch, Clock and Jewelry Repair
Antiques - Sales
Bicycles - Sales and Repair
Cameras, Photo Supplies - Sales
China, Glass and Metalware - Sales
Hobby and Crafts
Jewelry
Office Supplies - Sales
Tobacco Products - Sales
Radio Stations without Broadcast Towers

Medium Intensity

Theaters or Playhouses
Drug Stores
Radio and Television - Sales and Repair
Sporting Goods
Shoes - Sales
Music Supplies
Bakery Products - Sales
Laundry and Dry Cleaning Services
Meats and Fish
Newspaper and Magazine - Sales
Furniture and Home Furnishings - Sales
Business School
Glass and Wallpaper - Sales
Youth Organizations and Centers
Hardware Stores
Office Activities - including medical/dental labs
Banking Services
Photographic Services
Post Office
Surgical Center
Blue Printing and Photocopying
Health Club or Physical Fitness
Household Appliances
Auto Parts and Supplies
Floor Coverings - Sales
Furriers and Furs

High Intensity
Variety Stores
Department Stores
Shopping Centers
Standard Restaurants
Grocery Stores
Farm Products

2. LANDSCAPING AND SCREENING REQUIREMENTS

Landscaping and screening shall be required on any non-residential site requiring a Site Plan, prior to the issuance of a Certificate of Occupancy. Unless otherwise specified landscaping and screening shall be in compliance with other sections of the Zoning Ordinance and include trees, shrubs, grass and other vegetation. Existing trees on site determined to be in healthy condition by the City of Abilene Parks Division, shall be preserved to the greatest possible extent. All trees, shrubs, and vegetation shall be of natural material.

A. Landscaping of the Site

1. The required landscaping shall be determined on a point basis. The total number of points shall be determined by the total square footage of the site. The applicant shall be required to install landscaping based on the total number of points. To determine the minimum number of points needed for the site, multiply (10) percent of the total site area by .25. The minimum number of points for a development is 400.
2. The value of each landscaping element is listed in Tables 3-7. The point values indicated in these tables shall be used to calculate the accumulated points for the development.
3. The total landscaping must account for at least ten (10) percent of the developed site area with a minimum of 400 points. The developed site area shall include the main structure(s), any accessory structure(s), parking lots, equipment

lots, and outdoor storage lots.

4. The size of the landscaped section, excluding parking lot islands, shall have an area of at least 50 square feet and a minimum width of ten (10) feet from the edge of the property line, to provide for the normal growth of planted landscaping materials.
5. All required landscaping and screening of natural material shall be irrigated by either an underground sprinkler, underground drip system, or a hose attachment within 100 feet of all landscaping.
6. A ten (10) percent credit off the total point requirement will be given for projects where an irrigation system is provided for the entire landscaped area.
7. Any grading, resurfacing or reshaping of the site in conjunction with landscaping and screening efforts shall not cause an undue nuisance to surrounding activities, or create environmental hazards.
8. A minimum of twenty (20) percent, but not greater than seventy-five (75) percent of the point total shall consist of trees.
9. Any planted or existing trees listed in Table 2 (Trees Not Recommended) will receive no points toward the landscaping total.
10. Trees of at least six (6) feet in height and one and one half inch caliper shall be provided (existing or planted) within the front yard area and maintained, with a ratio of one (1) tree for every 40 feet of street frontage. The required number of trees may be clustered.
11. The caliper of trees shall be measured 6" above the ground for trees up to and including 4" caliper size. For trees greater than 4" caliper and less than 12" caliper, the trunk is measured at 12"

above the ground. For trees greater than 12" caliper the trunk is measured at 4' above ground. For trees with multi-trunks, the caliper shall be calculated in the following manner: The diameter of the largest trunk plus one-half (1/2) the diameter of the remaining trunks equals the caliper of the tree.

