



City of Chandler Planning & Zoning Commission

811 Hwy. 31 East
CHANDLER, TEXAS 75758

THE CITY OF CHANDLER PLANNING & ZONING COMMISSION WILL MEET FOR A REGULAR MEETING **TUESDAY, MAY 5, 2015** IN CITY HALL OF CHANDLER, TEXAS AT **6:00 PM**

AGENDA

- A. CALL TO ORDER
- B. INVOCATION
- C. ROLL CALL AND ANNOUNCE IF A QUORUM IS PRESENT
- D. AGENDA CHANGES
- E. **REGULAR SESSION:**
 - 1. Public Hearing to Amend Chapter 3 BUILDING REGULATIONS, ARTICLE 3.09 SIGNS to discuss revisions to the city's sign regulations.
 - 2. Consider and act on recommendations on Ordinance O-050515 amending Chapter 3 BUILDING REGULATIONS, ARTICLE 3.09 SIGNS.

I, the undersigned authority, do, hereby, certify that this Notice of Meeting was posted on the bulletin board, at the City Hall of the City of Chandler, Texas, a place convenient and readily accessible to the general public at all times, and said notice was posted on the following date and time:

Posted April 30, 2015 by 5:00pm and remained so posted at least 2 hours before said meeting was convened.

Shirley Parmer/City Secretary



CITY OF CHANDLER

Staff Report

- PROJECT:** City of Chandler Sign Ordinance Amendment
- DATE:** **Planning and Zoning Public Hearing: 5/05/2015**
City Council Public Hearing: 5/12/2015
- REQUEST:** Hold Public Hearing
Review and Act on Ordinance #O-051215
- STAFF REVIEW:** This Ordinance revision attempts to address two sign issues. They are:
1. Clarifying the definition of Vehicle Signs and their exemption.
 2. Allowing for the full time use of Feather Banner Flags with conditions.

1. Vehicle Signs





Vehicle signs stationed on Hwy 31 are primarily used to advertise houses for rent. Residential real estate signs are restricted to the property which is for rent and are restricted to 6 sq. ft. However, the sign ordinance exempts vehicle signs. The current definition of vehicle signs has caused questions as to what signs are exempt under this definition.

Current Wording of Ordinance

Sec. 3.09.008 Exempt Signs

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

(7) Vehicle sign. Signs displayed or used on vehicles and trailers, **unless the vehicle or trailer is permanently stationed or regularly used at a fixed location to serve the same or a similar purpose of a permanent or portable sign.** A sign displayed or used on a vehicle or trailer that is not registered shall be presumed to be permanently stationed and therefore not exempt from the requirements of this article.

Proposed Wording of Ordinance

Sec. 3.09.008 Exempt signs

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

(7) Vehicle sign. Signs displayed or used on vehicles and trailers in a non-residentially zoned district **while either used on a daily basis in the commission of the resident business or parked for a period of eight (8) hours or less in a legally marked parking space at a business which is open for**

patronage. In addition to vehicle signs displayed or used on vehicles and trailers in a residentially zoned district if the owner of the vehicle is a resident, visitor or contractor of the resident of the property.

2. Feather Banner Flags



Current Wording of Ordinance

Current Ordinance does not directly address these banner flags and treats them as flags used in a special promotion that can be used for up to 20 days a year. However, that is not how

they are being used currently in Chandler. The most common use of these flags is to indicate when a vendor business is open or when a seasonal menu item is available. They are also used as the current ordinance allows which is for a grand opening or special promotion.

The proposed ordinance would allow one Feather Banner Flag to be used per business or tenant that does not have a permanent freestanding sign with restrictions. The restrictions proposed are as follows:

1. Feather banner flag must be brought in at the close of business on a daily basis.
2. The flag must be kept in good condition (not tattered or faded).
3. The flag may not be placed in a visibility triangle or in the right of way.
4. The flag must be located on the property which contains the business or tenant.
5. The pole and flag may not be taller than 12 feet or the flag wider than 30 inches.

Proposed Wording of Ordinance

Sec. 3.09.037 Banner, Feather Banner Flag or Coroplast Sign

(1) A banner or coroplast sign attached to a wall or facade shall be permitted as long as it complies with the following requirements:

- 1) One banner or coroplast sign, with a maximum of 48 square feet mounted to the building, shall be allowed per tenant per street frontage with an unlimited timeframe. If the building is a multi-tenant building the tenant banner may only be in front of the tenant space.
- 2) All four corners of a banner or coroplast sign shall be securely attached to the wall or facade of the principal building. Banners or coroplast signs are not allowed to be placed on fences, on pole signs, or be freestanding unless otherwise permitted in this article.
- 3) A banner or coroplast sign may be used by a religious institution without time restrictions and may be freestanding or wall mounted.

