



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY					
<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		May 29, 2012			
Department:		Building Inspections			
Department Head		Selso Mata			
Agenda Coordinator (include phone #): Diana Casady #5993					
CAPTION					
An Ordinance of the City of Plano, Texas amending Chapter 6, Buildings and Building Regulations, Article XII, Temporary Signs, of the Code of Ordinances of the City of Plano to add definitions and regulations for sail banner signs, providing a repealer clause, a severability clause, a penalty clause, a publication clause and an effective date.					
FINANCIAL SUMMARY					
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2011-2012	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	0	0
BALANCE		0	0	0	0
FUND(s): NA					
COMMENTS: This item has no fiscal impact.					
STRATEGIC PLAN GOAL: Amending the City's Code of Ordinances for promotional signage relates to the City's Goal of Great Neighborhoods - 1st Choice to Live.					
SUMMARY OF ITEM					
Adoption of this ordinance will create a new sign definition and requirements for Sail Banners. This will provide regulations for sign placement and enforcement.					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		

An Ordinance of the City of Plano, Texas amending Chapter 6, Buildings and Building Regulations, Article XII, Temporary Signs, of the Code of Ordinances of the City of Plano to add definitions and regulations for sail banner signs, providing a repealer clause, a severability clause, a penalty clause, a publication clause and an effective date.

WHEREAS, on November 14, 2005 by Ordinance No. 2005-11-14, the City Council established regulations for temporary signs in the City of Plano; and

WHEREAS, the City Council finds and determines that it is necessary to revise Sec. 6-486 and Sec. 6-493 of Chapter 6 (Buildings and Building Regulations), Article XII (Temporary Signs), Divisions I and III (Definitions and Permitted Signs, respectively), of the Code of Ordinances of the City of Plano to reflect changes to the sign definition and add regulations to address promotional sail banner signs:

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. Ordinance No. 2005-11-14 duly passed and approved by the City Council of the City of Plano, Texas on November 14, 2005, and codified as Chapter 6, Buildings and Building Regulations, Article XII, Temporary Signs, of the Code of Ordinances of the City of Plano, Texas is amended as provided herein.

Section II. Section 6-486 (Definitions) of Chapter 6 (Buildings and Building Regulations), Article XII (Temporary Signs), Division 1 (Definitions), of the Code of Ordinances of the City of Plano, Texas is hereby amended as follows:

A. The definition for “banner” is amended to read in its entirety as follows:

“Banner means a temporary sign made of cloth, canvas, or other light fabric, except for sail banners, which are defined below.”

B. A new definition for “sign --- sail banner” is hereby added, in alphabetical order, to the sub-definitions under the “sign” definition category, and shall read in its entirety as follows:

“Sign --- Sail banner means a self-supported wing, feather, blade, cone, or rectangular shaped flag mounted on a flexible pole.”

Section III. Section 6-493(b) (Promotional Signage) of Chapter 6 (Buildings and Building Regulations), Article XII (Temporary Signs), Division 3 (Permitted Signs), of the Code of Ordinances of the City of Plano, Texas is hereby amended to read in its entirety as follows:

“(b) Promotional signage may include banners, sail banners, flags, pennants, streamers, balloons, inflatable signs, and any legal signs allowed by this article. Any device, except sail banners, described as promotional signage shall not exceed an overall height of thirty-five (35) feet.”

Section IV. A new subsection, 6-493.1 shall be added to Section 6-493 of Chapter 6 (Buildings and Building Regulations), Article XII (Temporary Signs), Division 3 (Permitted Signs), of the Code of Ordinances of the City of Plano, Texas to read in its entirety:

“Sec. 6-493.1. Additional Regulations for Sail Banner Signs

All provisions of Sec. 6-493 shall apply to sail banner signs. The following additional regulations shall also apply to sail banner signs:

- (a) Height and Width Restrictions. A sail banner shall have a maximum height of eighteen (18) feet, and a maximum width (at its widest point) of three (3) feet.
- (b) Number. Two (2) sail banners are allowed per legal business for a single-tenant property. For a multi-tenant property, two (2) sail banners are allowed at any given time. Tenants in a multi-tenant property shall be required to obtain the signature of the building’s manager or owner as a joint applicant.
- (c) Spacing Requirements. Sail banners placed along contiguous street frontage must be spaced a minimum of thirty (30) feet apart.
- (d) Sign Placement Plan. A sign placement plan indicating sail banner locations on the property shall be submitted with each permit application.
- (e) Setback. Sail banners shall have a minimum setback of ten (10) feet from the back of the curb.”

Section V. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section VI. The repeal of any ordinance or part of ordinances affected by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section VII. Any person, firm or corporation found to be violating any term or provision of this Ordinance, shall be subject to a fine in accordance with Section 1-4(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VIII. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section IX. This Ordinance shall become effective immediately upon its passage and publication as required by law.

DULY PASSED AND APPROVED this the 29th day of May, 2012.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY