

ORDINANCE NO. 2016-02

AN ORDINANCE OF THE CITY OF BALCONES HEIGHTS, TEXAS, AMENDING TITLE XV LAND USAGE CHAPTER 153 ZONING CODE TABLE 4b – FREESTANDING SIGNS; PROVIDING THAT ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith SHALL BE REPEALED TO THE EXTENT OF THE CONFLICT ONLY; PROVIDING FOR A PENALTY; PROVIDING A SAVINGS CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE AFTER PUBLICATION.

WHEREAS, the City Council finds that in Title XV Land Usage Chapter 153 Zoning Code Table 4b – Freestanding Signs erroneously represented that Pole Signs were allowed which was in direct conflict with Title XV Land Usage Chapter 153 Zoning Code Article 4.5.4(3); and

WHEREAS, the City Council finds an amendment to Table 4b - Freestanding Signs is necessary to correct any potential conflict;

WHEREAS, the City Council hereby finds that clarifying the prohibition of Pole Signs in the MXD Districts are in best interest of the City and will promote the health and welfare of the citizens of Balcones Heights and the general public;

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

Section 1: That Title XV Land Usage Chapter 153 Zoning Code Table 4b – Freestanding Signs of the Code of Ordinances of the City of Balcones Heights is hereby amended to read as follows in Exhibit "A" attached hereto and incorporated by reference herein for all purposes.

Section 2: All ordinances or parts of ordinances in conflict wherewith are hereby repealed to the extent of the conflict only.

Section 3: If any part or portion of this ordinance shall be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any remaining portions or provisions of this ordinance.

Section 4. This ordinance shall take effect immediately following passage by City Council.

PASSED on the first reading this 28th day of March, 2016.

PASSED, APPROVED AND ADOPTED in Balcones Heights, Texas this the 28th day of March, 2016.



Suzanne de Leon
Mayor

ATTEST:



Delia Flores, TRMC
City Secretary

EXHIBIT A
To Ordinance No. 2016 -

A-82E

Design and Form Standards

Table 4b

PERMITTED SIGN DIMENSIONS (see § 4.5.3 and 4.5.4 for additional regulations)												
NON-RESIDENTIAL DISTRICTS												
Permit Required	ON-PREMISES (Max. Sign Area in Sq. Ft.)	Allowable Height	Time Limit (in days)	O-1	O-2	C-1	C-2	MED	M-1	M-2	M-3	FREEWAY
Y	MONUMENT	see below	NONE	Allow.								
Y	POLE	see below	NONE	Allow.								
N	CONSTRUCTION	4'	Prior to CD	32	32	32	32	32	32	32	32	32
N	REAL ESTATE	4'	10 days after sale, lease, or term	18/32	18/32	18/32	18/32	18/32	18/32	18/32	18/32	18/32
Y/N	INCIDENTAL	3'	NONE	6/10	6/10	6/10	6/10	6/10	6/10	6/10	6/10	6/10
N	POLITICAL		10 days after election	20	20	20	20	20	20	20	20	20
Y	TEMPORARY	See Code of Ordinances § 139.05										
NA	ROOF	NA	NA	not allowed								
Y	COMPLEX	20'8" in MCD See 4.5.4(2)(d) for Freeway	NONE	10%***	10%***	10%***	10%***	10%***	10%***	10%***	10%***	10%***
Y	DIRECTIONAL	20'8" in MCD See 4.5.4(2)(d) for Freeway	NONE	10%***	10%***	10%***	10%***	10%***	10%***	10%***	10%***	10%***

PERMITTED SIGN DIMENSIONS (see § 4.5.3 and 4.5.4 for additional regulations)												
RESIDENTIAL DISTRICTS												
Permit Required	ON-PREMISES (Max. Sign Area in Sq. Ft.)	Allowable Height	Time Limit (in days)	R-1	R-2	R-3	R-4	R-5	R-6	R-7	R-8	R-9
Y	MONUMENT	see below	NONE	32*	32*	32*	32*	32*	32*	32*	32*	32*
Y	POLE	see below	NONE	32*	32*	32*	32*	32*	32*	32*	32*	32*
N	CONSTRUCTION	4'	Prior to CD	18	18	18	18	18	18	18	18	18

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