

L. B.

REVISIONS RECOMMENDED AT THE JOINT WORKSHOP MEETING HELD ON OCTOBER 15, 1990

ORDINANCE NO. 509--A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AMENDING ORDINANCE NO. 509, THE ZONING ORDINANCE OF THE CITY OF PEARLAND BY ADDING SECTION 3 THEREOF TO ADD AND DELETE CERTAIN DEFINITIONS; BY ADDING A NEW SECTION 22, SIGN REGULATIONS; BY DELETING CERTAIN USES FROM TABLE III OF APPENDIX 'A' AND BY ADDING A NEW TABLE VII THEREOF; REDUCING PERMITS; RESTRICTING SIZE, LOCATION, SPACING AND TYPES OF SIGNS GENERALLY AND BY ZONING DISTRICT; FURTHER REGULATING PORTABLE SIGNS; PROHIBITING CERTAIN SIGNS; PROVIDING FOR ABATEMENT OF UNSAFE SIGNS; REDUCING REGISTRATION; PROVIDING FOR APPLICATION OF PROVISIONS TO THE EXTRATERRITORIAL JURISDICTION OF THE CITY; PROVIDING A PENALTY FOR VIOLATION; HAVING A SAVING CLAUSE; HAVING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City Council has received the recommendations of the Planning and Zoning Commission concerning the matters herein dealt with, which recommendations were made after the holding of a joint public hearing before said Commission and City Council on such matters; and,

WHEREAS, notice has been published of the time and place of a joint public hearing held before the City Council and Planning and Zoning Commission concerning the changes herein made, which public hearing has been duly held; and,

WHEREAS, the City Council has determined that the amendment to the Zoning Ordinance of the City of Pearland herein made is in the best interest of the health, safety and general welfare of the citizens of the City of Pearland; and,

WHEREAS, the Legislature under Chapter 216, V.T.C.A. Local Government Code, has established limitations upon the regulations of signs, particularly with respect to the removal of non-conforming signs; and,

WHEREAS, Chapter 216, V.T.C.A. Local Government Code, also authorizes the regulation of signs outside City limits but within its extraterritorial jurisdiction, as an alternative to regulation of such areas by the State of Texas; and,

WHEREAS, the City Council desires to establish a comprehensive set of sign regulations for the City in order to protect property values and individual safety, as well as the aesthetic sensibilities and general welfare of all who use public

thoroughfares and are exposed to competition from advertising signs for their attention, and to promote the orderly growth and development of the City!

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

Section 1. THAT Ordinance 509, the Zoning Ordinance of the City of Pearland be amended by amending Section 3 thereof by deleting the terms "Sign (Billboard)", "Sign Pole Type (On-Premise)", and the definitions thereof and adding the following:

- "(1) 'Building sign' means a sign attached against building fronts or exposed walls, or parallel to the face of the building atop a marquee.
- (2) 'Free standing sign' means a sign supported solely by posts or structures other than a building.
- (3) 'Marquee sign' means a free standing sign with slots or wires for inserting individual letters so that a message may be changed.
- (4) 'Off-premise sign' means a sign displaying advertising copy that pertains to a business, person, organization, activity, event, place, service, or product not principally located or primarily manufactured or sold on the premises on which the sign is located.
- (5) 'Off-premise portable sign' means an off-premise sign which is a portable sign.
- (6) 'Portable sign' shall mean any sign designed or constructed to be easily moved from one location to another, including, but not limited to, signs mounted upon or designed to be mounted upon a trailer, bench, wheeled carrier, A-frame, or other non-motorized mobile structure; a portable sign which has its wheels removed shall still be considered a portable sign hereunder. For the purpose of this chapter, trailer signs and signs on benches are 'portable signs'.
- (7) 'On-premise sign' means a sign identifying or advertising a business, person or activity, and installed on the same premises as such business, person or activity.
- (8) 'On-premise portable sign' means an on-premise sign which is a portable sign.

- (9) 'Sign' means an outdoor structure, display, light device, figure, painting, drawing, message, plaque, poster, flag or any other thing that is designed, intended or used to advertise, inform or attract
- (10) 'Temporary Sign' means any sign constructed of cloth, canvas, light fabric, cardboard, wallboard, plywood, or other light materials with short life expectancies. A portable sign shall not be considered a temporary sign.

Section 21 THAT Ordinance 509, the Zoning Ordinance of the City of Pearl and be amended by adding thereto a new Section 22 which reads as follows:

SECTION 22 - SIGNS

Section 22-1. Signs requiring permits.

