

ORDINANCE 083-069

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, PROVIDING THAT THE CODE OF ORDINANCES, TOWN OF ADDISON, TEXAS BE AMENDED BY REVISING SECTION 14-11, SPECIAL PURPOSE SIGNS; BY REVISING SECTION 14-17, VEHICULAR SIGNS; BY REVISING SECTION 14-23, GASOLINE SIGNS; BY ADDING A SECTION, SEARCHLIGHTS TO BE NUMBERED 14-24; BY REVISING SECTION 14-69, DETACHED SIGNS; BY REVISING SECTION 14-75, EXTENDED PROJECTIONS; BY REVISING SECTION 14-76, ATTACHED SIGNS; BY REVISING SECTION 14-118, REMOVAL OF CERTAIN NONCONFORMING SIGNS; BY REVISING SECTION 14-133, TEMPORARY REAL ESTATE DIRECTIONAL SIGNS; BY REVISING SECTION 14-134, REAL ESTATE SIGNS; BY REVISING SECTION 14-135, MONUMENT SIGNS; BY REVISING SECTION 14-136, TEMPORARY CONSTRUCTION SIGNS; BY REVISING SECTION 14-137, PROCEDURE FOR A MERITORIOUS EXCEPTION; BY REPEALING SECTION 14-138, PLANNING AND ZONING COMMISSION; BY REPEALING SECTION 14-139, NOTICE OF HEARING BEFORE ZONING COMMISSION; BY REPEALING SECTION 14-140, ACTION BY COUNCIL; PROVIDING FOR A REPEAL CLAUSE; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That Section 14-11 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 14-11. Special purpose signs generally.

1. An occupant may erect special purpose and/or temporary signs other than political signs at any occupancy or upon any premises for a maximum of SIX (6) times in each calendar year, for a maximum total of 30 days per calendar year. PERMIT PERIODS ARE REQUIRED TO BE 30 DAYS APART.

SECTION 2. That Section 14-17 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 14-17. Vehicular Signs.

Vehicular signs shall conform to the following restrictions:

- (1) Vehicular signs shall contain no flashing or moving elements.
- (2) Vehicular signs shall not project beyond the surface of a vehicle.
- (3) Vehicular signs shall not be attached to a vehicle so that the driver's vision is obstructed from any angle.
- (4) No vehicle bearing a sign, including vehicles used for delivery or other operations of a business but excluding construction vehicles on construction sites, shall be parked in the Town of Addison adjacent to public right-of-way for over continuous (24) hour period.

SECTION 3. That the Code of Ordinances of the Town of Addison be amended by adding a section to be numbered 14-23, to read as follows:

Sec. 14-23. Gasoline Signs.

Gasoline price per gallon or credit card signs may only be mounted on pump islands only, with maximum total area of any single sign face not to exceed four square foot.

SECTION 4. That the Code of Ordinances of the Town of Addison be numbered by adding a section to be numbered 14-24 to read as follows:

Sec. 14-24. Searchlights.

Searchlights are specifically prohibited.

SECTION 5. That Section 14-69 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 14-69. Same - Specifications.

Both single tenant and multi-tenant pole signs shall be allowed and shall be governed by the design standards and regulations as attached to this ordinance, and marked as Exhibit "A" and made a part hereof.

- (1) Single tenant pole signs are limited to (36) square feet in area and must be exactly (20) feet in height measured from ground elevation to the top of the sign.
- (2) Multi-tenant pole signs are limited to (72) square feet in area and must be exactly (20) feet in height measured from ground elevation to the top of the sign. No single tenant shall occupy more than (36) square feet of sign area on a multi-tenant sign.

SECTION 6. That Section 14-75 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 14-75. Same - Extended Projections.

