



**CITY COUNCIL WORKSHOP AGENDA**  
**November 12, 2024**  
**5:00 P.M.**

**HAL BALDWIN MUNICIPAL COMPLEX COUNCIL CHAMBERS**  
**1400 SCHERTZ PARKWAY BUILDING #4**  
**SCHERTZ, TEXAS 78154**

**CITY OF SCHERTZ CORE VALUES**

**Do the right thing**

**Do the best you can**

**Treat others the way you want to be treated**

**Work cooperatively as a team**

**AGENDA**

**TUESDAY, NOVEMBER 12, 2024 at 5:00 p.m.**

**Call to Order**

**Hearing of Residents**

*This time is set aside for any person who wishes to address the City Council. Each person should fill out the speaker's register prior to the meeting. Presentations should be limited to no more than 3 minutes.*

*All remarks shall be addressed to the Council as a body, and not to any individual member thereof. Any person making personal, impertinent, or slanderous remarks while addressing the Council may be requested to leave the meeting.*

*All handouts and/or USB devices must be submitted to the City Secretary no later than noon on the Monday preceding the meeting. Handouts will be provided to each Councilmember prior to the start of the meeting by the City Secretary. All USB devices will be vetted by City IT staff to ensure City property is protected from malware.*

*Discussion by the Council of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.*

**Discussion and Action Items**

1. Workshop regarding updating the Ordinance regarding blowup signs and flags for advertising (M. Watson)
2. Workshop Discussion on Pedestrian Right of Way at Crosswalks (R.Gutierrez).

## Adjournment

### CERTIFICATION

I, SHEILA EDMONDSON, CITY SECRETARY OF THE CITY OF SCHERTZ, TEXAS, DO HEREBY CERTIFY THAT THE ABOVE AGENDA WAS PREPARED AND POSTED ON THE OFFICIAL BULLETIN BOARDS ON THIS THE 8TH DAY OF NOVEMBER 2024 AT 2:45 P.M., WHICH IS A PLACE READILY ACCESSIBLE TO THE PUBLIC AT ALL TIMES AND THAT SAID NOTICE WAS POSTED IN ACCORDANCE WITH CHAPTER 551, TEXAS GOVERNMENT CODE.

SHEILA EDMONDSON

**I CERTIFY THAT THE ATTACHED NOTICE AND AGENDA OF ITEMS TO BE CONSIDERED BY THE CITY COUNCIL WAS REMOVED BY ME FROM THE OFFICIAL BULLETIN BOARD ON \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

**TITLE:** \_\_\_\_\_

*This facility is accessible in accordance with the Americans with Disabilities Act. Handicapped parking spaces are available. If you require special assistance or have a request for sign interpretative services or other services, please call 210-619-1030.*

**The City Council for the City of Schertz reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act.**

**Closed Sessions Authorized:** This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Closed Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** November 12, 2024  
**Department:** Executive Team  
**Subject:** Workshop regarding updating the Ordinance regarding blowup signs and flags for advertising (M. Watson)

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**Attachments**

City Council Presentation Slides

# Workshop / Discussion

Wind Signs and Temporary Signs

Emily Delgado | Planning Manager

# UDC Article 16 Definitions:

- Temporary Sign: Any sign identified by this UDC which is intended to be displayed for seasonal or brief activities including, but not limited to, sales, specials, promotions, holidays, auctions, and/or business grand openings.
- Wind Sign: Any display or series of displays, banners, flags, pennants or other such objects designed and fashioned in such a manner as to move when subjected to wind pressure. Wind signs shall only be permitted as temporary signs.
- "A" Frame Sign: A temporary sign constructed in such a manner as to form an "A" or a tent-like shape, hinged or not hinged at the top with each angular face held at an appropriate distance so as to be adequately secured by a supporting member. These signs may also be referred to as sandwich board signs.

# UDC Article 16 Definitions:

- **Balloon Sign:** One or more inflatable devices filled with lighter-than-air gas used as a temporary sign for the purpose of directing attention to any location, event, person, product, good, service, activity, institution or business.
- **Banner Sign:** A temporary sign constructed of a natural or man-made flexible material including, but not limited to, cloth, canvas, vinyl, or fabric which can be easily folded or rolled that is mounted with or without an enclosing framework that is attached or tethered to the building or structures.
- **Pennant:** Any long, narrow, usually triangular flag composed primarily of cloth, paper, fabric or other similar non-rigid material which may be used as a temporary sign to announce grand openings and/or special events.
- **Bandit Sign:** Any temporary ground sign announcing a subdivision, new development or builder. *(Bandit Signs are Prohibited per UDC Section 21.11.6)*