- (1) No sign shall be erected, created or constructed after the effective date of this ordinance without a permit issued by the Building Official or his designee, except as provided herein.
- (2) Every applicant, before being granted a permit, shall pay an inspection fee, the amount of which shall be established and amended by resolution or ordinance of the Council and on file in the office of the City Secretary.
- (3) Portable Signs will be permitted subject to the terms of Section 22-7.
- (4) No permit shall be required for the following signs:
 - (a) Signs advertising the sale or lease of real property on which they are located. Real estate signs shall not exceed 32 square feet per sign face and shall not exceed six feet above ground level.
 - (b) A previously permitted sign in existence before the effective date of this ordinance.
 - (c) A sign that has as its purpose the protection of life and property.
 - (d) A sign or marker giving information about the location of underground electric transmission lines, telegraph or telephone properties and facilities, pipelines, public sewers, or water lines or other public utilities.

- (e) A sign erected by an agency of the state or a political subdivision of the state, which may or may not be located on public property.
- (f) A sign erected solely for and relating to a public election, but only if:
 - 1. the sign is on private property;
 - 2. the sign is erected no sooner than the 60th day before the election and is removed no later than the 15th day after the election;
 - 3. the area of the sign does not exceed thirty-two (32) square feet per sign face;
 - 4. the sign does not exceed six (6) feet in height;
 - 5. the sign is self-supporting.
- (g) On-site directional signs not exceeding two (2) square feet, provided such directional signs do not contain advertising and are not used as such.
- (h) One unlighted or indirectly lighted sign with names and/or street numbers so long as the area of such sign does not exceed one (1) square foot for each dwelling unit.
- (i) Bulletin boards not over sixteen (16) square feet per face in area for public, charitable or religious institutions when the same are located on the premises of such institutions.
- (j) One temporary construction sign denoting the architect, engineer, financial institution, contractor, or other principal parties when placed upon the site under construction and not exceeding thirty-two (32) sq. ft. per sign face.
- (k) Memorial signs or tablets, names of buildings and date of erection, when cut into any masonry surface or when constructed of bronze or other non-combustible materials.
- (l) Flags, emblems and insignia of any governmental body, decorative displays for holidays or public demonstrations which do not contain advertising and are not used as such and which do not exceed thirty-five (35) feet in height and one hundred (100) square feet in area.

(g) On-site directional and informational signs not exceeding two (2) square feet.

(m) Temporary signs advertising occasional non-commercial sales (including garage sales, patio and porch sales) shall be limited to three (3) signs not to exceed two (2) square feet each. Signs shall be removed within two (2) days following such sale. Such signs shall not be allowed more frequently than three (3) times a year. Signs shall not be located on public property or utility poles.

(n) Banners and decorations erected on and over public streets announcing civic and patriotic events and/or seasonal celebrations, providing such do not remain for more than sixty (60) days.

(n) Banners and decorations erected announcing civic, patriotic events and/or seasonal celebrations and for any other purpose shall not remain for more than thirty (30) days.

(o) Subdivision identification sign or signs not exceeding one hundred twenty (120) square feet per sign face installed at entrances to subdivisions and containing no more than the name of the subdivision. Subdivision signs shall not be located on public rights-of-way.

(p) Signs announcing special events for nonprofit organizations and service groups. These signs may be posted up to fourteen (14) days prior to the subject event and shall be removed within five days after the event. Such signs shall require no permit. Signs of this type posted on private property shall require the consent of the property owner. No such signs shall be posted on public property unless the event is being sponsored by an organization partially or wholly funded by public funds or a governmental agency or being sponsored by a group or organization using publicly owned facilities. No such signs shall be allowed under any circumstances on a public street. These signs shall not exceed thirty-two (32) square feet per sign face.

Section 22-2. Application for Permit.

Applications for permits shall contain or have attached thereto the following information:

- (1) Name, address and telephone number of the person or company which will own the sign.
- (2) Location of building, structure, or lot to which or upon which the sign or other advertising structure is to be attached or erected.
- (3) Two (2) sets of plans shall be submitted showing the sign location in relation to nearby buildings or structures, signs, property lines, driveways, public streets, fences and sidewalks.

(4) Two (2) sets of plans and specifications showing method of construction and attachment to the building or ground, size, type, height, construction materials, wind load calculations and such other information as the Building Official may require.

(5) Name, address and telephone number of person, firm, corporation, or association erecting the sign.

(6) For portable signs, the name, address and telephone number of person, firm, corporation or association using the sign for advertising. Also, the number of days of sign usage being requested.

(7) Zoning classification of the property.

(8) Such other information as the Building Official shall require to show compliance with this and all other ordinances of the City.

