

## **ORDINANCE 25-S-004**

### **AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING PART III SCHERTZ CODE OF ORDINANCES, THE UNIFIED DEVELOPMENT CODE (UDC) ARTICLE 11 SECTION 21.11.6 PROHIBITED SIGNS AND ARTICLE 11 SECTION 21.11.17 TEMPORARY SIGNS**

**WHEREAS**, pursuant to Ordinance No. 10-S-06, the City of Schertz (the “City”) adopted and Amended and Restated the Unified Development Code on April 13, 2010, as further amended (the “Current UDC”); and

**WHEREAS**, City Staff has reviewed the Current UDC and have recommended certain revisions and updates to, and reorganization of, the Current UDC; and

**WHEREAS**, on December 4, 2024, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council of approval; and

**WHEREAS**, on January 7, 2025, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the proposed amendments are appropriate and are in the interest of the public safety, health, and welfare.

### **NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:**

Section 1. The Current UDC is hereby amended as set forth on Exhibit A hereto.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 3. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 4. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 7. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 8. This Ordinance shall be cumulative of all other ordinances of the City of Schertz, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Schertz except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

PASSED, APPROVED and ADOPTED ON this \_\_\_\_ of \_\_\_\_\_, 2025.

CITY OF SCHERTZ, TEXAS

\_\_\_\_\_  
Ralph Gutierrez, Mayor

ATTEST:

\_\_\_\_\_  
Sheila Edmondson, City Secretary

Exhibit "A"  
Proposed Unified Development Code (UDC) Amendments

## UDC Amendment Article 11 Section 21.11.6 and Section 12.11.17- CLEAN

### November 19, 2024 City Council Meeting Proposal:

#### Sec. 21.11.17. Temporary Signs.

- A. *General.* Notwithstanding any other provisions of this Article, this section shall be applicable to all temporary signs for both residential and nonresidential developments.
- B. *Maximum Area.* The maximum area permitted for temporary signs shall not exceed Thirty Six Square Feet (36 sq.ft.), except as described in subsection G. New Business Temporary Signs.
- C. *Maximum Height.* The maximum height permitted for temporary signs shall not exceed Six Feet (6ft.). except as described in subsection G. New Business Temporary Signs.
- D. *Minimum Setback.* The minimum setback for all temporary signs shall be fifteen feet (15') from any property line.
- E. *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.
- F. *Number of Signs.* No more than two (2) types of temporary signs shall be permitted per business or tenant at any given time.
- G. *Special Event / Promotion Temporary Signs.* Any business can apply for Special Event / Promotion Temporary Signage in addition to the Temporary Signs described above with the following requirements:
  - 1. There is no maximum area, no maximum height, or limitation on the number of Special Event / Promotion Temporary Signs that can be permitted.
  - 2. Special Event / Promotion Temporary Signs are permitted for a maximum of thirty (30) consecutive days per calendar year with the issuance of a Temporary Sign Permit.

**UDC Amendment Article 11 Section 21.11.6 and Section 12.11.17- CLEAN**

**January 7, 2025 City Council Meeting Proposal:**

**Sec. 21.11.6. Prohibited Signs.**

P. Wind driven signs including feather flags and inflatable / balloon sign are prohibited regardless of size.

**Sec. 21.11.17. Temporary Signs.**

- A. *General.* Notwithstanding any other provisions of this Article, this section shall be applicable to all temporary signs identified in this Article.
- B. *Maximum Area.* The maximum area permitted for temporary signs shall not exceed Thirty Six Square Feet (36 sq.ft.)
- C. *Maximum Height.* The maximum height permitted for temporary signs shall not exceed Six Feet (6ft.).
- D. *Minimum Setback.* The minimum setback for all temporary signs shall be fifteen feet (15') from any property line.
- E. *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.
- F. *Number of Signs.* No more than two (2) types of temporary signs shall be permitted per business or tenant at any given time.

## UDC Amendment Article 11 Section 21.11.6 and Section 12.11.17- CLEAN

### February 4, 2025 City Council Meeting Proposal:

#### Sec. 21.11.6. Prohibited Signs.

P. Balloon Signs including inflatable signs are prohibited regardless of size. Feather Flags are the only type of wind driven signs allowed.