# Types of Temporary Signs:

Wind Sign



“A” Frame Sign



Balloon Sign



Banner Sign



Bandit Sign



# UDC Article 11 Section 21.11.17 Temporary Signs:

- Maximum Area based on street classification:

Areas with Limited Access	32 sq. ft. per face or 10% of the building façade, whichever is less
Areas with Unlimited Access	24 sq. ft. per face or 7% of the building façade, whichever is less
All Other Streets	16 sq. ft. or 5% of the building façade, whichever is less

- Maximum Height based on street classification:

Areas with Limited Access	6 Feet
Areas with Unlimited Access	4 Feet
All Other Streets	3 Feet

Examples of Limited Access: IH 35 and IH 10

Examples of Unlimited Access: FM 78, FM 482, FM 1103, FM 1518, FM 2252, FM 3009, Schertz Parkway

# UDC Art. 11 Sect. 21.11.17 Temporary Signs Continued:

- **Minimum Setback:**
  - Setback for all temporary signs shall be fifteen feet (15') from any property line.
- **Time Limitations:**
  - Temporary freestanding signs shall be permitted for a maximum of 180 days per calendar year.
  - No additional temporary sign permit shall be issued for the same property or business for a period of fourteen (14) days after the expiration of the previous permit.
  - There shall be no limit to the number of temporary sign permits that may be issued for a particular property or business.
  - The cumulative total number of days for which all temporary sign permits issued for a property or business shall not exceed 180 calendar days.
- **Number of Signs:**
  - No more than two (2) types of temporary signs shall be permitted per business or tenant at any given time.

# Data Sign Permit Issuance:

- # of Temporary Sign Permits Issued in 2023: 9
- # of Temporary Sign Permits Issued in 2024: 6
- # of Sign Permits Issued in 2023: 73
- # of Sign Permits Issued in 2024 to date: 82

# Data Sign Violations:

- # of Sign Violations Entered in 2024: 1,242
- # of Sign Violations Closed in 2024: 1,238
  - Between September 1, 2024 and October 31, 2024 there were 394
  - 1,178 of the closed Sign Violations were for Signs within the Right of Way (Bandit Signs)
  - 38 were Signs on Utility Poles (Bandit Signs)

## Target / Neighboring City Research: New Braunfels

- **Bandit signs** *Any sign other than signs owned by the City, the State of Texas or a County, or authorized by the City, posted on a utility pole, street sign, street furniture or sign posted in the public right-of-way, of any size, including signs with wood or wire framing, post or stakes. Such signs are hereby declared to be abandoned trash at the time of posting and may be removed and discarded without notice.* Bandit signs are banned, and are listed under prohibited signs.
- Signs Exempt from regulations or permits:
  - Inflatable signs and tethered balloons.
  - Pennants; streamers; flags; fluttering, undulating, or moving signs not part of a permanent sign and not a banner. Except banners attached by any means to the ground are prohibited.
- A-frame signs. A-frame signs no taller than four feet nor wider than three feet with a maximum area per side of 12 square feet not in a right-of-way or easement, not obstructing a public sidewalk, except as provided for in chapter 114, and abutting the advertised businesses. May be erected without a sign permit provided that standards of this section are met.

## Target / Neighboring City Research: Selma

- Prohibited Signs:
  - Banners (except by special permit), pennants, searchlights, twirling signs, sandwich or A frame signs, sidewalk or curb signs, balloons or other gas-filled objects. (These types of signs may be authorized as indicated in this chapter).
  - Inflatable displays; gas or helium balloons are strictly prohibited
- Streamers, banners, and pennants are permitted by special permit for no longer than 30 days

## Target / Neighboring City Research: Georgetown

### •Prohibited

- Portable Signs
- Inflatable signs and tethered balloons greater than 18 inches in diameter
- Flashing, fluttering, undulating, swinging, rotating, or otherwise moving signs.
- Billboard signs

### •Bandit signs are prohibited

### •Allow temporary signs with a temporary permit

- Banners, flags, etc but it must be good material and still conform to the UDC and temporary permit sign must be pulled & paid for . Maximum size 4 square feet in area for 45 days. Must meet setback and height limitations.