Section 22-3. Measurements.

(1) The area of any sign shall be deemed to be the sum of the area of each sign face, including cutouts.

(2) Maximum sign height shall be measured from the highest point on the sign to the grade level of the roadway from which the sign is to be viewed.

Section 22-4. Height Restrictions.

(1) No free standing sign shall exceed thirty (30) feet above ground level.

(2) Building signs shall not exceed four (4) feet above roof line.

(3) Any sign over a walkway shall have a minimum of eight (8) feet clearance over the walkway.

Section 22-5. Size and Type Restrictions by Zoning District.

Except as authorized by Table VII, no sign requiring a permit shall be allowed within the City's jurisdiction. Signage shall not exceed the maximums therein provided.

Section 22-6. Frontage on more than one street.

(1) If a use has street frontage on a corner, street frontage for the purpose of calculation of sign area shall be either:

(1) The area of any sign shall be deemed to be the sum of the area of one sign face, including cutouts.

(2) Maximum sign height shall be measured from the highest point on the sign to the elevation of the center line of the street measured perpendicular to the sign.

(1) No free standing sign shall exceed thirty (30) feet above the elevation of the center line of street measured perpendicular to the sign.

- (a) In the case of a sign erected on a building, the frontage of the building on the street which the sign faces.
- (b) In the case of a free standing sign more than three hundred (300) feet from an intersection of any public street, the frontage of the street closest to the sign, or if equidistant from two (2) or more streets, the longest such frontage.
- (c) In the case of a free standing sign less than three hundred (300) feet from an intersection, the frontage to be used in calculation shall be the street upon which the largest business building on such property faces.
- (2) If a use has street frontage on more than one street, but not on a corner, such business shall be entitled to signs as allowed by Table VII on each street.

Section 22-7. Portable sign limitations.

- (1) It shall be unlawful for any person to erect, alter, relocate or re-locate any portable sign within the City or its extrajurisdictional jurisdiction.
 - (2) Exceptions: Each lawfully operating business shall be allowed the use of one (1) on-premise portable sign for ninety (90) days during each calendar year; provided, however, that each usage of such portable sign shall be in increments of no less than fourteen (14) consecutive days. Such sign shall be required to comply with all other provisions of this ordinance.
 - (3) A portable sign use permit shall be obtained by each business for each use of a portable sign. Specifically, a use permit will be required in the following situations:
 - (a) Prior to installation and use of a portable sign.
 - (b) Prior to use of an existing installed portable sign by a different business located in the same shopping center.
- Fees for a portable sign use permit shall be established by City Council. Each on-premise portable sign shall have its permit securely attached and visible.
- (4) Every portable sign in use shall meet the wind load requirements of Sec. 22-8.
 - (5) The area where any portable sign is located shall be neatly maintained and kept clean by the owner, licensee, or permittee. Said person shall keep the site mowed and clear of debris.

Section 22-7. Portable Signs.

- (1) Each lawfully operating business shall be allowed the use of one (1) on-premise portable sign for ninety (90) days during each calendar year; provided, however, that each usage of such portable sign shall be in increments of no less than fourteen (14) consecutive days.
- (2) A portable sign permit shall be obtained by each business for each use of a portable sign. Specifically, a permit will be required in the following situations:
 - (a) Prior to installation and use of a portable sign.
 - (b) Prior to use of an existing installed portable sign by a different business located in the same shopping center.
- (3) In accordance with Section 22-1-4 (p) portable signs may be used as special event signs.

Fees for a portable sign permit shall be established by City Council. Each on-premise portable sign shall have its permit securely attached and visible.

 - (4) (a) Signs shall be secured in such a manner as to keep them upright and in place while in use.
 - (b) When a state of emergency is declared due to adverse weather conditions, portable signs shall be removed.

- (6) No portable sign may be illuminated unless it fully meets the City's Electrical Code.
- (7) The area of each sign face of a portable sign shall not exceed thirty-two (32) square feet and its height shall not exceed six (6) feet above ground level. A portable sign may not have more than two (2) advertising faces.
- (8) Portable signs shall be removed from their installed location at the conclusion of the permitted use period. Signs left on location past the permitted period, even with a blank advertising face, will be considered in violation of this ordinance.
- (9) The Building Official or his designee shall physically remove all portable signs in violation of Section 22 of the Zoning Ordinance of the City of Pearland. Such signs shall be stored until released to the owner thereof upon payment of an impoundment and daily storage fee to be established by the City Council and on file with the City Secretary. Upon removal of such sign the Building Official or his designee shall give notice of the violation and sign removal to the person in charge of the premises or, if the owner of the sign is known, to the owner of the sign; such notice to be transmitted via registered mail and shall state the method by which a hearing can be had before the municipal court. If a hearing is not requested within fifteen (15) days of the notice, the determination of the Building Official or his designee shall be final. Such hearing shall be held separately from the determination of criminal responsibility for the violation and the decision of the municipal judge shall be final on the determination of the right of the City of Pearland to require payment of the impoundment and storage fee as a condition to release of the portable sign. In such hearing the witnesses shall be sworn and cross examination shall be permitted.

