

ORDINANCE NO. 9352-2012

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS AMENDING THE UNIFIED DEVELOPMENT CODE ESTABLISHED BY ORDINANCE NUMBER 4779, PASSED ON NOVEMBER 20, 1990; TO AMEND ARTICLE 9, "SIGN STANDARDS" OF THE UNIFIED DEVELOPMENT CODE TO INCLUDE CHANGES ADOPTED IN APPENDIX F, OVERLAY DEVELOPMENT STANDARDS; TO ESTABLISH REQUIREMENTS FOR POLITICAL SIGNAGE IN CONFORMANCE WITH SECTION 216 OF THE TEXAS LOCAL GOVERNMENT CODE; TO ESTABLISH A TIME FRAME FOR TEMPORARY SIGNAGE; IMPLEMENTING GRAMMATICAL, FORMAT AND CONTENT MODIFICATIONS TO IMPROVE CLARITY; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; CONTAINING A SAVINGS CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, Section 1.11.3.1 of the Unified Development Code of the City of Grand Prairie, Texas states: "Amendments to the text of the Unified Development Code shall be initiated only by action of the City Council directing the City Manager to initiate such a request on behalf of the city or by the City Manager's own initiative."; and

WHEREAS, on January 5, 2012, a review and briefing was held by the City Manager's staff before the City Council Development Committee of the City of Grand Prairie, Texas for consideration of initiating said amendments to Article 9, "Sign Standards" of the Unified Development Code; and

WHEREAS, after consideration of said amendments, the City Council Development Committee of the City of Grand Prairie, Texas directed the City Manager to initiate the preparation of an ordinance amending Article 9, "Sign Standards" of the Unified Development Code for submittal to the Planning and Zoning Commission of Grand Prairie, Texas for consideration of a recommendation to the City Council; and

WHEREAS, Notice was given of a public hearing on said amendments to be held by the Planning and Zoning Commission of Grand Prairie, Texas in the City Hall Plaza Building at 7:00 o'clock P.M. on March 5, 2012, such Notice of the time and place of such hearing have been given at least ten (10) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, after consideration of said amendment, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 7 to 0 to recommend to the City Council of Grand Prairie, Texas that said amendments should be approved since its provisions are in the public interest and will promote the health, safety and welfare of the community; and

WHEREAS, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, at the Grand Prairie ISD Administration Building, 2602 South Belt Line Road, at 6:30 o'clock P.M. on March 20, 2012, to consider the advisability of amending the Zoning Ordinance as recommended by the Planning and Zoning Commission, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by

publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. THAT Article 9, "Sign Standards" of the Unified Development Code be amended to provide for the inclusion and exclusion of text affecting certain provisions of said Section with the proposed additions of text be shown in *shaded bold, italicized print*, and deleted text being shown in ~~*shaded bold, italicized print, stricken out with a single line*~~ in Exhibit "A" incorporated herein by reference.

SECTION 2. THAT all other provisions of Article 9, "Sign Standards" of the Unified Development Code not included in this amendment, shall remain in full force and effect, save and except for necessary modifications to the "Table of Contents" affecting page numbering and for necessary modifications to related terminology or phrases that have been modified by this amendment that will affect a similar modification to interrelated terminology and phrases cross-referenced in other Articles of the Unified Development Code.

SECTION 3. THAT if any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provisions and such holding shall not affect the validity of the remaining portions thereof.

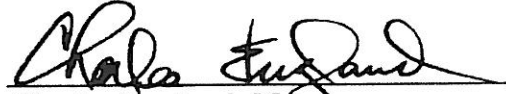
SECTION 4. THAT all of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any city official or employee charged with the enforcement of this ordinance, acting for the City of Grand Prairie, Texas, in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved of all personal liability for any damage that might occur to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

SECTION 5. THAT any person, firm, association of persons, company, corporation, or their agents, servants or employees violating or failing to comply with any of the provisions of this article shall be fined in an amount not to exceed two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative of other remedies provided by state law, and the power of injunction as provided in V.T.C.A. Local Government Code Section 54.016 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.


SECTION 6. THAT this ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 20TH DAY OF MARCH 2012.

