



Winnsboro Planning & Zoning Commission
Meeting Agenda

501 S. Main St., Winnsboro, TX
December 1, 2020 at 5:30 p.m.

1) **Call to Order:**

2) **Public Comments:**

This is a time for the public to address the City Council on any subject. However, the Texas Open Meetings Act prohibits the City Council from discussing issues which the public has not been given seventy-two (72) hours' notice. Issues raised may be referred to city staff for research and possible future action. Comments are limited to three (3) minutes.

3) **Public Hearing:** Receive public comment concerning Rezoning Request from SF-1 to B-1, for the purpose of developing a recreational vehicle park at the properties located at:

Lot 16 Pt Blk Block P-2 15.598, City of Winnsboro, Lot 16,17 Pts Blk P-2 1.634, City of Winnsboro, 799 S. Walnut, Winnsboro, TX 75494.

4) **Discussion/Possible Action:** Consider Rezoning Request, Lot 16 Pt Blk Block P-2 15.598, City of Winnsboro, Lot 16,17 Pts Blk P-2 1.634, City of Winnsboro, 799 S. Walnut St, Winnsboro TX 75494.

5) **Discussion:** Sign Ordinance Draft

6) **Adjournment:**

The entrance to this meeting is via the rear entrance to City Hall. The facility is wheelchair accessible and parking spaces are available. Request for accommodations or interpretive services must be made at least 48 hours prior to this meeting and may be made by contacting City Hall at 903-342-3654.

SUPPLEMENTAL NOTICE REGARDING PUBLIC PARTICIPATION

In accordance with the order of the office of the Governor issued March 16, 2020, granting temporary suspension of certain rules to allow for telephone or videoconference public meetings in an effort to reduce in-person meetings that assemble large groups of people, due to the COVID-19 (coronavirus) public health emergency, this meeting may be attended by telephone or by in-person attendance.

Individuals wishing to attend by telephone may participate by calling 1 (877) 568-4106, access # 179-616-285

I certify that the above notice was posted at City Hall on _____, 2020, at _____ am/pm.

Angie Pike, City Secretary

PLANNING & ZONING MEETING

December 01, 2020

Item No. 2

Public Comments:

This is a time for the public to address the City Council on any subject. However, the Texas Open Meetings Act prohibits the City Council from discussing issues which the public has not been given seventy-two (72) hours' notice. Issues raised may be referred to city staff for research and possible future action. Comments are limited to three (3) minutes.

PLANNING & ZONING MEETING

December 01, 2020

Item No. 3

Public Hearing: *Comments concerning rezone request for property located at:*

Lot 16 Pt Blk Block P-2 15.598; City of Winnsboro, Lot 16,17 Pts Blk P-2 1.634;

City of Winnsboro, 799 S. Walnut, Winnsboro, TX 75494.

PLANNING & ZONING MEETING

December 01, 2020

Item No. 4

Discussion/Action: – Consider rezoning request for properties located at 799 S. Walnut

Suggested Action/Language:

I move that the Planning & Zoning Commission *recommend/ not recommend* the above rezoning request to the Winnsboro City Council, *as presented/with the following stipulations:*

**APPLICATION TO APPEAR BEFORE THE PLANNING AND ZONING
COMMISSION OF THE CITY OF WINNSBORO, TEXAS:**

DATE OF APPLICATION: _____ FEE: \$ 250.00 (non refundable)

NAME: Homer Glascock III ADDRESS: 799 S Walnut Winnsboro TX
75494

LEGAL DISCRPTION: See attached Exhibit A

RECORD OWNER: Homer H Glascock III PRESENT ZONING: SF1

LOT SIZE: 17.232 FRONT BUILDING LINE: _____ feet

BUILDING SIZE: 0 sq. ft. SETBACKS: SIDE _____ ft. REAR _____ ft.

APPLICATION FOR: ZONING CHANGE ZONING RECLASSIFICATION

REQUEST FOR A ZONING CHANGE FROM SF1 TO _____

REQUEST FOR A ZONING VARIANCE FOR A Recreational Vehicle Park

ZONING CHANGE FOR: NEW BUILDING VACANT LOT EXISTING STRUCTURE

I, Homer Glascock III, am requesting a ZONING CHANGE for the following reason(s):
To Develop a Recreational Vehicle Park

**ALL ZONING and/or VARIANCE REQUESTS ARE REQUIRED TO BE HEARD FIRST BY THE
PLANNING AND ZONING COMMISSION, PUBLIC HEARING AND THEN THE CITY COUNCIL FOR
FINAL APPROVAL**

IT WILL BE REQUIRED TO NOTIFY ALL PROPERTY OWNERS WITHIN 200 FEET OF YOUR PROPERTY OF ANY PROPOSED ZONING CLASSIFICATION CHANGE TO THE ORIGINALLY ADOPTED ZONING CLASSIFICATION OR VARIANCE. ALL ZONING CHANGES OR RECLASSIFICATIONS ARE REQUIRED TO BE HELD IN A PUBLIC HEARING WHICH IS TO BE SET BEFORE THE ZONING COMMISSION.

INSTRUCTIONS TO THE APPLICANT REQUESTING A ZONING CHANGE OR VARIANCE:

1. Fill out this application and submit the appropriate fee of \$250.00 dollars. (non-refundable)
2. Proof of ownership of the lot that the zoning change request is for.
3. A recorded survey of the property is required to be submitted.
4. Present preliminary plat including all metes and bounds of the property for review by the Commission
5. Final plat will be required to be submitted prior to the final Public Hearing held before the City Council.
6. Applicant should submit a detail account of the reasons for the proposed zoning change to be presented at the first Public Hearing.

I, Homer Glascock III understand that the fee paid to process this application before the Planning and Zoning Commission is non-refundable and that my application is not complete until approved by the Zoning Administrator. Once approved by the P&Z, it goes to City Council for FINAL approval.

SIGNATURE OF APPLICANT: Homer Glascock III DATE: 10/23/2020

FOR OFFICE USE

ZONING COMMISSION MEETING DATE: _____ ZONING CHANGE: APPROVED NOT APPROVED

ZONING COMMISSION CHAIRMAN _____ DATE OF APPROVAL: _____

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

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WARRANTY DEED

DATE: February 27, 2006

GRANTOR: Henry Spiva and Reba Spiva

GRANTOR'S MAILING ADDRESS (including County): PO Box 27, Winnsboro, Wood County, Texas 75494

GRANTEE: Homer H. Glascock III

GRANTEE'S MAILING ADDRESS (including County): 7131 Kendallwood, Dallas, Dallas County, Texas 75240

CONSIDERATION: Ten and No/100 (\$10.00) Dollars cash and other valuable consideration.

PROPERTY (including any improvements):

Being a lot, tract, or parcel of land situated in the Gray B. King Survey, Abstract No. 003, Wood County, Texas, and being all of that certain called 16.421 acre tract of land conveyed to Henry Spiva et ux, by Warranty Deed, as recorded in Volume 1290, Page 683, Real Property Records, Wood County, Texas, and all of that certain called 1.634 acre tract conveyed to Henry Spiva et ux, by Warranty Deed, as recorded in Volume 1895, Page 611, Real Property Records, Wood County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument found at the Southeast corner of said 16.421 acre tract, and the Northeast corner of the remainder of a called 20.778 acre tract conveyed to Tony Baker et ux, by Warranty Deed, as recorded in Volume 1725, Page 792, Real Property Records, Wood County, Texas, said point being in a West line of a called 55.815 acre tract conveyed to the Texas Department of Criminal Justice, by Warranty Deed, as recorded in Volume 1319, Page 143, Real Property Records, Wood County, Texas;

THENCE, North 75 Degrees 08 Minutes 49 Seconds West, with the South line of said 16.421 acre tract, and the North line of the remainder of said 20.778 acre tract, a distance of 1,303.39 feet to a 1/2 inch iron rod set with a yellow plastic cap stamped (DC&A INC) at the Southwest corner of said 16.421 acre tract, and the Northwest corner of the remainder of said 20.778 acre tract, said point being in the East line of Farm To Market No. 312, (70' R.O.W.);

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THENCE, North 15 Degrees 37 Minutes 12 Seconds East, with a West line of said 16.421 acre tract, and the East line of said Farm To Market No. 312, a distance of 39.58 feet to a 1/2 inch iron rod found at a Northwest corner of said 16.421 acre tract, and the Southwest corner of the remainder of a called 10 acre tract, called First Tract, conveyed to M.M. Roberts, by Warranty Deed, as recorded in Volume 151, Page 614, Deed Records, Wood County, Texas;

THENCE, South 75 Degrees 09 Minutes 02 Seconds East, with a North line of said 16.421 acre tract, and the South line of the remainder of said 10 acre tract, a distance of 199.35 feet to a 1/2 inch iron rod found at an ell corner of said 16.421 acre tract, and the Southeast corner of the remainder of said 10 acre tract;

THENCE, North 13 Degrees 36 Minutes 00 Seconds East, with a West line of said 16.421 acre tract, and the East line of the remainder of said 10 acre tract, a distance of 133.66 feet to a 1/2 inch iron rod found at a Northwest corner of said 16.421 acre tract, and the Northeast corner of the remainder of said 10 acre tract, said point being in the South line of a called 1.0 acre tract conveyed to Herbert Hallett et ux Revocable Living Trust, by Warranty Deed, as recorded in Volume 1985, Page 156, Real Property Records, Wood County, Texas;

THENCE, South 75 Degrees 38 Minutes 21 Seconds East, with a North line of said 16.421 acre tract, and the South line of said 1.0 acre tract, a distance of 67.91 feet to a 1/2 inch iron rod set with a yellow plastic cap stamped (DC&A INC) at an ell corner of said 16.421 acre tract, and the Southeast corner of said 1.0 acre tract;

THENCE, North 15 Degrees 18 Minutes 52 Seconds East, with a West line of said 16.421 acre tract, and the East line of said 1.0 acre tract, a distance of 165.80 feet to a 3/4 inch iron rod found at the Northeast corner of said 1.0 acre tract, and the Southeast corner of said 1.634 acre tract;

THENCE, North 75 Degrees 38 Minutes 08 Seconds West, with the North line of said 1.0 acre tract, and the South line of said 1.634 acre tract, a distance of 261.69 feet to a 1/2 inch iron rod set with a yellow plastic cap stamped (DC&A INC) at the Northwest corner of said 1.0 acre tract, and the Southwest corner of said 1.634 acre tract, said point being in the East line of said Farm To Market No. 312;

