

ORDINANCE NO. 2665

AN ORDINANCE AMENDING ZONING ORDINANCE SECTION 37.5 FOR THE PURPOSE OF AREA REGULATIONS FOR ACCESSORY BUILDINGS IN RESIDENTIAL AND MULTI-FAMILY DISTRICTS, PROVIDING FOR A NEW AND PREVIOUSLY UNLISTED USE FOR CREMATORIUMS, PROVIDING FOR A NEW AND PREVIOUSLY UNLISTED USE OF PORTABLE STORAGE STRUCTURES, AND AMENDING SECTION 43.6 OF THE CODE OF ORDINANCES, PROVIDING A NEW SECTION 43.6 (0) PERTAINING TO HISTORIC OVERLAY DISTRICTS, AND SETTING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

Section 37.5 of the Code of Ordinances of the City of Waxahachie is amended by changing Section 1, 2, and 3 to read as follows, and adding a new Section 9 as follows:

37.5 – Area regulations for accessory buildings in residential and multi-family districts.

A. Size of yards:

1. Front Yard – Accessory buildings shall not be located closer to the front property line than the main building or the front yard setback requirement for that zoning district, whichever is greater.
2. Rear Yard – When the accessory building is a garage with rear access, the rear setback shall be a minimum of twenty (20) feet from the property line. All other accessory buildings including carports shall not be located closer than three (3) feet to the rear property line.
3. Side Yard – Accessory buildings shall not be closer than five (5) feet to the side property line when the accessory building is located behind the main building. When the accessory building is located in the side yard, the setback for the accessory building will be the same as the setback requirement for the main building.
9. Other Structures – Accessory buildings, other than carports, shall not be located within five (5) feet of any other structure.

A new and previously unlisted use for crematoriums is provided as follows:

Crematorium – a furnace or establishment for the incineration of corpses

Allowed by right only in General Retail, Commercial and all Industrial Zones

A new and previously unlisted use for portable storage structure is added to the Code of Ordinances of the City of Waxahachie as follows:

Portable Storage Structure – is any container, storage unit, shed-light container or other portable structure, other than an accessory building or shed complying with all building codes and land use requirements, that can or is used for the storage of personal property of any kind and which is located for such purposes outside an enclosed building.

- A. The use of portable storage structures are allowed in all districts under the following conditions when granted a temporary permit by the building department:
1. There must be no more than one (1) portable storage structure per property.
 2. A portable storage structure must not remain at a property in any zoning district in excess of thirty (30) consecutive days, and must not be placed at any one property in a zoning district in excess of thirty (30) days in any calendar year.

3. The portable storage structure must be set back a minimum of five (5) feet from all property lines and from the nearest wall of a building.
4. The portable storage structure must be placed on an asphaltic concrete surface.
5. Portable storage structures associated with construction at a site where a building permit has been issued are permitted for the duration of construction and shall be removed from the site within fourteen (14) days of the end of construction. Portable storage structures associated with construction are exempt from the aforementioned conditions.

Section 43.6 of the Zoning Ordinances of the City of Waxahachie is amended by adding a new Section (O) as follows:

Section O – Historic Overlay District

Signs – Signs within the Historic Overlay District shall be approved by the Heritage Preservation Committee. Signs approved by the Heritage Preservation Committee will still be required to obtain a sign permit and any necessary engineering.

PASSED, APPROVED AND ADOPTED on this 2nd day of July, 2012.



N. [Signature]
MAYOR

Lori Saunders
City Secretary

VI. SIGNS

Signs are important visual elements in Downtown Waxahachie. Balancing the functional requirements for signs with the objectives for the overall character of the area is a key consideration. Orderly sign location and design can make fewer and smaller signs more effective.

This chapter provides design guidelines for the treatment of historic signs, the design of new signs and modifications to existing signs. All signs throughout the city are subject to the requirements of the Waxahachie Code of Ordinances, which provides the legal framework for a comprehensive and balanced system of signage. The code also promotes the use of signs which are aesthetically pleasing, of appropriate scale, and integrated with surrounding buildings in order to meet the community's desire for quality development. The design guidelines in this chapter supplement those code standards.



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A. TREATMENT OF HISTORIC SIGNS

Historic signs contribute to the downtown character. They also have individual value, apart from the buildings to which they are attached. Historic signs of all types should be retained and restored whenever possible.



It is especially important to retain historic signs when they are a significant part of a building's history or design.



Historic painted wall signs, or "ghost signs" should be left exposed whenever possible.

