

ORDINANCE NO. 19-____

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS AMENDING THE 2015 GALVESTON LAND DEVELOPMENT REGULATIONS, BY AMENDING ARTICLE 5: “SECTION 5.109, SIGNS IN CENTRAL BUSINESS (CB), URBAN NEIGHBORHOOD (UN), NEIGHBORHOOD SERVICES (NS), AND TRADITIONAL (TN) DISTRICTS”; TO ADD AND CLARIFY THE SIGNAGE ALLOTMENTS IN THE URBAN NEIGHBORHOOD ZONING DISTRICT (TABLE 5.109), AND TO CLARIFY LOCATION AND SIZE OF NAME PLATES; PLANNING CASE NUMBER 19ZA-004; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, on March 5, 2015, City Council adopted the 2015 Galveston Land Development Regulations, including Article 5: Signs; and,”

WHEREAS, the Planning Commission, at its regular meeting of August 20, 2019, voted unanimously to recommend approval of the text amendment request as set forth in **Exhibit 1**; and,

WHEREAS, Staff, is requesting a text amendment to amend Article 5 “Signs” of the 2015 Galveston Land Development Regulations to Clarify that the signage allotments in the Urban Neighborhood zoning district (Table 5.109) are for commercial properties only, and to clarify location and size of name plates; and,

WHEREAS, after public notice and hearing as required by law, the City Council finds that it is in the public’s interest to amend Article 5 “Signs” of the 2015 Galveston Land Development Regulations to Clarify the signage allotments in the Urban Neighborhood zoning district (Table 5.109), and clarify location and size of name plates as provided below.

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

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The City of Galveston approves a text amendment to the Code of the City of Galveston 1982, as amended” Article 5 “Signs” of the 2015 Galveston Land Development Regulations clarifying the signage allotments in the Urban Neighborhood zoning district (Table 5.109) are for commercial properties only, and clarifying the location and size of name plates, as substantially provided in Exhibit 1, to read and provide as follows:

SEC 5.109 SIGNS IN CENTRAL BUSINESS (CB), URBAN NEIGHBORHOOD (UN), NEIGHBORHOOD SERVICES (NS), AND TRADITIONAL NEIGHBORHOOD (TN) DISTRICTS

Sign type	Max. # of signs	Max. Square foot area	Max. height	Placement	Illumination	Standard
Attached Signs:						
<p>1. Internal illumination limited to one sign type. 2. Single Tenant Properties located in the Central Business (CB) District with a minimum square footage of 10,000, shall be subject to Section 5.107, Signs in Commercial (C), Heavy Industrial (HI), and Light Industrial (LI) Districts. For those properties located within the Strand/Mechanic Historic District, any signage over the allotments in Section 5.109 shall be subject to review and approval by the Landmark Commission. 3. For the Urban Neighborhood (UN) zoning district, the signage allotments in this table shall be for commercial properties only.</p>						
Flat/Wall sign/Canopy	1	20 square feet 40 square feet (UN only)	n/a	Facing a street right-of-way	External	(Sec 5.422)
Under-Canopy	1	24 square feet	n/a	n/a	External	Minimum 7.5 feet clearance above grade. (Sec 5.418)
Projecting	1	48 square feet	n/a	On site, may extend over right-of-way	External	May project up to 4 feet from building. (Sec 5.413)
Detached Signs						
<p>1. Properties east of 59th Street, north of Seawall Boulevard, south of Harborside Drive to and including Ferry Road are limited to monument only (Sec. 5.404). 2. Single Tenant Properties located in the Central Business (CB) District with a minimum square footage of 10,000, shall be subject to Section 5.107, Signs in Commercial (C), Heavy Industrial (HI), and Light Industrial (LI) Districts. For those properties located within the Strand/Mechanic Historic District, any signage over the allotments in Section 5.109 shall be subject to review and approval by the Landmark Commission. 3. For the Urban Neighborhood (UN) zoning district, the signage allotments in this table shall be for commercial properties only.</p>						
Sign type	Max. # of signs	Max. Square foot area	Max. height	Placement	Illumination	Standard
Monument	1 per street frontage.	200 square feet	12 feet	On site	Internal, External	Sign base width measures at least 75percent of the width of the sign.
Subdivision ***	2 per intersection	150 square feet	12 feet	Reserve area	Internal, External	(Sec 5.415)