Section 22-8. Wind loads.

All signs shall be designed, constructed and installed to withstand a wind pressure of not less than thirty (30) pounds per square foot per sign face.

Section 22-9. Obstruction to doors, windows or fire escapes.

No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a stand pipe or fire escape.

Section 22-10. Signs not to constitute traffic hazard.

No sign shall be erected or maintained in such a manner as to obstruct free and clear vision or at any location where by reason of position, shape, color, degree, manner, or intensity of illumination it may interfere with vehicular or pedestrian traffic. Pursuant to the foregoing, no sign shall be erected or maintained in such manner as to be likely to interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device. No sign shall be erected or maintained in a visibility triangle as defined in Section 3 of the Zoning Ordinance of the City of Pearland.

Section 22-11. Prohibited signs, advertising, lighting.

- (1) No person shall attach any sign, paper, other material, or paint, stencil, or write any name, number (except house numbers), or otherwise mark on any sidewalk, curb, gutter, street, utility pole, trees, public building, fence or structure unless authorized by this ordinance.
- (2) No sign shall be illuminated to any intensity greater than two hundred (200) lamberts. The restrictions of luminance shall be determined from any other premise or from any public right-of-way other than an alley. Lights shall be shielded to prevent the source of lighting from being directly visible from residential property.
- (3) No portion of any sign shall be erected upon or over public right of way or public property, except as specifically authorized by this ordinance.
- (4) Signs and advertising devices which move, flash, rotate, blink, change color, or are animated are prohibited; provided, however, this section shall not be deemed to prohibit devices displaying time, temperature and messages spelled out electronically.
- (5) Signs and advertising devices which produce noises discernible from more than one hundred fifty (150) feet away are prohibited.
- (6) No sign shall be erected in a floodway zone without the approval of the Building Official.
- (7) No on-premise free standing or portable sign shall be located within seventy-five (75) feet of another on-premise free standing or portable sign on the same side of the street or highway.
- (8) All "off-premise signs" and "off-premise portable signs" are expressly prohibited unless specifically authorized by this ordinance.

(7) No on-premise free standing sign shall be located within seventy-five (75) feet of another on-premise free standing sign on the same side of the street or highway.

(9) Signs which contain statements, words, or pictures of an obscene, indecent, or immoral character that would offend public morals or decency are prohibited.

(10) Signs placed on the side or rear of any building or property when such sign faces upon a contiguous residential area.

(11) Signs which contain or have attached thereto banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners, or other similar devices are prohibited.

Section 22-12. Compliance with other Codes.

All signs shall comply with all other City Codes, including the Electrical and Building Codes.

Section 22-13. Maintenance.

All signs, together with all supports, braces, guys and anchors shall be kept in good repair by the owner of the sign or the person in charge of the premises. Failure to keep a sign in good repair as defined in the Pearl and Building Code shall be deemed cause for removal. If the owner of the sign or person in charge thereof fails to make such repairs within thirty (30) days of notice from the Building Official of deficiencies.

Section 22-14. Unsafe signs.

If the Building Official shall find that any sign is unsafe and is a menace to the public, he shall give notice to the permittee thereof in the same manner as is provided in the Building Code for notice of unsafe buildings. If the permittee fails to remove or repair the sign within the time provided in such notice, such sign may be removed at the expense of the permittee. The Building Official may cause any sign which is an immediate peril to persons or property to be removed summarily and without notice.

Section 22-15. Replacement or repair of sign.

(1) When any sign, or a substantial part of it, is blown down or otherwise destroyed or taken down or removed for any purpose other than maintenance operations or for changing the letters, symbols or other matter on the sign, it may not be replaced, reerected, reconstructed, or rebuilt except in full conformance with the provisions and requirements of this ordinance.

- (2) For purposes of Subsection (1) of this section, a sign or substantial part of it is considered to have been destroyed only if the cost of repairing the sign is more than fifty (50) percent of the cost of erecting a replacement sign of the same type at the same location.

Section 22-16. Sign registration.