THENCE, North 15 Degrees 37 Minutes 12 Seconds East, with the West line of said 1.634 acre tract, and the East line of said Farm To Market No. 312, a distance of 264.62 feet to a 1/2 inch iron rod set with a yellow plastic cap stamped (DC&A INC) at the Northwest corner of said 1.634 acre tract, and the Southwest corner of a called 4.909 acre tract conveyed to Jimmie Boone et ux, by Warranty Deed, as recorded in Volume 2100, Page 121, Real Property Records, Wood County, Texas;

THENCE, South 78 Degrees 35 Minutes 45 Seconds East, with the North line of said 1.634 acre tract, and the South line of said 4.909 acre tract, and passing at a distance of 260.85 feet, a 3/8 inch iron pipe found at the Northwest corner of said 16.421 acre tract, and the Northeast corner of said 1.634 acre tract, and continuing on for a total distance of 1,272.47 feet to a 3/4 inch iron pipe found

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at the Northeast corner of said 16.421 acre tract, and the Southeast corner of said 4.909 acre tract, said point being in a West line of said 55.815 acre tract;

THENCE, South 00 Degrees 24 Minutes 38 Seconds East, (Reference Bearing), with an East line of said 16.421 acre tract, and a West line of said 55.815 acre tract, a distance of 405.61 feet to a concrete monument found at an angle point in the East line of said 16.421 acre tract, and an angle point in the West line of said 55.815 acre tract;

THENCE, South 30 Degrees 43 Minutes 00 Seconds West, with an East line of said 16.421 acre tract, and a West line of said 55.815 acre tract, a distance of 298.59 feet to the POINT OF BEGINNING and CONTAINING 785,856 square feet or 18.04 acres of land.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This conveyance is made subject to all oil, gas and mineral reservations and conveyances, royalty interests, oil, gas and mineral leases, rights-of-way, easements and restrictions, affecting the property hereby conveyed that may appear of record in the office of the County Clerk of Wood County, Texas.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof except as to the reservations from and exceptions to conveyance and warranty.

THE IMPROVEMENTS ON THE PROPERTY ARE SOLD "AS IS", WITHOUT ANY WARRANTY, EXPRESS OR IMPLIED, OF HABITABILITY OR FITNESS FOR A PARTICULAR PURPOSE, IT BEING UNDERSTOOD AND AGREED THAT GRANTEE ACQUIRES THE SAID IMPROVEMENTS ON THE PROPERTY SUBJECT TO ANY AND ALL DEFECTS.

When the context requires, singular nouns and pronouns include the plural.


HENRY SPIVA


REBA SPIVA

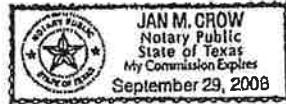
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ACKNOWLEDGMENT

STATE OF TEXAS }
COUNTY OF WOOD }

This instrument was acknowledged before me on the 27th day of February, 2006, by Henry Spiva and Reba Spiva.



Jan M. Crow
NOTARY PUBLIC, STATE OF TEXAS

Record and Return To:

George S. Lemon, Jr.
P. O. Box 468
Winnsboro, TX. 75494

054-06

Filed for Record in:
Wood County

On: Mar 08, 2006 at 02:25P

By:
Recordings

Document Number: 00050266

Amount: 21.00

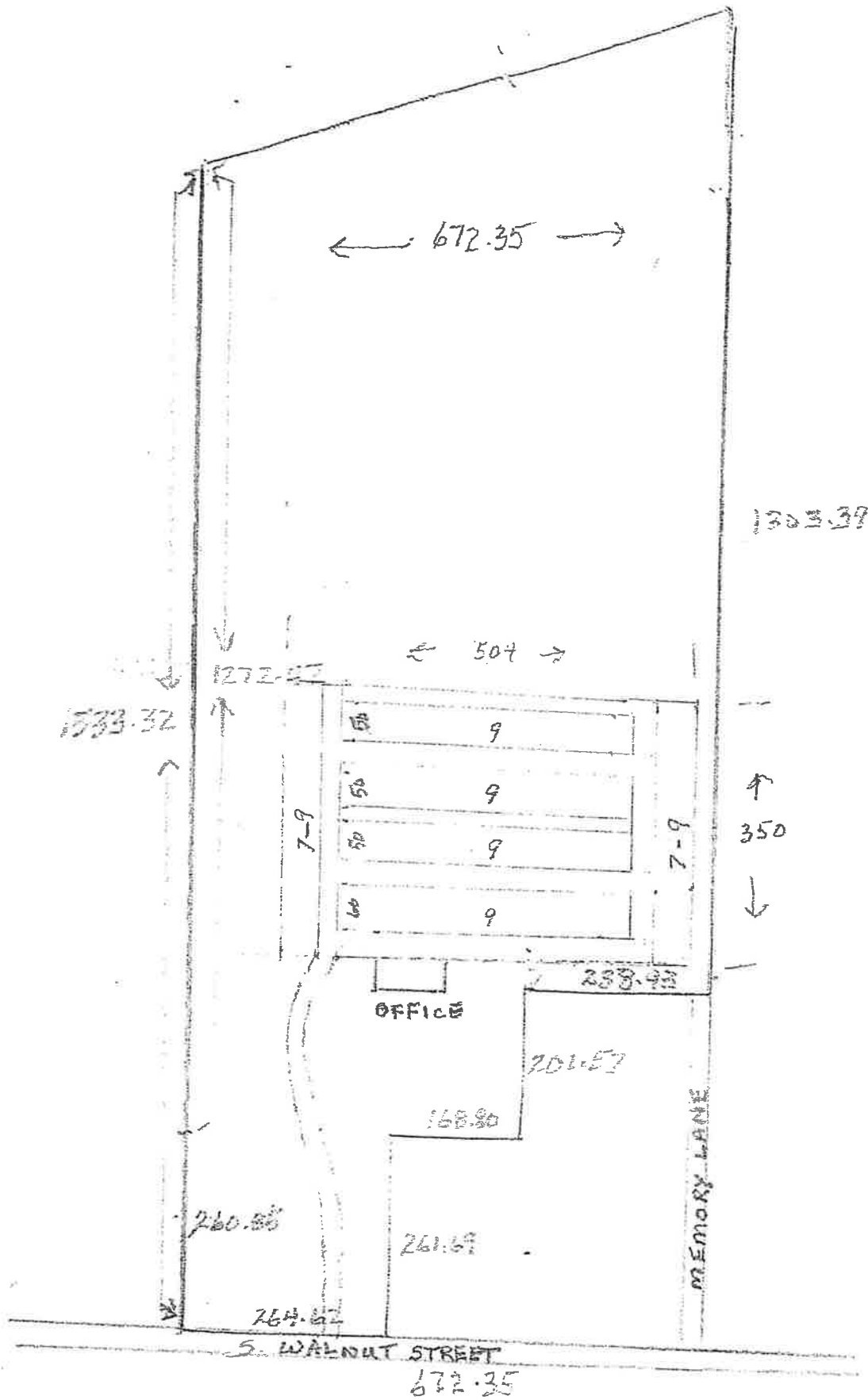
Receipt Number - 113596

By:
Elaine Lewis

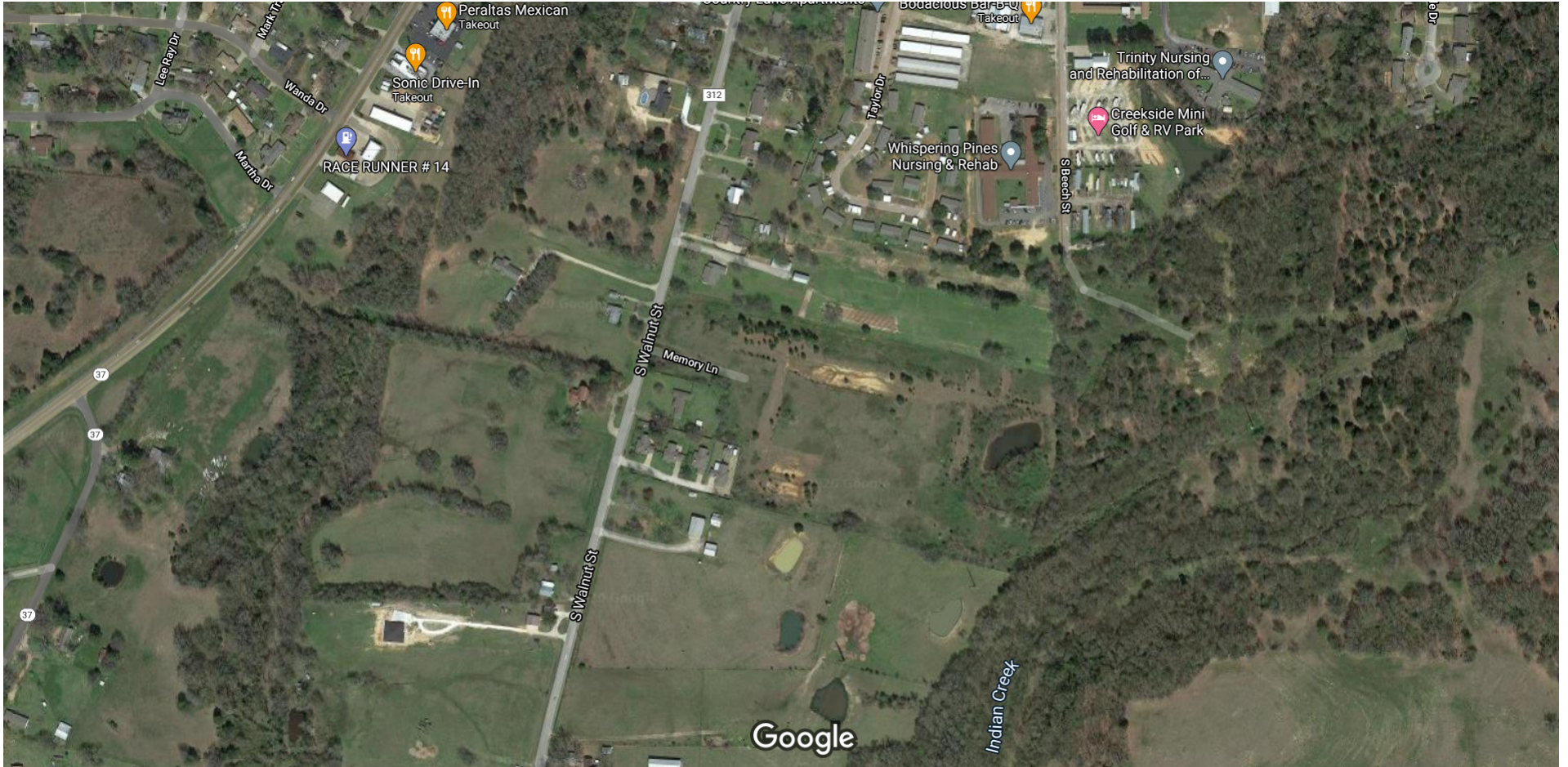
SINCE 02/27/06 COUNTY OF WOOD
I hereby certify that this instrument was
filed on the date and time stamped herein by an
agent duly recorded in the volume and page
of the record records of:
Wood County
as stamped herein by me.

Mar 08, 2006

Honorable Reba Taylor, County Clerk
Wood County



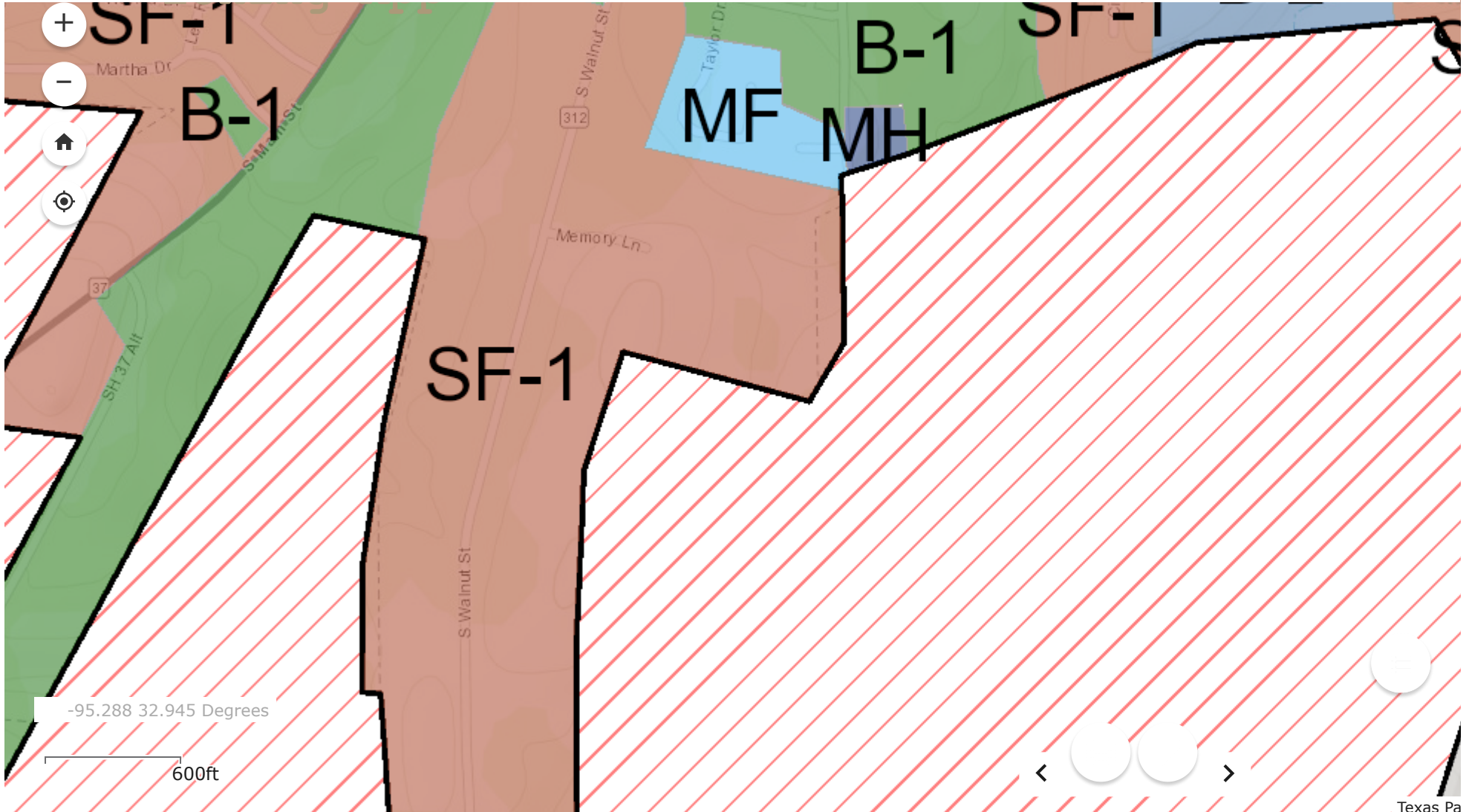
1/2 INCH = 100 FEET



Imagery ©2020 Maxar Technologies, USDA Farm Service Agency, Map data ©2020 200 ft



Winnsboro



PLANNING & ZONING MEETING

December 01, 2020

Item No. 5

Discussion: – Consider Proposed Sign Ordinance Draft

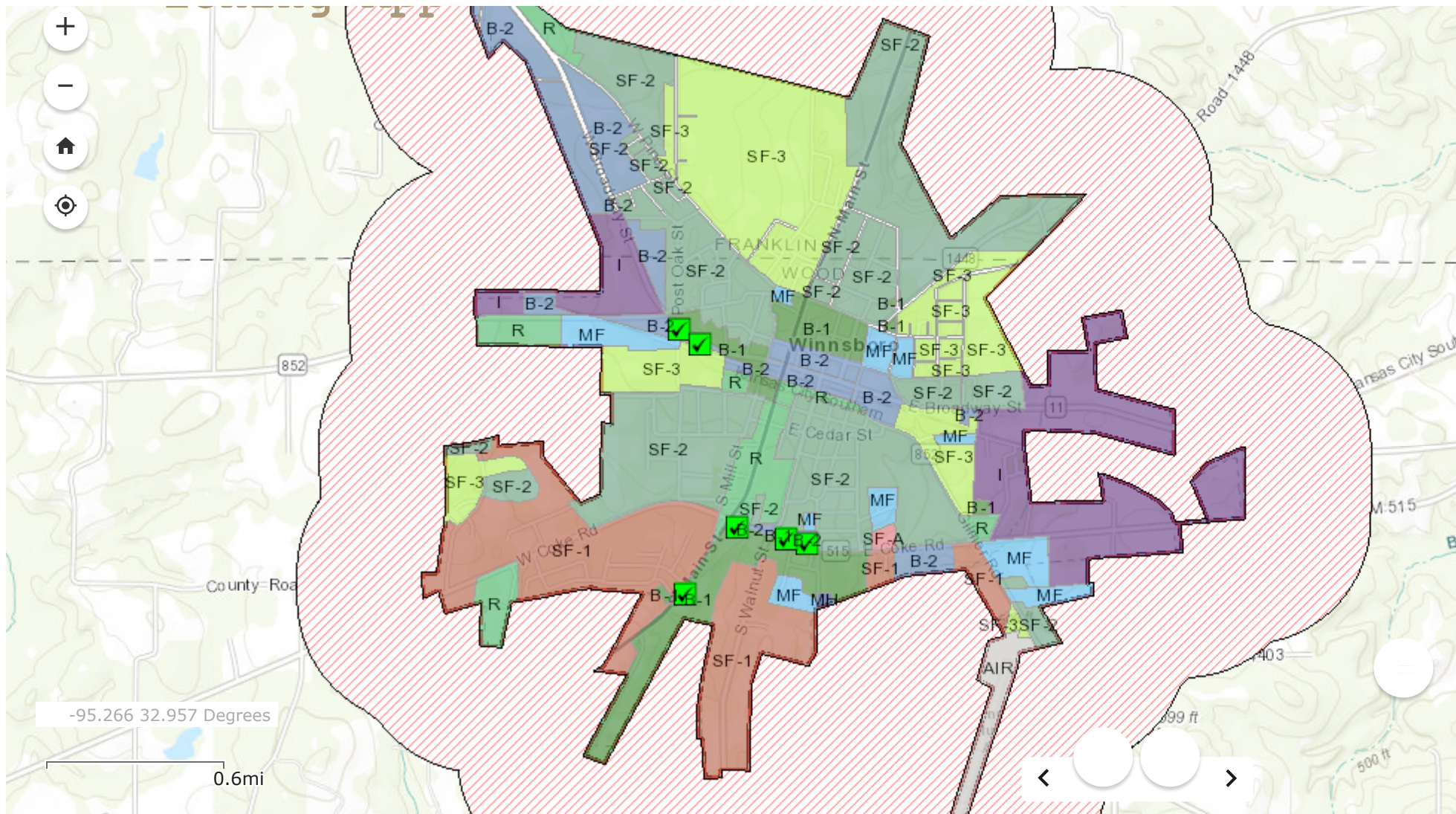


Billboard Locations All are Stacked and Double sided



Sign In

Winnsboro



ARTICLE 3.11 SIGNS IN DOWNTOWN BUSINESS DISTRICT*

Sec. 3.11.001 Purpose

(a) The purpose of this article is to establish clear and unambiguous verbiage pertaining to signs in ~~the downtown district of~~ the city to provide an attractive community, foster traffic safety, and enhance the effective communication and exchange of ideas and commercial information. The purpose is also to allow for the legitimate needs of commerce and is not intended to limit creativity on the part of the sign designer.

(b) The city hereby finds the following legislative facts:

(1) The proliferation of signs creates commercial confusion and makes it difficult for travelers and motorists to locate the goods and services they seek.

(2) A reasonable limitation on the height of signs is necessary to prevent potential windstorm damage, injury or death. See zoning ordinance no. 773-2003, [section 26, in exhibit B to chapter 14](#).

(3) Excessive height in signs creates clutter and the establishment of a reasonable maximum height for signs will allow effective communication.

(4) Reasonable provisions pertaining to size, scale, location, design, lighting, permanency, and maintenance are necessary to preserve and improve the appearance and character of downtown, to avoid traffic problems caused by distracting signs or structures in close proximity to streets, which compete with traffic signs and signals for the attention of the motorists, and to prevent deterioration, disregard and abandonment of signs or structures.

