

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, BY AMENDING THE EXISTING CHAPTER 154 (SIGNS); REMOVING REFERENCE TO CHAPTER 157.542 WITHIN SECTION 154.002; REPLACING SECTION 154.904 IN ITS ENTIRETY TO INCLUDE NEW AND MODIFIED ZONING DISTRICT NAMES; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Pflugerville, Texas, has previously adopted a sign ordinance, codified under Chapter 154 of the City's Code of Ordinances; and

WHEREAS, the City of Pflugerville periodically amends its Sign Ordinance for the purpose of establishing reasonable regulations for all outdoor signs and structures that serve the purpose of a sign within the incorporated City limits and the City's extraterritorial jurisdiction in order to promote the economic development of the City while maintaining the quality of life for its residents and business owners; and

WHEREAS, it is the City's intention of this amendment to combine the SH 130 and SH 45 corridor district regulations into Chapter 154 for ease of use and consistency; and to update the zoning district names that have been modified over the years; and

WHEREAS, the City Council recognizes the proposed amendment and revision of Chapter 154 will allow for greater consistency, ease of use and administration.

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

I. Amendment I.

The Code of Ordinances of the City of Pflugerville, Texas, Chapter 154 (entitled "Signs"), Section 154.002 Applicability; Effect, is hereby amended by replacing the existing language in its entirety by the language provided immediately below.

§ 154.002 APPLICABILITY; EFFECT.

(A) A sign may be erected, placed, established, painted, created, or maintained in the city only in compliance with the standards, procedures, exemptions, and other requirements of this chapter.

(B) For sign regulations in the Central Business District, refer to [Section 155.1305, Chapter 155, Subchapter B](#), of this code. All applicable fees for signs related to this chapter shall apply for signs in the Central Business District, [currently known as the Downtown District Overlay \(DD\)](#).

(C) The effect of this chapter as more specifically set forth herein, is:

- (1) To establish a permit system to allow a variety of types of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this chapter;
- (2) To allow certain signs that are small, unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this chapter, but without requirements for permits;
- (3) To provide for temporary signs without commercial messages in limited circumstances;
- (4) To prohibit all signs not expressly permitted by this chapter; and
- (5) To provide for the enforcement of the provisions of this chapter.

II. Amendment 2.

The Code of Ordinances of the City of Pflugerville, Texas, Chapter 154 (entitled “Signs”), Section 154.904, is hereby amended by replacing the existing language in its entirety by the language provided immediately below.

§ 154.904 SIGNAGE PER ZONING DISTRICTS

The city shall have such other remedies as are and as may from time to time be provided for and allowed by state law for the violation of the zoning ordinance.

All such remedies provided herein shall be cumulative. To the extent that state law may limit the availability of a particular remedy set forth herein for a certain violation or a part thereof, such remedy shall remain available for other violations or other parts of the same violation.

(Ord. 421-95-06-13, passed 6-13-95; Am. Ord. 502-98-08-08, passed 9-8-98; Am. Ord. 537-99-03-23, passed 3-23-99; Am. Ord. 687-02-11-19, passed 11-19-02; Am. Ord. 705-03-05-27, passed 5-27-03; Am. Ord. 726-03-12-09, passed 12-9-03; Am. Ord. 739-04-02-10, passed 2-10-04; Am. Ord. 857-07-01-09, passed 1-9-07; Am. Ord. 904-07-09-11, passed 9-11-07; Am. Ord. 948-08-05-13, passed 5-13-08; Am. Ord. 980-08-11-25, passed 11-25-08; Am. Ord. 1010-09-08-25, passed 8-25-09; Ord. 1158-13-09-24, passed 9-24-13)

Table A1. Residential Zoning Districts & ETJ											
Permitted Sign Type	A	SF-E	SF-S	SF-R	SF-MU	2-F	MF-10	MF-20	MH	INS¹	ETJ
Freestanding											
Residential ²	A	A	A	A	A	A	A	A	A		A
Freestanding							P	P	P	P	P
Incidental ³	A						A ⁴	A ⁴	A ⁴	A ⁴	A

Building												
Banner ⁵											P	A
Building Marker ⁶	A	A	A	A	A	A	A	A	A	A	A	P
Canopy												
Incidental ³	A						A ⁷	A ⁷	A ⁷	A ⁷	A ⁷	A
Marquee ⁸											P	
Projecting ⁸												
Residential ²	A	A	A	A	A	A	A	A	A	A		A
Roof												
Roof, Integral												
Suspended ⁸											P	
Temporary ⁹	A						A	A			A	A
Wall											P	
Window ¹⁰												
Miscellaneous												
Flag ¹¹	A	A	A	A	A	A	A	A	A	A	A	A
Portable												
Electronic Message ¹²											P	