Every person, firm, group, organization, corporation, association, or other entity which has a lawfully erected sign on the effective date of this ordinance, or erects a sign after the effective date of this ordinance, shall obtain a sign use permit. Application for such sign use permit for a preexisting sign shall be filed with the City Building Official within one hundred twenty (120) days from the effective date of this ordinance. The City Building Official shall determine if the preexisting sign meets the requirements of this ordinance.

- (1) Conforming use: If such preexisting sign meets the requirements of this ordinance, the City Building Official shall issue to the applicant a sign use permit.
 - (2) Nonconforming use: If such preexisting sign does not meet the requirements of this ordinance, the City Building Official shall issue to the applicant a permit entitled "Sign Use Permit-Nonconforming Use." Such sign shall then be subject to the requirements of Section 22-15, "Replacement or Repair of Sign."
 - (3) Unsafe signs: If such preexisting sign is found to be unsafe and a menace to the public by the City Building Official, a sign use permit shall not be granted. Such sign shall then be subject to the requirements of Section 22-14, "Unsafe signs."
 - (4) A sign use permit will be valid for a period of three (3) years and shall be renewed at the end of that period.
- Section 22-17. Builder/Subdivision Signs.
- Builder/Subdivision signs will be permitted with the following restrictions:
- (1) One sign may be located at the main entrance of any new subdivision. If the main entrance is not on a major thoroughfare, the sign may be located off-site at an appropriate location on the nearest major thoroughfare.
 - (2) The maximum area for such sign shall not exceed 130 sq. ft.
 - (3) Such sign shall require an annual use permit and shall be removed when the subdivision is completely sold out.

Section 22-16. Sign registration

Every person, firm, group, organization, corporation, association, or other entity which has an erected sign on the effective date of this ordinance, shall register these signs with the City Building Official within 120 days after the effective date of this amendment unless said person, firm, group, organization, corporation, association or other entity has previously registered its sign. This registration on the part of the owner will consist of notifying the City Building Official of the existence of signage. Inspection, measurement, and recording of signage will be done by the City. The City Building Official shall determine if the preexisting sign meets the requirements of this ordinance.

- (1) Conforming use: If such preexisting sign meets the requirements of this ordinance, the City Building Official shall issue to the applicant "Notice of Registration of a Conforming Sign(s)."
 - (2) Nonconforming use: If such preexisting sign does not meet the requirements of this ordinance, the City Building Official shall issue to the applicant a registration entitled "Sign Registration Nonconforming Use." Such sign shall then be subject to the requirements of Section 22-15, "Replacement or Repair of Sign."
- B. Signs which do not conform to this ordinance but which lawfully existed and were maintained on the effective date of this ordinance () shall, within eight (8) years after the effective date of this ordinance, be removed or made to conform; provided however, portable signs shall be removed or made to conform within one hundred eighty (180) days after the effective date of this ordinance.
- (3) Unsafe signs: If such preexisting sign is found to be unsafe and a menace to the public by the City Building Official, such sign shall then be subject to the requirements of Section 22-14, "Unsafe Signs."
 - (4) Delete
- (1) One builder/subdivision sign may be located at the main entrance of any new subdivision. Four (4) additional directional signs may be located off-site at appropriate locations.
 - (2) The maximum area of a builder/subdivision sign shall not exceed 130 square feet. (2 SIDES MAX)
 - (3) The maximum area of a subdivision directional sign shall not exceed 32 square feet (two sides maximum).
 - (4) Such sign(s) shall be removed after a period of five years or when the subdivision is sold out, whichever occurs first.

Section 22-18. Application to extraterritorial jurisdiction.

This Section 22, together with all applicable definitions, shall, pursuant to the authority of Chapter 216, V.T.C.A. Local Government Code, apply to the City's extraterritorial jurisdiction. Property within the extraterritorial jurisdiction of the City shall be permitted the same signs as if such property was within the City and zoned M-2.

Section 3. THAT Ordinance 509, the Land Use and Urban Development Ordinance, be amended by deleting from Table III in Appendix A the uses described as "Signs, (Billboards) Advertising" and "Signs, Pole Type (On-premise)."

