



City of Benbrook

Planning and Zoning Commission

DATE: 8/13/2020	REFERENCE NUMBER: ZTA-20-02	SUBJECT: Consider Amendments to City Sign Regulations of Title 17 – Zoning of the Benbrook Municipal Code.	PAGE: 1 of 1
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Request Type: Zoning Ordinance Text Amendment

The purpose of the sign ordinance update is to improve readability, incorporate recent Supreme Court decisions, and clarify conflicting and vague regulations.

Summary

The following is a summary of the draft ordinance:

- Reorganized the sign chapter to make the regulations easier to find, understand, and implement.
- Created new purpose section.
- Removed sign definitions from Chapter 17.08 and place applicable sign terms and definitions within Chapter 17.92. Some definitions were either updated or removed to reflect City Attorney suggestions to comply with recent Supreme Court decisions, or to resolve conflicting regulations, such as “wall signs” and “projecting signs.”
- Created new temporary sign regulations. Based on City Attorney guidance, sign regulations should not be based on the sign’s content like “real estate sign”, “residential sign”, “political sign”, and “menu board sign”, among others. To avoid legal issues, yet still allow these signs as a practical matter, the City should allow additional signage when a certain condition exists on a property, but not tie the additional sign allowance to its content.
- Clarified the number of freestanding signs allowed on a property.
- Changes made to allow individual sign panel changes on freestanding signs, with an approved sign permit, so long as the sign’s location, height, cabinet(s), basic construction, and other significant characteristic remain unchanged and the total sign area does not increase.
- Signs constructed, placed, or maintained by the federal, state, or local government are exempt from zoning code.
- Removed redundant and/or conflicting administrative procedures.
- Removed variance process from the sign chapter, as the zoning ordinance already contains Chapter 17.16 – Board of Adjustment, which contains details on the authority of the Zoning Board of Adjustment and criteria for variance approval, as regulated by State Law.

Staff Recommended Motion

Move to recommend City Council adopt the zoning ordinance text amendment, as presented.

Next Steps

- Consideration by City Council

Attachments

1. Draft Ordinance