(c) The city recognizes that signs are necessary for visual communication for public convenience, and businesses and other activities have the right to identify themselves by using signs that are incidental to the use on the premises where the signs are located. The city herein seeks to provide a reasonable balance between the right of a person to identify his or her business or activity, and the rights of the public to be protected against safety hazards that result from the unrestricted proliferation, location and construction of signs.

~~Sec. 3.11.002 — Downtown district designation~~

~~(a) — This section specifies the area described below:~~

~~(1) — Bordered on the South at KCS Railroad Tracks;~~

~~(2) — North at Pine Street.~~

~~(3) East at Chestnut Street.~~

~~(4) West at Mill Street.~~

~~(b) All buildings in or facing the downtown district are included.~~



Sec. 3.11.003 Definitions

All other verbiage. In the case of any definition not listed below or where verbiage is questioned and needs definition or clarification, a reasonable definition will be determined and interpreted by of the city administrator or their designee.

Alley sign. A sign used to identify the alley entrance to a building or business.

Animated sign. A sign designed or programmed so as to seem alive and moving employing visible moving parts, changing images and/or changing colors. This includes televisions, projector screens, and computer monitors of all types and sizes.

Architectural features. Ornamentation or decorative features attached to or protruding from or otherwise accentuating an exterior wall.

Attached sign. Any sign attached to, applied on or supported by any part of a building (such as a wall, roof, window, canopy, awning, arcade, or marquee) which encloses or covers usable space and does not extend more than 12 inches from the building facade.

Awning sign. A rigid roof-like cover extending out from the wall of a building to provide cover over windows or doors, that is supported by the exterior wall of the building, and that may include a type that can be retracted, folded, or collapsed against the face of a supporting building. A sign placed directly on top of the awning.

Banner. A temporary sign, either attached or freestanding, with or without characters, letters, illustrations, or ornamentations, applied to cloth, paper, flexible plastic or fabric of any kind, attached to the exterior structure or freestanding on the site with temporary fastening devices such as rope, string, wire, twine, or similar materials, which is in addition to the permitted permanent signs, announcing a special event for a business, i.e., business openings, grand openings, sales or promotion events.

Billboard. A sign, including the supporting structure, that advertises products or services not sold, manufactured or distributed on the premises on which the sign is located. The following additional definitions apply to billboards:

- (1) Back-to-back sign. A billboard consisting of two sign facings oriented in opposite directions with not more than two faces per sign facing.

(2) Double faced sign. A billboard with two adjacent faces oriented in the same direction and not more than 10 feet apart at the nearest point between the two faces.

(3) Embellishments. Any feature such as a cutoff, neon or plastic letters, clock, electric device, and space extension, which is added to a billboard.

(4) Facing. The area or display surface of a billboard upon which advertising is affixed or painted and visible in one direction at one time.

(5) Freestanding sign. A billboard erected on a freestanding framework supported and affixed by one or more uprights or braces in or upon the ground.

(6) Multiple-faced sign. A billboard comprised of sections which rotate to display a series of advertisements, each advertisement being displayed for at least six (6) seconds continuously without movement; the duration of movement of sections between advertisements not exceeding two (2) seconds.

(7) V Type sign. A sign structure which consists of two sign facings placed at angles to each other, oriented in different directions and not exceeding 10 feet apart at the nearest point to each other.

(8) Billboards are not allowed in the downtown district.

Canopy. Any nonrigid material such as fabric or flexible plastic, that is supported by or stretched over a frame, that is attached to an exterior wall, and that may include a type that can be retracted, folded, or collapsed against the face of a supporting building.

Canopy sign. A sign that is an integral part of the canopy, which is painted on or applied to the canopy.

Directional traffic-control sign. A sign utilized as a traffic-control device in off-street parking or access areas.

Electronic message sign. A sign utilizing changeable copy messages through internal illumination by light emitting diodes (LEDs) or other light sources.

Elevation (building elevation). The building elevation is the exterior street view of the building (front, side, back) on a two-dimensional plane.

Facade. The portion of any exterior elevation on the building extending from the grade to parquet, wall, or eaves, and the entire width of the building elevation which are adjacent to the front on any right-of-way.

Flag/pennant. A piece of fabric of distinctive design that is used as identification, as a signaling device or as a decoration.

Frieze. A flat area surrounded by architectural features dedicated to sign placement.

Hanging sign. A sign attached to underneath the canopy or awning.

Individual letters, numbers and/or symbols. Used to create signage or identification of a building or business.

Inflatable sign. A sign manufactured of plastic, cloth, canvas, or other flexible or light fabric, inflated with air, secured to the ground, does not float, does not move freely in the wind, and does not exceed 30 feet in height.

Low profile (monument) sign. A sign with a permanent foundation that is not attached to a building, but is a stand-alone sign. A freestanding sign, of which the foundation and supports are at least 80% as wide as the sign copy area and where the sign copy area is attached to the base and located close to the ground. Low profile or monument signs shall not extend more than 4 feet (48 inches) in height and 8 feet (96 inches) in length. ~~in the downtown district.~~

Mural. Artwork applied to the wall of a building that covers all or substantially the entire wall and depicts a scene or event of natural, social, cultural, or historic significance. Excludes any commercial message.

Neon sign. A sign containing a colorless, odorless, gaseous element contained in a vacuum tube.

Nuisance sign. Any sign which annoys and disturbs, or which is illuminated to an intensity to cause glare or brightness to a degree that could constitute a hazard or nuisance. Nuisance signs shall include, but not be limited to, the following:

- (1) Signs containing statements, words, or pictures of an obscene, indecent, or immoral character, such as will offend public morals or decency.
- (2) Signs which imitate an official traffic sign or signal, or which contain the words 'stop,' 'go slow,' 'caution,' 'danger,' 'warning,' or similar words.

- (3) Signs which are of a size, location, movement, content, coloring, or manner of illumination which may be confused with or construed as a traffic-control device, which hide from view any traffic or street sign or signal, or which obstruct the view in any direction at a street or road intersection.
- (4) Signs that are unsafe or unsecured, abandoned, or maintained in a dilapidated condition.
- (5) A light setup in a prominent position to attract attention to that location.
- (6) Inflatable signs and balloons, if located within a multifamily or nonresidential district.
- (7) Flashing, fluttering, undulating swinging, rotating, or otherwise moving signs.
- (8) Three dimensional or statuary signs.
- (9) Streamers.
- (10) Snipe signs - An off-premises sign that is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, fences, or other objects.

Pole sign. A sign on a freestanding pole, not attached to the building with at least eight (8) feet of clearance from the ground to the bottom of the frame of the sign.

Portable sign. A movable sign with wheels or skids that is larger than a sandwich board as defined in [section 3.11.021](#). See [section 3.11.015](#) for exceptions to portable signs being permitted in the downtown district.

Primary sign. The most dominate sign on the building.

Projection sign. A sign attached to and placed perpendicular to a building facade.

Real estate, finance and construction sign. An attached sign erected upon a property for the purpose of advertising same for sale or lease, or advertising the furnishing of interim or permanent financing for a project, or for the furnishing of labor, materials or the practice of crafts on the jobsite.

Roof sign. An outdoor sign erected, constructed, or maintained on the roof of a building or which is wholly dependent upon a building for support, and which projects above the point of a building.

Sandwich board. Any sign designed for placement on the sidewalk, of “A” frame construction, and generally two-sided. The sign may have wheels but must be in compliance with [section 3.11.021](#).

Sign. Any written or graphic representation, decoration, form, emblem, trademark, flag, banner, or other feature or device of similar character that is used for the communication of commercial information.

- (1) Is a structure or any part thereof, including the roof or wall of a building, or a freestanding wall or fence;
- (2) Is written, printed, projected, painted, constructed or otherwise placed or displayed upon or designed into a building, board, plate, canopy, awning or upon any material, object or device whatsoever;
- (3) By reason of its form, color, wording, symbol design, illumination or motion attracts or is designed to attract attention to the subject thereof, or is used as a means of identification, advertisement or announcement;
- (4) A sign shall be considered to be a single display surface, a double-faced display surface, or display device containing elements clearly organized, related and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign; provided, however, that the display of merchandise through glass windows in any zone where such merchandise may be sold in the ordinary course of business shall not constitute a sign or signs.

Sign emissions. Any sign that emits sound, odor or visible matter.

Vehicle sign. A sign that identifies a vehicle used for a particular business; however, not when the primary use of the vehicle is that of a sign.

Wall sign. A sign that is either painted or permanently attached to the front, side or rear of a building.

Window sign. A sign painted or applied to a window or door glass intended for permanent use.

Applies only to those businesses that need to identify an alley entrance to a building.
Permit required.



  **Sec. 3.11.005 Attached signs**

(a) An attached sign shall advertise only the name of the business or services available within the building to which the sign is attached.



(b) The size of attached signs shall be limited to one (1) square foot per front foot of property upon which the same is placed; however, under no circumstances shall such sign exceed three hundred (300) square feet in area. If the lot on which the building is located has multiple right-of-way frontage, each street frontage shall be counted for purposes of determining attached sign allowance. Said signage is to be applied (distributed) on the sides of the building where facing directly adjacent to the public right-of-way. Alternate signage is allowed on sides of the building not adjacent to the public right-of-way not to exceed 32 square feet.

Commented [CL1]: What is the preferred size limitation we wish to approve?

(c) Permit required.

  **Sec. 3.11.006 Awning signs**

Awning signs must conform to a size of 1.5 square feet for every 1 foot of facade width. Permit required.

  **Sec. 3.11.007 Banners**

(a) Banners shall not exceed thirty (30) feet.



(b) Banners shall not be placed over the street or right-of-way; except by permit.

(c) Banners must be on the property where the business being advertised is located.

(d) Banners shall not obscure windows or architectural details.

(e) Banners may not be placed on commercial property for a time period to exceed the duration of the event advertised but in no circumstances may a banner be displayed in excess of thirty (30) days.

(f) Permit required.

  **Sec. 3.11.008 Sign permits**

(a) Permits shall be issued by the city upon receipt of a properly completed application which demonstrates that the applicant's request is in accordance with the provisions of the city's building code and zoning ordinance. The application must contain a drawing showing the proposed dimensions, location and appearance of the sign. Once approved, applicant must also provide city with a photo of the sign for which the application was submitted. Issuance of a permit shall be at the city administrator's discretion.