ALL HISTORIC SIGNS

While all historic signs should be retained whenever possible, it is especially important when they are a significant part of a building's history or design.

6.1 Consider history, context, and design when determining whether to retain a historic sign.

Retention is especially important when a sign is:

- Associated with historic figures, events or places.
- Significant as evidence of the history of the product, business or service advertised.
- A significant part of the history of the building or the historic district.
- Characteristic of a specific historic period.
- Integral to the building's design or physical fabric.
- Integrated into the design of a building such that removal could harm the integrity of a historic property's design or cause significant damage to its materials.
- An outstanding example of the sign maker's art because of its craftsmanship, use of materials, or design.

HISTORIC WALL SIGNS

Historic painted wall signs, or "ghost signs" should be left exposed whenever possible, and should not be restored to the point that they no longer provide evidence of a building's age and original function.

6.2 Leave historic wall signs exposed whenever possible.

6.3 Do not "over restore" historic wall signs.

- Do not restore historic wall signs to the point that all evidence of their age is lost.
- Do not significantly re-paint historic wall signs even if their appearance and form is recaptured.

B. DESIGN OF NEW AND MODIFIED SIGNS

Whether it is attached to a historic building or associated with new development, a new or modified sign should exhibit qualities of style, permanence and compatibility with the natural and built environment. It should also reflect the overall context of the building and surrounding area.

SIGN CHARACTER, CONTENT AND LIGHTING

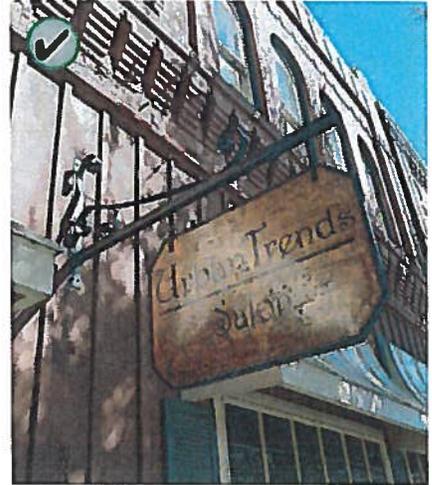
A sign should be in character with the materials, colors and details of the building. Its content should be visually interesting and clearly legible. Illumination sources should be shielded to minimize glare and light pollution. Note that all sign lighting must also conform to the lighting regulations included in the Waxahachie Code of Ordinances.

6.4 Design a sign to be subordinate to the overall building composition.

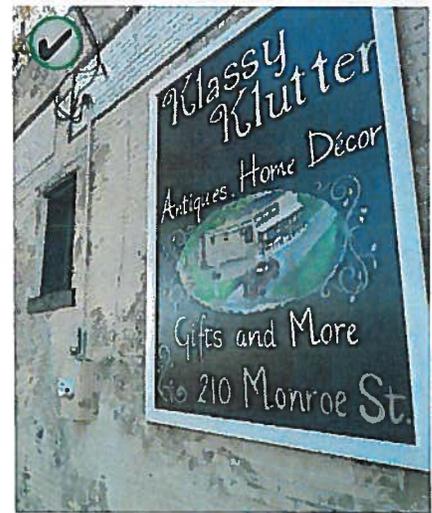
- Design a sign to be simple in character.
- Locate a sign to emphasize design elements of the facade itself.
- Mount a sign to fit within existing architectural features using the shape of the sign to help reinforce the horizontal lines of the building.
- All sign types should be subordinate to the building and to the street.

6.5 Use sign materials that are compatible with the architectural character and materials of the building.

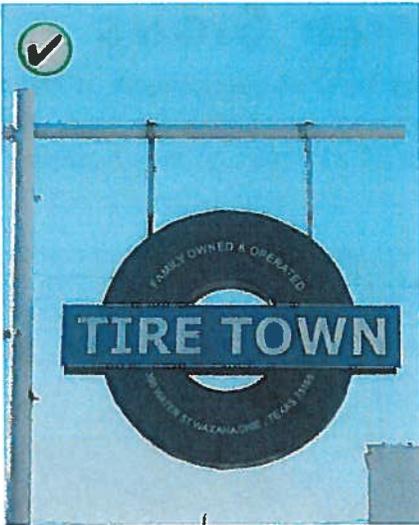
- Use permanent, durable materials that reflect the downtown context. Such materials may include painted or carved wood, individual wood or cast metal letters or symbols, and painted, gilded or sandblasted glass.
- Painted metal or forged signs may also be appropriate if they are compatible with the architectural character of the building.
- Do not use highly reflective materials on a sign.