#### Sec. 21.11.17. Temporary Signs.

- A. *General.* Notwithstanding any other provisions of this Article, this section shall be applicable to all temporary signs identified in this Article.
- B. *Maximum Area.* The maximum area permitted for temporary signs shall not exceed Twenty Four Square Feet (24 sq.ft.) except that Feather Flags are limited to Sixteen Square Feet (16 sq.ft.).
- C. *Maximum Height.* The maximum height permitted for temporary signs shall not exceed Four Feet (4ft.) except that Feather Flags are limited to Eight Feet (8').
- D. *Minimum Setback.* The minimum setback for all temporary signs shall be fifteen feet (15') from any property line.
- E. *Time Limitations.* Temporary signs shall be permitted for a maximum of 120 days per calendar year. Temporary Sign permits will be issued for thirty (30) day increments. The cumulative total number of days for which all temporary signs issued for a property or business shall not exceed 120 calendar days.
- F. *Number of Signs.* No more than three (3) temporary signs shall be permitted per business or tenant at any given time.
- G. *Recurring Event Permit.* A Recurring Event Permit is for temporary signs that will be issued in two-day increments for up to fifteen (15) times per year. The applicant requesting a Recurring Event Permit must identify which 15 two day increments they intend to have the temporary signs when applying for the initial permit. The selected dates can be modified as dates change with prior approval.

## UDC Amendment Article 11 Section 21.11.6 and Section 12.11.17- CLEAN

### February 18, 2025 City Council Meeting Options / Proposals:

#### Sec. 21.11.6. Prohibited Signs.

P. Balloon signs including inflatable signs are prohibited regardless of size.

#### Sec. 21.11.17. Temporary Signs.

- A. *General.* Notwithstanding any other provisions of this Article, this section shall be applicable to all temporary signs identified in this Article.
- B. *Maximum Area.* The maximum area permitted for temporary signs shall not exceed Thirty Six Square Feet (36 sq.ft.)
- C. *Maximum Height.* The maximum height permitted for temporary signs shall not exceed Six Feet (6ft.).
- D. *Minimum Setback.* The minimum setback for all temporary signs shall be fifteen feet (15') from any property line.
- E. *Time Limitations.* Temporary signs shall be permitted for a maximum of 120 days per calendar year. Temporary Sign permits will be issued for thirty (30) day increments. The cumulative total number of days for which all temporary sign issued for a property or business shall not exceed 120 calendar days.
- F. *Number of Signs.* No more than two (2) types of temporary signs shall be permitted per business or tenant at any given time.

#### ***Option #1: Feather flags would be viewed as Temporary Signs and follow the UDC requirements as identified in 21.11.17.***

G. Feather flags, are considered temporary signs and are required to follow all Temporary Sign regulations as defined in UDC Article 11 Section 21.11.17 Subsections A-F.

#### ***Option #2: No Permit / 180 days max / Max number per business:***

- G. Feather flags, are considered temporary signs, but do not require a permit to be obtained.
  - 1. Feather flags are permitted for a maximum of 120 consecutive calendar days per year.
  - 2. The maximum number of feather flags is 2 per business.
  - 3. Any feather flag sign in disrepair / poor condition such as fraying, fading, or rips and tears shall be either replaced or removed or is subject to violation.

#### ***Option #3: Permit / 30 Days on – 30 Days Off / Max number per business:***

- G. Wind driven signs, including feather flags, are considered temporary signs and require a temporary sign permit.
  - 1. Feather Flags are permitted for a maximum of thirty (30) consecutive calendar days at a time. Once the thirty (30) calendar days have been met, the property owner is responsible for removal of the feather flag.
  - 2. No additional temporary sign permits for feather flags shall be issued for the same business for a period of thirty (30) days after the expiration of the previous permit.
  - 3. Feather flags are permitted for a maximum of 120 calendar days per year.
  - 4. The maximum number of feather flags is 2 per business.
  - 5. Any feather flag sign in disrepair / poor condition such as fraying, fading, or rips and tears shall be either replaced or removed or is subject to violation.