12. The point value for all existing trees saved are listed in Tables 3A and 3B. A fully barricaded tree shall be eleven (11) inches of undisturbed ground around the tree per one (1) inch of tree caliper.
13. Fifty (50) percent of the required landscaping must be located along the major thoroughfare.
14. If an exterior side yard exists or the business fronts along a side street, at least twenty-five (25) percent of the remaining landscaping shall be along the side street. If the business is not adjacent to the major thoroughfare, then fifty (50) percent of the landscaping must be in the front yard with at least twenty-five (25) percent of the remaining landscaping along the exterior side yard.
15. All site area planted with turf shall be 100 percent covered within one year of the issuance of the Certificate of Occupancy.
16. At no time may landscaping or screening interfere with vision clearance at rights-of-way or at the intersections. Screening and fencing must be located at least ten (10) feet from the curb or edge of the pavement of all streets or on private property, whichever is greater.

Table 2 TREES NOT RECOMMENDED

DECIDUOUS

COMMON NAME	SCIENTIFIC NAME
Silver Maple	Acer saccharinum
Mimosa	Albizzia julibrissin
Catalpa	Catalpa bignonioides
Arizona Ash	Fraxinus velutina
Sweetgum	Liquidambar styraciflua
Fruit Trees (Apple, Peach, Plum, etc..)	Malu sp., Prunus sp., Pyrus sp.
Chinaberry	Melia azederach
Fruiting or Fruitless Mulberry	Morus sp.
Cottonwood	Populus deltoides
Pin Oak	Quercus palustris
Post Oak	Quercus stellata
Willow	Salix nigra
Siberian Elm	Ulmus pumila

EVERGREEN

COMMON NAME	SCIENTIFIC NAME
Arborvitae	Arborvitae sp.
Slash Pine	Pinus elliotii

Table 3A RECOMMENDED TREES

DECIDUOUS

COMMON NAME	SCIENTIFIC NAME	NEW		EXISTING	
		1	2	3	4
Pecan	<i>Carya illinoensis</i>	30	20	20	10
Texas Redbud	<i>Cercis canadensis var. texensis</i>	45	30	30	15
Desert Willow	<i>Chilopsis linearis</i>	30	20	20	10
Green Ash	<i>Fraxinus pennsylvanica</i>	30	20	20	10
Texas Walnut	<i>Juglans microcarpa</i>	15	10	10	5
Crapemyrtle	<i>Lagerstroemia indica</i>	30	20	20	10
Golden Ball Leadtree	<i>Leucaena retusa</i>	15	10	10	5
Chinese Pistache	<i>Pistacia chinensis</i>	15	10	10	5
Mesquite	<i>Prosopis glandulosa</i>	15	10	10	5
Bradford Pear	<i>Pyrus calleryana</i>	45	30	30	15
Lacey Oak	<i>Quercus glacoides</i>	15	10	10	5
Bur Oak	<i>Quercus macrocarpa</i>	15	10	10	5
Chinkapin Oak	<i>Quercus muehlenbergii</i>	30	20	20	10
Shumard Oak	<i>Quercus shumardii</i>	45	30	30	15
Texas Red Oak	<i>Quercus texana</i>	45	30	30	15
Carolina Buckthorn	<i>Rhamnus carolinia</i>	15	10	10	5
Flame Leaf Sumac	<i>Rhus copallina</i>	15	10	10	5
Western Soapberry	<i>Sapindus drummondii</i>	15	10	10	5
Texas Sophora	<i>Sophora affinis</i>	30	20	20	10
Bald Cypress	<i>Taxodium distichum</i>	30	20	20	10
Cedar Elm	<i>Ulmus crassifolia</i>	45	30	30	15
Lacebark Elm	<i>Ulmus parvifolia</i>	30	20	20	10
Mexican Buckeye	<i>Ungnadia speciosa</i>	15	10	10	5
Rusty Blackhaw	<i>Viburnum rufidulum</i>	15	10	10	5
Chaste Tree	<i>Vitex agnus-castus</i>	30	20	20	10