Section 4. THAT Ordinance 509, the Zoning Ordinance of the City of Pearland, be amended by adding thereto a new Table VII to read as follows:

Table VII

Zoning District	Sign Type	Maximum Area of All Signs Allowed for a Business With Frontage
SD, R-1, R-2, R-3, R-4, FM	Signs permitted under the "Special Provisions" portion of this table and signs not requiring permits are allowed in these districts.	
MF, MH	On-premise building sign; On-premise free standing	120 square feet
OP	On-premise signs only; 1. Building sign 2. Free standing sign (marquee sign allowed)	120 square feet
NS	On-premise building, free standing, marquee and portable signs allowed	2 square feet per lineal foot of building frontage up to a maximum of 160 square feet

NS

Free Standing:
2 square feet per lineal foot of building frontage up to a maximum of 160 square feet (2 side MAX)

Building Sign:
1 square foot per lineal foot of building frontage up to a maximum of 1 square foot

GB On-premise building, free standing, marquee and portable signs allowed
 2 square feet per lineal foot of building frontage up to a maximum of 200 square feet

C On-premise building, free standing, marquee and on-premise portable signs allowed
 2 square feet per lineal foot of building frontage up to a maximum of 300 square feet

PUD On-premise building and free standing signs located and described on site plan
 Limited only by site plan and zoning limitations.

M-1, M-2 On-premise free standing, building and on-premise portable signs allowed.
 2 square feet of sign area for each lineal foot of street frontage not to exceed 300 square feet per face, no more than 600 square feet maximum

Special Provisions:

Churches, colleges, government-owned buildings and institutional educational uses shall be allowed on-premise building, marquee and free standing signs not exceeding 100 square feet per sign face.

Churches, colleges, government-owned buildings and institutional educational uses shall be allowed one off-premise sign, for directional purposes, not to exceed 32 square feet per face. (2 Sides Max)

Section 5: Any person, firm or corporation violating any provision of this ordinance as read together with the Zoning Ordinance of the City of Pearl and shall be deemed guilty of a misdemeanor and upon final conviction thereof fined in an amount not to exceed Two Thousand Dollars (\$2,000.00). Each and every day any such violation continues or is allowed to exist shall constitute a separate offense.

Section 6: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this ordinance which can be given effect without the invalid provision or application and to this end the provisions of this ordinance are declared to be severable.

GB

Free Standing:
 2 square feet per lineal foot of building frontage up to a maximum of 200 square feet (2 Sides Max)

Building Sign:
 1 square foot per lineal foot of building frontage up to a maximum of 100 square feet

Free Standing:
 2 square feet per lineal foot of building frontage up to a maximum of 300 square feet (2 Side Max)

Building Sign:
 1 square foot per lineal foot of building frontage up to a maximum of 150 square feet

M-1, M-2

Free Standing:
 2 square feet of sign area for each lineal foot of street frontage not to exceed 300 square feet per face, no more than 600 square feet maximum (2 Sides Max)

Building Sign:
 1 square foot of sign area for each lineal foot of street frontage not to exceed 150 square feet per face, no more than 300 square feet maximum

EXCEPTIONS:

1. In the case of a business with frontage of less than 50', a building sign(s) not to exceed 50 square feet total shall be allowed.
2. In the case of a business with frontage of less than 25', a free standing sign(s) not to exceed 50 square feet total shall be allowed.
3. All or a portion of unused allowed square footage for a building sign(s) may be added to free standing sign, but in no case may free standing sign square footage be added to building sign(s).

Section 7: All provisions of prior ordinances of the City in conflict with any provision of this ordinance are hereby repealed, but only to the extent of any such conflict. The moratorium on off-premise signs, heretofore passed by Ordinance of the City Council, is in all things repealed at the effective date of this Ordinance.

Section 9: The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause of this ordinance as provided by law.

PASSED, APPROVED and ADOPTED on first reading this 14 day of March, A. D., 1988.

ATTEST:

Kay Kruze
City Secretary

Jim Bell
Mayor

PASSED, APPROVED and ADOPTED on second and final reading this 28 day of March, A. D., 1988.

ATTEST:

Kay Kruze
City Secretary

Jim Bell
Mayor

APPROVED AS TO FORM:

William A. Bell
City Attorney

VOTING RECORD (FIRST READING) MARCH 14, 1988
Voting "Aye" - Councilmembers Roberts, Bost, Tetens,
Frauenberger and Wolff.

Voting "No" - None.
Motion passed 5 to 0.

VOTING RECORD (SECOND READING) MARCH 28, 1988
Voting "Aye" - Councilmembers Wolff, Frauenberger,
Tetens, Bost and Roberts.

Voting "No" - None.
Motion passed 5 to 0.

PUBLICATION DATE: APRIL 1, 1988
EFFECTIVE DATE: APRIL 11, 1988

PUBLISHED AS REQUIRED BY SECTION 3.10 OF THE
CHARTER OF THE CITY OF PEARLAND, TEXAS.

(4) Two (2) sets of plans and specifications showing method of construction and attachment to the building or ground, size, type, height, construction materials, wind load calculations and such other information as the Building Official may require.

