

ORDINANCE NO. 17-2007

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART C, "SIGNS AND BILLBOARDS," 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 C, "Signs and Billboards," 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 Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 26th day of April A.D. 2007.

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 14th day of March, 2007, 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 8:30 a.m., on the 10th day of May, 2007, 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 10th day of May, A.D. 2007.

ATTEST:

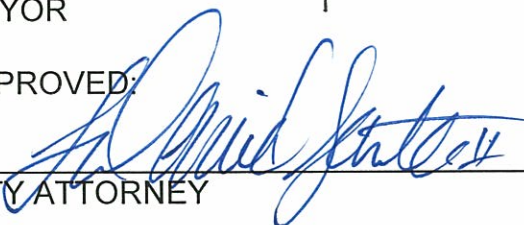


CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

Replace the existing Section 23-161 (F), (1) and (2) with the following:

(F) Sign Standards

Signs shall meet the standards delineated in the following table and the following footnotes referenced in the table:

(1) Off-site advertising signs are prohibited within the city limits of the City of Abilene and its extraterritorial jurisdiction, except as specifically authorized below:

- (a) Off-site advertising signs are only permitted within the following zoning districts: Shopping Center (SC), General Commercial (GC), Heavy Commercial (HC), Light Industrial (LI), Heavy Industrial (HI), and Agricultural-Open Space (AO). Off-site advertising signs are only permitted within the AO district with a special exception granted by the Board of Adjustment. In determining the suitability of a site within the AO district, the Board shall consider the proximity of the proposed location to existing or proposed residential uses as may be indicated on the zoning map of the City of Abilene or any land use plans that have been approved by either the Planning and Zoning Commission or the City Council.

(b) Regulation of Type I signs:

- i. Type I signs are those located along and oriented to a thoroughfare designated as a freeway or expressway in the City's adopted Thoroughfare Plan and are only permitted in the following locations:

- ◆ Interstate Highway 20
- ◆ US Highway 83
- ◆ Loop 322

- ii. Type I signs shall have a maximum area of 672 square feet and a maximum height of 42 feet, 6 inches or such height so that the bottom of the sign face is 8 feet higher than the adjacent main-traveled way, as defined by the Texas Department of Transportation, whichever is higher.

(c) Regulation of Type II signs:

- i. Type II signs are those located along and oriented to a thoroughfare designated as an arterial or collector in the City's adopted Thoroughfare Plan and are only permitted in the following locations:

- | | |
|--------------------------------------|--|
| ◆ US Highways 83/277 | ◆ Pioneer Drive |
| ◆ US Highways 83/84 | ◆ Mockingbird Lane |
| ◆ Ambler Avenue | ◆ Barrow Street |
| ◆ North 10 th Street | ◆ Sayles Blvd |
| ◆ North 1 st Street | ◆ Buffalo Gap Road |
| ◆ East Highway 80 | ◆ Grape Street |
| ◆ South 1 st Street | ◆ Treadaway Blvd/Pine Street (Business 83) |
| ◆ South 7 th Street | ◆ Judge Ely Blvd |
| ◆ East South 11 th Street | ◆ Ridgemoor Drive |
| ◆ South 14 th Street | ◆ Catclaw Drive |
| ◆ Texas Avenue | ◆ Pine Street |
| ◆ South 27 th Street | ◆ Willis Street |
| ◆ Industrial Blvd. | ◆ Leggett Drive |
| ◆ Rebecca Lane | |
| ◆ Antilley Road | |
| ◆ Southwest Drive | |

- ii. Type II signs shall have a maximum area of 378 square feet and a maximum height of 35 feet.
- (2) Spacing and separation of off-site advertising signs shall be based on the following:
- (a) Signs shall be separated from other off-site advertising signs on the same side of the street by a minimum distance of 1,500 feet on interstate and primary highways, as designated by the Texas Department of Transportation.
 - (b) Signs shall be separated from other off-site advertising signs on the same side of the street by a minimum distance of 750 feet when not on an interstate or primary highway.
 - (c) Signs shall be separated from other off-site advertising signs in any direction by a minimum of 250 feet.
 - (d) No off-site advertising signs shall be permitted less than 135 feet from a lot in a Residential Single Family (RS), Mobile Home (MH), or RM-3 district.
 - (e) No off-site advertising signs shall be permitted less than 400 feet from a lot in a Residential Single Family (RS), Mobile Home (MH), or RM-3 district when adjacent to roadways designated as Interstate or Primary.

Replace the existing Table in Section 23-161 with the following:

Sign Classification		Permitted Zoning Districts	Maximum Area	Maximum Height	Minimum Setback Required	Number and/or Spacing Limitations	Illumination Permitted	Motion Permitted	Additional Requirements
OFF SITE	Type I	SC GC HC LI HI AO (SE) ①	672 sq.ft.	42.5 ft or bottom of sign 8 ft above primary roadway ① ⑤	10 feet if abutting RM-1, RM-2, CU, or AO	1,500 ft spacing on same side of street 250 ft radial spacing ②	Yes	Yes	Permit Required ①
	Type II	SC GC HC LI HI AO (SE) ①	378 sq.ft.	35 ft ① ⑤	10 feet if abutting RM-1, RM-2, CU, or AO	750 ft spacing on same side of street, except 1,500 ft on interstate or primary 250 ft radial spacing ②	Yes	Yes	Permit Required ①
ON SITE	Business and/or Identification	AO	700 sq.ft.	35 ft ⑤	10 ft from property line	One per business or activity	Yes	Yes	Permit Required
		MU O	36 sq.ft.	12 ft	10 ft from property line	One per business or activity	Yes	Yes	Permit Required
		SC CB GC HC LI HI	300 sq.ft. (no limitation for wall signs)	50 ft, except in CB (no restrictions) ⑤	④	One freestanding sign per business per street frontage	Yes	Yes	Permit Required
		LC PI	100 sq.ft. (no limitation for wall signs)	36 ft ⑤	④	One freestanding sign per business per street frontage	Yes	Yes	Permit Required
		RM MH CU	20 sq.ft. ③	10 ft ③	10 feet from property line	One per business or activity per street frontage	Yes	Yes	Permit Required
		RS	6 sq.ft. ③	③	④	One per premises ③	No	No	

	Instructional, Private	All Districts, except RS	8 sq.ft.	10 ft		As needed	Yes	Yes	Permit Required
ON SITE	Construction	All Districts	80 sq.ft.	15 ft	10 feet from all property lines, except in CB	n/a	Yes	Yes	Maximum Duration: until approx. 90% complete Permit required if electrical
	Special Development	All Districts	80 sq.ft.	15 ft	10 feet from all property lines, except in CB	n/a	Yes	Yes	

① = Footnote reference (See Section 23-161(F) for footnote references)