SECTION 3. The Galveston Land Development Regulations shall be amended to read and provide as follows:

Sec. 5.412 NAME PLATES

- a. **Permits. Name plates meeting the regulations of this Section do not require a permit.**
- b. **Location. For those properties located east of 103rd Street, the name plate shall be attached to the face of the structure and not located on a fence, railing, or stairs. The name plate shall be placed no higher on the structure than the first finished floor.**
- c. **Size. The name plate shall not exceed a size of two square feet.**

Sec. 5. 413. Sec. 5.414 Projecting Signs

Sec. 5.414–Sec. 5.415 Real Estate Signs

SECTION 4. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 5. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 6. In accordance with the provisions of Section 12 and 13 of Article II of The City Charter this Ordinance has been publicly available in the office of the City Secretary for not less than 72 hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

SECTION 7. This Ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of The Charter of the City of Galveston.

APPROVED AS TO FORM:

DONNA M. FAIRWEATHER
ASSISTANT CITY ATTORNEY

I, Janelle Williams, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by

the City Council of the City of Galveston at its regular meeting held on September 19, 2019, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this _____ day of _____, 2019.

Secretary for the City Council
of the City of Galveston



19ZA-004

STAFF REPORT

APPLICANT:

City of Galveston

REQUEST:

Text Amendment

APPLICABLE ZONING LAND USE

REGULATIONS:

Article 5: Signage

PROPOSED TEXT AMENDMENT:

To clarify requirements in the Urban Neighborhood zoning district and provide additional standards for nameplates

EXHIBITS:

A – Text Amendments

STAFF:

Catherine Gorman, AICP
Assistant Director/HPO
409-797-3665
cgorman@galvestontx.gov

Background:

Staff recently met with representatives of the Short Term Rental Owners Association of Galveston (STROAG) to discuss signage requirements. Concerns were expressed about the appropriateness of signage on residential structures in the Urban Core, east of 103rd Street. Staff presented these concerns to City Council at the June 27, 2019 workshop and was given direction to move forward with the changes.

Executive Summary:

Staff is recommending the following modifications:

1. Clarify that the signage allotments in the Urban Neighborhood zoning district (Table 5.109) are for commercial properties only. The Urban Neighborhood zoning district allows for both residential and commercial uses. The commercial uses are restricted to the north/south streets and corner store locations. Currently, the signage regulations do not differentiate between the property types and a residential structure would be able to apply for a permit for the signage allowed in Table 5.109.
2. Name Plate signs are wall signs that are meant to identify the owner or occupant of a building. They allowed in all zoning districts with a size restriction of two square feet. In order to allow for appropriate placement of Name Plates, Staff recommends the following:
 - a. Clarify the location of the Name Plate shall be on the face of the structure and not located on a fence, railing, or stairs; and
 - b. Specify that the location of the Name Plate shall be placed no higher on the structure than the first finished floor.

Criteria for Text Amendments:

Per Section 13.700: Text Amendments of the Land Development Regulations:

Recommendations and decisions regarding petitions for amendments to the text of these regulations are legislative in nature, but shall be based on consideration of all the following criteria:

1. The proposed amendment will help to implement the adopted City of Galveston 2011 Comprehensive Plan or if it involves a topic that is not addressed or not fully developed in the City of Galveston 2011 Comprehensive Plan, the proposed amendment will not impair the implementation of the adopted City of Galveston 2011 Comprehensive Plan and other adopted special-area and special-topic plans when compared to the existing regulations.
2. The proposed amendment is consistent with the stated purposes of these regulations.
3. The proposed amendment will maintain or advance the public health, safety,

**Criteria for Text Amendments
Cont.**

or general welfare.

4. The proposed amendment will help to mitigate adverse impacts of the use and development of land on the natural or built environment, including, but not limited to mobility, air quality, water quality, noise levels, storm water management, wildlife protection, and vegetation or will be neutral with respect to these issues.
5. The proposed amendment will advance the strategic objectives of the City Council such as fiscal responsibility, efficient use of infrastructure, public services, and other articulated City objectives.