(b) A permit shall be required for the following types of signs:

- (1) Attached signs.
- (2) Alley signs.
- (3) Awning signs.
- (4) Banners.
- (5) Hanging signs.
- (6) Murals.
- (7) Primary sign.
- (8) Projecting sign.
- (9) Sandwich boards.
- (10) Wall signs.
- (11) Window signs.
- (12) Signage depicted from the collaboration of individual letters or words.



(c) No permit shall be required for the following signs:

- (1) Directional traffic-control signs.
- (2) Real estate, finance and construction signs.
- (3) Noncommercial signs: Political signs.
- (4) Open/close signs.

(5) Political signs governed by the terms of section 216.903 of the Texas Local Government Code.



  **Sec. 3.11.009 Directional traffic-control signs**

Directional traffic-control signs may be utilized as traffic-control devices in off-street parking areas. No directional traffic-control sign shall be permitted within or upon the right-of-way of any public street unless its construction, design, and location have been approved by the city administrator.



  **Sec. 3.11.010 Exempt signs**

The following signs are exempt from the requirements of this article:



- (1) Temporary signs erected by private property owners for the purpose of warning of a dangerous defect or condition, or other hazard to the public.
- (2) Temporary decorations or displays, if they are clearly incidental to and are customarily and commonly associated with any national, or local celebration. Temporary decorations or displays not associated with any national, or local celebration but used solely for decorative purposes must be removed after 45 calendar days or within three (3) days at the end of event celebrated, whichever comes first.
- (3) Outdoor advertising display signs for sponsors of charitable events held on public properties. These signs may be displayed for the duration of the event or not more than three (3) days. These include banners related to the event.
- (4) Security signs.
- (5) Balloons and/or other gas filled objects not to exceed twenty (20) feet in height and shall be used solely for decorative purposes. Must be removed after 45 days or within three (3) days at end of event, whichever comes first.
- (6) City banners.
- (7) Historic building markers.

  **Sec. 3.11.011 Hanging signs**



Hanging signs shall be allowed when such signs have a minimum clearance of 6'8" (80 inches - American Disabilities Act (code 1102.5)) from the sidewalk and does not extend beyond 50% of awning or canopy width . Permit required.

  **Sec. 3.11.012 Individual letters**



- (a) Individual letters placed on a building facade or window are permitted.
- (b) Permit required. However, permits are not required for each letter.

  **Sec. 3.11.013 Murals**

Murals may be applied only to sidewalls of buildings. A permit is required.

  **Sec. 3.11.014 Neon signs**

- (a) Exterior neon signs are not all owed.
- (b) Interior neon signs, including, open/close signs are permitted.
- (c) No permit is required for interior open/close signs.

  **Sec. 3.11.015 Portable signs**

Portable signs are not permitted within the designated downtown district of the city without a special exception for instances such as necessity and special events.

  **Sec. 3.11.016 Primary signs - sign frieze**

- (a) Refers to a turn-of-the-century building.
- (b) A sign frieze shall be located above the transom and below the second floor window.
- (c) Sign size shall not exceed 105 square feet for every one (1) foot of facade.
- (d) Signs shall not obscure or compete with architectural details of the building.
- (e) Permit required.

  **Sec. 3.11.017 Prohibited signs**

The following signs shall be prohibited in the ~~designated downtown district~~ city, as defined by this article, unless a special exception is granted due to instances such as necessity or paramount operational importance or in the case the sign is of permanent stature and is damaged or destroyed and will be replaced with the exact or greater integrity as was implemented before. For definitions, please refer to [section 3.11.003](#):

- (1) Portable billboards.
- (2) Portable signs.
- (3) Rooftop signs.
- (4) Exterior neon signs.
- (5) Individual business customer parking signs - reserving public parking spaces.
- (6) Handmade or nonprofessional signs.
- (7) Neglected or abandoned signs.
- (8) Nuisance signs - see definitions in [section 3.11.003](#).
- (9) Inflatable signs and balloons, if located within a multifamily or nonresidential district.
- (10) Sign emissions.
- (11) Mirrors.
- (12) Over-the-street banners (by permit only).
- (13) Beacons.
- (14) Flashing, fluttering, undulating, swinging, rotation, or otherwise moving signs.
- (15) Signs, temporary or otherwise, affixed to a tree or utility pole.
- (16) Off-premises advertising signs, except as expressly permitted in this section.
- (17) Three-dimensional or statuary signs.

(18) Streamers.

(19) Snipe signs - An off-premises sign that is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stake fences, or other objects.

  **Sec. 3.11.018 Projecting signs**

Projecting signs shall provide a minimum clearance of 8 feet between the sidewalk surface and the bottom of the sign and shall be no more than 4 feet in height and in no case project more than one-half of the sidewalk width. Permit required.

  **Sec. 3.11.019 Real estate/finance/construction signs**

(a) Only one of each, real estate, finance or construction sign may be shown per building location.



(b) Displayed real estate, finance, or construction signs shall be maintained by the persons in control of the premises so as to remain erect and in good repair.

(c) Displayed sign shall be removed by the property owner or other person in control of the premises if this sign is damaged, broken or incapable of remaining erect.

(d) Such signs must be removed by the owner or person in control of the premises when either the property has sold or been leased or when performance under the construction contract or subcontract has been completed.

(e) In all cases, financing and construction signs shall be removed prior to issuance of a certificate of occupancy.

(f) Permits not required.

  **Sec. 3.11.020 Roof signs**

Roof signs are not permitted in the downtown district.

  **Sec. 3.11.021 Sandwich board signs**

(a) Sandwich boards should be limited to 48 inches in height and 24 inches in width.



(b) Sandwich boards should not obstruct pedestrian traffic flow or the cosmetic integrity of surrounding buildings and region. All American Disabilities Act

requirements shall be met including requirements for pedestrian access. The minimum clear width of a pedestrian access route shall be 48 inches exclusive of the width of the curb. This includes signs, merchandise, benches, tables, etc.



(c) Sandwich board signs must be displayed only in front of the business advertised. Signs must be properly anchored (temporarily) or weighted against wind.

(d) Chalkboards may be used for daily changing messages.

(e) Permit required.

  **Sec. 3.11.022 Wall signs**

Signs permanently attached to the front, side or rear of a building. Not the primary sign. Permit required.

  **Sec. 3.11.023 Window signs**



Window signs shall cover no more than 30% of the total glass areas of the windows on which they are placed. Permit required.

  **Sec. 3.11.024 Nonconforming signs**

(a) Within the city there exists signs which were lawful before this article was enacted, amended or otherwise made applicable, but do not now conform to the regulations. It is the intent of this article to permit such nonconforming signs.

(b) If fire, the elements, or some other cause destroys a sign, it may not be rebuilt except to conform to the requirements of this article.

(c) Once nonconforming signs are removed, all sign replacements must conform to the requirements of this article.

  **Sec. 3.11.025 Variances**



The city council shall have jurisdiction to hear requests for a special exception from the terms of this article. There are no special exception fees. The city council shall be authorized to grant a special exception at their discretion from the terms hereof if they find:

- (1) That the strict enforcement of this article would create a substantial hardship to the applicant; and



(2) That the granting of the special exception would preserve the spirit and intent of these guidelines, and would serve the general interests of the public and the applicant.

  **Sec. 3.11.026 Americans with Disabilities Act**

- (a) All signage must comply with the Americans with Disabilities Act.
- (b) Banners, signs and decorations of any type may not be hung on the ADA sidewalk rails at any time.

  **Sec. 3.11.027 Permit fees**

A one-time permit fee shall be paid in accordance with the fee schedule on file with the city secretary.

  **Sec. 3.11.028 Electronic variable message sign placement**

Lighted/electronic variable signs which face the front window of a business must be at least seven (7) feet from that window if the sign is at any angle less than 90 degrees relative to that window.

Section 11.029 Billboards

- (a) No additional billboards may be erected within the city limits of Winnsboro beyond those which exist at the time of the adoption of this ordinance.
- (b) Existing billboards within the city limits of Winnsboro will be removed after 10 years of the adoption of this ordinance.

(Ordinance 986-2018 adopted 6/12/18)

SECTION 26 SIGN REGULATIONS

26.1. Purpose of the Section: Provisions for signs and identification markers to be placed on parcels or buildings are set forth herein. Standards identify the sign by type, permitted size, and zoning district in which specific type of signs are permitted.

26.2. Advertising Sign:

1. Definition: A sign which is usually a primary use of land and which promotes and advertises commodities or services not limited to being offered on the premises on which such signs are located.

2. Size: Four hundred (400) square feet and shall not be placed less than 250 feet apart nor nearer than fifty (50) feet to any intersection.

3. Districts: B-1, B-2 and I

26.3. Agricultural Sign:

1. Definition: An accessory sign identifying the farm or ranch on which it is placed and advertising the produce, crops, animals or poultry raised or quartered thereon.

2. Size: One hundred (100) square feet and shall not be placed less than two hundred (200) feet apart.

3. Districts: A, F, B-1, B-2 and I.

26.4. Apartment Sign:

1. Definition: A temporary accessory sign identifying the property owner, architect, contractor, engineer, landscape architect, decorator or mortgagee engaged in the design, construction or improvement of the premises on which the sign is located.

2. Size: Sixteen (16) square feet.

3. Districts: A, SF-1, SF-2, SF-3, 2F, SF-A, MF, MH, F, B-1, B-2, I and PD.

26.5. General Business Sign:

1. Definition: An accessory sign or graphic device which advertises only commodities or service offered on the premises where such signs are located and where such sign is not of the billboard, poster panel or painted bulletin type, but, is a sign designed specifically for the location.

2. Size: No restriction except as hereinafter provided.

3. Districts: R, B-1, B-2 and I.

26.6. Institutional Sign:

1. Definition: Nameplates and bulletin boards and accessory signs for identity of schools and churches, hospitals and similar public or quasi-public institutions.

2. Size: Sixteen (16) square feet.

3. Districts: A, SF-1, SF-2, SF-3, 2F, SF-A, MF, MH, R, B-1, B-2, I and PD.

26.7. Nameplate:

1. Definition: An accessory sign showing only the name and address of the owner or occupant of the premises on which it is erected or placed.

2. Size: Twelve (12) square feet for commercial and four (4) square feet for residential properties, one (1) for each platted lot or tract street frontage.

3. Districts: A, SF-1, SF-2, SF-3, 2F, SF-A, MF, MH, F [R], B-1, B-2, I and PD.

Fredericksburg Texas Code of Ordinances

Chapter 29 - SIGNS¹

Footnotes:

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State Law reference— Regulation of signs by home-rule municipality, V.T.C.A., Local Government Code § 216.901; regulation of political signs by municipality, V.T.C.A., Local Government Code § 216.903.

