

**AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS
ORDINANCE NO. 796**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF EVERMAN, TEXAS BY AMENDING SECTION 9.4 “DEFINITIONS AND REGULATIONS” OF ARTICLE 9 “SIGN REGULATIONS” OF APPENDIX B “ZONING ORDINANCE”; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Staff has determined that there is a need for an addition to the City’s Sign Regulations to allow monument type signs indicating entryways to residential “subdivision” developments; and

WHEREAS, the City Council has determined that the amendment set forth in this ordinance meets that need and is in the best interest of the citizens of the City as it promotes health, safety and the general welfare;

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

SECTION 1. The Code of Ordinances of the City of Everman, Texas is hereby amended by amending Section 9.4 “Definitions and Regulations” of Article 9 “Sign Regulations” of Appendix B “Zoning Ordinance” to read in its entirety as follows:

“Section 9.4 Definitions and regulations

...

SS. *Subdivision Sign* means a permanent sign that identifies the name of the residential subdivision at the entry of the subdivision which is either (a) a sign supported from the grade to the bottom of the sign having or appearing to have a solid and opaque base or (b) a sign mounted to a screening wall and extending no more than sixteen (16) inches from the façade of the wall to which it is attached and not to exceed ten (10%) percent of the surface of the wall or three hundred (300) square feet, whichever is less. Subdivision signs are permissible subject to the following conditions:

1. *Permit.* A sign permit shall be issued for a subdivision sign after city council approval of a final plat;
2. *Manner.*

- a) If a subdivision sign includes electricity or lighting, all electrical wiring must conform to current electrical codes and should be shaded wherever necessary to avoid casting bright light onto any public street, park, or residential area.
- b) Sign supports should be masonry, non-decaying wood, or structural steel tubing.

3. *Location.*

- a) Subdivision signs are permitted only in conjunction with a residential use in a residential zoning district, which may include a planned development district with a residential base zoning.
- b) Subdivision signs shall be located within the platted boundaries of the subdivision.
- c) No sign shall be located in any vision triangle formed by the center lines of any two (2) intersecting streets. At any intersection where at least one of the intersecting streets is an arterial street (as defined in the City's Thoroughfare Plan) the sides of the triangle formed by the center lines of the intersecting streets shall be one hundred-twenty (120) feet in length as measure outward from the point of intersection of such center lines along such center lines. At all other intersections, each of such sides shall be eighty (80) feet in length.
- d) No more than one (1) subdivision sign per street front shall be permitted.
- e) A subdivision sign may not be located within one hundred twenty-five (125) linear feet of another freestanding sign.
- f) A subdivision sign mounted to a screening wall shall not extend above the highest point of the screening wall to which it is attached.

4. *Size.*

- a) The maximum area of a subdivision sign which is not mounted to a screening wall shall be no more than one hundred, twenty-five (125) square feet and no more than two (2) sign faces shall be permitted, with such sign faces to be parallel.
- b) Subdivision signs not attached to a screening wall shall not exceed six feet and six inches (6'6") in height above existing

grade, except where otherwise allowed by this section. Berming incorporated within the placement of the sign shall be included in any height measurement.

5. *Landscaping.* Subdivision signs shall e placed in a landscaped area of not less than the area of one (1) face of such sign.

...

[The text of the remaining subsections of section 9.4 shall remain unchanged and shall be renumbered and/or re-lettered accordingly to accommodate the insertion of this new subsection SS]

SECTION 2. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance which shall remain in full force and effect.

SECTION 3. All ordinances of the City of Everman, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed; provided, however, that all other provisions of said ordinances not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. This ordinance shall take effect immediately from and after its passage, as the law and charter in such cases provide.

DULY ORDAINED, PASSED AND ADOPTED by the City Council of the City of Everman, Texas, on the _____ day of March 2023.

CITY OF EVERMAN, TEXAS

ATTEST:

APPROVED:

Mindi Parks, City Secretary

Ray Richardson, Mayor

APPROVED AS TO FORM:

John D. Oliver, Assistant City Attorney
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