Per Section 13.700: Text Amendments of the Land Development Regulations:

Purposes: Text amendment proposals shall serve the following purposes:

1. Advancing the goals, objectives and policies of the City's Comprehensive Plan and other adopted special-area and special-topic plans;
2. Securing adequate light, air, convenience of access, and safety from fire, flood and other danger;
3. Lessening or avoiding congestion in public ways; Promoting the public health, safety, comfort, morals, convenience and general welfare; and Otherwise accomplishing the purposes of Texas Local Government Code Chapter 211, Municipal Zoning Authority.

**Consideration for Text
Amendments**

Considerations: In preparation and considering proposals for text amendments, the Planning Commission and City Council shall pay reasonable regard to:

1. The Comprehensive Plan and related plans;
2. Current conditions and the character of current uses and structures in each district;
3. The most desirable use for which the land in each district is adapted;
4. The conservation of property values throughout the jurisdiction; and
5. Responsible development and growth.


Other Reviews

The Planning Commission reviewed at their August 20, 2019 meeting and recommended approval. The vote was unanimous.

Staff Recommendation

Staff recommends approval of the request as submitted.

Respectfully Submitted,



Catherine Gorman, AICP
Assistant Director/HPO

August 27, 2019

Date

Sign type	Max. # of signs	Max. Square foot area	Max. height	Placement	Illumination	Standard
Subdivision	2 per intersection	150 square feet	12 feet	Reserve area	Internal, External	(Sec 5.415)
Directional/Informational (on-site)	n/a	6 square feet	8 feet	On Site	Internal, External	Giving directions to motorists regarding parking and access drives.
Directional (off-site)	2 per business	4 square feet (1'x4')	8 feet	Within 1,000'	External	(Sec 5.408)
A Frame, Sandwich Board or Easel	1 per site	6 square feet	4 feet	On site	None	Displayed during business hours only. Wood, aluminum or metal only. Free of any attachments.

SEC 5.109 SIGNS IN CENTRAL BUSINESS (CB), URBAN NEIGHBORHOOD (UN), NEIGHBORHOOD SERVICES (NS), AND TRADITIONAL NEIGHBORHOOD (TN) DISTRICTS (ORD. 18-026)

Table 5.109 Signs in Central Business (CB), Urban Neighborhood (UN) and Traditional Neighborhood (TN) Districts						
Sign type	Max. # of signs	Max. Square foot area	Max. height	Placement	Illumination	Standard
Attached Signs.						
<p>1. Internal illumination limited to one sign type.</p> <p>2. Single Tenant Properties located in the Central Business (CB) District with a minimum square footage of 10,000, shall be subject to Section 5.107, Signs in Commercial (C), Heavy Industrial (HI), and Light Industrial (LI) Districts. For those properties located within the Strand/Mechanic Historic District, any signage over the allotments in Section 5.109 shall be subject to review and approval by the Landmark Commission.</p> <p>2.3. For the Urban Neighborhood (UN) zoning district, the signage allotments in this table shall be for commercial properties only.</p>						
Flat/Wall sign/Canopy	1	20 square feet 40 square feet (UN only)	n/a	Facing a street right-of-way	External	(Sec 5.422)
Under-Canopy	1	24 square feet	n/a	n/a	External	Minimum 7.5 feet clearance above grade. (Sec 5.418)
Projecting	1	48 square feet	n/a	On site, may extend over right-of-way	External	May project up to 4 feet from building. (Sec 5.413)

Detached Signs

- Properties east of 59th Street, north of Seawall Boulevard, south of Harborside Drive to and including Ferry Road are limited to monument only (not applicable to properties fronting Seawall Boulevard or Harborside Drive).
- Single Tenant Properties located in the Central Business (CB) District with a minimum square footage of 10,000, shall be subject to Section 5.107, Signs in Commercial (C), Heavy Industrial (HI), and Light Industrial (LI) Districts. For those properties located within the Strand/Mechanic Historic District, any signage over the allotments in Section 5.109 shall be subject to review and approval by the Landmark Commission.
- For the Urban Neighborhood (UN) zoning district, the signage allotments in this table shall be for commercial properties only with the exception of Subdivision signs.

