PROPOSED AMENDMENTS OF ZONING ORDINANCE

Signs on Vehicles – Require vehicles with signs to be at least 40 ft (tbd) from the public street right-of-way and not in the parking spaces or drive aisle adjacent to the public street right-of-way or street landscape setback. New regulations will apply to existing vehicles with signs. Non-conforming use rights (grandfathering) will not apply due to the inherently mobile nature of the vehicles which allows owners to relocate them to achieve compliance.

Boats, RVs, Campers & Trailers parking Between House and Street – Already prohibited by current regulations adopted on 3/28/06; delete current exemption for vehicles that pre-existed before 3/28/06; provide a grace period of _____ days prior to enforcement (recommend a number no less than 90 and no more than 180 days to be determined by Council).

Promotional Signs – Allow only 6 types of promotional signs: 1) banner, 2) balloon, 3) blade flag, 4) pennant, 5) wind sign and 6) yard sign; reduce display period from 3 times to 2 times a year and up from 90 days to 120 days in between displays; limit maximum allowable signs to 2 signs each time. New regulations will apply to all promotional signs. Non-conforming use rights will not apply.

Electronic Message Centers – Limit brightness to not exceed 0.3 footcandles over ambient lighting at night as measured per the measurement criteria of the International Sign Association; require sensor that automatically dims the brightness for compliance, prohibit use as a wall sign. New regulation will not require existing message centers to be removed from walls or to be retrofitted with sensors.

Window Signs – Revise definition to include signs that are within 25 inches of the internal surface of the window. New restriction in the definition will apply to existing window signs. Non-conforming use rights will not apply.

Outside Storage in I-1 and I-2 Zoning – Require gravel surface or something other than natural ground for outside storage that is within 30' of the street right-of-way and not screened by an opaque fence. New regulations will apply to existing outside storage in industrial zoning. Non-conforming use rights will not apply.

Garage Sales – Update the 1986 ordinance by incorporating policies that are currently in the garage sales permit application guidelines; reduce the number of garage sales from 3 times to 2 times a year; impose a 120-day waiting period between garage sales; enact new restrictions to prevent a garage sale from turning into a commercial enterprise. (Note: Cities like Arlington, Grand Prairie, Southlake, and McKinney only allow two garage sales a year.) Non-conforming use rights will not apply.

- 1. in any city park or city facility;
- 2. in any easement or right-of-way where the adjacent to any city park or city facility;
- 3. in any easement or right-of-way where the adjacent property owner objects to the presence of the political sign;
- 4. in any drainage easement or right-of-way;
- 5. in any street median;
- 6. in any state or federal right-of-way;
- b. A political sign for any candidate, political, action or issue shall be located at least one hundred (100) feet from another political sign for the same candidate, political action or issue except when such signs are located at opposite corners of a street intersection.
- c. Political signs for a candidate, political action or issue for which a resident of Mansfield is not entitled to vote are prohibited.
- d. The restrictions in subsection d. and e. do not apply to political signs at a designated voting location and in the public easement or right-of-way immediately adjacent to the designated voting location.
- e. Political signs for an official election shall be removed within fourteen (14) days after the election or election runoff.
- 2. **Signs on Vehicles:** Signs are permitted on trucks, <u>trailers</u>, buses or passenger vehicles which are used in the normal conduct of business which are bearing current license plates, which are traveling or lawfully parked upon public right of ways, or any other premises for a period not exceeding four hours or for a longer period where the primary purpose of such parking is not the display of any sign. traveling on public or private roadways in the city. Signs on trucks, trailers, buses and passenger vehicles, which are parked on public or private property, must be parked on the lot where the business related to the sign is located and at least forty (40) feet from the public street right-of-way and not in the parking spaces or drive aisles adjacent to the street right-of-way or street landscape setback.

3. Kiosk Signs:

- a. The City Council may, by duly executed license agreement, grant the exclusive right to design, erect and maintain kiosk signs within Mansfield.
- b. Kiosk signs must be designed and constructed according to the specifications contained in the aforementioned license agreement.
- c. Prior to erecting any kiosk sign, the licensee shall submit a sign location map to the Director of Planning and Director of Public Works for approval.
- d. Kiosk sign installations shall include breakaway design features as required for traffic signs in the street right-of-way.

