

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTIONS 7100, 7100.C.2, 7100.D.2 “TEMPORARY SIGNS TABLE” AND 7100.K.2 OF SAID ORDINANCE REVISING CERTAIN SIGN DEFINITIONS; REVISING THE REGULATIONS FOR PROMOTIONAL SIGNAGE DISPLAYS AS TO QUANTITY AND PLACEMENT OF SUCH SIGNS; REVISING THE REGULATIONS FOR REAL ESTATE SIGNS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance of the City of Mansfield, Texas (hereinafter “the Zoning Ordinance”), have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing opportunity to all property owners generally and to all interested citizens, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance should be amended;

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

SECTION 1.

That Section 7100.C.2 of the Zoning Ordinance is hereby amended by adding new definitions to read as follows:

- “ee. **Inflatable Sign**: A sign made from a non-porous bag or tube of tough, light material, including fan-blown and lighter-than-air or gas filled inflatable objects that may be connected with a tether, displaying graphics, symbols or written copy, or a combination of graphics, symbols and written copy.
- ff. **Blade Banner Sign**: A sign made of non-rigid material such as canvas or vinyl supported by a single vertical pole or frame mounted on the ground, and shall include a feather, teardrop, wave or flag sign, or any sign of similar construction and use.”

SECTION 2.

That Section 7100.K.2 of the Zoning Ordinance is hereby amended by revising Paragraph e to read as follows:

- “e. Promotional signage shall be contained on the property of the applicant and shall not extend into the City right-of-way. In the case of a multi-tenant building, promotional signage must be placed directly in front of the lease or tenant space being advertised,

and shall not be placed in front of any other lease or tenant space. Signage shall not be located in any sight visibility triangle or visibility easement, nor shall any combustible materials be placed in contact with lighted signs or any electrical fixtures.”

SECTION 3.

That Section 7100.K.2 of the Zoning Ordinance is hereby amended by adding new Paragraphs h and i and relettering the existing Paragraph h to Paragraph j to read as follows:

“h. Inflatable signs may be used in a promotional signage display subject to the following regulations:

1. Inflatable signs shall be ground-mounted.

2. Inflatable signs shall not be placed in a sight visibility triangle or in a manner that obstructs visibility necessary for safe traffic maneuvering.

~~23.~~ 23. Inflatable signs must be set back from any property line, parking lot, sidewalk, or fire lane by a minimum distance equal to five (5) feet plus the height of the inflatable sign.

~~34.~~ 34. Inflatable signs shall not be placed under any overhead utility lines.

~~45.~~ 45. Inflatable signs shall be kept in good repair and remain securely attached in such a manner to withstand wind loads.

i. The quantity of signs in a promotional signage display shall be limited to a maximum of one (1) inflatable sign or three (3) of any other type of temporary sign per display.

j. A separate permit is required for each fourteen (14) day period that promotional signage will be used.”

SECTION 4.

That Section 7100.D.2, “Temporary Sign Table” of the Zoning Ordinance is hereby amended as shown in Exhibit “A” attached hereto and made a part hereof for all purposes.

SECTION 5.

That Section 7100.K of the Zoning Ordinance is hereby amended by adding a new Sub-section 16 to read as follows:

“16. Real estate signs shall comply with the following regulations:

~~a. A permit shall not be required for a residential real estate sign. A permit shall be required for non-residential real estate signs.~~

~~b. For the lease of buildings or tenant spaces, real estate signs shall be incorporated into the vacated tenant space on the freestanding sign or as a wall sign applied directly to the tenant space.~~

ea. Real estate signs shall be removed within ~~seven~~ fourteen (714) days following the close of a sale of the property ~~or lease of the property advertised~~.

eb. Real estate signs shall be maintained in good condition. Dull or peeling paint or damage to the material used for such signs shall be sufficient cause for the City to require repair or replacement or impoundment.”

SECTION 6.

~~Following the effective date of this Ordinance, all real estate signs for non-residential properties must comply with the regulations set forth in Section 7100 of the Zoning Ordinance, including sign area, height, setbacks, quantity, and placement of such signs. The provisions in Section 7700 “Nonconforming Use Regulations” of the Zoning Ordinance shall not be applicable to any real estate sign for non-residential properties that exists prior to the effective date of this Ordinance.~~

SECTION 76.

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 87.

Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Zoning Ordinance as a whole.

SECTION 98.

Any person, firm or corporation violating any of the provisions of this ordinance or the Zoning Ordinance, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

SECTION 109.

This ordinance shall take effect immediately from and after its passage on third and final reading and the publication of the caption, as the law and charter in such cases provide.