(5) Name, address and telephone number of person, firm, corporation, or association erecting the sign.

(6) For portable signs, the name, address and telephone number of person, firm, corporation or association using the sign for advertising. Also, the number of days of sign usage being requested.

(7) Zoning classification of the property.

(8) Such other information as the Building Official shall require to show compliance with this and all other ordinances of the City.

Section 22-3. Measurements.

(1) The area of any sign shall be deemed to be the sum of the area of each sign face, including cutouts.

(2) Maximum sign height shall be measured from the highest point on the sign to the grade level of the roadway from which the sign is to be viewed.

Section 22-4. Height Restrictions.

(1) No free standing sign shall exceed thirty (30) feet above ground level.

(2) Building signs shall not exceed four (4) feet above roof line.

(3) Any sign over a walkway shall have a minimum of eight (8) feet clearance over the walkway.

Section 22-5. Size and Type Restrictions by Zoning District.

Except as authorized by Table VII, no sign requiring a permit shall be allowed within the City's jurisdiction. Signage shall not exceed the maximums therein provided.

Section 22-6. Frontage on more than one street.

(1) If a use has street frontage on a corner, street frontage for the purpose of calculation of sign area shall be either:

*Changes made by
Pt 3 at their
meeting of 10-23-50*

(1) The area of any sign shall be deemed to be the sum of the area of one sign face, including cutouts.

(2) Maximum sign height shall be measured from the highest point on the sign to the elevation of the center line of the street measured perpendicular to the sign.

(1) No free standing sign shall exceed thirty (30) feet above the elevation of the center line of street measured perpendicular to the sign.

(2) For purposes of Subsection (1) of this section, a sign or substantial part of it is considered to have been destroyed only if the cost of repairing the sign is more than fifty (50) percent of the cost of erecting a replacement sign of the same type at the same location.

Section 22-16. Sign registration.

Every person, firm, group, organization, corporation, association, or other entity which has a lawfully erected sign on the effective date of this ordinance, or erects a sign after the effective date of this ordinance, shall obtain a sign use permit. Application for such sign use permit for a preexisting sign shall be filed with the City Building Official within one hundred twenty (120) days from the effective date of this ordinance. The City Building Official shall determine if the preexisting sign meets the requirements of this ordinance.

(1) Conforming use: If such preexisting sign meets the requirements of this ordinance, the City Building Official shall issue to the applicant a sign use permit.

(2) Nonconforming use: If such preexisting sign does not meet the requirements of this ordinance, the City Building Official shall issue to the applicant a permit entitled "Sign Use Permit-Nonconforming Use." Such sign shall then be subject to the requirements of Section 22-15, "Replacement or Repair of Sign."

(3) Unsafe signs: If such preexisting sign is found to be unsafe and a menace to the public by the City Building Official, a sign use permit shall not be granted. Such sign shall then be subject to the requirements of Section 22-14, "Unsafe signs."

(4) A sign use permit will be valid for a period of three (3) years and shall be renewed at the end of that period.

Section 22-17. Builder/Subdivision Signs.

Builder/Subdivision signs will be permitted with the following restrictions:

(1) One sign may be located at the main entrance of any new subdivision. If the main entrance is not on a major thoroughfare, the sign may be located off-site at an appropriate location on the nearest major thoroughfare.

(2) The maximum area for such sign shall not exceed 130 sq. ft.

(3) Such sign shall require an annual use permit and shall be removed when the subdivision is completely sold out.

Section 22-16. Sign registration

Every person, firm, group, organization, corporation, association, or other entity which has an erected sign on the effective date of this ordinance, shall register these signs with the City Building Official within 120 days after the effective date of this amendment unless said person, firm, group, organization, corporation, association or other entity has previously registered its sign. This registration on the part of the owner will consist of notifying the City Building Official of the existence of signage. Inspection, measurement, and recording of signage will be done by the City. The City Building Official shall determine if the preexisting sign meets the requirements of this ordinance.

(1) Conforming use: If such preexisting sign meets the requirements of this ordinance, the City Building Official shall issue to the applicant "Notice of Registration of a Conforming Sign(s)."

(2) Nonconforming use: If such preexisting sign does not meet the requirements of this ordinance, the City Building Official shall issue to the applicant a registration entitled "Sign Registration Nonconforming Use." Such sign shall then be subject to the requirements of Section 22-15, "Replacement or Repair of Sign."

B Signs which do not conform to this ordinance but which lawfully existed and were maintained on the effective date of this ordinance () shall, within eight (8) years after the effective date of this ordinance, be removed or made to conform; provided however, portable signs shall be removed or made to conform within one hundred eighty (180) days after the effective date of this ordinance.

