



# City of Benbrook

## CITY COUNCIL COMMUNICATION

<b>DATE:</b>  <b>09/17/2020</b>	<b>REFERENCE NUMBER:</b>  <b>PZ-2020-04</b> <b>ZTA-20-02</b>	<b>SUBJECT:</b> <b>Ordinance amending Title 17 – Zoning of the Benbrook Municipal Code (1985), as amended, by amending Chapter 17.92 – Sign Regulations and Chapter 17.79 – Benbrook Boulevard Corridor Overlay District establishing updated sign regulations; and amending Chapter 17.08 - Definitions updating various sign definitions</b>	<b>PAGE:</b>  <b>1 of 2</b>
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**Planning and Zoning Commission Meeting Held August 13, 2020**

**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 placed 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 or vague regulations.
- 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.
- Allowed 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.

**Planning and Zoning Recommended Motion**

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

**Attachments**

- Ordinance

<b>SUBMITTED BY:</b>     	<b>DISPOSITION BY COUNCIL:</b> <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE)	<b>PROCESSED BY:</b>    
<b>CITY MANAGER</b>		<b>CITY SECRETARY</b>  <b>DATE:</b>

DATE:  <b>09/17/2020</b>	REFERENCE NUMBER:  <b>PZ-2020-04 ZTA-20-02</b>	SUBJECT: <b>Ordinance amending Title 17 – Zoning of the Benbrook Municipal Code (1985), as amended, by amending Chapter 17.92 – Sign Regulations and Chapter 17.79 – Benbrook Boulevard Corridor Overlay District establishing updated sign regulations; and amending Chapter 17.08 - Definitions updating various sign definitions</b>	PAGE:  <b>2 of 2</b>
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**UNAPPROVED MINUTES  
OF THE MEETING OF THE CITY OF BENBROOK  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
THURSDAY, AUGUST 13, 2020**

**IV. REPORTS OF CITY STAFF**

**B. ZONING**

- 1) ZTA-20-02 – Ordinance amending Title 17 - Zoning of the Benbrook Municipal Code (1985), as amended, by amending Chapter 17.92 – Sign Regulations and Chapter 17.79 – Benbrook Boulevard Corridor Overlay District establishing updated sign regulations; and amending Chapter 17.08 – Definitions to update various sign definitions. [PUBLIC HEARING]

Doug Howard, City Planner, presented the staff report for consideration for amendments to the City sign regulations of Title 17 – Zoning of the Benbrook Municipal Code. The purpose of the sign ordinance update is to improve readability, incorporate recent Supreme Court decisions, and clarify conflicting and vague regulations.

The Chair asked for public comment. There were no public comments. The Chair closed the public hearing at 8:11 p.m.

Motion by Commissioner Logan to recommend City Council adopt the zoning ordinance text amendment, as presented. Seconded by Commissioner Craver. The presiding officer called the question:

Vote on the motion:

Ayes: Mr. Ramsey, Mr. Logan, Mr. Valverde, Mr. Wallis, Mr. Craver, Mr. Brauer, Mr. Eason, and Mr. Farrar

Noes: None

Abstain: None

Motion carried: 8 – 0 – 0