



Winnsboro Planning & Zoning Commission

Meeting Agenda

501 S. Main St., Winnsboro, TX

February 02, 2021 at 5:30 p.m.

- 1) **Call to Order:**
 - 2) **Public Comments:**
 - 3) **Discussion/Action:** Approval of Minutes – Regular Meeting 01/05/2021
 - 4) **Discussion/Action:** Billboard Signs
 - 5) **Discussion/Action:** Planning Process
 - 6) **Executive Session:** Section 551.071 - Consultation with Attorney – Closed Session
 - 7) **Adjournment:**
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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.

Notice is hereby given that a possible quorum of the City Council, of Winnsboro, Texas may take place at this meeting, February 02, 2021 at 5:30 pm at the City Hall, Council Chambers located at 501 S. Main, Winnsboro, Texas. There will be no business transacted by City Council at said time and place.

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 1-866-899-4679, access code, 889-698-885

I certify that the above notice was posted at City Hall on _____, 2021, at _____ am/pm.

Angie Pike, City Secretary

PLANNING & ZONING MEETING

February 02, 2021

Item No. 2

Public Comments:

This is a time for the public to address the Commission on any subject. However, the Texas Open Meetings Act prohibits the Commission 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

February 02, 2021

Item No. 3

Consent Items: – Approval of Minutes: 01/05/2021

Suggested Action/Language:

I move that the Planning & Zoning Commission approve/ not approve the Consent Items as presented.

MINUTES OF THE
WINNSBORO PLANNING & ZONING COMMISSION MEETING
501 S. MAIN ST., WINNSBORO, TX 75494
January 05, 2021 at 5:30 PM

Members Present: Chairman Gary Gravley, Members David Estes, David Corning, and John Ryan Fennell

Staff Present: City Administrator Craig Lindholm and City Secretary Angie Pike

1) **Call to Order:** 5:35 pm

2) **Public Comments:** None

3) **Discussion/ Action:** Approval of Minutes –

Minutes Correction – 08/20/20

Regular & Called Meeting Minutes – 09/01/20, 10/06/20, 10/29/20, 12/01/20 & 12/29/20

City Secretary explained that there are several sets of minutes to approve this month due to the decision to withhold presenting any actionable items not absolutely necessary while the commissioners were working on revisions to the downtown ordinances.

Motion made to approve Minutes as presented.

Moved by Member Fennell, seconded by Member Estes.

All in favor, none opposed.

Motion passed.

4) **Discuss/Action:** Consider Proposed City – Wide Sign Ordinance

City Administrator spoke to the commissioners about the possibility of a city-wide sign ordinance. Lindholm proceeded to go through the previous draft, addressing questions and clarifications raised by commissioners. He noted some of his own thoughts and concerns with this draft, including; proper placement and requirements of any given sign, explained a statutory sign, attached signs, sufficient signage in relation to the size of the building, banners; with regard to condition, timeframe, etc., outdoor advertising signs and the timeline for those; referenced events and added that 3 days may not be long enough for the sign to be up and historical building markers, furthermore, maintenance issues need to be clarified and defined and who would pay for this as the historical commission no longer exists; additional areas that need work include the sections on neon signs, which may be restricted by zoning; portable signs, sign friezes and the section on prohibited signs.

City Administrator suggested that the commission should focus on billboards for the next 90 days. He also advised that he has asked for an opinion from the city attorney regarding the sunset period for existing billboards and is awaiting his response at this time.

5) **Discuss/ Action:** Consider Rezoning Request - Lot 16 Plt 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

Member Gravley expressed his concerns with this request, including the possibility that the requested change could be considered spot zoning and the need for mandatory screening as part of the change. Additionally, Gravley reminded commissioners that once a zoning change occurs, the property is then free to be used for whatever is allowed within that B-1 designation. Members discussed possible other undeveloped areas in the city currently designated as SF-1 and whether this is the right area for this type of development, as well as the idea of downgrading in zoning. Members further discussed whether there is a need for an additional RV Park and the lack of objections from property owners on Memory Lane and that only two of the neighbors from the surrounding area had an objection to the proposal.

Commissioners discussed the request and possible ramifications for property owners in the area as well as to the overall master plan, including what would happen if the lot is ever sold after having been rezoned and additionally that the loss of a SF-1 designation should be considered.

Commissioners discussed these concerns, as well as the ramifications to the difference in the tax roll. Members requested that the presenters could come to the City in the search for another piece of property that would be more perhaps more suitable.

Jim Hollowell, 411 Blackjack St; reminded the commissioners that the developers stated if the request was not approved, they would be open to looking elsewhere in the city.