(2) One (1) Feather Banner Flag may be flown per business or tenant that does not have a permanent freestanding sign without a limit on the number of calendar days used subject to the following conditions:

- a. The flag must be brought in at the close of business on a daily basis.
- b. The flag must be kept in good condition (not faded or tattered).
- c. The flag may not be placed in a visibility triangle or in the right of way.
- d. The flag must be located on the property which contains the business.
- e. The pole and flag may not be taller than 12 feet or the flag wider than 30 inches.

**RECOMMENDED
ACTION:**

Review and act on Ordinance #O-041015
Adopting an amendment to Article 3.09 Signs

CITY CONTACT:

John Taylor, City Administrator

ATTACHMENTS:

Ordinance O-051215

ORDINANCE NO. O-051215

AN ORDINANCE AMENDING ARTICLE 3.09 SIGN REGULATIONS OF THE CITY OF CHANDLER CODE OF ORDINANCES REGULATING OUTDOOR SIGNS LOCATED WITHIN THE CITY OF CHANDLER, TEXAS, AND ITS ETJ PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A PENALTY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City of Chandler, Texas finds it is in the best interest of its citizens and promotes the health, safety and welfare of the public of the City of Chandler and its citizens to regulate outdoor signs;

WHEREAS, it is the city's intent to enact a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory standards and requirements for signs within the city and its extraterritorial jurisdiction;

WHEREAS, it is the city's intent to preserve and protect the public health, safety and welfare of the citizens of the City of Chandler and to balance public and private objectives by allowing adequate signage for business identification, to maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth;

WHEREAS, it is the city's intent to improve pedestrian and traffic safety; to protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the streetscape which affects the image of the City of Chandler; and to enable the fair and consistent enforcement of these sign regulations;

WHEREAS, the city adopted the current sign ordinance through Ordinance O-041012 and now finds it is in the best interest of the citizens of Chandler to amend this ordinance;

OW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Texas: The existing Article 3.09 of the Chandler Code of Ordinances be amended with the following:

Sec. 3.09.008 Exempt signs

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

- (7) Vehicle sign. Signs displayed or used on vehicles and trailers while either used on a daily basis in the commission of the resident business or parked in a legally marked parking space at a business which is open for patronage for eight (8) hours or less. This exemption does not apply to signs displayed or used on vehicles or trailers permanently stationed or regularly used at a fixed location to serve the same or a similar purpose of a permanent or portable sign. A vehicle or trailer shall be considered to be permanently stationed and therefore not

exempt from the requirements of this article if: it is not parked at a business which is open for patronage, not parked in a legally marked parking space, not used on a daily basis in the commission of the resident business, or parked at the same business for a period greater than eight (8) hours. If these conditions are not adhered to then the sign is not exempt and will be regulated through the ordinance.

Sec. 3.09.037 Banner, Feather Banner Flag or Coroplast Sign

(1) A banner or coroplast sign attached to a wall or facade shall be permitted as long as it complies with the following requirements:

- 1) One banner or coroplast sign, with a maximum of 48 square feet mounted to the building, shall be allowed per tenant per street frontage with an unlimited timeframe. If the building is a multi-tenant building the tenant banner may only be in front of the tenant space.
- 2) All four corners of a banner or coroplast sign shall be securely attached to the wall or facade of the principal building. Banners or coroplast signs are not allowed to be placed on fences, on pole signs, or be freestanding unless otherwise permitted in this article.
- 3) A banner or coroplast sign may be used by a religious institution without time restrictions and may be freestanding or wall mounted.

(2) One (1) Feather Banner Flag may be flown per business or tenant that does not have a permanent freestanding sign without a limit on the number of calendar days used subject to the following conditions:

- 1) The flag must be brought in at the close of business on a daily basis.
- 2) The flag must be kept in good condition (not faded or tattered).
- 3) The flag may not be placed in a visibility triangle or in the right of way.
- 4) The flag must be located on the property which contains the business.
- 5) The pole and flag may not be taller than 12 feet and the flag may not be wider than 30 inches.

Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, subsections, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, subsection, or section of this Ordinance shall be declared unconstitutional by the judgment or decree of any court of competent jurisdiction, such unconstitutionality or illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, subsections, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional or illegal phrase, clause, sentence, paragraph, subsection, or section.

Repealer. Any and all Ordinances of the City of Chandler, Texas in conflict with the provisions of this Ordinance shall be, and the same are hereby repealed, and all other provisions of the Ordinances of the City of Chandler not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Penalty. Any person, firm, or corporation found guilty of violating any of the provisions of this division shall be subject to a fine of not more than the maximum fine as provided for in Section 1.01.009 of the City of Chandler Code of Ordinances together with the costs of such prosecution. Each day during which a violation continues shall be a separate offense.

Effective Date. This Ordinance shall take effect immediately from and after its passage and its publication as required by law.

PASSED and APPROVED by the City Council of the City of Chandler, Texas this _____ day of _____, 2015.

APPROVED BY:

Ann Hall, Mayor

ATTEST:

Shirley Parmer, City Secretary