## Target / Neighboring City Research: Universal City

- Exempt from Permits:
  - Temporary signs as defined and regulated in this chapter, other than cloth banner signs, not exceeding thirty-two (32) square feet.
  - Bandit signs not exceeding four (4) square feet erected by home builders/developers advertising property located within the city. Signs are permitted only on weekends and holidays and may not be placed on State right-of-way.
- Portable signs require a permit
  - Portable advertising signs (electrical) shall mean any portable sign that is on wheels or trailers that has electrical components attached, connected to, or part of the sign, or support, whether electrified or not, shall be considered an electrical sign. All provisions of this chapter pertaining to electric signs shall apply.
  - Portable advertising signs (non-electrical) shall mean any portable sign that is on wheels or trailers that does not have electrical components attached, connected to, or part of the sign, or support shall be considered a non-electrical sign.

## Target / Neighboring City Research: Frisco

- Banner signs
  - Temporary sign permit required
  - Allowed for 14 day periods
- Inflatable Device Signs
  - Temporary sign permit required
  - Cannot be in parking spaces
  - Cannot be more than 30 feet in height
- Prohibited Signs
  - Cloud buster balloon and air devices
  - Feather flag
  - Moving sign
  - Bandit signs

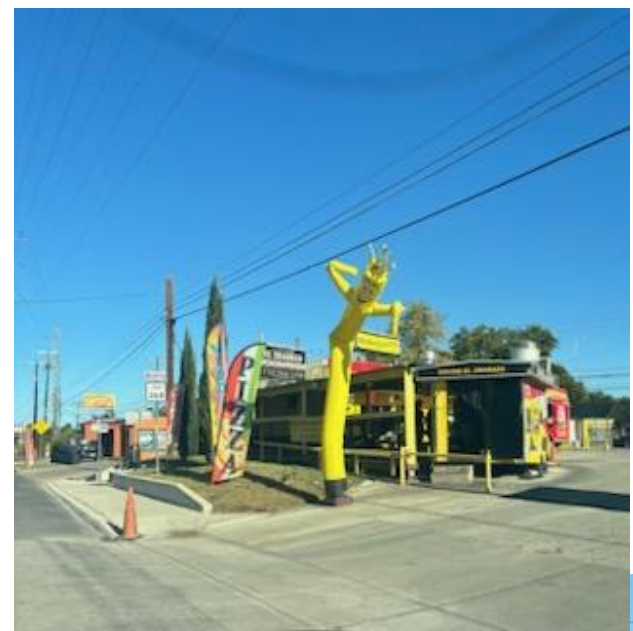
## Target / Neighboring City Research: McKinney

- Temporary banners are allowed with a permit
- Banners and Pennants are only allowed on city lighting like poles that are approved
- A-Frame signs are only allowed temporarily for businesses within the McKinney Town Center
- Temporary Signs
  - Banners, posters, pennants
  - 30-day periods
  - Permit required
- Prohibited Signs
  - Inflatable Signs are prohibited unless they are pulled with a special event permit
  - Portable and or display signs are prohibited
  - Wind driven signs are prohibited