APPROVED:


Charles England, Mayor

ATTEST:


for City Secretary

APPROVED AS TO FORM:


City Attorney

CASE NO. TA120302
ORDINANCE NO. 9352-2012

Article 9

SIGN STANDARDS

LAST UPDATE: JULY 20, 2010

CASE NUMBER: TA100701

ORDINANCE NO. 9054-2010

ARTICLE 9: SIGN STANDARDS

Table of Contents

| | Page No. |
|---|-----------------|
| Section 1 <i>Purpose</i> | 2 |
| Section 2 <i>Objective</i> | 2 |
| Section 3 <i>Definitions</i> | 2 |
| Section 4 <i>Prohibited Signs</i> | 9 |
| Section 5 <i>Allowed Signs Not Needing Permits</i> | 11 |
| Section 6 <i>Multi-Tenant Signs</i> | 15 |
| Section 7 <i>On-Premise Signs</i> | 15 |
| Section 8 <i>Digital Billboards</i> | 17 |
| Section 9 <i>Portable Signs</i> | 22 |
| Section 10 <i>Sign Placement</i> | 22 |
| Section 11 <i>Registration of Sign Operators</i> | 26 |
| Section 12 <i>Permit Required</i> | 27 |
| Section 13 <i>Information to be Shown on Sign</i> | 27 |
| Section 14 <i>Permit Issued on Condition that it may be Withdrawn</i> | 27 |
| Section 15 <i>Disposition of Recoveries</i> | 27 |
| Section 16 <i>Variances to Sign Ordinance</i> | 27 |
| Section 17 <i>Enforcement</i> | 28 |
| Section 18 <i>Jurisdiction</i> | 29 |
| Tables <i>Summary of Sign Types and Development Standards</i> | 30-31 |

ARTICLE 9: SIGN STANDARDS

9.5.4 Temporary Signs:

- A. Construction project and contractors' signs for non-residential or multi-family construction, not to exceed 32 square feet in size.
- B. Business window signs advertising periodic sales and special events, home tours, signs for carnivals, street fairs and parades.
- C. Holiday season decorations, school, church and college periodic event signs.
- D. Political ~~yard~~ signs not exceeding **36 4** square feet may be erected **only** on private **real** property with the permission of the property owner. Private real property does not include real property subject to an easement or other encumbrance that allows a municipality to use the property for a public purpose. ~~Political signs exceeding 4 square feet but not exceeding 32 square feet may be erected anywhere except on residentially zoned property with the permission of the property owner.~~

Political signs shall be removed within ten days after completion of the election in question.

In the case of a run-off election, signs advertising those candidates who are in the run-off election may be continued to be displayed during the interim period, but must be removed within ten days after the run-off election. The City will not be held liable for signs damaged as a result of maintenance, and may remove them if deemed necessary.

A political sign shall not require a sign permit and shall comply with the following requirements:

- 1. The total signage area for political signs shall not exceed ~~36 32~~ square feet per lot, **shall not exceed eight feet in height, shall not be illuminated, nor have any moving elements. Signs on non-residential lots must be set 10 feet back from any property line.**
- 2. A sign shall not be located in the city rights-of-way or in roadway medians. They may not be placed on city-owned property such as city parks, fire stations, police stations, libraries, City Hall and other City-owned buildings.
- 3. Political signs may not be placed in the State rights-of-way situated within the City.
- 4. Political signs shall not be installed in any manner that may result in a potential safety hazard of any type. **Political signs shall not be placed in visibility triangles as defined in Section 3 (54).**
- 5. Political signs shall be kept in repair and proper state of preservation.
- 6. Political signs may be erected no earlier than 60 days before the date of the election for which the sign is designated.

ARTICLE 9: SIGN STANDARDS

- E. Temporary signs posted by certified non-profit organizations. *These temporary signs shall not remain longer than 30 days per event.*

9.5.5 Kiosk Sign Plazas

Kiosk Sign Plazas provide a uniform, coordinated method of providing homebuilders, developers and municipalities a means of utilizing directional signs, while minimizing the negative impacts to the City and its residents. (See Exhibit B)