- 19. No vehicle shall be parked on a lot or tract occupied by a single-family dwelling, two-family dwelling or townhouse, unless the area upon which such vehicle is parked is paved with a concrete surface. Except for the expansion joints, the paved concrete surface must be constructed as a solid, continuous span of concrete from edge to edge of the paved parking area. However, a paved parking area shall not be required for a vehicle parked in a side or rear yard enclosed by an opaque screening fence at least six (6) feet in height or complies with Section 7200.B.21 below.
- 20. Additional Residential Driveway Standards:
 - a. The maximum width of a paved driveway devoted to off-street parking in the front yard or side yard with street frontage of a lot occupied by a single-family dwelling shall not exceed twenty (20) feet plus a paved extension into the yard between the driveway and the nearest property line, not to exceed twelve (12) feet in width. Except for expansion joints, the paved extension must be constructed as a solid, continuous span of concrete from the edge of the driveway to the furthest edge of the paved extension.
 - b. An existing lawful nonconforming driveway that does not conform with the requirements in Paragraph 19 above may be extended into the yard between the driveway and the nearest property line, not to exceed twelve (12) feet in width, using the same materials as the existing driveway (e.g. gravel, paver, etc.). However, an existing parking area of entirely grass cannot be extended unless the extension conforms with the pavement requirements in Sub-paragraph (A) above.
 - c. Circular driveways shall not exceed sixteen (16) feet in width.
 - d. All residential drive approaches shall be constructed to the width and construction standards established by the City Engineering Department.
- 21. No vehicle shall be parked on a lot or tract occupied by a single-family dwelling, two-family dwelling or townhouse when such vehicle is greater than 25 feet in overall length (including tongue), unless one of the following conditions are met:
 - a. The vehicle is parked in a building, either attached to the main residential building or detached, completely enclosed by three walls and a roof, and the open side of the building shall have an opaque gate at least six feet in height. A building used to meet the foregoing requirement shall comply with all applicable area, height and setback requirements for attached or detached accessory buildings; or
 - b. The vehicle is parked behind the rearmost façade of the residence and is more than fifty (50) feet away from any property line. The pavement and screening requirements of this section shall not apply to a vehicle parked in accordance with this provision.
- 22. No vehicle rated to have a carrying capacity exceeding one ton shall be parked on a lot or tract occupied by a single-family dwelling, two-family dwelling or townhouse, unless such vehicle is being actively loaded or unloaded.
- 23. No Other Vehicle shall be parked between the front property line of a lot or tract occupied by a single-family dwelling, two-family dwelling or townhouse and the façade of the residence that is closest to the street.

- 24. No vehicle shall be parked on a lot or tract occupied by a single-family dwelling, two-family dwelling or townhouse when such vehicle is situated on blocks, jacks or anything other than the wheels or mechanism that are originally designed to equip such vehicles for traveling purposes.
- 25. Non-Conforming Status:
 - a. Any lawful unpaved driveway that was in existence prior to November 10, 1997, shall be exempted from the paving requirements of this section.
 - b. Any Other Vehicle greater than 25 feet in length that was lawfully parked on a lot or tract occupied by a single-family dwelling, two-family dwelling or townhouse prior to November 10, 1997, shall be exempted from the provisions of Section 7200.B.21 above, provided that such vehicles are <u>compliant with the provisions of Section 7200.B.23</u> <u>above and not located over a public side walk, or within a public right-of-way or visibility triangle as defined in Section 7300.I.36.</u>
 - c. Any Other Vehicle that was lawfully parked between the front property line of a lot or tract occupied by a single family dwelling, two family dwelling or townhouse and the façade of the residence that is closest to the street prior to March 28, 2006, shall be exempted from the provisions of Section 7200.B.23 above; provided that such vehicles are not located over a public side walk, or within a public right of way or visibility triangle as defined in Section 7300.I.36.
 - d.c. A vehicle lawfully parked under the provisions of Paragraphs (b) or (c)-above may be replaced by another vehicle of the same type and same dimensions by the same owner or occupant of the property; provided, however, that the exemptions permitted under Paragraphs (b) and (c) above shall automatically terminate upon a change in ownership or occupancy of a property occupied by a single-family dwelling, two-family dwelling or townhouse upon which the vehicle is parked.
- 26. The parking of any vehicles that are prohibited by the aforementioned regulations and not exempted by the above provisions shall be discontinued or removed by the owners of the property upon which the vehicles are parked. No non-conforming use status shall be acquired by such vehicles.
- 27. For the purpose of the above regulations, side yard shall refer to the area behind an imaginary line extending perpendicularly from the front corner of the residential structure to the side lot or property line, extending to an imaginary line perpendicular to the side lot or property line which touches the back corner of the residential structure closest to the side lot or property line at which point the rear yard begins. Rear yard shall refer to that area of a lot circumscribed by the back lot or property line, the side lot or property lines extending to imaginary lines perpendicular from the back corners of the residential structure and the back side of the residential structure.