Sec. 29-1. - Purpose.

The purpose of these rules and regulations are to provide uniform sign standards and regulations in order to ensure public safety and promote a positive city image reflecting order, harmony and pride, thereby strengthening the economic stability of Fredericksburg's business, cultural, historical, and residential areas.

(Code 1992, § 3.1001; Ord. No. 18-009, § 29-1, 11-3-2008)

Sec. 29-2. - Jurisdiction.

The provisions of this chapter shall apply within the city limits, and within the extraterritorial jurisdiction (ETJ) of the city as defined by the Municipal Annexation Act (Article 970a, Revised Civil Statutes of Texas). For the purposes of these sign regulations, all signs erected within the extraterritorial jurisdiction of the City of Fredericksburg shall be erected in accordance with the standards imposed for property inside the city limits within the C-2 commercial zone.

(Code 1992, § 3.1002)

Sec. 29-3. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

A-frame sign. See *Unattached sign*.

Area sign means the square foot area enclosed by the perimeter of the sign face with each face contributing to the aggregate area. The sign face shall exclude decorative wood or metal devices, frames, and sign supports, but shall include sign supports which are defined as a monolith. However, double-faced sign faces shall be counted only as the area of one face. In cases where the sign, or portion thereof, is composed only of letters, figures, or other characters, standing against no sign face background or secured to a monolith, then the sign face area shall be the sum of the area of an imaginary figure (circle, triangle, rectangle, or other) which fully contains all words, figures, devices, designs, or trademarks which constitute the sign.

Auxiliary sign means any sign attached to a building or canopy indicating general information, such as trading stamps, credit cards, official notices or services required by law, or giving directions to offices, restrooms, exits, and like facilities. References to a product, service, business, name or pricing shall disqualify a sign as an auxiliary sign.

Banner means a sign intended to be hung without frames made of paper, plastic, or fabric of any kind which may possess colors, characters, letters, illustrations, or ornamentations. Flags of governmental jurisdiction and flags carrying the emblem of a business or institution are not to be considered a banner for the purposes of this chapter.

Billboard means a sign that is designed for changeable copy, so the characters, letters or illustrations can be changed or rearranged within a fixed sign face which advertises a business, organization, event, person, place or thing not located on the same site (or property) as the billboard.

Building frontage means the distance or length of the primary building on the property adjacent and generally parallel to the business frontage or lot frontage. In the case of multitenant buildings, each tenant space shall be lease space portions of the building frontage.

Building lot means a lot or a portion of a lot or a combination of lots when used for construction of one building or commercial center.

Building official means the building official of the City of Fredericksburg, Texas, or his agent.

Business frontage/ or lot frontage means the distance along the adjacent street frontage between the two side lot lines. On an interior lot, such distance shall be measured along the lot line abutting the street. On a corner lot, the shorter lot line abutting a street or the line designated as the front lot line by the subdivision or parcel map shall be used. On a through lot, the lot line abutting the street providing the primary access to the lot shall be used. On a flag (panhandle) lot, the interior lot line designated as a front lot line by a subdivision or parcel map, or the line determined by the director of development services to be the front line shall be used. Where such identification is in doubt, the same shall be determined in accordance with Section 7.220 (or its successor in the event the section number is changed) of the Zoning Ordinance of the City of Fredericksburg. On corner lots, the business/lot frontage shall be measured along a highway or street. Lot lines shall be those established by the most recent deed to the property as recorded in the real property records of the County Clerk of Gillespie County. If one business, or integrated business, occupies and utilizes more than one lot, the frontage distance of all lots occupied by the business, or integrated business, may be combined.

Canopy sign means a sign attached to a canopy that extends over a public right-of-way that is attached to or an extension of a building.

Chalkboard or daily-special-type signs are signs which announce daily specials and special sales and are signs which are typically written or have menu attachments and the like. These shall be permitted and otherwise treated as a wall sign provided, however, that:

- (1) No location may display more than one of these signs;
- (2) The sign will be counted in the maximum allowable sign area for the purveyor of the sign;
- (3) The sign does not exceed four square feet; and
- (4) It is otherwise secured and not hazardous.

Changeable lighted message sign means a sign which permits light to be turned on or off intermittently or which is operated in a way whereby light is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including an LED (light emitting diode) or digital sign, and which varies in intensity or color however generated. This definition includes signs which utilize lights to form letters, words, figures, symbols, etc., and a sign with lights which illuminate intermittently (e.g., a sign with blinking or moving lights) regardless of wattage, whether directly or indirectly illuminated, except for time and temperature signs. This definition does not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual of Uniform Traffic Control Devices approved by the Federal Highway Administrator as the National Standard or by the Texas Department of Public Safety and is for governmental use.

Community service (public service) sign means a sign which solicits support for or advertises a nonprofit community use, social institution, or public use. Such signs may include, but shall not be limited to, seasonal holidays such as Christmas or Easter, school activities, charitable programs, religious

activities, or location of places or events of community or tourist interest and may include business advertising, provided that the same shall constitute not more than 25 percent of the sign.

Construction sign means a sign temporarily placed on a construction site identifying the project and/or owner, developer, contractor, or architect, and may include other information regarding the project.

Damaged sign means a sign which is unsafe, unsecured, disfigured, or broken.

Directional sign means an on-premises sign that is freestanding, the primary purpose of which is to give directions to parking lots, exits, entrances, drive-through windows, or similar directions. Reference to a product, service, business, or name, other than a subordinate business name or logo, shall disqualify a sign as a directional sign.

Double-faced sign means one structure containing either one sign with two faces back-to-back, oriented in opposite directions, or two signs back-to-back, with the faces oriented in opposite directions and with a distance of not more than three feet between the two signs.

Externally illuminated sign means a sign illuminated in any manner by an artificial light source which is detached from the sign.

Freestanding sign means any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

Governmental sign means a sign indicating a public works project or other program or activity conducted or required by any governmental subdivision. This is also considered a community service sign.

Ground sign means a sign which is secured to the ground and which is not affixed to a building. The term "secured" is defined in the definition of unattached signs in this section.

Height, sign, means the vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and the average established ground level beneath the sign, unless curb elevation is higher than the ground level, in which case the height shall be measured from curb level.

Integral sign means a memorial sign or tablet, name of a building, or date of erection when cut into any masonry surface or when constructed of bronze or other incombustible material mounted on the face of a building.

Integrated business means a commercial business which is operated by more than one business owner and which meets one or more of the following criteria:

- (1) Each business owner has shares of stock or a partnership interest in a corporation that owns the grounds and buildings;
- (2) Each business owner owns his own space under an undivided interest arrangement or a condominium arrangement;
- (3) Each business owner rents/leases his own space within the same building; or
- (4) Each business owner is a member of a merchants association which contributes to the joint promotional efforts of the center.

Internally illuminated sign means a sign illuminated in any manner by an artificial light source as an integral part of the sign.

Marquee sign means a sign hung from or affixed to a marquee. It shall be synonymous with a canopy sign.

Medallion sign means a two-sided panel bearing a decorative figure or a relief or identifying emblem and limited to the business, address, proprietor and date of establishment.

No Solicitation sign is an on-premises sign of weather proof material not exceeding four inches in height and eight inches in width in size, with block letters at least one inch in height which is placed on a building or residence within three feet of either side of the front door clearly indicating that the occupant

does not to be contacted by peddlers, solicitors or canvassers. The phrase "no solicitation" or "no solicitors" shall be sufficient for such purpose.

Nonconforming sign means a sign that does not conform to the regulations of this chapter or city ordinances, but which was placed or constructed in accordance with city ordinances existing at the time of its placement or construction.

Off-premises sign means a sign designed for identifying or advertising a specific establishment, merchandise, service product, or entertainment which exists or is sold, produced, manufactured, and/or furnished at a place other than on the property on which such sign is located.

Party responsible means the person whose name of business is being advertised on the sign and the owner of the property upon which the sign is located.

Person means an individual, partnership, corporation, firm or organization.

Portable sign. See Unattached sign.

Professional nameplate (shingle sign) means a sign denoting only the name, occupation and address of an occupant in a commercial, public, or institutional building.

Projecting sign means a sign, other than a wall sign, which is affixed to any building or wall, and whose leading edge extends more than two feet beyond such building or wall. A canopy or marquee sign is not defined as a projecting sign.

Realty sign means a sign which is used to offer property for sale, lease, or rent.

Roof sign means a sign that is mounted on, and is wholly supported by, the roof of a building and does not extend beyond the wall line.

Sandwich sign. See Unattached sign.

Shield sign. See Medallion sign.

Sign means any letters, figures, symbols, trademarks, or devices designed to inform people or attract the attention of persons to an individual, firm, profession, business, commodity or service, and which is recognizable from any public right-of-way, and which is more specifically defined in various definitions in this section.

Snipe sign means a sign made of any material when such sign is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, or other objects, and the advertising matter appearing thereon is not applicable to the use of the premises upon which such sign is located.

Temporary sign means a sign to be hung with a frame, made of paper, plastic, fabric of any kind, wood, or metal, which may possess colors, characters, letters, illustrations, or ornamentations.

Unattached sign means a sign which is carried, wheeled, or moved about without having to detach the sign from a secure anchoring device which is set in the ground or affixed to a building which is set on an approved foundation, or a sign which is not secured in a manner approved by the building official and designed to withstand wind pressures as specified in Section 1605 of the International Building Code adopted by the City of Fredericksburg, Texas. Such signs are considered to be unattached if they can reasonably be expected to be blown out or about in high winds and may cause injuries to pedestrians and traffic hazards.

(1) The term "unattached sign" includes:

- a. Portable signs;
- b. A-frame signs; and
- c. Sandwich signs.

(2) The term "unattached sign" does not include:

- a. Realty signs;

- b. Individual contractor signs;
- c. Political signs which are six square feet in area or less;
- d. Signs intended for temporary use for safety reasons due to construction, danger, or traffic control; and
- e. Governmental or community service signs which are to inform the public.

Wall sign means a sign that is painted on, or attached to and erected parallel or approximately parallel to, the face of, or erected and confined within the limits of, the outside wall of any building and supported by such wall or building and which displays only one surface for display/advertising. No wall sign shall be affixed to any structural addition to a building which has been added primarily to evade the limitations of this chapter, or which projects above the roof line of the building.