NOTE for Table 3A and 3B:

New Trees: 1. Containerized 2. Balled and Burlapped
 Existing Trees: 3. Fully Barricaded 4. No Barricade

Table 3B RECOMMENDED TREES

EVERGREEN

COMMON NAME	SCIENTIFIC NAME	NEW		EXISTING	
		1	2	3	4
Yaupon	Ilex vomitoria	45	30	30	15
Eastern Red Cedar	Juniperus virginiana	30	20	20	10
Remote Pinyon Pine	Pinus cembroides var. remota	30	20	20	10
Afghan Pine	Pinus eldarica	45	30	30	15
Austrian Pine	Pinus nigra	45	30	30	15
Italian Stone Pine	Pinus pinea	15	10	10	5
Japanese Black Pine	Pinus thunbergiana	30	20	20	10
Live Oak	Quercus virginiana	45	30	30	15
Evergreen Sumac	Rhus virens	30	20	20	10
Mescalbean	Sophora secundiflora	15	10	10	5

NOTE for Table 3A and 3B:

New Trees: 1. Containerized 2. Balled and Burlapped
 Existing Trees: 3. Fully Barricaded 4. No Barricade

Table 4 SHRUBS

DECIDUOUS

COMMON NAME	SCIENTIFIC NAME	PTS/GALLONS	
		3 Gal.	1 Gal.
Flame Acanthus	Anisacanthus wrightii	15	10
Barberry	Berberis species	15	10
Dwarf Butterfly Bush	Buddleia davidii "Nanoensis"	15	10
Dwarf Crapemyrtle	Lagerstroemia indica	15	10
Rose Pavonia	Pavonia lasiopetala	15	10

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EVERGREEN

COMMON NAME	SCIENTIFIC NAME	PTS/ GALLONS	
		3 Gal.	1 Gal.
Abelia	Abelia grandiflora	15	10
Agarito	Berberis trifoliolata	15	10
Dwarf Yaupon	Ilex vomitoria "nana"	15	10
Holly	Ilex species	15	10
Juniper	Juniperus species	15	10
Texas Sage	Luecophyllum frutescens	15	10
Wax Myrtle	Myrica cerifera	7.5	5
Nandina	Nandina domestica	15	10
Indian Hawthorn	Raphiolepis indica	15	10
Santolina	Santolina sempervirens	7.5	5

Table 5 GROUNDCOVER

DECIDUOUS

COMMON NAME	SCIENTIFIC NAME	PTS/ 4 SQ FT
Rough Leaf Verbena	Verbena rigida	1

EVERGREEN

COMMON NAME	SCIENTIFIC NAME	PTS/4 SQ FT
English Ivy	Hedera helix	2
Dwarf Juniper	Juniperus species	2
Liriope	Liriope muscari	4
Honeysuckle	Lonicera japonica	2
Germander	Teucrium chamaedrys	4
Asian Jasmine	Trachelosperm asiaticum	2
Vinca	Vinca major	2

Table 6 PERENNIALS

COMMON NAME	SCIENTIFIC NAME	PTS/PLANT
Texas Columbine	Aquilegia species	5
Frikarti Aster	Aster frikarti	5
Coreopsis	Coreopsis sp.	3
Purple Coneflower	Echinacea purpurea	3
Daylilly	Hemerocallis sp.	5
Iris	Iris species	3
Lantana	Lantana horrida	5
Mexican Petunia	Ruellia species	3
Autumn Sage	Salvia greggii	5
Sedum	Sedum species	3

Table 7 TURF

COMMON NAME	SCIENTIFIC NAME	PTS/ 25 SQ FT
Bermuda Grass	Cynodon dactylon	1
Buffalo Grass	Bucholoe dactyloides	1.5

B. Landscaping of Parking Lots

1. Off-street parking areas with more than 10 parking spaces shall not be permitted in front of any structure which faces the major thoroughfare, unless such parking areas are partially screened by a perimeter landscaping strip, earthen berm, or other landscaped plant material, with a minimum width of ten (10) feet.
2. The size of any landscaped section within the parking area shall have an area of at least 25 square feet and a minimum width of five (5) feet to provide for normal growth of planted landscaping materials.
3. All landscaped areas shall be protected from vehicular traffic by use of concrete curbs, wheel stops, or permanently anchored railroad ties, at least six (6) inches in height.

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C. Screening of the Site

1. If trees or other living plant materials are used for screening, they shall be evergreen and opaque.
2. Use of salvaged or used scrap material shall not be permitted for required screening.

D. Screening of Outdoor Storage

1. The outdoor storage of secondhand goods, materials, supplies, equipment, or inventory, except refurbished, used vehicles in operable condition shall be screened from all public rights-of-way in the following manner:
 - (a) A continuous screen of evergreen trees and shrubs planted along the right-of-way line that will reach a minimum height of six (6) feet;
 - (b) Earthen berms and landscaping including evergreen shrubs used in combination to achieve a minimum screening height of six (6) feet. Berms shall have a minimum height of three (3) feet as measured from the top of the adjacent street curb or end of the pavement, but in all cases shall have a maximum slope of 3:1;
 - (c) A solid wall or fence of materials with natural earthtone color, a minimum height of six (6) feet as measured from the top of the adjacent street curb or edge of the pavement, or;
 - (d) A combination of a solid wall or fence of materials and landscaping, including evergreen shrubs or trees used in combination to achieve a height of at least six (6) feet. The walls or fences shall have a minimum height of four (4) feet as measured from the top of the

adjacent street curb or end of the pavement.

2. The outdoor storage of goods, materials, supplies, equipment, or inventory may not be allowed to accumulate or be stacked to a height above six (6) feet from ground level at the front property line. The maximum height permitted may increase one (1) foot for every five (5) feet of additional setback. The maximum height of stored inventory shall be ten (10) feet from ground elevation.
3. The screening may not have any signs appear on it.

E. Screening Adjacent to Residential Areas

1. All commercial areas must provide a twenty (20) foot buffer area adjacent to any residential developments and /or residential zoning with a minimum of the following elements:
 - (a) A solid wall or fence of materials having a natural earthtone color and a height of between six (6) and seven (7) feet, and,
 - (b) A landscaped area at least twenty (20) feet in width. The area may be covered entirely with groundcover or turf, and,
 - (c) The view of all parked vehicles shall be screened from the residential district.

F. Maintenance Requirements

1. The owner shall be responsible for the regular maintenance of all required landscape areas, screening and plant materials. All landscaping and screening with natural materials shall be kept in a vigorous and healthy condition, free from disease, pests, weeds, and litter.

2. The owner shall be responsible for the regular maintenance, repair, or replacement, where necessary, of all required landscaping and screening.
3. Required plant materials, if dead, or severely damaged, shall be removed by the owner as soon as possible, but no later than sixty (60) days after notification. All dead or damaged plants shall be replaced within six (6) months of notification or by the next planting season, whichever comes first.
4. Replacement plants must be the same size and species as shown on the approved Site Plan or must be equivalent in terms of quality and size.

G. Site Plan Requirements

1. A Site Plan shall be required in accordance with the specifications of Section 23-356.3. A Site Plan shall also be required for any change of use from residential to commercial.
2. The Site Plan shall include the following items listed below in addition to the normal requirements as specified in section 23-356.3(L) of the Zoning Ordinance. The Site Plan Committee shall determine if all of the criteria is met.
 - (a) All trees must be labelled, including the indication whether they are containerized or balled and burlapped.
 - (b) The location, species, and diameter of existing trees having a trunk diameter of two (2) inches or larger, if the tree is in a healthy condition.
 - (c) Indicate the barricade and its dimensions if one is to be included for all existing trees being saved.

- (d) The location of the proposed hose attachments or a note indicating the installation of the irrigation system covering the entire site.
- (e) An indication showing the total number of points accumulated to meet the landscaping requirements as specified in this ordinance.

H. Compliance Requirements

1. The Planning Division shall review all landscaping and screening plans for completion in compliance with this section. The approved landscaping shall be completed in compliance with this ordinance before a Certificate of Occupancy is issued unless an extension is granted.
2. The applicant may receive an extension by the Building Official of up to but not to exceed six (6) months from the date of the Certificate of Occupancy upon approval of an application for extension with a bond or letter of credit in the amount of (\$2.50) dollars multiplied by the number of total landscaping points required for the project.
3. An extension of the landscaping and screening requirements shall only be granted in the event that the material to be planted is deemed by the Building Official not to be in planting season.
4. Failure to complete the landscaping and screening according to the approved landscaping and screening plans within the six (6) month period shall constitute grounds for forfeiture of the bond or cashing of the letter of credit by the Planning Division.
5. Failure to complete the required landscaping and screening shall constitute a violation of this ordinance. All violations shall be subject to the penalties as specified in Section 23-362

of the Zoning Ordinance.

3. SIGNAGE REQUIREMENTS

A. General Provisions

1. Unless otherwise specified in this ordinance, the City of Abilene Sign Regulations shall remain in force.
2. A Site Plan shall be submitted with an indication of the following: location, size, height, materials, motion, illumination, and content of the sign.
3. No sign shall inhibit the view of the motoring public or obstruct the vision clearance triangle as specified by the City of Abilene Traffic Engineer.
4. No more than two sides of a sign structure may be used for display.
5. Free standing signs shall be placed a minimum distance equal to one-fourth the total lot frontage from any side property line with a minimum of twenty-five (25) feet between any free standing signs.
6. All electrical signs shall comply with the current National Electric Code (N.E.C.).

B. On-Site Signage

1. All on-site signs shall follow the requirements as specified in Tables 8 and 9 of this ordinance.
2. One wall sign per building side shall be permitted with the following restrictions:
 - (a) The wall sign shall have a maximum area of twenty (20) percent of the area of the wall, and;
 - (b) Illumination is permitted but shall not project light or glare on adjacent property and roadways, and;

- (c) Motion shall not be permitted, and;
 - (d) All wall signs shall be connected to the wall in a permanent manner, and;
 - (e) No wall sign shall protrude from the surface of the wall at a distance greater than eighteen (18) inches.
3. When more than one business is present on a site, grouped signage shall be used with the following requirements:
- (a) For sites zoned commercial, with an area of 20,000 square feet or greater, the maximum height of grouped signage shall be 40 feet.
 - (b) For sites zoned commercial, with an area less than 20,000 square feet, the maximum height of grouped signage shall be 20 feet.
 - (c) When a group sign is used, a maximum area equal to two (2) square feet of signage per lineal foot of street frontage of the lot shall be permitted. The total group sign shall have an area not in excess of 450 square feet.
 - (d) Only one group sign shall be permitted on a site.
 - (e) No other free standing advertising signs shall be permitted per business for which grouped signage is used.
4. Signs for any commercial land use which is permitted by Special Exception approval, in an underlying residential or agricultural/open space zoning district, shall follow the regulations as specified in Table 8.
5. If the property is a corner lot, the maximum area for all free standing signs shall not exceed 300 square feet in total area, with the exception of group signs

which shall not exceed 450 square feet in area.

C. Prohibited Signs

1. No new portable or wheeled signs or ground anchored banners, shall be permitted within the overlay district.
2. No new off-site signs shall be permitted within the boundaries of the overlay district with the exception of off-site group signs.
3. Signs with flashing or blinking lights, regardless of wattage, shall be prohibited within the overlay district.