A = Allowed without sign permit

P = Allowed only with sign permit

Superscripts ¹⁻¹² = Conditions of sign types within the Zoning District

1. Institutional Uses in Residential Zoning Districts. The “INS¹” column does not represent a zoning district. It applies to institutional purposes such as primary and secondary schools, churches, hospitals, institutions of higher education and any governmental purpose.
2. Residential Signs. No commercial message allowed on sign.
3. Incidental Signs. No commercial message of any kind allowed on sign if such message is legible from any location off the zone on which the sign is located.
4. Limitations of Incidental (Freestanding) Signs in certain Districts. Only address and name of occupant allowed.
5. Banner Signs. Banners are allowed to be placed up to six (6) times a year for a period not exceeding 3 weeks. There is no fee but a permit application is required. This application may be submitted annually. Only one banner is allowed per business at any one time.
6. Building Marker. May include only building name, date of construction, or historical data on historic site; must be cut or etched into masonry, bronze, or similar material.
7. Limitations of Incidental (Building) Signs in certain Districts. No commercial message of any kind allowed on sign.
8. Marquee Signs. If such a sign is suspended or projects above a public right-of-way, the issuance and continuation of a sign permit shall be conditioned on the sign owner obtaining and maintaining in force liability insurance for such a sign and such amount as the Director may reasonably from time to time determine, provided that the amount of such liability insurance shall be at least \$500,000 per occurrence per sign.
9. Temporary Signs. The conditions of [§ 154.106](#) of this ordinance apply.
10. Window Signs. Window signs are allowed without a permit for up to 10% of window coverage. Coverage of more than 10% requires a sign permit.
11. Flags of the United States, the state, the city, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative

body of competent jurisdiction, provided that such a flag shall not exceed 60 square feet in area and shall not be flown from a pole the top of which is more than 40 feet in height. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. In the Central Business District (CBD) or currently known as the Downtown District overlay (DD), flags of any patriotic, religious, charitable, civic, educational, or fraternal organization not exceeding forty (40) square feet in area and thirty (30) feet in height are allowed. Flags decorative or seasonal are allowed if they are attached to the existing building and do not exceed five (5) feet by five (5) feet.

12. Electronic Message Signage. The conditions of [§ 154.112](#) of this ordinance apply.

Table A2. Commercial & Industrial Zoning Districts

Permitted Sign Type	O	NS	R	GB1	GB2	CI	LI	GI	CL3	CL4	CL5
Freestanding											
Residential ²									A	A	A
Freestanding	P	P	P	P	P	P	P		P	P	P
Incidental ³	A	A	A	A	A	A	A		A	A	A
Building											
Banner ⁵	P	P	P	P	P	P	P	P	P	P	P
Building Marker ⁶	A	A	A	A	A	A	A	A	A	A	A
Canopy	P		P						P	P	P
Incidental ³	A ⁸	A ⁸	A ⁸	A ³	A ³	A ³	A ³	A ³	A	A	A
Marquee ⁸	P	P	P	P	P	P	P	P	P	P	P
Projecting ⁸				P		P	P	P	P	P	P
Residential ²									A	A	A
Roof							P	P		P	P
Roof, Integral				P	P		P	P		P	P
Suspended ⁸	P	P	P	P		P			P	P	P
Temporary ⁹	P		P	P	P	P	A		A	P	
Wall	P	P	P	P	P	P	P	P	P	P	P
Window ¹⁰	A	A	A	A	A	A			A	A	A
Miscellaneous											
Flag ¹¹	A	A	A	A	A	A	A	A	A	A	A
Portable											
Electronic Message ¹²				P							

A = Allowed without sign permit

P = Allowed only with sign permit

Superscripts ¹⁻¹² = Conditions of sign types within the Zoning District

1. Institutional Uses in Residential Zoning Districts. The “INS¹” column does not represent a zoning district. It applies to institutional purposes such as primary and secondary schools, churches, hospitals, institutions of higher education and any governmental purpose.