First reading approved on the _____ day of _____, 2017.

Second reading approved on the _____ day of _____, 2017.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this _____ day of _____, 2017.

David L. Cook, Mayor

ATTEST:

Jeanne Heard, City Secretary

APPROVED AS TO FORM AND LEGALITY

Allen Taylor, City Attorney

EXHIBIT "A"

TABLE 7100D SCHEDULE OF SIGN STANDARDS

2) TEMPORARY SIGNS

TYPE OF SIGN	ZONING DISTRICT WHERE PERMITTED	SIGN CLASSIFICATION PERMITTED	MAXIMUM AREA IN SQUARE FEET	MAXIMUM HEIGHT IN FEET	MAXIMUM WIDTH IN FEET	MINIMUM FRONT SETBACK IN FEET	MINIMUM SIDE SETBACK IN FEET	MAXIMUM QUANTITY/ MINIMUM SPACING	LIGHTING	FLASHING	MOTION	MAXIMUM DURATION	ADDITIONAL REGULATIONS
REAL ESTATE	ALL RESIDENTIAL DISTRICTS	P, W, G	16	6	NONE	10	15	ONE PER 60' OF STREET FRONTAGE; MAXIMUM TWO PER STREET FRONTAGE	NO	NO	NO	TEMPORARY-UNTIL SALE OF PROPERTY	SEE NOTES (1) (4) & (11)
	ALL NON-RESIDENTIAL DISTRICTS	P, W, G	32	12	NONE	10	15		YES	NO	NO		
CONSTRUCTION	ALL RESIDENTIAL DISTRICTS	P, W, G	32	12	NONE	10	15	ONE PER SITE OR STREET FRONTAGE	YES	NO	NO	TEMPORARY-UNTIL CONSTRUCTION IS COMPLETED	SEE NOTE (4) & (5)
	ALL NON-RESIDENTIAL DISTRICTS	P, W, G	32	12	NONE	10	15					TEMPORARY-UNTIL CERTIFICATE OF OCCUPANCY IS ISSUED, OR UNTIL MULTI-TENANT DEVELOPMENTS ARE 75% COMPLETE	SEE NOTE (5) & (6)
DEVELOPMENT	ALL DISTRICTS	P, G	100	20	NONE	10	15	MAXIMUM TWO PER DEVELOPMENT	YES	NO	NO	TEMPORARY FOR DURATION OF PERMIT	SEE NOTES (2) (3) & (4)
WINDOW	ALL NON-RESIDENTIAL DISTRICTS	N/A	SEE NOTE (9)	N/A	N/A	N/A	N/A	N/A	YES	NO	NO	TEMPORARY	SEE NOTE (9)
NEIGHBORHOOD INFORMATION	ALL RESIDENTIAL DISTRICTS	P, G	4	3	NONE	NONE	NONE	TWO SIGNS PER STREET ENTRANCE TO A RESIDENTIAL SUBDIVISION; MAXIMUM OF THREE SIGNS ON ANY HOMEOWNER'S ASSOCIATION LOT WITH A MINIMUM 50' DISTANCE BETWEEN SIGNS	NO	NO	NO	TEMPORARY	SEE NOTES (4), (7) & (8)
POLITICAL	ALL DISTRICTS	ALL	36	8	NONE	NONE	NONE	N/A	NO	NO	NO	TEMPORARY	SEE NOTE (10)
<p>NOTES:</p> <p>(1) Size limited to 4 square feet on occupied residential property.</p> <p>(2) For new residential subdivisions only.</p> <p>(3) Must setback at least 50 feet from the nearest single family home.</p> <p>(4) Signs permitted in residential districts are also permitted in the PR district.</p> <p>(5) For developments larger than 25 acres, one additional sign may be added for each 25 acres</p> <p>(6) See Section 7100J.14 for further regulations on non-residential construction signs</p> <p>(7) See Section 7100.H for further regulations on neighborhood information signs</p> <p>(8) Properties in a PR district that are occupied by a residential use or subdivision shall be treated the same as it is in a residential district</p> <p>(9) The total sign area of window sign(s) shall not obscure more than twenty-five (25) percent of the total window area on each façade</p> <p>(10) These regulations only pertain to political signs on private property; see Section 7100J.7 for regulations pertaining to political signs on public property, easement or right-of-way</p> <p>(11) See Section 7100.K.16 for further regulations on real estate signs</p>												<p>LEGEND:</p> <p>M – MONUMENT SIGN</p> <p>P – POLE SIGN</p> <p>W – WALL SIGN</p> <p>G – GROUND SIGN</p> <p>PR – PROJECTION SIGN</p>	