



**CHARTER TOWNSHIP OF TEXAS  
ORDINANCE NO. 344**

**ORDINANCE AMENDING THE ZONING ORDINANCE OF TEXAS CHARTER  
TOWNSHIP REGARDING SIGNS**

**Adopted XXXX XX, 2019  
Published XXXX XX, 2019  
Effective XXXX XX, 2019**

**TEXAS CHARTER TOWNSHIP ORDAINS:**

**Section 1. Amendment to Article 2.**

Article 2, Section 2.2 of the Township's Zoning Ordinance entitled "Definitions" is hereby amended to read as follows:

**Sign** is an advertisement, display, device, written and/or projected message, placard or similar device intended or used to advertise, inform or direct attention to an object, product, place, activity, person, institution, organization, business or industry, and/or concept.

1. **Freestanding sign** means a sign attached to a permanent foundation or decorative base and not attached or dependent for support from any building.
2. **Menu boards** are accessory signs specific to a drive through use.
3. **Message center signs** are signs that include electronic changeable content or changeable letters.
4. **Portable sign** means any sign that is designed to be transported, including but not limited to signs with wheels removed; with chassis or support constructed without wheels; designed to be transported by trailer or wheels; converted to A- or T-frame signs; attached temporarily or permanently to the ground, a structure or other signs; mounted on a vehicle for advertising purposes, parked and visible from the public right-of-way, except signs identifying the related business when the vehicle is being used in the normal day to day operations of the business; searchlight stands; and air or gas-filled balloons or umbrellas used for advertising .
5. **Wall sign** means a sign attached to, or placed flat against the exterior wall or surface of any building, no portion of which projects more than 12 inches from the wall, and may not project above the roof or parapet line.
6. **Window signs** are signs installed inside or on a window and intended to be viewed from outside the building. Window signs area is calculated separately from wall signs.

**Section 2. Amendment to Article 5.**

Article 5, Section 36-5.8 6.A.ii. Signs Allowed on Private Property with and without Permits is hereby amended to read as follows:

- ii. The height, area and number of signs on the lot conforms to the requirements specified in this section.



**Section 3. Amendment to Article 5.**

Article 5, Table 36-5.8.6.C.i Freestanding Sign Dimension Requirements is hereby amended to read as follows:

36-5.8.6.C.i Freestanding Sign Dimensional Requirements					
Sign Dimensional Requirements Based on Zoning District					
Zoning District	Uses	Maximum Size	Maximum Height	Minimum Setback	NOTES
A, R-1, R-1A, R-2, R-3, R-4, R-5	Temporary Sign	12 SF	6'	½ of building setback	One per street frontage, permit required, 30 days per year.
C-1, C-2, O-1	Individual Use	32 SF, plus 1 SF for each 5' of lot frontage over minimum frontage, but never to exceed 50SF.	8'	25'	
C-3, C-4	Individual Use	50 SF, plus 1 SF for each 5' of lot frontage over minimum frontage, but never to exceed 80 SF.	15'	25'	
	Multiple Uses	80 SF	15'	25'	Minimum 100' from other freestanding signs
I-1, I-3, EBT	Individual Use	40 SF 150 SF adjacent to interstate highway right-of-way	15'	25' 0' from interstate highway right-of-way	May have 2 signs if 400' apart.



CBD	Individual Use	24 SF	6'	<p>The back edge of the sign must be 50' from the center of the right of way and the front edge of the sign must be far enough back for the site to have a 5' sidewalk</p> <p>No signs shall be placed between the sidewalk and road edge</p> <p>See CBD Sign Setbacks Graphic</p>	<p>Must not be within 50' of another freestanding sign.</p> <p>Such signs shall have a minimum twelve (12) inch high base, constructed of clay brick or integrally colored concrete brick, stone, marble, decorative metal or other similar masonry materials and be landscaped with shrubbery, plants, or flowers.</p>
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CBD	Multiple Uses	48 SF, max 12 SF per use	6' for 2, 8' for 3, 10' for 4 to 5, 15' for 6 or more	<p>The back edge of the sign must be 50' from the center of the right of way and the front edge of the sign must be far enough back for the site to have a 5' sidewalk</p> <p>No signs shall be placed between the sidewalk and road edge</p> <p>See CBD Sign Setbacks Graphic</p>	Must not be within 50' of another freestanding sign. Sign bases must be skirted with shrubbery, plants, or flowers. May be in preserved ROW behind sidewalk.
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**Section 4. Amendment to Article 5.**