David Corning, 801 Circle Dr; also reminded the commissioners that the developers intend to keep the first 2-3 acres of the area wooded and natural and additionally, they would be doing curb work on the street.

Cheryl Estes, 209 N. Main, St; stated that the development should be considered, as the alternative is the loss of any investment in the property.

Motion made to recommend approval of the zoning change request to the City Council with the stipulation of the them moving forward on the project that they intend for that property.

Moved by Member Fennell, seconded by Member Thatcher.

Four members in favor, opposed by Member Gravley.

Motion Passed.

6) Adjournment: 6:42 pm

THESE MINUTES OF THE 01/06/2021 PLANNING AND ZONING MEETING ARE HEREBY:

Approved:

Attest:

Gary R. Gravley, Chairman

Angie Pike, City Secretary

PLANNING & ZONING MEETING

February 02, 2021

Item No. 4

Discussion/Action: – Billboard Signs

Suggested Action/Language:

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

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.

Sec. 3.11.004 Alley signs

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.

(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 allowed.
- (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, 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.

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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINNSBORO, TEXAS, AMENDING THE ZONING ORDINANCE, ARTICLE 2 GENERAL PROVISIONS BY ADDING SECTION 2.13 REGARDING OFF-PREMISE COMMERCIAL SIGNS; AMENDING THE ZONING ORDINANCE, ARTICLE 17 DEFINITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000 FOR VIOLATIONS OF THE ORDINANCE; PROVIDING A SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Winnsboro, Texas (“City”) is a Type A general law municipality incorporated and operating under the laws of the State of Texas; and

WHEREAS, the City is authorized to regulate signs pursuant to its police power, Texas Local Government Code Chapter 211, and Texas Local Government Code Chapter 216; and

WHEREAS, the City of Winnsboro City Council (the “City Council”) finds and determines that the regulations adopted herein are for the good government, peace or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City Council finds and determines that it is the intent of this ordinance to promote the creation of an attractive visual environment that promotes a healthy economy by regulating, controlling and administering, without reference to content, the use of signs within the boundaries of the city and within the city's extraterritorial jurisdiction as allowed by law; and

WHEREAS, the City Council finds and determines that these land use regulations are intended to: (1) promote compatibility with the use of the property to which signs are appurtenant; (2) promote compatibility with the landscape and architecture of surrounding buildings; (3) be appropriate to the activity to which they pertain; and (4) ensure that signs are not distracting to motorists; and

WHEREAS, the City Council finds and declares that the meeting at which this Ordinance is considered is open to the public as required by law, and that public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code.

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

Section 1. That the statements above are found to be true and correct and are hereby incorporated.

Section 2. That Winnsboro Zoning Ordinance Article 2 is amended by adding Section 2.13, which shall read as follows:

Sec. 2.13 – Off-Premise Signs Prohibited

1. Off-premise signs are prohibited in all zoning districts.

2. Off-premise signs are prohibited within the City's extraterritorial jurisdiction.

Section 3. That Winnsboro Zoning Ordinance Article 17 is amended by adding the following terms in the appropriate alphabetical order:

Commercial Sign. A sign that seeks to draw attention to or promote a commercial, business, or economic interest by advertising or identifying a product, business, service, event, or any other matter of a commercial nature.

Off-premises sign means a commercial sign that advertises or identifies a product, business, service, or event that is not principally located, manufactured, offered, or sold on the premises on which the sign is located.

Section 4. Severability Clause. That if any provision of this ordinance shall be held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and affect the same as if such invalid or unconstitutional provision had never been a part of it.

Section 5. Savings Clause. That the Code of Ordinances, City of Winnsboro, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

Section 6. Penalty. That any person, firm or corporation convicted of a violation of any of the provisions or terms of this ordinance shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

Section 7. Effective Date. This ordinance shall be in full force and effect from and after the date of approval.

PASSED, ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WINNSBORO, TEXAS, ON THE _____ DAY OF _____, 2019.

CITY OF WINNSBORO, TEXAS

By _____
Camron Wilcox, Mayor

ATTEST:

Angie Pike, Interim City Secretary

APPROVED AS TO FORM AND LEGALITY

L. Stanton Lowry, City Attorney

DRAFT

PLANNING & ZONING MEETING

February 02, 2021

Item No. 5

Discussion/Action: – Discussion Regarding Planning Process

PLANNING & ZONING MEETING

February 02, 2021

Item No. 6

Discussion/Action: – Section 551.071, Consultation with Attorney, Closed Session