Proposed Amendments of Promotional Sign Regulations

Change definition of "Temporary Sign" to "Promotional Sign" to read as follows:

Temporary Sign Promotional Sign: A non-permanent sign which is intended to be displayed for a short period of time only. The term Temporary Promotional Sign shall only include: but not be limited to search lights, 1) banners, bullhorns, pendants, spinners, 2) balloons, streamers or other kinds of 3) blade flags, 4) pennants, 5) wind and 6) yard signs. Any sign which does not fall into one of the six sign types listed herein and depicted in Section 7100.J.2 is expressly prohibited.

Revise paragraph b of Section 7100.J.2 as follows:

b. Each business, institution or occupied tenant space shall be allowed to display one (1) promotional signs signage display three (3) two (2) times per calendar year, for a maximum period of no more than fourteen (14) days per display and a cumulative total of no more than twenty-eight (28) days per calendar year. A minimum of ninety (90) one-hundred and twenty (120) days shall be required between each promotional signage permit. The fourteen (14) day display period will commence on the first day promotional signage is displayed. In the case of a special promotion for a grand opening event, a display period may be extended to twenty-one (21) days provided that the promotion begins within the first three (3) months of the date of issuance of a certificate of occupancy or business license and the grand opening is limited to the address noted on the certificate or license. Promotion Signs shall be limited to one of the six sign types depicted below. The total quantity of promotional sign display at any one time shall not exceed two (2) signs regardless of sign type.



Proposed Amendment of Electronic Message Center Regulations

Replace definition as follows:

J. Message Center: A sign which provides public service information, and similar public interest information and/or related advertising for a general business located on the same premise where the sign is located through electronically controlled intermittent light impulses. A message center shall consist of letters, words or numerals which can either change sequentially or travel across the display area. No character shall exceed 42" in height and no lamp shall exceed 50 watts. Electronic Message Center (EMC): A sign that utilizes computer-generated messages or some other electronic means of changing copy.

TABLE 7100D SCHEDULE OF SIGN STANDARDS

ELECTRONIC C-2, C-3, SEE NOTES (8) (9) (10) <mark>M, ₩</mark> LIMITED TO 50% OF THE SIGN AREA MESSAGE I-1. I-2 & (11) CENTER/READER BOARD SIGN NOTES: LEGEND: (1) Width not to exceed 75% of building or store front. (2) Permitted on face of fence or wall in required front setback. M - MONUMENT SIGN (3) For building identification only. P - POLE SIGN (4) Not applicable to rental single-family or two-family dwellings. (5) Specific use permit required. W - WALL SIGN (6) Signs permitted in residential districts are also permitted in the PR district. (7) On lots with direct frontage along U.S. 287 and S.H. 360 monument signs may have a maximum height of 15 feet and a maximum sign area of 75 square feet. The sign must be located along the highway frontage of the lot. G - GROUND SIGN Electronic Message Centers/reader boards may be used by institutional uses in any zoning district. (8) Signs for theaters advertising current and coming attractions shall be exempt from the percentage restriction on Electronic Message Center-and reader board signs. (9)PR- PROJECTION (10) See section 7100I.13 for further regulations on monument signs. SIGN (11) No freestanding sign may be located within 400 feet of another freestanding sign on the same lot or tract, measured along the street right-of-way lines. *Signs in any Historic Landmark District must comply with the provisions and approval procedures shown in Section 5400 of this ordinance. (12) The total sign area of window sign(s) shall not obscure more than twenty-five (25) percent of the total window area on each facade. **Where the width of an easement is greater than the required setback, the sign must be located outside of the easement.