Design a sign to be simple in character.



Use sign colors, materials and details that are compatible with the overall character of the buildings facade.



Use a simple typeface design and colors that contribute to legibility and design integrity.



Sign content shall be designed to be visually interesting and clearly legible.

6.6 Do not obscure character-defining features of a historic building with a sign.

- A sign should be designed to integrate with the architectural features of a building, not distract from them.

6.7 Use colors that contribute to legibility and design integrity.

- Limit the number of colors used on a sign. In general, no more than three colors should be used, although accent colors may also be appropriate.

6.8 Use a simple typeface design.

- Avoid hard-to-read or overly intricate typefaces.
- Use a typeface that is similar to traditional typefaces in the area when possible.
- Use no more than two or three distinct typefaces on a sign.

6.9 Consider using a compatible, shielded light source to illuminate a sign.

- Direct lighting towards a sign from an external, shielded lamp.
- Do not overpower the building or street edge with lighting.
- Use a warm light, similar to daylight.
- If halo lighting is used to accentuate a sign or building, locate the light source so that it is not visible.
- A sign in which individual letters are illuminated from the back with a low level light source may be used.



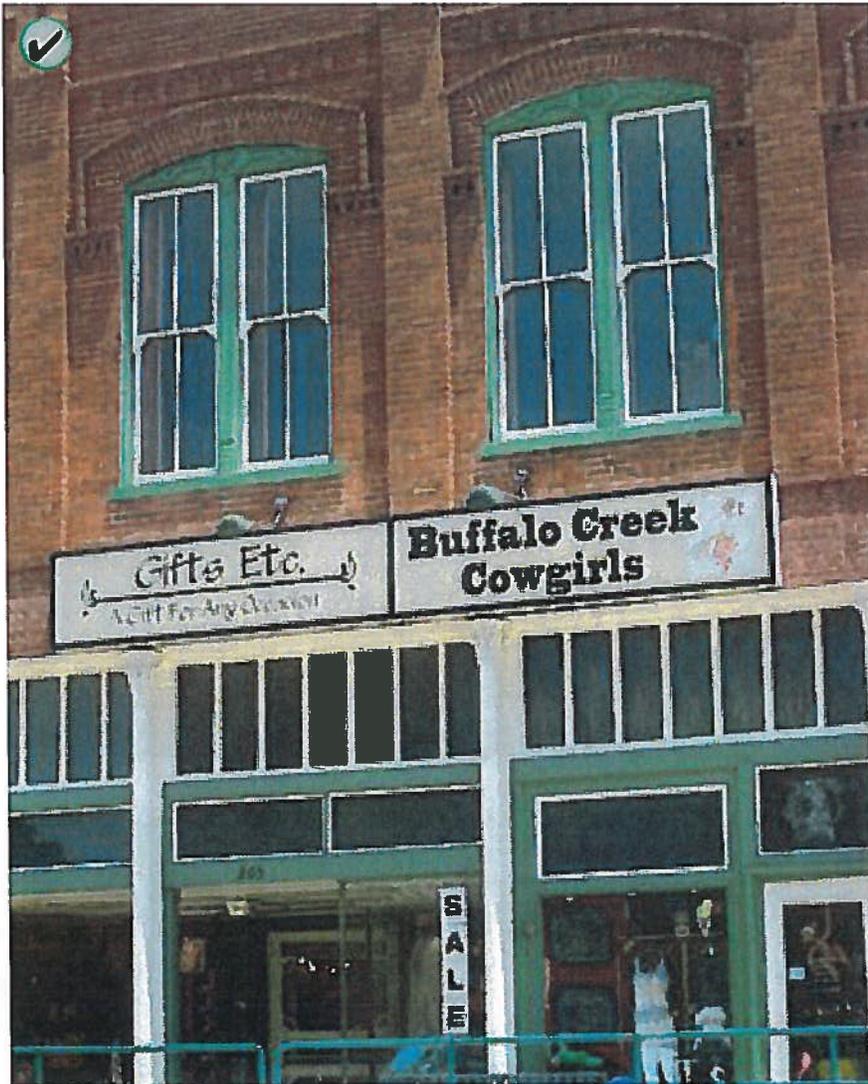
Direct lighting at signage from an external, shielded lamp.

SIGN INSTALLATION ON A HISTORIC BUILDING

When installing a new sign on a historic building, it is important to maintain its key architectural features and to minimize potential damage to the building facade.