D. Maintenance Requirements

1. All signs, or sign structure, including wall signs shall be maintained in good repair at all times.
2. Any sign found to be in disrepair shall be repaired as soon as possible, but no later than forty-five (45) days after notification.

E. Compliance Requirements

1. The Planning Division shall ensure that all signage requirements are met according to this ordinance. All approved signs shall be installed in compliance with this ordinance.
2. Failure to comply with any portion of this ordinance shall constitute a violation. All violations shall be subject to the penalties as specified in Section 23-362 of the Zoning Ordinance.

Table 8 BUSINESS AND/OR IDENTIFICATION SIGNS

ZONING DISTRICT	MAXIMUM AREA	MAXIMUM HEIGHT	SETBACK REQUIRED	No. OF SIGNS	ILLUM	MOTION
RM	25 sq. ft.	8 feet	10 ft from front or exterior side property lines	1/site must front the major thoroughfare	No	No
RS						
LC	50 sq. ft.	8 feet	10 ft from front or exterior side property lines	1/site	Yes	Yes
O						
AO						
SC, GC, and all other less restrictive districts	1 1/2 sq.ft./lineal foot of street frontage -	10 feet	10 ft from front or exterior side property lines	1 per business per street frontage	Yes	Yes

Table 9 INSTRUCTIONAL, PRIVATE

ZONING DISTRICT	MAXIMUM AREA	MAXIMUM HEIGHT	SETBACK REQUIRED	No. OF SIGNS	ILLUM	MOTION
All Districts *	8 sq. ft.	4 feet	None	As needed	Yes	No

* Note - The only signs permitted in RS or RM zoning are for commercial properties granted Special Exception approval. Signs for home occupations shall comply with Section 23-306.5 (B)(7) of the Zoning Ordinance.

4. DRIVEWAY ACCESS

Driveway access requirements shall pertain to all sites requiring a Site Plan.

A. Driveway Separation

1. Access drives must be separated by a minimum of 50 feet.

2. Access drives must be located a minimum of 25 feet from all interior side and rear property lines unless shared access is provided, in which case the shared drive shall have no minimum separation requirement from the adjacent property lines.
3. Access drives must be separated from street intersections as follows:
 - (a) 100 feet from the intersection of two or more streets classified as arterial or expressway.
 - (b) 50 feet from all other street intersections.

B. Measurements

1. All measurements from access drives shall be from the point of departure of the curb return.
2. All measurements from intersections shall be from the nearest parallel curb an any adjacent public street.

Amend Section 23-363

DEFINITIONS

ADD:

Barricade

An area of undisturbed ground left around an existing tree during construction to help stabilize the root structure and prevent damage to the bark and limbs. It is suggested that a two (2) inch thick cover of mulch or wood chips are used to preserve moisture in the barricaded area.

Caliper

Diameter of the tree trunk measured at a specified height above the ground.

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Groundcover

A spreading plant, including sods and grasses less than 18 inches in height, used mainly for erosion control.

Group Sign

More than one sign sharing one support structure, advertising more than one business.

Landscaping

An area devoted to and maintained predominantly with living plant material including lawn, groundcover, trees, shrubs, and other plant materials; and also including accessory decorative outdoor landscape elements such as fountains, paved or decorated surfaces (excluding driveways, parking, loading, or storage areas), and sculptural elements

Scrap Material

Any manufactured articles or parts rejected or discarded and useful only as material for reprocessing.

Thoroughfare (Major)

The primary road within the boundaries of the Corridor Overlay Zone.

Tree (Canopy)

Any self-supporting woody plant with one well defined trunk and a distinct and definite formed crown which attains a height of at least twenty (20) feet.

Tree (Existing)

Any self-supporting woody plant with a caliper of 2 inches in diameter or greater which is in healthy condition.

Tree (Non-Canopy)

Any self-supporting woody plant with a two (2) inch caliper and one or more trunks which attains a height of at least ten (10) feet.

-END-