1) PERMANENT SIGNS

Special Sign Standards for Electronic Message Center:

1. **Dimming Capabilities:** All permitted Electronic Message Centers (EMC) shall be equipped with a sensor or other device that automatically determines the ambient illumination and shall be programmed to automatically dim to within 0.3 footcandles over ambient illumination at night as measured per the EMC Illumination Measurement Criteria of the International Sign Association.

Recommended Legislative Language



"

- 1. Electronic Message Center (EMC) Criteria: The night-time illumination of an EMC shall conform with the criteria set forth in this section.
- A. EMC Illumination Measurement Criteria: The illuminance of an EMC shall be measured with an illuminance meter set to measure footcandles accurate to at least two decimals. Illuminance shall be measured with the EMC off, and again with the EMC displaying a white image for a full color-capable EMC, or a solid message for a single-color EMC. All measurements shall be taken perpindicular to the face of the EMC at the distance determined by the total square footage of the EMC as set forth in the accompanying Sign Area Versus Measurement Distance table.
- **B.** EMC Illumination Limits: The difference between the off and solid-message measurements using the EMC Measurement Criteria shall not exceed 0.3 footcandles at night.
- C. Dimming Capabilities: All permitted EMCs shall be equipped with a sensor or other device that automatically determines the ambient illumination and programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 footcandle measurements.
- D. Definition of EMC: A sign that utilizes computer-generated messages or some other electronic means of changing copy. These signs include displays using incandescent lamps, LEDs, LCDs or a flipper matrix.

SIGN AREA VERSUS MEASUREMENT DISTANCE

AREA OF SIGN sq. ft.	MEASUREMENT Distance (ft.)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95
95	97
100	100
110	105
120	110
130	114
140	118
150	122
160	126
170	130
180	134
190	138
200	141
220	148
240	155
260	161
280	167
300	173

* For signs with an area in square feet other than those specifically listed in the table (i.e., 12 sq ft, 400 sq ft, etc), the measurement distance may be calculated with the following formula: Measurement Distance = $\sqrt{\text{Area of Sign Sq. Ft. x 100}}$

Six STEPS: EMC Brightness Levels

How to Measure the Brightness of an Electronic Message Center (EMC)

STEP I

OBTAIN AN ILLUMINANCE METER.

Purchase or otherwise procure an illuminance meter. Most city/county traffic departments have an illuminance meter, which are also referred to as lux or footcandle meters (lux is the metric measure of illuminance; footcandles is the English measure of illuminance). The illuminance meter must have the ability to provide a reading up to two decimal places and must be set to read footcandles. It is preferred to have an illuminance meter with a screw-mount that allows the sensor to be mounted on a tripod. A tripod ensures that the highly sensitive sensor is held perfectly still; otherwise it may be difficult to obtain an accurate reading.

If you do not have an illuminance meter, the Konica Minolta T-10 is a high quality illuminance meter that works well. However, other less expensive illuminance meters may also provide adequate results. The International Sign Association has no affiliation with Konica Minolta.

STEP 2

DETERMINE SQUARE FOOTAGE.

Determine the square footage of the face of the electronic message sign (EMC) by multiplying the height and width of the EMC. This information may be available in a permit application, or can be determined by physically measuring the height and width of the EMC. Do not include the sign face square footage attributable to any additional static signs associated with the EMC (if applicable).



PEGOS NOW OPEN

STEP 3

DETERMINE THE MEASUREMENT DISTANCE.

Using the total square footage found in Step 2, look up the measurement distance in the table provided in the Recommended Legislative Language on page 6, to determine the distance to measure the brightness of the EMC. The distance should be measured perpendicular to the EMC sign face. The use of a measuring wheel is the most convenient way to measure the distance.