(Code 1992, § 3.1003; Ord. No. 18-009, § 29-3, 11-3-2008; Ord. No. 23-008, 6-3-2013; Ord. No. 25-008, 6-1-2015)

Sec. 29-4. - Permit required.

- (a) No person shall erect, construct, alter, repair, or relocate a sign without first obtaining a permit from the building official. The signs described in section 29-5 shall be an exception to the requirement.
- (b) Each application for a sign permit shall be accompanied by such drawings, descriptions, and specifications as are determined by the building official.
- (c) After a sign permit has been issued by the building official, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms and conditions of such sign permit without prior approval by the building official.
- (d) Whenever the building official or any police officer finds a sign which was erected after the effective date of the ordinance from which this chapter is derived and which was erected, constructed, altered, repaired, or relocated in violation thereof, the building official or officer shall require the party responsible for such sign to remove same. If the party responsible fails to remove the sign within three days after being notified to do, or if it appears to the building official or officer that the illegal sign placement poses an immediate danger to the public, such sign may be removed by the city at the expense of the party responsible. Any sign so removed shall be stored or impounded and shall not be returned to the party responsible until all applicable charges are paid. If any sign remains unclaimed for a period of 30 days after its removal, or if the removal and storage costs are not paid within the 30-day period, the city may destroy, sell, or otherwise dispose of the sign.
- (e) Maintenance of signs and replacement of nonconforming signs.
 - (1) Ordinary maintenance of all signs is permitted without the necessity of obtaining a permit as required by section 29-4. Ordinary maintenance shall mean the refurbishment of signs as they exist with no alteration. Replacement or reconstruction of any part of a sign shall not be considered ordinary maintenance. Examples of permissible maintenance would be replacement of a rotten board, repainting of the sign elements with no alteration of content or repair of loose parts of the sign. An example of impermissible maintenance is replacement of any part of the sign such as a plastic face. Changes other than ordinary maintenance require that the sign be brought into conformity with this chapter.
 - (2) In the event a change in use, occupancy, or ownership occurs and necessitates the alteration of a sign in any manner, the entire sign must then comply with any provisions of this Code.
 - (3) Nonconforming signs which have been damaged, blown down or otherwise destroyed or dismantled for any purpose, other than ordinary maintenance as described in subsection (e)(1) of this section, may not be replaced.

(Code 1992, § 3.1004; Ord. No. 18-009, § 29-4, 11-3-2008)

Sec. 29-5. - Signs exempted from certain regulations.

The signs described in the following subsections are exempt from the regulations provided for in this chapter. However, such signs shall remain subject to the construction and electrical standards of the city codes:

- (1) Realty signs advertising the sale, lease, rental, will build to suit of or on the premises upon which the sign is located, provided such signs do not exceed 32 square feet in area in nonresidential districts, and six square feet in area in residential districts, and do not exceed five feet in height. This exception includes garage sale or similar signs in residential districts. These signs shall be limited to one per lot.
- (2) Professional nameplates or shingle signs on premises, provided that such signs do not exceed four square feet in area.
- (3) Signs denoting the name and address of occupants of the premises on the premises, provided that such signs are not more than two square feet in area. Such signs are permitted in addition to any required address sign otherwise required by any Ordinance of the City of Fredericksburg.
- (4) Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs, societies, or charitable organizations and located on the premises of such institutions, provided that if it is a freestanding sign such signs do not exceed 32 square feet in area.
- (5) One sign per street frontage of a building which is under construction, structural alteration or repair announcing the character of the building or enterprise or the purpose for which the building is intended, including names of architects, engineers, contractors, developers, financiers, owners, and others, provided the area of such signs does not exceed 32 square feet in nonresidential districts, and 16 feet in residential districts. Individual contractor signs (one per contractor), not exceeding three square feet in area, are allowed in addition to the construction sign described earlier in this subsection. All such contractor or construction signs shall be removed within 30 days after the completion of the construction project. All such signs which are larger than three square feet in area shall be set back from the property line to the normal building setback line required in the applicable zoning district. For the purposes of this subsection, the term "under construction" means under active construction and before substantial completion. Such signs shall not be erected, placed or allowed to remain in the absence or lapse of a building permit for the property to which it relates, or if a certificate of occupancy has been issued for such property. Trade repair or improvement signs (e.g., landscape and air conditioner repair signs) are limited to four square feet and may be placed only for the length of time the active repair or installation is underway not to include any maintenance period.
- (6) Governmental signs, provided that such signs do not exceed 32 square feet in area.
- (7) Community service signs may be placed on or over public property or on or over a public right-of-way only by units of local, state or federal governments or their agents. All signs in this category shall be maintained in good condition and if not the city building official shall cause such sign to be removed. If any sign in this category is for a special event, the sign shall not be erected more than two weeks prior to the event and shall be removed no later than five days after the event. The owner or organization shall be responsible for all costs involved in the erection and removal of such signs. A freestanding community service sign shall not exceed 32 square feet in area in nonresidential districts, and six square feet in area in residential districts. Signs hung across a public right-of-way shall be constructed of minnow seine material and shall be no larger than four feet in width and 36 square feet in length.
- (8) Official flags of governmental jurisdictions, U.S. military regimental flags, school flags and flags placed with permission of the city for special events or occasions. Business flags carrying the emblem, name, logo or other information of a business shall be included in the calculation of the maximum allowable sign area for such business. Business flags shall be limited to a maximum flag size of five by three feet.
- (9) Commemorative plaques placed by governmental or civic organizations and integral signs.

- (10) Signs specifically approved in a planned unit development; provided, however no prohibited signs shall be permitted.
- (11) Political election signs and signs the regulation of which is prohibited by the First Amendment as free speech, provided that such signs do not exceed 36 square feet in area or eight feet in height, on private real property with the consent of the owner, and are nonilluminated and without moving elements, and provided that such signs shall not be placed in, on or over any public street right-of-way. This provision shall not prohibit the use of signs in lawful demonstrations or speech in the public forum.
- (12) Public service signs indicating time and temperature, provided no company name, logo, or advertisement appears thereon.
- (13) Window signs, either painted or attached to a window of a building.
- (14) Auxiliary signs, not exceeding four signs of four square feet each per business property.
- (15) Directional signs, provided that such signs do not exceed six square feet in area or five feet in height.
- (16) No solicitation signs.
- (17) Signs specifically listed and permitted by the City under a Special Event Promoter/Sponsor Checklist or Special Event Permit Application, as set forth in Chapter 36 of this Code of Ordinances, for a Special Event held on Marktplatz (Market Square); provided that no prohibited signs, excepting signs set forth in Sections 29-6(3), 29-6(4), 29-6(6), 29-6(9), and 29-6(11), shall be permitted under this subsection (17) or under Chapter 36 of this Code of Ordinances.

(Code 1992, § 3.1005; Ord. No. 16-007, §§ 4, 16, 7-17-2006; Ord. No. 18-009, § 29-5, 11-3-2008; Ord. No. 22-010, 4-16-2012; Ord. No. 22-022, 8-20-2012; Ord. No. 25-008, 6-1-2015; Ord. No. 28-005, § 1, 5-7-2018)

Sec. 29-6. - Prohibited signs.

The construction, placement, existence, use of or advertisement on signs of the following nature are prohibited unless specifically authorized by this chapter.

- (1) Signs or billboards off premises from the location of the subject of the advertising content.
- (2) Signs which advertise an activity, business or service which has been out of business for 45 days.
- (3) Signs which move or contain visible moving parts.
- (4) Banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners, balloons, inflatable objects or other similar devices. Flags listed in section 29-5(8) are exempted, as are displays of historic, political, religious and military flags on residential property and on private property used by religious organizations. Strings of lights outlining windows or buildings are exempted and not considered to be prohibited.
- (5) Signs which contain statements, words or pictures of an obscene character.
- (6) Signs which are located on or extend over any public sidewalk, street, alley or other public property, except for canopy signs or projecting signs on buildings built up to the public right-of-way, or portions thereof, permitted in section 29-7(4)f and g. Signs required or authorized by governmental authorities for public purposes are exempted from this provision.
- (7) Signs which constitute a hazard to pedestrians or vehicular traffic, and signs which may be confused with, interfere with or obstruct the view of a traffic sign, signal or device.
- (8) Signs which make use of any word, phrase, symbol or character in such manner as to interfere with or mislead or confuse vehicular or pedestrian traffic.

- (9) Portable or wheeled signs.
- (10) Changeable lighted message signs.
- (11) Signs attached to or located upon amenities such as benches, trash containers or fences.
- (12) Signs placed on the side or rear of any building or property when such sign faces upon a contiguous residential district.
- (13) Nothing contained in this section shall be construed to prohibit the display of the flag of the United States, State of Texas or any political subdivision permitted in section 29-5(8).
- (14) Roof signs mounted on, wholly supported by or painted on the roof of a building.
- (15) Signs listed in section 29-5 that do not meet the requirements listed in that section and signs that do not meet the requirements of section 29-7.
- (16) Damaged signs which are not repaired within 30 days following the date of the damage or following the date of notice to repair same given by the building official, or any police officer, to the party responsible for such sign whichever is sooner. Such 30-day period shall be extended provided that a bona fide work order bearing a delivery date for repairs is submitted to the building official within the 30-day period. The 30-day period shall be extended until seven days after the delivery date shown on the work order. The provisions of this subsection are subject to the provisions of section 29-4.
- (17) Snipe signs.

(Code 1992, § 3.1006; Ord. No. 18-009, § 29-6, 11-3-2008)

Sec. 29-7. - Permanent signs permitted by district.

All signs listed in this section shall be required to meet any applicable standards as listed in this section and a construction permit shall be required prior to the erection of any signs described in this section:

- (1) The following signs shall be permitted in residential (R-1, R-2, R-3, RM and MPH) districts:
 - a. Residential subdivisions are allowed one permanent identification sign at each major entrance with not more than 32 square feet of sign area per sign. The height of each sign shall not exceed five feet and the lowest point of the sign facing shall not exceed 24 inches above the adjacent ground.
 - b. Multiple family complexes and mobile home parks are allowed one permanent identification sign with not more than 32 square feet of sign area. Permitted signs may be wall or ground signs, but if ground mounted the top shall not exceed five feet and the lowest point of the sign facing shall not exceed 24 inches above the adjacent ground. If building mounted, such signs shall be flush mounted and shall not project above the roof line.
 - c. Temporary real estate signs.
 1. A maximum of two temporary real estate development signs, with a combined total of 90 square feet of sign area and limited to 64 square feet for any one sign, may be located in a new subdivision.
 2. Each sign shall be located at a separate location with maximum separation as practicable. Two signs at the subdivision entrance are prohibited.
 3. The maximum sign height shall be 15 feet.
 4. Such temporary real estate subdivision signs shall be removed 24 months from the date the building permit for the sign is issued unless an application for extension of the same is made prior to the expiration of the 24-month period, in which case the 24-month period shall be extended for one additional period up to 24 months.

- (2) The following signs shall be permitted in neighborhood commercial (C-1) districts:
- a. *Residential signs.* Residential signs as permitted in subsection (1) of this section.
 - b. *Maximum sign area.* The maximum sign area of the combination of subsections (2)a, c, and d of this section for any property in this district shall not exceed 64 square feet.
 - c. *Wall signs.*
 1. One wall sign is permitted for each property provided that the total sign area shall not exceed 1½ square feet for each linear foot of building frontage but in no case shall such wall sign exceed 50 square feet.
 2. A wall sign shall not project above the building roof line to which it is attached and shall not exceed 25 feet in height.
 3. A wall sign shall not extend outward more than 12 inches from the building wall to which it is attached.
 - d. *Ground signs.*
 1. One ground sign is permitted for each property provided that the total sign area shall not exceed 32 square feet.
 2. The height of the sign, including the sign structure, shall not exceed five feet above the adjacent ground and the lowest point of the sign facing shall not exceed 24 inches above the adjacent ground.
 - e. *Banners/temporary signs.*
 1. One banner for a temporary sign shall be permitted for each business property provided it is not more than 16 square feet in area.
 2. A permit shall be issued for a 20-day period.
 3. The number of permits shall be limited to six per calendar year per property.
 4. Each permit may be linked together for a consecutive period (e.g., 20, 40, 60, 80, 100, 120 days). Each 20-day period, even if linked together, shall carry a separate permit fee.
 5. Banners/temporary signs shall be mounted as wall signs on a building in accordance with subsection (3)d of this section or as freestanding or ground signs in accordance with subsection (3)e of this section, or erected as medallion or shield signs in accordance with subsection (7)b of this section.
- (3) The following signs shall be permitted in commercial (C-2) districts:
- a. *Residential signs.* Residential signs as permitted in subsection (1) of this section.
 - b. *Banners/temporary signs.*
 1. Banners shall be permitted for each business property provided they do not exceed either two square feet per lineal foot of business building frontage or 80 square feet maximum in area. This applies to C-2 and industrial districts only.
 2. Temporary signs shall be permitted for each business property provided they are not more than 16 square feet in area.
 3. A permit shall be issued for a 20-day period.
 4. The number of permits shall be limited to six per calendar year per property.
 5. Each permit may be linked together for a consecutive period (e.g., 20, 40, 60, 80, 100 or 120 days). Each 20-day period, even if linked together, shall carry a separate permit fee.

6. Temporary signs shall be mounted as wall signs on a building in accordance with subsection (3)d of this section or as freestanding or ground signs in accordance with subsection (3)e of this section, or erected as medallion or shield signs in accordance with subsection (7)b of this section.
 7. Banners shall be mounted wholly within the business property on either the building entirely, or on an existing freestanding sign entirely, and shall not be attached to any utility pole or structure within the right-of-way.
- c. *Maximum sign area.* The maximum sign area of the combination of subsections (3)a, d, and e of this section for a property in this district shall not exceed 80 square feet for each 125 feet of business frontage, provided that such shall not be prorated based on the number of actual feet of business frontage, nor shall such allowable square footage be combined into one sign except as provided for in subsection (6) of this section. For example, a business must have 250 feet of business frontage in order to erect a second sign containing not more than 80 square feet.
 - d. *Wall signs.*
 1. Wall signs are permitted for each business with a maximum total sign area of 1½ square feet for each linear foot of building frontage.
 2. No wall signs shall project above the roof line of the building to which they are attached.
 3. Wall signs shall not extend outward more than two feet from the building wall to which they are attached.
 - e. *Ground signs.*
 1. One ground sign is permitted for each 125 feet of business frontage. A business must have 250 feet of business frontage in order to erect a second sign.
 2. The maximum total sign area per sign shall not exceed 50 square feet.
 3. The height of the sign, including the sign structure, shall not exceed five feet above the adjacent ground and the lowest point of the sign face shall not exceed two feet above the ground.
- (4) The following signs shall be permitted in the central business district (CBD):
- a. Residential signs as permitted in subsections (1) and (2)a of this section.
 - b. Banners/temporary signs as permitted in subsection (2)e of this section.
 - c. The maximum total sign area of the combination of subsections (4)a, b, and d through g of this section shall not exceed two square feet of sign area per foot of business frontage and in no case shall the sign area exceed 80 square feet.
 - d. *Wall signs.*
 1. Wall signs are permitted for each business property with a maximum total sign area of 1½ square feet for each linear foot of building frontage.
 2. No wall signs shall project above the roof line of the building to which they are attached.
 3. Wall signs shall be erected parallel to and extend not more than 12 inches outward from the facade of any building to which they are attached.
 4. Wall signs that are boxed graphic or individual letters placed in a space between windows may not exceed two-thirds of the distance between the top of the lower window, or canopy, and the sill of the upper window.
 - e. *Ground signs.*
 1. One ground sign is permitted for each business property provided the total sign area shall not exceed 20 square feet.

2. The height of the sign, including the sign structure, shall not exceed five feet and the lowest point of the sign face shall not exceed 24 inches above the adjacent ground, except for the alternate freestanding sign option erected in accordance with subsection (7) of this section.
- f. Projecting signs.
1. One projecting sign per building face, or wall, of a business property.
 2. A projecting sign shall not extend more than four feet from the building face, or wall, to which it is attached and shall not exceed 12½ square feet in area.
 3. The distance from the bottom of the sign to the ground or sidewalk shall be a minimum of eight feet.
 4. Projecting signs shall be pinned away from the building wall at least six inches.
 5. Projecting signs may not extend vertically above the window sill of a second story.
- g. Canopy signs.
1. The edge of the canopy sign shall not extend beyond the length or width of the canopy to which it is attached.
 2. A canopy sign shall not extend either two feet above or two feet below the horizontal underside of the canopy, and in no case shall the sign provide less than six feet, eight inches of clearance from the bottom of the sign and the ground. For a two-story porch canopy, the sign may extend more than two feet below the bottom of the porch structure, but in no case shall the sign provide less than seven feet of clearance from the bottom of the porch and the ground.
 3. Signs mounted on the underside or topside of the canopy, which are perpendicular to the building face, may not exceed two-thirds the width of the canopy. A minimum spacing of ten feet from sign to sign and five feet from the end of the canopy, except that a canopy at a street corner is required.
 4. Signs mounted on the underside or topside of the canopy and parallel to the building face shall not exceed two-thirds of the length of the canopy. A minimum spacing of five feet from the end of the canopy shall be provided, except that a canopy at a street corner is required.
- (5) The following signs shall be permitted in industrial (M-1, M-2 and M-3) districts:
- a. Banners/temporary signs as permitted in subsection (3)b of this section.
 - b. Areas zoned for industrial uses shall have the same regulations for wall signs and ground signs as permitted in subsections (3)d and e, respectively, of this section.
- (6) The following signs shall be permitted for integrated businesses in commercial (C-1 and C-2) districts and industrial (M-1, M-2 and M-3) districts:
- a. *Banners/temporary signs.* Banners/temporary signs as permitted in subsection (3)b of this section.
 - b. *Freestanding sign.* One freestanding sign shall be permitted for each integrated business property.
 1. *Total sign area.* The total sign area for a freestanding sign shall not exceed the greater of:
 - i. 32 square feet; or
 - ii. One square foot for each five linear feet of lot frontage, with a maximum of 100 square feet.

2. *Total height.* The total height of the sign shall not exceed 15 feet and the lowest point of the sign face shall not exceed 24 inches above the adjacent ground, provided that such sign advertises more than one business. In the event that only one business is advertised, the height limitation shall be five feet.
 - c. *Wall signs.* Regulations for wall signs shall be the same as provided in subsection (3)d of this section but shall be limited to a maximum of 80 square feet of sign area per business or tenant. For buildings with multiple businesses or tenants arranged in such a fashion that each business or tenant does not have a separate building frontage, the wall signage per business or tenant shall be calculated as 0.03 square feet of sign area per square foot of business or tenant lease space, but shall not exceed 80 square feet of sign area per business or tenant.
- (7) Historic district.
- a. Signs, other than exempted signs under section 29-5, to be placed in the historic district shall also be subject to the review requirements of the historic preservation ordinance.
 - b. Businesses located in the historic district shall have the option of erecting a medallion or shield sign in lieu of a ground sign as described in subsection (2)d, (3)e, or (4)e of this section. Any such sign shall not exceed nine square feet of sign area and shall be mounted no more than nine feet high.

(Code 1992, § 3.1007; Ord. No. 18-009, § 29-7, 11-3-2008)

Sec. 29-8. - Reserved.

Editor's note— Ord. No. 22-022, adopted Aug. 20, 2012, repealed § 29-8, which pertained to required address signs and derived from Ord. No. 22-010, adopted April 14, 2012.

Angie Pike

From: Craig Lindholm <clindholm@winnsborotexas.com>
Sent: Tuesday, November 24, 2020 9:52 AM
To: Angie Pike; Hollie Parker
Subject: FW: Article 3.11 - signs ordinance

Good morning, Craig,

I have a couple of thoughts regarding the sign ordinance to be discussed by P&Z.

First, it's called, "Article 3.11 - Signs in downtown Business District", but since we are wanting to expand it to include the whole city, maybe we should rename it to "Article 3.11 - Signs in Winnsboro city limits"?

Second, Sec. 3.11.008 talks about permits being at the discretion of the city administrator, while the Fredericksburg ordinance leaves it to a "building official". Maybe we should consider someone besides you. Maybe Scotty (code enforcer?) or someone on the city council?

Third, in Section 26 - Sign Regulations it talks about the size for each type of sign. But are these sizes exact or limitations?

Last, there is a typo in section 26.5. General Business Sign. "1. Definition: An accessory sign... only commodities or service offered..." Should say "services" plural.

Best Regards,
CJ