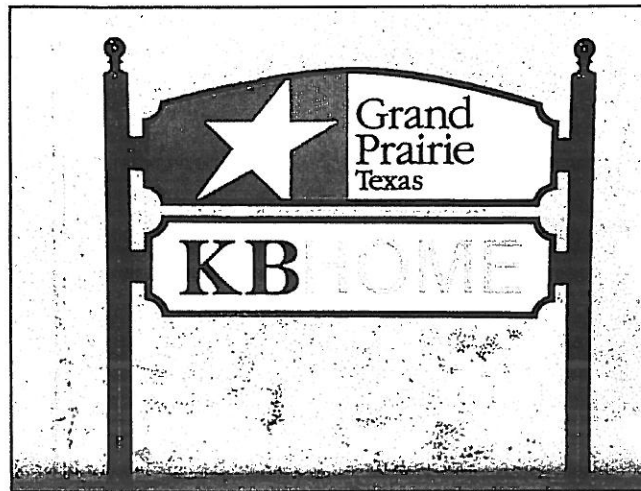


Exhibit B

- A. The City may approve and permit Sign Plazas subject to the following requirements and limitations:
1. All Sign Plazas and individual sign panels must have approval by the City. Fee for Sign Plaza and sign panels shall be as set forth in the license agreement.
 2. Placement and installation of Kiosk Sign Plazas must be in accordance with specifications. A site plan must be submitted to the Planning and Development Department for review and approval by the City Council. The Transportation Services Department must approve the location of all kiosk sign plazas prior to installation.
 3. Directional Kiosk Sign Plazas shall not obstruct the use of sidewalks, walkways, bike and hiking trails; shall not obstruct visibility triangles designated by the City for vehicles, pedestrians or traffic control signs; shall not be installed in the immediate vicinity of street intersections; and shall comply with the requirements of a twenty-five (25) foot safety triangle as specified in the Unified Development Code.
 4. In the event a Kiosk Sign Plaza is not constructed within sixty (60) days after the date of issuance of a Kiosk Sign Plaza permit, such permit shall expire.
 5. Kiosk Sign Plaza structures shall be ladder type with individual sign panels of uniform design. Dimensions shall be one of the options shown in Exhibit C.

ARTICLE 9: SIGN STANDARDS

5. If the city determines that a digital sign causes glare or otherwise impairs the vision of the driver of a motor vehicle or otherwise interferes with the operation of a motor vehicle, the owner of the digital sign within twelve (12) hours of a request by the city, shall reduce the intensity of the display to a level acceptable to the city.
6. A digital sign shall not be permitted either by conversion or new construction to occur on a roadway classified as a collector as determined by the city.
7. A digital sign shall not be permitted either by conversion or new construction to occur on a roadway classified as a local as determined by the city.
8. A digital sign or its message, content and/or image shall not be configured to resemble a warning or danger signal or cause a driver to mistake the digital sign or its message, content and/or image for a warning or danger signal.
9. A digital sign or its message, content and/or image shall not resemble or simulate any lights or official signage used to control traffic in accordance with the currently adopted edition of the TXDOT Manual on Uniform Traffic Control Devices.
10. A new digital sign shall not:
 - a. Be located within 200 feet of a residential zoning line.
 - ~~b. Be located within 500 feet of a limited access thoroughfare intersection. Digital monument signs may be allowed with a Unified Signage Plan.~~
 - c. Be located within 1,500 feet of a park, playground or other public open space locations at the discretion of the city.
 - d. Be provided electrical service via overhead utility lines.
11. Digital signs shall be permitted for multi-tenant and monument signs that are on commercially zoned parcels and are in conformance with Sections 9.6.1 and Section 9.10.8 of Article 9, Sign Standards. A maximum of 65% of the overall sign face area shall be permitted for an electronic, digital image, up to 50 square feet. A minimum of 100 feet of linear frontage along a street right-of-way is required for a digital monument or multi-tenant sign.
12. Digital pole signs shall only be permitted on pole signs that are on commercially zoned parcels and are in conformance with Section 9.7.1, On-Premise Signs, of Article 9, Sign Standards. ~~Digital pole signs are restricted in the Beltline Corridor Overlay District. Digital pole signs are not allowed in any designated overlay districts. Digital signage for overlay districts is addressed in Appendix F. the Interstate Highway 20, State Highway 161, Interstate Highway 30, State Highway 360 or Lake Ridge Parkway Overlay Districts.~~ Outside of these overlay districts; a maximum of 65% of the overall sign face area shall be permitted for an electronic, digital image, up to 50 square feet. A minimum of 200 feet of linear frontage along a street right-of-way is required for a digital pole sign. ~~Unified Signage Plan is required.~~

9-21

Grand
Prairie

ARTICLE 9: SIGN STANDARDS

(75') height extension of the balloon shall cross any property line, public right-of-way, or overhead utility line. The total height may be further restricted by Federal Aviation Administration requirements in appropriate or designated height hazard areas. The balloon must be securely anchored to a building or the ground at all times.