2. Residential Signs. No commercial message allowed on sign.
3. Incidental Signs. No commercial message of any kind allowed on sign if such message is legible from any location off the zone on which the sign is located.
4. Limitations of Incidental (Freestanding) Signs in certain Districts. Only address and name of occupant allowed.
5. Banner Signs. Banners are allowed to be placed up to six (6) times a year for a period not exceeding 3 weeks. There is no fee but a permit application is required. This application may be submitted annually. Only one banner is allowed per business at any one time.
6. Building Marker. May include only building name, date of construction, or historical data on historic site; must be cut or etched into masonry, bronze, or similar material.
7. Limitations of Incidental (Building) Signs in certain Districts. No commercial message of any kind allowed on sign.
8. Marquee Signs. If such a sign is suspended or projects above a public right-of-way, the issuance and continuation of a sign permit shall be conditioned on the sign owner obtaining and maintaining in force liability insurance for such a sign and such amount as the Director may reasonably from time to time determine, provided that the amount of such liability insurance shall be at least \$500,000 per occurrence per sign.
9. Temporary Signs. The conditions of [§ 154.106](#) of this ordinance apply.
10. Window Signs. Window signs are allowed without a permit for up to 10% of window coverage. Coverage of more than 10% requires a sign permit.
11. Flags of the United States, the state, the city, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction, provided that such a flag shall not exceed 60 square feet in area and shall not be flown from a pole the top of which is more than 40 feet in height. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. In the Central Business District (CBD) or currently known as the Downtown District overlay (DD), flags of any patriotic, religious, charitable, civic, educational, or fraternal organization not exceeding forty (40) square feet in area and thirty (30) feet in height are allowed. Flags decorative or seasonal are allowed if they are attached to the existing building and do not exceed five (5) feet by five (5) feet.
12. Electronic Message Signage. The conditions of [§ 154.112](#) of this ordinance apply.

Table B. Maximum Total Sign Area Per Zone Lot by Zoning District

The maximum total area of all signs on a zone lot except incidental, building marker, and identification signs, and flags^a, shall not exceed the lesser of the following:

Table B1. Residential Zoning Districts & ETJ											
Permitted Sign Type	A	SF-E	SF-S	SF-R	SF-MU	2-F	MF-10	MF-20	MH	INS^b	ETJ
Maximum Number of Total Square Feet	200	8	8	8	8	8	200	200	200	100	800

Percentage of Ground Floor Area of Principal Building	2%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	10%
Square Feet of Signage Per Linear Foot of Street Frontage	1.0	N/A	N/A	N/A	N/A	N/A	0.5	0.5	0.5	0.5	0.5	6.0

Table B2. Commercial & Industrial Zoning Districts

Permitted Sign Type	O	NS	R	GB1	GB2	CI	LI	GI	CL3	CL4	CL5
Maximum Number of Total Square Feet	200	200	100	800	200	200	400	2000	100	800	800
Percentage of Ground Floor Area of Principal Building	6%	2%	4%	10%	6%	6%	2%	2%	4%	10%	5%
Square Feet of Signage Per Linear Foot of Street Frontage	3.0	1.0	2.0	6.0	3.0	3.0	N/A	N/A	2.0	6.0	0.75

- a. Flags of the United States, the state, the city, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction, provided that such a flag shall not exceed 60 square feet in area and shall not be flown from a pole the top of which is more than 40 feet in height. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting any one or more of these conditions shall be considered a banner sign and shall be subject to regulations as such.
- b. This column does not represent a zoning district. It applies to institutional uses permitted under the zoning ordinances in residential zoning districts. Some uses may include, but are not necessarily limited to, churches, schools, funeral homes, and cemeteries.

Table C. Number, Dimensions, and Location of Individual Signs by Zoning District

Individual signs shall not exceed the applicable maximum number, dimensions, or setbacks shown on this table and on Table D.

Table C1. Residential Zoning Districts & ETJ

Permitted Sign Type	A	SF-E	SF-S	SF-R	SF-MU	2-F	MF-10	MF-20	MH	INS ^a	ETJ
Freestanding											
Area (sq. ft.)	72 ^b	6	6	6	6	6	72 ^b	72 ^b	72 ^b	72 ^b	72 ^b
Height (feet)	8 ^c	3	3	3	3	3	8 ^c	8 ^c	8 ^c	8 ^c	8 ^c
Setback (sq. ft.)	10	2	2	2	2	2	2	2	2	5	10

Number Permitted												
Per Zone Lot	1	1	1	1	1	1	N/A	N/A	N/A	1	1	
Per Feet of Street Frontage ^f	N/A	N/A	N/A	N/A	N/A	N/A	1 per 200	1 per 200	1 per 200	N/A	N/A	
Building												
Area (max. sq. ft.)	N/A	N/A	N/A	N/A	N/A	N/A	72 ^d	72 ^d	72 ^d	10	N/A	
Wall Area (percent) ^e	10%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	10%	

Table C2. Commercial & Industrial Zoning Districts

Permitted Sign Type	O	NS	R	GB1	GB2	CI	LI	GI	CL3	CL4	CL5
Freestanding											
Area (sq. ft.)	72 ^b	72 ^b	72 ^b	72 ^b	72 ^b	72 ^b	72 ^b	72 ^b	72	72	72
Height (feet)	8 ^c	8 ^c	8 ^c	8 ^c	8 ^c	8 ^c	8 ^c	8 ^c	8	8	8
Setback (sq. ft.)	5	10	5	2	2	2	10	10	5	2	2
Number Permitted											
Per Zone Lot	1	1	N/A	N/A	1	N/A	N/A	N/A	1	N/A	1
Per Feet of Street Frontage ^f	N/A	N/A	1 per 100	1 per 100	N/A	1 per 200	1 per 200	1 per 800	N/A	1 per 100	N/A
Building											
Area (max. sq. ft.)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	72	N/A	N/A
Wall Area (percent) ^e	15%	10%	10%	10%	10%	10%	5%	5%	N/A	10%	10%