Attached signs may project more than eighteen (18) inches from building surfaces as follows:

- (1) Any premises or any non-residential occupancy may erect not more than one attached sign projecting up to a maximum of four (4) feet from a vertical building surface, but not above the roof provided that the premises or occupancy

maintains no detached sign on the premises, and that the sign does not exceed twenty (20) square feet in effective area and that no part of the sign descends closer to grade than ten (10) feet, nor projects into or over any public right-of-way.

- (2) On any premises or non-residential occupancy a sign may be erected at the eaves or edge of the roof or on a parapet or edge of a canopy provided that the sign is parallel to the facade, and does not project more than six feet above the surface to which it is attached.
- (3) Window signs: Signs in windows facing public right-of-way which are noticeably visible signs are limited to a maximum letter height of 4". Such sign area is limited to 10% of the window area per facade.

SECTION 7. That Section 14-76 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 14-76. Same - Area.

Total effective area of attached signs shall not exceed the following schedules:

- (1) An attached sign located at a height up to thirty-six (36) feet or less, the sign area is limited to one square foot of sign area for each lineal foot of building frontage not to exceed 100 square feet.
- (2) An attached sign located at a height of thirty-six (36) feet shall be permitted an increase in maximum effective area. Such increases shall not exceed four (4) square feet in effective area for each additional one foot of height above THIRTY-SIX (36) FEET measured from the base of the sign.
- (3) Attached signs may be located on each facade; however, the sum of the effective area of all attached signs shall not exceed twice the allowable effective area as specified in above paragraphs (a) and (b).
- (4) Maximum letter/logo height of attached signs shall be determined by the following schedule: (The sign height shall be measured from the base of the sign to the ground.)

<u>Sign Height</u>	<u>Maximum Letter/Logo Height</u>
Between 0 - 36 feet	16 inches

Between 36 - 48 feet	36 inches
Between 48 - 100 feet	48 inches
Between 101 - 150 feet	60 inches
Between 151 & UP	72 inches

- a. Letter heights in excess of 72 inches shall be approved by the City Council. Addison Sign Review Board as described in Section 8, Subsection 2 of this ordinance.
  - b. Additionally, the above table represents the maximum letter and/or logo height in each individual sign height category. Where the sign is totally composed of individually mounted letters, either one (1) letter or logo may be 25% taller than the specified maximum letter/logo height.
- (5) Metal backing is required for all attached wall signs. Wood backing is prohibited.
  - (6) Single logo letter or designs, as approved by the Building Official, may be twelve (12) feet in height on structures exceeding 100 feet.
  - (7) There shall be only one sign for each facade for each tenant.

SECTION 8. That Section 14-118 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 14-118. Removal of certain nonconforming signs - when required.

- (1) Signs which do not conform to the provisions of this Chapter shall be removed before August 9, 1982. Any pole signs which do not conform to the provisions of this Chapter, as amended by Ordinance No. 083-058 shall be removed before August 8, 1988.
- (2) An existing wall sign which has been granted a variance will retain that variance under this ordinance.
- (3) Any existing pole sign, including those which have been granted a variances, will either have to comply with the provisions of this ordinance or be removed by August 8, 1988.
- (4) Any existing monument sign, including those which have been granted variances, will either have to comply with

the provisions of this ordinance or be removed by August 8, 1988.

- (5) Non-conforming signs which are damaged in excess of 50% of its current value must be demolished and not repaired unless such proposed repairs would bring the sign into compliance with the provisions of this ordinance.
- (6) All signs shall be maintained to ensure sound structural quality with such normal care that is necessary to retain a safe, attractive finished structure in terms of pole, brackets, frame, paint or surface. Signs not meeting these maintenance standards shall be considered as nonconforming signs and shall be subject to removal or repair.

SECTION 9. That Section 14-133 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 14-133. Temporary real estate directional signs.

Off-premise signs are prohibited.

SECTION 10. That Section 14-134 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 14-134. Real Estate signs.