- B. One balloon sign is allowed per business or other establishment (i.e. churches, schools, etc.) in a non-residential zoning district as a temporary use for a maximum of ~~28~~ 30 days. No more than two (2) permits shall be issued per year for each business location. ***Each permit will not exceed 14 consecutive days.*** The issuance of the second permit shall not occur until the first permit has been expired for at least 30 days.

9.10.10 Banner Signs:

A. Non-Residential Zoning Districts:

1. One banner sign is allowed per business or other establishment (i.e. churches, schools, etc.) in a non-residential zoning district as a temporary use for a maximum of 30 days. No more than two (2) permits shall be issued per year for each business location. The issuance of the second permit shall not occur until the first permit has been expired for at least 30 days. Banner signs advertising seasonal activities for churches, schools or non-profit organizations shall be allowed for a time period less than 30 days any time during a year provided that such banner signs are not displayed for more than a total of 60 days per calendar year. Such signs shall be firmly affixed to the main building on the site, and may not be strung between temporary poles, hung from a fence or otherwise detached from the main building on the site. Such banner signs must obtain a sign registration permit prior to placement. The sign registration permit from Code Enforcement shall be affixed to the banner (no fee).
2. The maximum size of a banner sign shall not exceed sixty (60) square feet.
3. Torn, frayed and faded banner signs shall be removed. Replacement banners will require a sign registration permit prior to placement. Replacement banners will be subject to the time limitations established in Section 9.10.10.A.1.

B. Residential Zoning Districts:

1. Allowed non-residential uses in residential zoning districts and multi-family developments shall be allowed one banner sign firmly affixed to a wall of a building for a maximum of 30 days, no more than 2 times per calendar year.

Banner signs advertising seasonal activities for churches, schools or non-profit organizations shall be allowed for a time period less than 30 days any time during a year provided that such banner signs are not displayed for more than a total of 60 days per calendar year. Such banner signs must obtain a sign registration permit prior to placement. The sign registration permit shall be affixed to the banner by Code Enforcement Officers.