(3) Unsafe signs: If such preexisting sign is found to be unsafe and a menace to the public by the City Building Official, such sign shall then be subject to the requirements of Section 22-14, "Unsafe Signs."

(4) Delete

(1) One builder/subdivision sign may be located at the main entrance of any new subdivision. Four (4) additional directional signs may be located off-site at appropriate locations.

(2) The maximum area of a builder/subdivision sign shall not exceed 130 square feet (2 sides maximum).

(3) The maximum area of a subdivision directional sign shall not exceed 32 square feet (two sides maximum).

(4) Such sign(s) shall be removed after a period of five years or when the subdivision is sold out, whichever occurs first.

Section 22-18. Application to extrajurisdictional jurisdiction.

This Section 22, together with all applicable definitions, shall, pursuant to the authority of Chapter 216, V.T.C.A. Local Government Code, apply to the City's extrajurisdictional jurisdiction. Property within the extrajurisdictional jurisdiction of the City shall be permitted the same signs as if such property was within the City and zoned M-2.

Section 3. THAT Ordinance 509, the Land Use and Urban Development Ordinance, be amended by deleting from Table III in Appendix A the uses described as "Signs, (Billboards) Advertising" and "Signs, Pole Type (On-Premise)."

Section 4. THAT Ordinance 509, the Zoning Ordinance of the City of Pearland, be amended by adding thereto a new Table VII to read as follows:

Table VII

Zoning_Districts	Sign_Type	Maximum Area of All Signs Allowed for a Business With Frontage-----
------------------	-----------	---

SD, R-1, R-2, R-3, R-4, FM
 Signs permitted under the "Special Provisions" portion of this table and signs not requiring permits are allowed in these districts.

MF, MH
 On-premise building signs; On-premise free standing
 120 square feet

OP
 On-premise signs only;
 1. Building sign
 2. Free standing sign (marquee sign allowed)
 120 square feet

NS
 On-premise building, free standing, marquee and portable signs allowed
 2 square feet per lineal foot of building frontage up to a maximum of 160 square feet

NS

Free Standing:
 2 square feet per lineal foot of building frontage up to a maximum of 160 square feet (2 sides maximum).
 Building Sign:
 1 square foot per lineal foot of building frontage up to a maximum of 80 square feet.

GB

On-premise building, free standing, marquee and portable signs allowed

2 square feet per lineal foot of building frontage up to a maximum of 200 square feet

GB

Free Standing:
2 square feet per lineal foot of building frontage up to a maximum of 200 square feet (2 sides maximum).

Building Sign:
1 square foot per lineal foot of building frontage up to a maximum of 100 square feet.

C

On-premise building, free standing, marquee and on-premise portable signs allowed

2 square feet per lineal foot of building frontage up to a maximum of 300 square feet

C

Free Standing:
2 square feet per lineal foot of building frontage up to a maximum of 300 square feet (2 sides maximum).

Building Sign:
1 square foot per lineal foot of building frontage up to a maximum of 150 square feet.

PUD

On-premise building and free standing signs located and described on site plan

Limited only by site plan and zoning limitations.
2 square feet of sign area for each lineal foot of street frontage not to exceed 300 square feet per face, no more than 600 square feet maximum

M-1, M-2

M-1, M-2

Special Provisions:

Churches, colleges, government-owned buildings and institutional educational uses shall be allowed on-premise building, marquee and free standing signs not exceeding 100 square feet per sign face.

Churches, colleges, government-owned buildings and institutional educational uses shall be allowed one off-premise sign, for directional purposes, not to exceed 32 square feet (2 sides maximum).

Section 5. Any person, firm or corporation violating any provision of this ordinance as read together with the Zoning Ordinance of the City of Pearlman shall be deemed guilty of a misdemeanor and upon final conviction thereof fined in an amount not to exceed Two Thousand Dollars (\$2,000.00). Each and every day any such violation continues or is allowed to exist shall constitute a separate offense.

Section 6. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this ordinance which can be given effect without the invalid provision or application and to this end the provisions of this ordinance are declared to be severable.

EXCEPTIONS:

1. In the case of a business with frontage of less than 50', a building sign(s) not to exceed 50 square feet total shall be allowed.
2. In the case of a business with frontage of less than 25', a free standing sign(s) not to exceed 50 square feet total shall be allowed.

3. All or a portion of unused allowed square footage for a building sign(s) may be added to free standing sign, but in no case may free standing sign square footage be added to building sign(s).