Permission is granted to property owners for the erection of a sign to advertise the sale, lease or rent of the property on which the sign is located. Real estate signs must be spaced at least fifty (50) feet apart along a lot frontage and there may be no more than four such signs per lot, the total effective area of which may not exceed thirty six (36) square feet. Such signs shall be removed as soon as the property to which they refer has been sold, or 75 PERCENT rented or leased or for a period of 18 months from the date of the first certificate of occupancy or whichever occurs first. A sign permit is required.

SECTION 11. That Section 14-135 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 14-135. Monument Signs.

A free-standing sign having a low profile and made of stone, concrete, metal, routed wood planks or beams, brick or similar materials, including individual lettering, which repeat or harmonize with the architecture of the establishment it serves. Monument signs must be built on a monument base as opposed to a pole base. A monument sign contains only the name, logo, address and product or service of the establishment. No advertising or promotional information is permitted thereon. Such sign may be single or double-faced. Such signs and base shall not exceed six (6) feet in overall height above the natural or average grade and the actual sign face shall not exceed 48 square feet in area per side. One monument sign per adjoining street will be allowed. Brightly colored can signs made of plastic or similar materials shall not be considered as monument signs.

SECTION 12. That Section 14-136 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 14-136. Temporary Construction Signs.

Permission is granted to developers to erect temporary construction signs designed to identify contractors, financier, architects, engineer, and to advertise the coming of new business on the premises the sign pertains to. Such signs shall not be erected prior to the issuance of the Building Permit of the project the sign pertains to, and must be removed prior to the issuance of a Certificate of Occupancy. Such signs shall comply with the provisions of this chapter with the exception that no sign shall contain more than ONE HUNDRED 100 SQUARE FEET in effective area. The design standards and regulations for such signs are attached to this ordinance. In the case of residential subdivision development, such signs shall be allowed until 75% of the residential lots have been sold or 18 months after the issuance of the first certificate of occupancy.

SECTION 13. That Section 14-137 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 14-137. Procedures for a meritorious exception.

- (1) In the development of these criteria, a primary objection has been the ensuring against the kind of signage that has led to low visual quality. On the other hand, an equally primary objective has been the guarding against signage overcontrol.
- (2) It is not the intention of these criteria to discourage innovation. It is entirely conceivable that signage proposals could be made that, while clearly nonconforming to this ordinance and thus not allowable under these criteria, have obvious merit in not only being appropriate to the particular site or location, but also in making a positive contribution to the visual environment.

Such proposals will be seriously and fairly considered by the Addison Sign Review Board.

- (3) In order to determine the suitability of alternate materials, and methods of construction and to provide for reasonable interpretation of the provisions of this ordinance, there shall be and is hereby created a Sign Review Board of Appeals, consisting of three (3) or more members of the full Council. The Zoning Administrator shall be ex officio member and shall act as the staff to the board. The board shall have the authority to adopt reasonable rules and regulations for the enforcement of the Sign Ordinance and the authority to make recommendations to the full Council. The Council may consider appeals on the basis that such regulations and/or standards will, by reason of exceptional circumstances or surroundings, constitute a practical difficulty or unnecessary hardship.

Charter reference - Power of city to establish boards, Section 2.08(g).

SECTION 14. That Section 14-138, Section 14-139 and Section 14-140 of the Code of Ordinances of the Town of Addison, are hereby repealed and declaring the same to be null and void.

SECTION 15. That Chapter 14 of the Code of Ordinances, Town of Addison, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.



SECTION 16. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance by adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional.

SECTION 17. That any person, firm or corporation violating any of the provisions of this ordinance, shall upon commission be deemed guilty of a misdemeanor, and shall be subject to a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense, and each day such violation continues shall constitute a separate offense.

SECTION 18. The fact that the present sign ordinance is inadequate to properly safeguard the general public welfare, health and safety, creates an urgency and an emergency, and requires that this ordinance become effective immediately upon its passage and publication of the captioned as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, this the 8<sup>th</sup> day of November, 1983.

MAYOR

ATTEST:

Jacque Kuse  
CITY SECRETARY

Put.  
11.20.83

