CITY COUNCIL SPECIAL AGENDA

Wednesday, November 9, 2022

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Special Session on Wednesday, November 9, 2022, at 9:00 AM at the City Council Chambers Located at 307 East 4th Street, Big Spring, Texas. **We welcome the public to attend the meeting via telecommunication. Citizens will be able to view the City Council Meeting on Our Local Channel 17 through Suddenlink or on Our Website http://mybigspring.com/224/Channel-17-Live.**

CITY COUNCIL MEETING ETIQUETTE

Gentlemen are requested to remove their hats inside the City Council Chambers. As a courtesy to those in attendance, please place your cell phone on "Silent" or "Vibrate." Please, no talking during the meetings. Take all conversations outside so that others can hear.

Thank you!

Open Session

1. Call to Order

Consent Items

2. Final Reading of An Ordinance of the City Council of the City of Big Spring, Texas Amending the Big Spring Zoning Ordinance, Article 9 "Sign Regulations", Section 9-5 "Signs Requiring Permits" by adding New Exceptions as Listed and Section 9-8 "Electronic Message Centers," Subsections 3 and 4 by Permitting Pole Signs on FM 700 from I-20 to Goliad Street, and on I-20 to Have a Maximum Height of Sixty-Five (65) Feet on Property Zoned "R", Retail Or Less Restrictive; Providing for Severability; Providing for Publication; and Providing an Effective Date. — Bowles

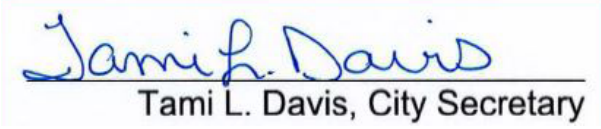
3. **ADJOURN**

The City Council reserves the right to meet in executive session on any agenda item

should the need arise pursuant to Chapter 551, Subchapter D of the Texas Government Code, or the Texas Disciplinary Rules of Professional Conduct.

I hereby certify that this agenda was posted on the official bulletin board at the City of Big Spring, City Hall Building, located outside 310 Nolan Street. Given by order of the City Council and **Posted on Friday, November 4, 2022 at 9:25 a.m.** in accordance with Title 5, Texas Government Code and Chapter 551.

In addition, this agenda and supporting documents are posted on the City of Big Spring's Website, www.mybigspring.com, in accordance with legal requirements.



THE MEETING FACILITY IS ACCESSIBLE TO DISABLED PERSONS. ANY DISABLED PERSON NEEDING SPECIAL ACCOMMODATION OR A HEARING IMPAIRED PERSON WISHING TO HAVE AN INTERPRETER SHOULD REQUEST SERVICES AT LEAST 48 HOURS PRIOR TO THE SCHEDULED MEETING BY CONTACTINGTAMI DAVIS AT 432-264-2513 OR EMAIL: TDAVIS@MYBIGSPRING.COM.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS AMENDING THE BIG SPRING ZONING ORDINANCE, ARTICLE 9 "SIGN REGULATIONS", SECTION 9-5 "SIGNS REQUIRING PERMITS" BY ADDING NEW EXCEPTIONS AS LISTED AND SECTION 9-8 "ELECTRONIC MESSAGE CENTERS," SUBSECTIONS 3 AND 4 BY PERMITTING POLE SIGNS ON FM 700 FROM I-20 TO GOLIAD STREET, AND ON I-20 TO HAVE A MAXIMUM HEIGHT OF SIXTY-FIVE (65) FEET ON PROPERTY ZONED "R", RETAIL OR LESS RESTRICTIVE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Texas state law allows municipalities to adopt zoning ordinances, Chapter 211, Texas Local Government Code; and

WHEREAS, the City of Big Spring is a Texas home rule municipal corporation; and

WHEREAS, the governing body of the City of Big Spring is the City Council of Big Spring under the Charter of the City of Big Spring, Article IV, Section 1a; and

WHEREAS, the City of Big Spring has adopted zoning regulations in its Zoning Ordinance; and

WHEREAS, the wide topography of property adjoining I-20 and E FM 700 from I-20 to the east side intersection of Goliad would allow for the placement of signs in excess of 30 feet if an increased setback is met while not affecting more densely developed areas, the airport, or the view from Big Spring State Park; and

WHEREAS, the Planning and Zoning Commission held a public hearing on November 1, 2022 to discuss potential amendments to the city's sign regulations concerning maximum sign height allowed on certain roadways; and