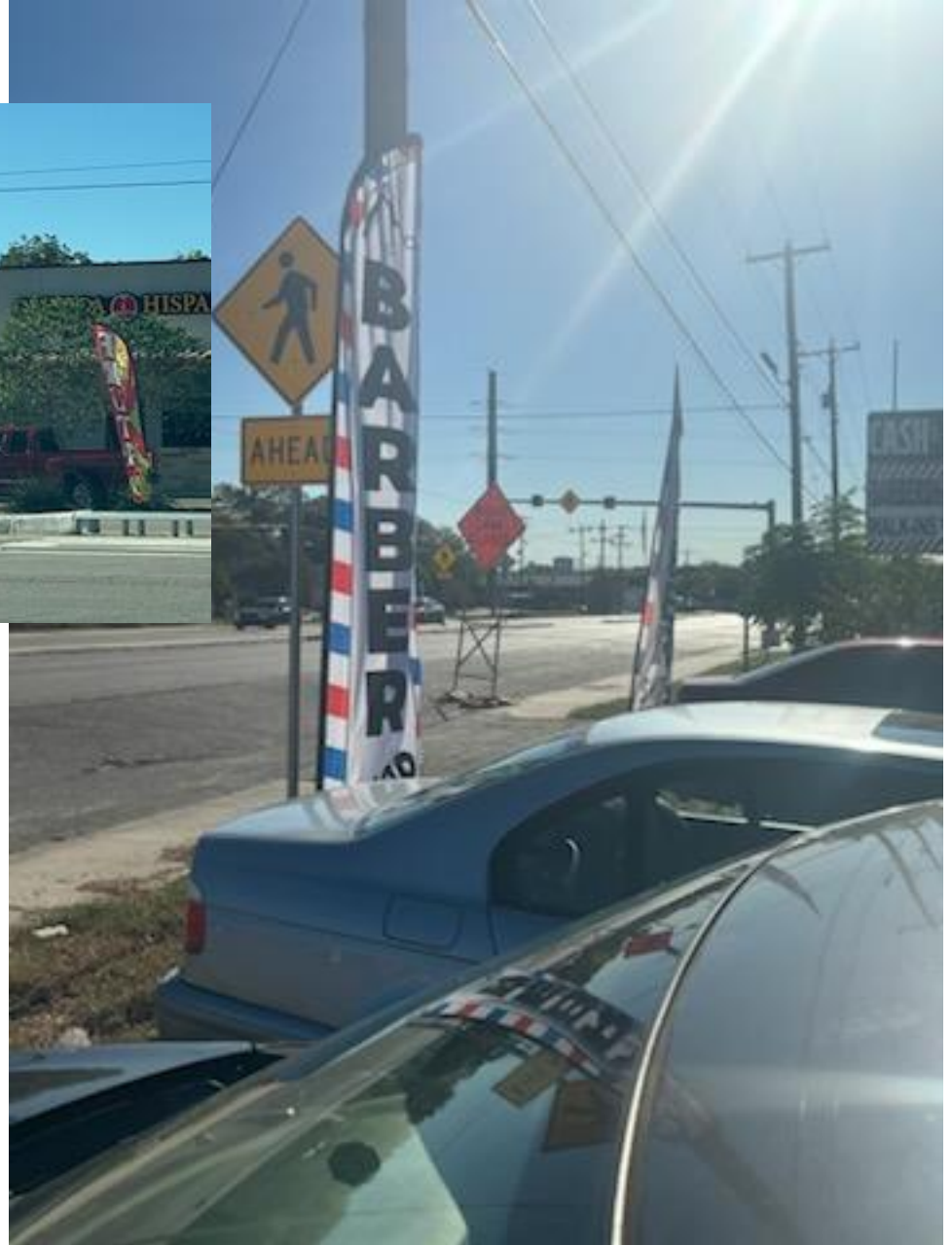
# Potential Concerns with Non-Permitted Temporary Signs

- **Sight Distance:**
  - Currently the UDC prohibits signs that obstruct vision of the sight triangle... *No person shall erect or display on any site any sign in such a manner as to obstruct free and clear vision of moving vehicles at any location, street intersection, or driveway. All signs placed at any intersection shall prevent such problem by observing a visibility triangle (see definition of visibility triangle).*
- **Potential to hit underground utilities or being too close to overhead utility lines:**
  - GVEC does not allow permanent signs in their easements. For temporary signs, GVEC indicated they would prefer that they not be placed in their easements but can't enforce due to their temporary nature / not being a permanent structure.
  - CPS Energy will not permit temporary or permanent structures to be placed in a manner that will obstruct CPS Energy access for maintenance or repair of CPS Energy Facilities, even if they are not located in an easement. CPS also has minimum clearance from overhead lines based on the associated voltage of the lines.
- **Aesthetics:**
  - What is the desired “look” for Schertz? Everyone has been through a City that does not regulate “temporary” signs, and the roadways are inundated with bandit / temporary signs.

# Examples of signage



# Examples of signage



# Benefits if Temporary Sign Regulations are Changed

- Depending on if / how the regulations are modified, it could be easier for businesses to have temporary signs / more temporary signs advertising their business.
- Depending on if / how the regulations are modified, it could free staff up to focus on other things as bandit signs and non permitted temporary signs takes up a significant amount of time for enforcement, including monthly “sign runs” where a Neighborhood Services staff member spends several hours on a Saturday once a month removing bandit signage in the right of way.

## UDC Amendments that could be made:

- UDC sign regulations for all temporary signs or certain types of temporary signs could be modified to include changing:
  - height limitations (UDC could allow taller signs)
  - location / setback limitations (UDC could allow temporary signs up to the ROW)
  - Area / size limitations (UDC could allow larger signs)
  - restriction on number of signs (UDC could allow more temporary signs per property than is currently allowed)
  - how many types of temporary signs (UDC could allow more than 2 types of temporary signs per property at any given time)
  - maximum time allowed with a temporary sign (UDC could always allow temporary signs, not limited to 180 days per calendar year)

## UDC Amendments that could be made:

- The UDC has Section 21.11.5 Exempted Signs which outlines the types of signs that are exempt from permitting and regulations. This section includes things like Political Signs, Utility Signs, Official flags of governmental jurisdictions or non-profits, holiday signs, etc.
- This section could be modified to include Wind Signs, “A” Frame Signs, Balloon Signs, Banner Signs, Pennant Signs, Bandit Signs, etc. This would exempt the additional sign types from regulations and permitting.