How to Measure the Brightness of an Electronic Message Center



STEP 4

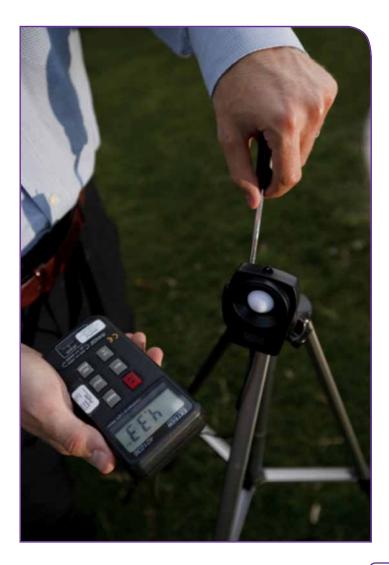
PREPARE THE DISPLAY FOR TESTING.

Ensure that the EMC is programmed to alternate between a solid white (or in the case of a monochrome display – the solid color of the display) message and a blank message. You may wish to have a requirement that the sign owner cooperate with testing by programming the EMC for testing upon written notice.

STEP 5

USE AN ILLUMANCE METER TO MEASURE THE BRIGHTNESS OF THE EMC.

Mount the sensor of your illuminance meter to a tripod and orient the sensor directly towards the face of the EMC at the measurement distance determined in Step 2.



STEP 5 [CONTINUED]

Ensure that the illuminance meter is set to measure footcandles up to two decimal places. As the display alternates between a solid white message and an "off" message, note the range of values on the illuminance meter. If the difference between the readings is less than 0.3 footcandles, then the brightness of the display is in compliance. If not, the display will need to be adjusted to a lower brightness level using the manufacturer's recommended procedures.



STEP 6

ENSURE THAT THE DISPLAY CAN ADJUST TO DIFFERENT AMBIENT CONDITIONS.

Inspect the sign to ensure that it incorporates a photocell or other technology to ensure that the display can adjust according to ambient lighting conditions.

As the display alternates between a solid white message and an "off" message, note the range of values on the illuminance meter. If the difference between the readings is less than 0.3 footcandles, then the brightness of the display is in compliance.

Revise the definition of Window Signs as follows:

Window Sign: Any sign that is plainly visible from the outside of the building and located on either the external surface of the window, or on, or within twenty-five (25) inches of the internal surface of the window is considered a window sign. These provisions do not apply to the display of building addresses, business hours of operation, the logos of accepted credit cards, "closed" and "open" signs, "for sale", "for lease", and similar real estate signs, and "now hiring" signs.

Section 7500. Open Storage and Screening Regulations.

- A. **Purpose**: To encourage the most appropriate use of the land and to conserve and protect the value of adjacent land and buildings; regulations are prescribed for the location and screening of open storage of materials, commodities and vehicles of all types in the various districts in accordance with the following standards:
- B. In all PR, residential and mobile home districts, no open storage or display outside a building of materials or commodities for sale at wholesale or retail or for storage purposes shall be permitted, nor shall any motor vehicle or machinery storage other than that which is incidental to the use of a premises as herein provided or permitted nor shall any truck or commercial vehicle storage be permitted, except that one (1) panel delivery or pick-up truck not exceeding one (1) ton capacity may be stored by the owner of a premises when such vehicle storage is incidental to the main use of such premises.
- C. Except as provided in Section 7600, Open Air Vending Regulations, nNo open storage or display outside a building of materials and commodities or any other objects shall be permitted in the C-1 and C-2 Districts. except that However, such restriction shall not apply in the C-2 District for to provision of off-street parking facilities in conformance with the requirements of this Ordinance and the display of new or used cars for sale by an authorized dealer in the C-2 District and the open display of items intended for direct retail sales or rental-under the following restrictions:
 - 1. The area used for open display shall not be greater than ten (10) percent of the gross floor area of the establishment having such display.
 - 2. If the open display is located in the parking lot, the number of spaces available for parking shall not be less than that required by Section 7200 of this Ordinance.
- D. No open storage or display of any object, vehicle, boat, material or equipment shall be allowed on public right-of-ways or designated private or public recreational areas. Any aforementioned objects, vehicle, boat, material or equipment parked or located upon any public right-of-way, or designated private or public recreational areas for a period longer than seventy-two (72) hours shall be classified as storage and be subject to removal by the City without prior notice at the owner's expense.
- E. Open storage in the C-3, I-1 and I-2 Districts shall not be placed on natural ground unless it is located more than thirty (30) feet from any street right-of-way or screened by an eight (8) feet opaque fence.