WHEREAS, the Planning and Zoning Commission submitted its final report to the City Council following its recommendation on November 1, 2022;

WHEREAS, the Planning and Zoning Commission recommends the following amendments to the City of Big Spring Zoning Ordinance;

WHEREAS, City Council held a public hearing November 8, 2022;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, THAT:

SECTION 1. The Big Spring Zoning Ordinance, Article 9 entitled "Sign Regulations," Section

9-5 entitled “Signs Requiring Permits” and Section 9-8 entitled “Electronic Message Centers” are hereby amended by adding new exceptions in both Sections as follows:

Zoning Ordinance

Article 9. Sign Regulations

Section 9-5. Signs Requiring Permits.

…

(c) *Type C Sign.* These are the signs commonly referred to as pole signs and free-standing signs and include signs supported by a building and extending towards a street….

(1) Such signs, where allowed, shall be located no closer to any street than fifteen (15) feet behind the property line, except that if the pole sign exceeds thirty (30) feet in height as provided in subsection (c)(3) below, the setback shall be thirty (30) feet behind the property line;

(2) At least ten (10) feet from any adjacent common private property line;

(3) Such signs shall be at least eight (8) feet and no more than thirty (30) feet above ground, except for a sign located on a property with frontage on Interstate Highway 20 or FM 700 from Interstate Highway 20 to the east side of the intersection of Goliad Street which may be permitted a maximum height of sixty-five (65) feet above ground, and except as may otherwise be permitted in Section 9-8;

(4) Such signs shall be subject to size limitations for the applicable zoning district, except as may otherwise be permitted in SECTION 9-8;

…

Section 9-8. Electronic Message Centers

(b) …

(3) For a property which has street frontage on Business Interstate Highway 20, Business US Highway 87, or FM 700 from Business Interstate Highway 20 to the west side of the intersection of Goliad Street, and is located in the R, Retail or less restrictive districts, the following shall apply:

~~For a property which (a) has street frontage on Business 20, US Hwy 87 and FM 700, and is located in the R, Retail or less restrictive districts, the following shall apply:~~

a. The area of an EMC shall be limited to twenty percent (20%) of the total signs allowed for the property or seventy-five (75) square feet, whichever is less.

b. The maximum height of a freestanding EMC shall be thirty (30) feet.

c. For an EMC mounted on a pole, a clearance of not less than nine (9) feet from the bottom of the sign shall be required.

(4) For a property which has street frontage on Interstate Highway 20, or FM 700 from Interstate Highway 20 to the east side of the intersection of Goliad Street, and is located in R, Retail and less restrictive zoning district, the following will apply:

~~For property which has street frontage on Interstate Highway 20 and is located in R, Retail and less restrictive zoning district, the following will apply:~~

a. The area of an EMC shall be limited to twenty percent (20%) of the total signs allowed for the property or seventy-five (75) square feet, whichever is less.

b. The maximum height of a freestanding EMC shall be ~~forty (40)~~ sixty-five (65) feet.

c. For an EMC mounted on a pole, a clearance of not less than nine (9) feet from the bottom of the sign shall be required.

NOTE* Language to be added appears underlined and language to be deleted is ~~stricken~~.

SECTION 2. If any provision of this Ordinance, or the application of this Ordinance to any person or circumstance, is held invalid, the remainder of this Ordinance and the application to other persons or circumstances remain in effect.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4. The City Secretary is hereby ordered and directed to cause the descriptive caption as well as the penalties for violation of this ordinance to be published as required by law.

SECTION 5. This ordinance shall take effect immediately after its publication in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **8th** day of **November**, **2022** with all members of the Council voting "aye" for the passage of same.

PASSED AND APPROVED on second and final reading at a special meeting of the City Council on the **9th** day of **November, 2022** with all members of the Council voting "aye" for the passage of same.

_____
Robert H. Moore, III, Mayor

ATTEST:

_____
Tami L. Davis, Assistant City Secretary

Staff Report

To: The Honorable Mayor and City Council
From: The City Manager
Date: November 9, 2022
Subject: ADJOURN

RECOMMENDATION:

BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:
None

REPORT PREPARED BY:
Name1, Title
E-mail address
Phone #

APPROVED BY:
Department Head (optional)
Todd Darden, City Manager