- a. This column does not represent a zoning district. It applies to institutional uses permitted under the zoning ordinance in residential zoning districts. Some uses may include, but are not necessarily limited to, churches, schools, funeral homes, and cemeteries.
- b. Maximum area may be increased to 200 square feet if the zoning district is within 200 feet of a freeway.
- c. Maximum height may be increased to 25 feet if the zoning district is within 100 feet of a freeway.
- d. Office or clubhouse only. Maximum area for all other signage is the same as that allowed in SF-S.
- e. The percentage figure here shall mean the percentage of the area of the wall of such a sign in a part or to which each such sign is most nearly parallel.
- f. Lots fronting on two or more streets are allowed the permitted signage for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.

Table D. Number and Dimensions of Certain Individual Signs by Sign Type

No sign shall exceed any applicable maximum numbers or dimensions, or encroach on any

applicable minimum clearance shown on this table.

Table D. Number and Dimensions				
Type of Sign	Number Allowed	Maximum Sign Area	Vertical Clearance	
			From Sidewalk or Private Drive or Parking	From Public Street
Freestanding				
Residential	See Table C	See Table C	N/A	N/A
Other	See Table C	See Table C	N/A	N/A
Incidental	See Table C	See Table C	N/A	N/A
Building				
Banner	N/A	N/A	9 ft.	12 ft.
Building Marker	1 per building	4 sq. ft.	N/A	N/A
Canopy	1 per building	25% of vertical clearance to canopy	9 ft.	12 ft.
Identification	1 per building	N/A	N/A	N/A
Incidental	N/A	N/A	N/A	N/A
Marquee	1 per building	N/A	9 ft.	12 ft.
Projecting	1 per building	40 sq. ft.	9 ft.	12 ft.
Residential	1 per zone lot	N/A	N/A	N/A
Roof	1 per principal building	N/A	N/A	N/A
Roof, Integral	2 per principal building	N/A	N/A	N/A
Suspended	1 per entrance	N/A	9 ft.	N/A
Temporary	See § 154.106	N/A	N/A	N/A
Wall	N/A	N/A	N/A	N/A
Window	N/A	25% of total window area	N/A	N/A
Miscellaneous				
Flag	N/A	60 sq. ft. ¹	9 ft.	12 ft.
Portable	1 where allowed ²	20 sq. ft.	N/A	N/A
<p>1. See Table A for flag regulations in the Central Business District.</p> <p>2. Permitted on the same terms as a temporary sign, in accordance with Section 154.106, except that it may be freestanding.</p>				

Table E. Permitted Sign Characteristics by Zoning District

Table E1. Residential Zoning Districts & ETJ											
Permitted Sign Type	A	SF-E	SF-S	SF-R	SF-MU	2-F	MF-10	MF-20	MH	INS ^a	ETJ

Changeable Copy											P	P
Illumination, Internal ^b												P
Illumination, External ^b							P	P	P		P	P
Illumination, Exposed bulbs or neon ^b												P

Table E2. Commercial & Industrial Zoning Districts

Permitted Sign Type	O	NS	R	GB1	GB2	CI	LI	GI	CL3	CL4	CL5
Changeable Copy	P			P	P	P			P	P	P
Illumination, Internal ^b	P	P	P	P	P	P	P	P	-	P	P
Illumination, External ^b	P	P	P	P	P	P	P	P	P	P	P
Illumination, Exposed bulbs or neon ^b				P		P		P	-	P	P

P = Allowed Only With Sign Permit

- a. This column does not represent a zoning district. It applies to institutional uses permitted under the zoning ordinance in residential zoning districts. Some uses may include, but are not necessarily limited to, churches, schools, funeral homes, and cemeteries.
- b. No direct light or significant glare from the sign shall be cast onto any adjacent zone lot that is zoned and used for residential purposes.

III. Severability

If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

IV. Publication of Unified Development Code

The publishers of the City Code of Pflugerville, Texas are authorized to publish this amendment of Chapter 154 of the City Code of Pflugerville, Texas and to correct typographical errors and to index, format and number paragraphs to conform to the existing City Code.

V. Effective Date.

This Ordinance will take effect upon its adoption by the City Council and publication as required by law.

PASSED AND APPROVED this 24th day of February, 2015.

CITY OF PFLUGERVILLE, TEXAS

By: _____
Jeff Coleman, Mayor

ATTEST:

Karen Thompson, City Secretary

APPROVED AS TO FORM:

City Attorney