



City of Rowlett

Official Copy

Ordinance: ORD-030-16

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROWLETT, TEXAS, BY AMENDING SECTION 77-512 OF CHAPTER 77-500 (“DEVELOPMENT AND DESIGN STANDARDS”) OF CHAPTER 77 (“DEVELOPMENT CODE”) TO AMEND TABLE 5.12-1 OF SUBSECTION (E) OF SECTION 77-512 TO REPEAL PROVISIONS RELATING TO OFF-SITE DIRECTIONAL SIGNS; TO REDESIGNATE SUBSECTION (G) OF SECTION 77-512 AS SUBSECTION (H), AND TO ADD A NEW SUBSECTION (G) PROVIDING REGULATIONS FOR KIOSK SIGNS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Rowlett and the governing body of the City of Rowlett, in compliance with the laws of the State of Texas and the ordinances of the City of Rowlett, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing and where the governing body in the exercise of its legislative discretion has concluded that the Zoning Ordinance of the City of Rowlett should be amended.

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

SECTION 1. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending Table 5.12-1 (“Specific Sign Regulations”) of Subsection (E) of Section 77-512 of Chapter 77-500 (“Development and Design Standards”) of Chapter 77 (“Development Code”) such that all provisions and regulations pertaining to Off-site Directional Signs, under the subheading “Temporary Signs,” be and are hereby repealed.

SECTION 2. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending Section 77-512 of Chapter 77-500 (“Development and Design Standards”) of Chapter 77 (“Development Code”) to redesignate and renumber subsection (G) of Section 77-512 as subsection (H), and to add a new subsection (G) to Section 77-512, to read as follows:

**“CHAPTER 77
DEVELOPMENT CODE**

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CHAPTER 77-500. DEVELOPMENT AND DESIGN STANDARDS

Sec. 77-512. Signs.

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G. Directional kiosk signs.

(a) Administration.

- Directional kiosk signs may be installed only pursuant to an approved and executed license agreement approved by the City. All such agreements shall govern the license to design, erect, and maintain directional kiosk signs, and provide for City review and/or approval of the location and design of proposed directional kiosk signs. All license agreements shall be terminable at will without cause by, and without recourse to, the City.

- All directional kiosk signs are subject to all permitting requirements set forth in this code.

(b) Location. All directional kiosk signs shall comply with the following regulations unless the applicable executed license agreement provides otherwise:

- (a) Directional kiosk signs shall be located so as not to create a traffic hazard or to obstruct the visibility of motorists, pedestrians, or traffic control signs, signals or devices. The Director of Development Services shall exclusively determine whether a proposed sign location constitutes a traffic hazard or obstructs visibility.
 - (b) Directional kiosk signs shall be located so as not to interfere with the general use of and accessibility of sidewalks, walkways, bike and hiking trails by pedestrians, bicycles and persons with disabilities.
 - (c) Directional kiosk signs shall be located so as not to interfere with any public utilities or be located in a utility easement.
 - (d) Directional kiosk signs shall not be located within a sight distance triangle, as defined in this code and as determined by the Director.
 - (e) Directional kiosk signs may not be placed adjacent to a lot with a residential use without the prior written consent of the lot owner(s) as identified on the City's most recent tax rolls. Proof of prior written consent must be attached to permit applications for all directional kiosk signs so located. If a residential use is assigned to a lot adjacent to a preexisting directional kiosk sign, no written consent is required.
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- (f) Directional kiosk signs must be placed at least 100 feet away from the nearest directional kiosk sign.
 - (g) Directional kiosk signs may be located within a median with approved site safety conditions.
 - (h) Directional kiosk signs must be located at least five feet from the edge of all curbs and pavement lines, including improved surfaces and shoulders.
- (c) Design. All directional kiosk signs shall comply with the following regulations unless the applicable executed license agreement provides otherwise:
- (a) Directional kiosk signs may not exceed 12 feet in height and four feet in width.
 - (b) Directional kiosk signs must include breakaway design features as set forth by the Texas Department of Transportation's Sign Mounting Details for Roadside Signs. Breakaway fittings must be installed below grade or otherwise concealed from public view.
 - (c) The font and color of all directional kiosk signs must be uniform throughout the entire sign.
 - (d) Directional kiosk signs may not be illuminated.
 - (e) Each directional kiosk sign must include at the top of the sign an identification panel displaying only the name and official City logo.
 - (f) No lights, signs, pennants, flags, streamers, balloons or other devices or appurtenances used to attract visual attention may be attached to directional kiosk signs.

H. Sign review procedures.

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SECTION 3. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending Section 77-1105 of Chapter 77-1100 (“Definitions”) of Chapter 77 (“Development Code”) to add a new definition of “Directional Kiosk,” to be inserted following the definition of “Dilapidated” and before the definition of “Directional Sign,” under the heading of “Sign Types,” said new definition to read as follows:

**“CHAPTER 77
DEVELOPMENT CODE**

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CHAPTER 77-1100. DEFINITIONS

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Sec. 77-1100. Other terms defined.

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Directional kiosk is a sign located within the city right-of-way, providing directions to subdivisions, homebuilders, and city facilities, installed and maintained by the city or a contractor authorized by the city.

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SECTION 4. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Rowlett, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two-thousand dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such case provide.

At a meeting of the City Council on September 6, 2016 this Ordinance be adopted. The motion carried by the following vote:

Ayes: 6 Mayor Pro Tem Dana-Bashian, Deputy Mayor Pro Tem Sheffield, Councilmember van Bloemendaal, Councilmember Hargrave, Councilmember Brown and Councilmember Bobbitt.

Absent: 1 Mayor Gottel

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Approved by Tamara Davis-Bastian Date September 6, 2016
Mayor Pro Tem

Approved to form by [Signature] Date September 6, 2016
City Attorney

Certified by Laura Ballmark Date September 6, 2016
City Secretary