# Comments / Questions

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** November 12, 2024  
**Department:** Police Department  
**Subject:** Workshop Discussion on Pedestrian Right of Way at Crosswalks (R.Gutierrez).

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**BACKGROUND**

Providing clarification on what a crosswalk is and who has the right of way at crosswalks.

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**Attachments**

Pedestrian Right of Way at a Crosswalk

An aerial photograph of a suburban neighborhood at sunset. The scene is bathed in a warm, golden light. In the center, a tall water tower stands out against the sky. The houses are arranged in a grid-like pattern, with streets and sidewalks visible. The overall atmosphere is peaceful and serene.

# PEDESTRIAN RIGHT OF WAY AT A CROSSWALK

City Council Workshop November 12, 2024

Jim Lowery | Chief of Police

**SCHERTZ**  
COMMUNITY • SERVICE • OPPORTUNITY

# Pedestrian Right of Way if Control Signal Present

## Texas Transportation Code (TTC) §552.002

- (a) A pedestrian control signal displaying “walk,” “Don’t Walk,” or “Wait” applies to pedestrian as provided in this section.
- (b) A pedestrian facing a “Walk” signal may proceed across a roadway in the direction of the signal, and the operator of a vehicle shall stop and yield the right-of-way to the pedestrian.
- (c) A pedestrian may not start to cross a roadway in the direction of a “Don’t Walk” signal or a “Wait” signal. A pedestrian who has partially crossed while the “Walk” signal is displayed shall proceed to a sidewalk or safety island while the “Don’t Walk” signal or “Wait” signal is displayed.

# Pedestrian Right of Way at Crosswalk

## Texas Transportation Code (TTC) §552.003 (sections (a) & (b))

- (a) The operator of a vehicle shall stop and yield the right-of-way to a pedestrian crossing in a crosswalk if:
  - (1) no traffic control signal is in place or in operation; and
  - (2) the pedestrian is:
    - (A) on the half of the roadway in which the vehicle is traveling; or
    - (B) approaching so closely from the opposite half of the roadway to be in danger.
- (b) Notwithstanding Subsection (a), a pedestrian may not suddenly leave the curb or other place of safety and proceed into a crosswalk in the path of a vehicle so close that it is impossible for the vehicle operator to stop and yield.

# Crosswalk Definition

## Texas Transportation Code (TTC) §541.302 (2)

(2) “Crosswalk” means:

- (A) the portion of a roadway, including an intersection, designated as a pedestrian crossing by surface markings, including lines; or
- (B) the portion of a roadway at an intersection that is within the connections of lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway.

# Crossing at a Point other than Crosswalk

## Texas Transportation Code (TTC) §552.005 (sections (a) & (b))

- (a) A pedestrian shall yield the right-of-way to a vehicle on the highway if crossing a roadway at a place:
  - (1) other than in a marked crosswalk or in an unmarked crosswalk at an intersection; or
  - (2) where a pedestrian tunnel or overhead pedestrian crossing has been provided.
- (b) Between adjacent intersections at which traffic control signals are in operation, a pedestrian may cross only in a marked crosswalk.
- (c) A pedestrian may cross a roadway intersection diagonally only if and in the manner authorized by a traffic control device.

# Who Controls a Crosswalk/Traffic

## Texas Transportation Code (TTC) §542.501 - Obedience Required to Police Officers, School Crossing Guards, and Escort Flaggers

A person may not willfully fail or refuse to comply with a lawful order of direction of:

- (1) a police officer;
- (2) a school crossing guard who:
  - (A) Is performing crossing guard duties in a school crosswalk to stop and yield to a pedestrian; or
  - (B) Has been trained under Section 600.004 and is directing traffic in a school crossing zone; or
- (3) an escort flagger who is directing or controlling the flow of traffic in accordance with a permit issued by the Texas Department of Motor Vehicles under Subtitle E for the movement of an oversize or overweight vehicle.

Intersection with only three crosswalks  
with Pedestrian Control Signal Present



Intersection with four crosswalks  
with Pedestrian Control Signal Present and safety islands



Crosswalk within the connections of lateral  
Lines of the sidewalk with curbs



# COMMENTS AND QUESTIONS