ARTICLE 9: SIGN STANDARDS

TABLE 9.2
SUMMARY OF SIGN TYPES & DEVELOPMENT STANDARDS

| OTHER SIGN TYPES | | | | | |
|------------------------|---|---|---|---|---|
| SIGN TYPES & STANDARDS | RESIDENTIAL (PERMITTED USES) | COMMERCIAL | INDUSTRIAL | LIMITED ACCESS ROADWAY | AGRICULTURE (PERMITTED USES) |
| BALLOON | PROHIBITED | 75 FT MAX. HEIGHT 14 CONSECUTIVE DAYS | 75 FT MAX. HEIGHT 14 CONSECUTIVE DAYS | 75 FT MAX. HEIGHT 14 CONSECUTIVE DAYS | PROHIBITED |
| BANNER | 60 SF MAX 2 TIMES / YR 30 DAYS MAX | 60 SF MAX 2 TIMES / YR 30 DAYS MAX | 60 SF MAX 2 TIMES / YR 30 DAYS MAX | 60 SF MAX 2 TIMES / YR 30 DAYS MAX | 60 SF MAX 2 TIMES / YR 30 DAYS MAX |
| CHANGEABLE COPY | MAX 42" CHARACTER 50 WATT MAX | MAX 42" CHARACTER 50 WATT MAX | MAX 42" CHARACTER 50 WATT MAX | MAX 42" CHARACTER 50 WATT MAX | MAX 42" CHARACTER 50 WATT MAX |
| CONSTRUCTION | < 32 SF | < 32 SF | < 32 SF | < 32 SF | < 32 SF |
| DIRECTIONAL | 4 SQ. FT. 30 IN. HIGH | 4 SQ. FT. 30 IN. HIGH | 4 SQ. FT. 30 IN. HIGH | 4 SQ. FT. 30 IN. HIGH | 4 SQ. FT. 30 IN. HIGH |
| POLITICAL | ≤ 36 4 SF ON PRIVATE PROPERTY NO EARLIER THAN 60 DAYS PRIOR TO ELECTION | ≤ 36 32 SF ON PRIVATE PROPERTY NO EARLIER THAN 60 DAYS PRIOR TO ELECTION | ≤ 36 32 SF ON PRIVATE PROPERTY NO EARLIER THAN 60 DAYS PRIOR TO ELECTION | ≤ 36 32 SF ON PRIVATE PROPERTY NO EARLIER THAN 60 DAYS PRIOR TO ELECTION | ≤ 32 4 SF ON PRIVATE PROPERTY NO EARLIER THAN 60 DAYS PRIOR TO ELECTION |
| PORTABLE | 4 FT X 8 FT OR 32 SF ALLOWED FOR NON PROFIT AGENCIES WITH 95% OF AREA FOR NON PROFIT ADVERTISING. LICENSE FEE/ NO PERMIT FEE | 4 FT X 8 FT OR 32 SF ALLOWED FOR NON PROFIT AGENCIES WITH 95% OF AREA FOR NON PROFIT ADVERTISING. LICENSE FEE/ NO PERMIT FEE | 4 FT X 8 FT OR 32 SF ALLOWED FOR NON PROFIT AGENCIES WITH 95% OF AREA FOR NON PROFIT ADVERTISING. LICENSE FEE/ NO PERMIT FEE | 4 FT X 8 FT OR 32 SF ALLOWED FOR NON PROFIT AGENCIES WITH 95% OF AREA FOR NON PROFIT ADVERTISING. LICENSE FEE/ NO PERMIT FEE | 4 FT X 8 FT OR 32 SF ALLOWED FOR NON PROFIT AGENCIES WITH 95% OF AREA FOR NON PROFIT ADVERTISING. LICENSE FEE/ NO PERMIT FEE |
| PUBLIC SERVICE | 32 SF NO PERMIT REQUIRED | 32 SF NO PERMIT REQUIRED | 32 SF NO PERMIT REQUIRED | 32 SF NO PERMIT REQUIRED | 32 SF NO PERMIT REQUIRED |
| REAL ESTATE | RESIDENTIAL DEVELOPMENT 100 SF / 20 FT HIGH 50 AC OR MORE 1 SIGN / 50 AC 1000 FT SEPARATION | RESIDENTIAL DEVELOPMENT 100 SF / 20 FT HIGH 50 AC OR MORE 1 SIGN / 50 AC 1000 FT SEPARATION | RESIDENTIAL DEVELOPMENT 100 SF / 20 FT HIGH 50 AC OR MORE 1 SIGN / 50 AC 1000 FT SEPARATION | RESIDENTIAL DEVELOPMENT 100 SF / 20 FT HIGH 50 AC OR MORE 1 SIGN / 50 AC 1000 FT SEPARATION | RESIDENTIAL DEVELOPMENT 100 SF / 20 FT HIGH 50 AC OR MORE 1 SIGN / 50 AC 1000 FT SEPARATION |
| | NON RESIDENTIAL DEVELOPMENT 100 SF / 20 FT HIGH 50 AC OR MORE 1 SIGN / 50 AC 1000 FT SEPARATION | NON RESIDENTIAL DEVELOPMENT 100 SF / 20 FT HIGH 50 AC OR MORE 1 SIGN / 50 AC 1000 FT SEPARATION | NON RESIDENTIAL DEVELOPMENT 100 SF / 20 FT HIGH 50 AC OR MORE 1 SIGN / 50 AC 1000 FT SEPARATION | NON RESIDENTIAL DEVELOPMENT 100 SF / 20 FT HIGH 50 AC OR MORE 1 SIGN / 50 AC 1000 FT SEPARATION | NON RESIDENTIAL DEVELOPMENT 100 SF / 20 FT HIGH 50 AC OR MORE 1 SIGN / 50 AC 1000 FT SEPARATION |
| | 5 AC. ≤ 32 SF < 5 AC – 8 SF | 5 AC. ≤ 32 SF < 5 AC – 8 SF | 5 AC. ≤ 32 SF < 5 AC – 8 SF | 5 AC. ≤ 32 SF < 5 AC – 8 SF | 5 AC. ≤ 32 SF < 5 AC – 8 SF |
| SIGN PLAZAS | ALL LOCATIONS AND DIMENSIONS TO BE COORDINATED WITH TRANSPORTATION & PLANNING DEPARTMENTS | | | | |