GARAGE SALES

§ 98.50 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

GARAGE SALE. A sale of household goods, furniture, equipment, utensils, appliances, tools, personal clothing or effects, novelty items, glassware, farm products or similar personal property, including, but not limited to any sale commonly termed <u>"estate sale,"</u> "porch sale," "yard sale," "lawn sale," "group family sale," "rummage sale," "white elephant sale," "flea market sale" or "attic sale<u>"</u> and not for the purpose of conducting a commercial enterprise.

('78 Code, § 10-80) (Ord. 705, passed 11-10-86)

§ 98.51 PERMIT REQUIRED.

(A) A <u>garage sale</u> permit issued by the <u>Building InspectionDevelopment Services</u> Department shall be obtained by any person, firm, group, corporation or organization holding or allowing prior to a garage sale. There shall be no inclement weather, rainout or substitute date once a permit has been issued.

(B) A permit fee in the amount of <u>five dollars (</u>\$5) shall be paid to the city at the time an <u>initial</u> application is made. A permit fee in the amount of \$5 shall be paid to the city at the time a second and third application is made during any 12 month period for the permit by any firm, person, group, corporation or organization or a member of the initial applicant's family or household. No more than three permits described and permitted by this subchapter may be issued to any one residence or business address within this city within a 12-month period. The 12-month period shall be considered as a "fiscal" period with each applicant beginning with its first application and permit.

(C) <u>A garage \$ shall not exceed three (3) days in duration for each permit</u>.

(D) No more than two (2) garage sale permits shall be issued for any one premise or to any person per calendar year. A minimum of one-hundred and twenty (120) days shall be required between garage sales.

('78 Code, § 10-81) (Ord. 705, passed 11-10-86) Penalty, see § 10.99

§ 98.52 SALE HOURS.

No person shall conduct a garage sale before 9:00 a.m. of any day or after 7:00 p.m. on any day.

('78 Code, § 10-82) (Ord. 705, passed 11-10-86) Penalty, see § 10.99

§ 98.53 ADVERTISING GARAGE SALE SIGNS.

(A) All advertising garage sale signs concerning the garage sale shall be restricted to the yard, garage and household at which the sale is being conducted, provided that two additional signs shall be allowed with consent of the property owner at off-site locations. If signs are placed in

front or alongside of any occupied residence or business, the person in control of the garage sale advertised by such signs shall receive written permission from the occupant prior to erecting such signs.

<u>(B)</u><u>All sSigns shall be limited in size</u> to a maximum area of four square feet and <u>a maximum</u> height of three feet when measured from the ground to the top of the sign.

(C) <u>Signs</u> shall be installed no earlier than two hours before a the start date of the garage sale and removed no later than two hours after a the garage sale.

(D) A garage sale permit must be obtained before the placement of signs.

(E) The address of the garage sale location must be on the sign.

(F) Pendants, spinners, balloons, streamers, flags, wind signs or other similar devices shall not be attached to any sign.

(G) Signs shall not permitted be on any fence, sign pole, utility pole or other fixed objects in the City right-of-way, or in any street median.

(H) Signs shall not be placed in such a manner as to obscure vision at any intersection, traffic sign or signal.

(I) Any sign found illegally placed will be immediately removed and discarded.

('78 Code, § 10-83) (Ord. 705, passed 11-10-86) Penalty, see § 10.99

§ 98.54 SIDEWALK AREAS TO BE UNOBSTRUCTED RESTRICTIONS.

(A) All sidewalks, walk areas or driveways, abutting on and in front of the property at which any garage sale is being conducted shall remain free and uncongested so as to allow normal passage of traffic, both pedestrian and motor vehicles.

(B) A garage sale shall not be held for the purpose of conducting a commercial enterprise.

(C) A person conducting a garage sale shall be restricted to the selling of only personal property that belong to such person or his/her household and which has not been purchased for the purpose of resale.

('78 Code, § 10-84) (Ord. 705, passed 11-10-86) Penalty, see § 10.99

§ 98.55 COMPLAINTS.

Complaints shall be filed with the **Building Inspection**<u>Development Services</u> Department.

('78 Code, § 10-85) (Ord. 705, passed 11-10-86)