Sign type	Max. # of signs	Max. Square foot area	Max. height	Placement	Illumination	Standard
Monument	1 per street frontage.	200 square feet	12 feet	On site	Internal, External	Sign base width measures at least 75 percent of the width of the sign.
Subdivision	2 per intersection	150 square feet	12 feet	Reserve area	Internal, External	(Sec 5.415)
Directional/Informational (on-site)	n/a	6 square feet	8 feet	On site	Internal, external	Giving directions to motorists regarding parking and access drives
A Frame, Sandwich Board or Easel	1 per site	6 square feet	4 feet	On site	None	Displayed during business hours only. Wood, aluminum or metal only. Free of attachments.

SEC 5.110 SIGNS IN RESIDENTIAL SINGLE FAMILY (R-1), RESIDENTIAL GENERAL DUPLEX (R-2), RESIDENTIAL SINGLE FAMILY (R-3), AND RESIDENTIAL MULTIFAMILY (MF)

Table 5.110

Signs in Residential Single Family (R-1), Residential General Duplex (R-2), Residential Single Family (R-3) and Residential Multifamily (MF) Districts

Sign type	Max. # of signs	Max. Square foot area	Max. height	Placement	Illumination	Standard
Attached Signs						
1. Signage for corner stores within R-3 shall be limited to 20 square feet maximum sign face and 15-foot max height.						
Name Plate	1	2 square feet	n/a	Street frontage	External	Not to exceed 2 square feet
Detached Signs						
Subdivision	2 per intersection	150 square feet	12 feet	Reserve area	Internal, External	(Sec 5.415)

SEC. 5.412 NAME PLATES

- A. **Permits.** Name plates meeting the regulations of this Section do not require a permit.
- B. **Location.** For those properties located east of 103rd Street, the name plate shall be attached to the face of the structure and not located on a fence, railing, or stairs. The name plate shall be placed no higher on the structure than the first finished floor.
- C. **Size.** The name plate shall not exceed a size of two square feet.

SEC. 5.412-413 POLITICAL CAMPAIGN SIGNS

- A. **Permits.** Political signs meeting the regulations of this Section do not require a permit through the Department of Planning.
- B. **Location.** Political signs may be placed on private property with the permission of the owner or in the City right-of-way, adjacent to such private property, or at a polling location up to 90 days before an election. Political signs within the rights-of-way must be removed within 10 days after an election.
- C. **Intersection Visibility.** All political signs shall conform to the requirements of the City Code.
- D. **Size and Illumination.**
 - 1. To be exempt from the sign permit requirement, political signs may not have:
 - a. An effective area greater than 36 square feet;
 - b. A height greater than 8 feet;
 - c. Illumination; and
 - d. Any moving elements.
 - 2. Political signs that are not exempt must obtain a sign permit as provided in the Election Code.
- E. **Fences.** Political signs may be placed on fences if the fence is privately owned and is located on private property.

SEC. 5.413-414 PROJECTING SIGNS

- A. **Limited Use Standards**
 - 1. Shall be located along the street frontage of which the business is addressed.
 - 2. May substitute for a wall sign.
 - 3. Shall not project above the roof-line or parapet of a building in excess of four feet. The amount of projection from the face of the building shall not exceed four feet.
 - 4. May encroach into the City right-of-way.
 - 5. Must maintain a minimum 7.5 foot clearance from grade.

SEC 5.414-415 REAL ESTATE SIGNS

- A. **Proof of Permitting.** Real Estate signs meeting the regulations of this Section do not require a sign permit.
- B. **Location.** Real Estate signs shall be placed on private property with the permission of the owner.
- C. **Maximum Number, Size, and Height.**
 - 1. One per street frontage.
 - 2. In Residential zoning districts, real estate signs shall not exceed a maximum of 8 square feet.
 - 3. In all other Zoning Districts, real estate signs permitted up to 32 square feet.