

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 7.4 "SIGNS" AND SECTION 11.2 "TERMS," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTIAN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 12, "Unified Development Ordinance," Section 7.4 "Signs" and Section 11.2 "Terms," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 21st day of October, 2004.

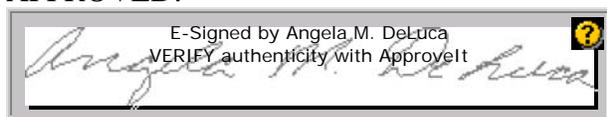
APPROVED:

RON SILVIA, Mayor

ATTEST:

Connie Hooks, City Secretary

APPROVED:



City Attorney

Exhibit "A"

1. That Chapter 12, "Unified Development Ordinance," Section 7.4 "Signs," of the Code of Ordinances of the City of College Station, Texas, is hereby amended by amending paragraphs D.2, E.1, E.3, E.5, and E.6 to read as follows:

"7.4 Signs

D. Prohibited Signs

The following signs shall be prohibited in the City of College Station:

2. Off-premise signs, including billboards, both commercial and non-commercial, except where there has been a resolution adopted by the City of College Station City Council or an executed contract with the City of College Station and the display of the sign:
 - a. Promotes a positive image of the City of College Station for the attraction of business or tourism;
 - b. Depicts an accomplishment of an individual or group; or
 - c. Creates a positive community spirit.

After adoption of the resolution or approval of the contract, the City of College Station can authorize the following:

- a. A sign on a City of College Station water tower;
- b. An entrance sign to be located on City of College Station property such that it is visible from the Highway Six East By-pass; or
- c. A sign to be located on City rights-of-way. Said sign shall be displayed for a period ordered by the City Council or as may be decided by it from time-to-time.

E. Exempt Signs

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

1. Signs that are not easily identified from beyond the boundaries of the lot or parcel on which they are located or from any public thoroughfare or traveled right-of-way, as determined by the chart below.

Distance from Property Line	Height of Copy or Logo
75'	1"
150'	2"
225'	3"
300'	4"
375'	5"
450'	6"
525'	7"
600'	8"
675'	9"

750'	10"
825'	11"
900'	12"

Such signs are not exempt from the safety regulations contained herein and in City Building and Electrical Codes;

3. Signs erected by private property owners for the purpose of warning of a dangerous defect, condition, or other hazard to the public;
 5. Seasonal decorations or displays, if they are clearly incidental to and are customarily and commonly associated with any national, local, or religious celebration;
 6. Signs erected by public utilities or construction companies to warn of the location of pipelines, electrical conduits, or other dangers or conditions in public rights-of-way;"
3. That Chapter 12, "Unified Development Ordinance," Section 7.4 "Signs," of the Code of Ordinances of the City of College Station, Texas, is hereby amended by deleting Section 7.4.T Special Event Signs and by renumbering the current paragraphs **U, V, W, X & Y** to **T, U, V, W & X**.
 4. That Chapter 12, "Unified Development Ordinance," Section 11.2 "Terms," of the Code of Ordinances of the City of College Station, Texas, is hereby amended by amending the definition of "**Sign**" to read as follows:

"11.2 Terms

Sign: Any written or graphic representation, decoration, form, emblem, trademark, flag, banner, or other feature or device of similar character which is used for the communication of commercial information, or communication of ideas or subjects of political significance, and which:

- (1) **Architectural Element:** an element, design, or motif, that is installed, attached, painted, or applied to the exterior of a building or structure for the purpose of ornamentation or artistic expression, and not relating to a specific sign, logo, or identity of any specific business tenant.
Per Ordinance No. 2753 dated September 23, 2004
- (2) **Apartment/Condominium/Manufactured Home Park Identification Sign:** An attached sign or a freestanding monument sign with permanent foundation or moorings, designed for identification of a multi-family residential project or a manufactured home park project, and where adequate provision is made for permanent maintenance.
- (3) **Area Identification Sign:** A freestanding monument or wall sign with permanent foundation or moorings, designed for identification of subdivisions of ten to 50 acres, or identification of a distinct area within a subdivision, and where adequate provision is made for maintenance.

- (4) **Attached Sign:** A sign attached to, or applied on, and totally supported by a part of a building.
- (5) **Banner:** A sign made of cloth, canvas, or other flexible material which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing.
Per Ordinance No. 2753 dated September 23, 2004
- (6) **Commercial Sign:** A sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing.
- (7) **Development Sign:** A sign announcing a proposed subdivision or a proposed building project.
- (8) **Directional Traffic Control Sign:** A sign utilized as a traffic control device in off-street parking or access areas whose primary purpose is not for advertisement.
- (9) **Freestanding Commercial Sign:** A sign supported by one or more columns, poles or bars extended from the ground or from an object on the ground, or that is erected on the ground; the term includes all signs which are not substantially supported by a building or part thereof, or which are substantially supported by a building or part thereof, when the sole significant purpose of the building or part thereof, is to support or constitute the sign.
- (10) **Flag/Pennant:** A piece of fabric used for decoration with or without copy or logo.
- (11) **Fuel Price Sign:** A sign used to advertise the current price of fuel at locations where fuel is sold.
- (12) **Home Occupation Sign:** A sign used to identify the name and occupation of a person with a legal home occupation.
- (13) **Low Profile Sign:** A sign with a permanent foundation which is not attached to a building, but is a stand-alone sign and which does not exceed 60 S.F. in area and four feet in height.
- (14) **Non-Commercial Sign:** A work of art or message which is political, religious, or pertaining to a point of view, expression, opinion, or idea that contains no reference to the endorsement, advertising of, or promotion of patronage, of a business, commodity, service, entertainment, or attraction that is sold, offered, or existing.
- (15) **Off-Premise Commercial Sign:** A sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing elsewhere than upon the premises where such sign is displayed.
- (16) **On-Premise Commercial Sign:** A sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing upon the premises where such sign is displayed.
- (17) **Political Sign:** Any sign which promotes a candidate for any public office or which advocates a position on any social issue as its primary purpose. Political signs shall be considered in the category of non-commercial signs except where there are regulations pertaining to their removal after an election.
- (18) **Portable Sign:** A sign which is not affixed or attached to real property by poles, stakes, or other members which are placed into the ground, or upon some other type of permanent foundation; trailer signs, any sign with wheels

or skids, and any sign which is constructed so as to sit upon the surface of the ground, without subsurface attachment or extension.

- (19) **Real Estate, Finance, and Construction Sign:** An attached or freestanding sign erected upon a lot or parcel of land for the purpose of advertising same for sale or lease, or for 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 job site.
- (20) **Roof Sign:** An outdoor advertising display 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 with a flat roof, six feet above the eave line of a building with a shed, gambrel, gable or hip roof, or the deck line of a building with a mansard roof.
- (21) **Special District Identification Sign:** An official, permanent, on-premise sign authorized by the City of College Station, which is used to identify a pedestrian or vehicular entrance to a Design District or Overlay District, as out lined in Article 5.6 Design Districts and 5.8 Overlay Districts. The sign shall be used to display only the name, logo, or identifying information about the district, and no other commercial information.
- Per Ordinance No. 2753 dated September 23, 2004*
- (22) **Subdivision Identification Sign:** A freestanding monument or wall sign with permanent concrete foundation or moorings, designed for permanent identification of a subdivision of greater than 50 acres, and where adequate provision is made for permanent maintenance.
- (23) **Subdivision Marker:** A subdivision logo of no more than one square foot in area, that is attached to an architectural element such as a column, fence post, wall, mail kiosk, bus stop, or similar community structure, and whose purpose is to provide continuity and identity throughout the subdivision."