Article 5, Table 36-5.8.6.C.ii Wall Sign Dimensional Standards is hereby amended to read as follows:

<b>36-5.8.6.C.ii Wall Sign Dimensional Standards</b>			
Zoning District	Uses	Size	NOTES
All but CBD	Single Use Building	1 SF for each 1' of building length, not to exceed 60 SF for the first 200'. Buildings over 200' may have 120 SF maximum signs.	



All but CBD	Multi Use Building	1 SF for each 1' of building 'face' per use. 40 SF max per use.	Wall signs can be no closer than 5' between signs.
CBD	Single Use Building	1 SF for each 2' of building length, not to exceed 20 SF per entrance, if the building is set back less than 25' from the ROW. If the building is setback more than 25', then 1 SF for each 1' of building length, not to exceed 40 SF per entrance.	Wall signs can be no closer than 5' between signs.

**Section 5. Amendment to Article 5.**

Article 5, Section 36-5.8.6.C.iii.vi. Flagpoles is hereby amended to read as follows:

- vi. Permanent flagpoles must be accessory structures and must not exceed 30 feet in height in residential districts or the maximum principal building height in all other districts. Flagpoles shall not be located within the existing right-of-way.

**Section 6. Amendment to Article 5.**

Article 5, Section 36-5.8.10. Existing Nonconforming Signs is hereby amended to read as follows:

- 10. Existing Nonconforming Signs. It is the intent of this Section to recognize the eventual elimination, as expeditiously as reasonable, of existing signs that are not in conformity with the provisions of this Section. This is as much a subject of public health, safety and welfare as is the prohibition of new signs that would violate the provisions contained in this Section. It is also the intent of this Section that the elimination of lawful nonconforming signs must be affected so as to avoid any unreasonable invasion of established private property rights. To this end, the following restrictions are imposed:
  - A. No lawful nonconforming sign may be enlarged or altered in a way, which increases its nonconformity.
  - B. No lawful nonconforming sign may be replaced by another nonconforming sign unless approved by the Zoning Board of Appeals. The Zoning Board of Appeals shall base its findings upon the criteria provided in Section 7.5 as well as a finding that that the proposed replacement sign would be less nonconforming than the existing sign.
  - C. No lawful nonconforming sign must be altered so as to prolong the life of the sign. Changes may be made in the words or symbols used in the message displayed on a lawful



- nonconforming sign, except for a sign that is nonconforming due to its height, so long as the sign is not enlarged or altered in a way that increases its nonconformance.
- D. If the costs of repair or replacement of a lawful nonconforming sign, which has been damaged by reason of windstorm, fire, any act of nature or the public enemy, exceeds 50 % of the total replacement cost of the sign as reasonably estimated by the Township Building Official, the sign must not be continued or rebuilt except in conformance with the provisions of this Section.
  - E. Whenever the activity, business or usage of a primary premises to which a sign is attached or related has been discontinued for a period of one year or longer, such discontinuance must be considered conclusive evidence of an intention to abandon legally the lawful nonconforming sign attached or related thereto. At the end of this period of abandonment, the nonconforming sign must either be removed or altered to conform to the provisions of this Section.
  - F. In the case of any conflict between the provisions of this Section and the more general provisions pertaining to nonconforming uses and structures contained in Section 36-7.9, the provisions of this Section must control.

#### **Section 7. Validity and Severability.**

Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

#### **Section 8. Repealer Clause.**

Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

#### **Section 9. Effective Date.**

This Ordinance shall take effect seven days after publication as provided by law.