6.10 Avoid damaging or obscuring architectural details or features when installing signs.

- Minimize the number of anchor points when feasible.
- Do not penetrate brick when attaching a sign to a masonry building.



When installing a new sign on a historic building, minimize potential damage to the building.

DESIGN OF SPECIFIC SIGN TYPES

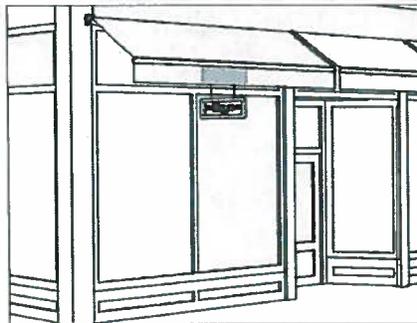
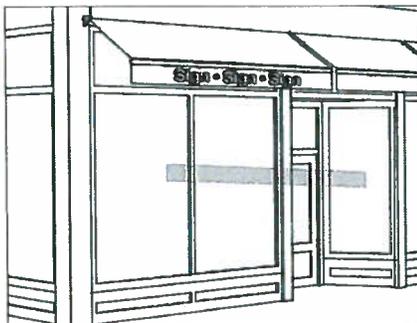
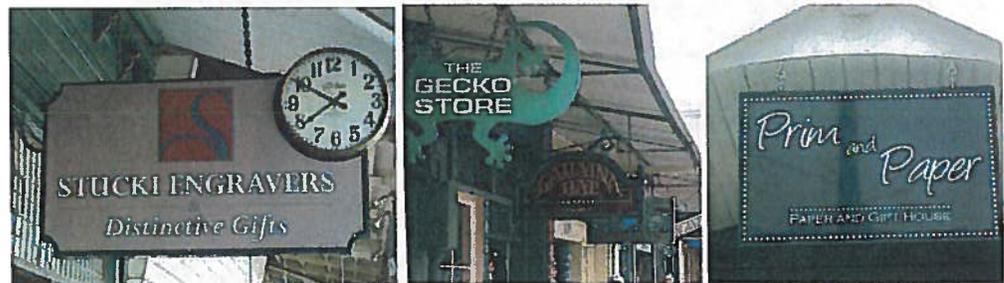
A variety of sign types may be appropriate if the sign contributes to a sense of visual continuity and does not overwhelm the architecture of the building.

Awning or Under Canopy Sign

An awning sign is any sign painted or applied to the face, valance, side or top panel of an awning, or any sign made by removing material from an awning. An under canopy sign is one that is suspended below a canopy. An under canopy sign is usually perpendicular to the building face, but may be parallel to the building provided that it does not extend out beyond the building wall.

6.11 Use an awning or under canopy sign in areas with high pedestrian use.

6.12 Use an awning or under canopy sign when other sign types would obscure architectural details.



Canopy and awning signs are most appropriate in areas with high pedestrian use.

Window Sign

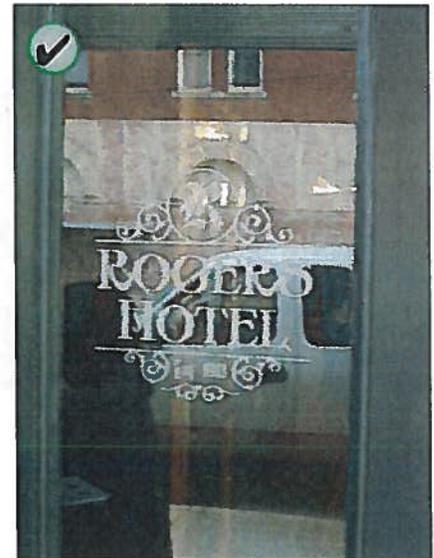
A window sign is any sign, picture, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service that is placed inside within one foot of the inside window pane or upon the windowpanes or glass and which is visible from the exterior of the window.

6.13 Design a window sign to minimize the amount of window covered.

- Scale and position a window sign to preserve transparency at the sidewalk edge.

Window Sign Examples

• Sign •



Design a window sign to minimize the amount of window covered.



A window sign is any sign, picture, symbol, or combination thereof, designed to communicate information about a business.

Wall Sign

A wall sign is any sign attached parallel to, but within 18 inches of a wall of a building including individual letters, cabinet signs, or signs painted on the surface of a wall. See *Historic Wall Signs* on page 114 for information on the proper treatment of historic wall signs.

6.14 Place a wall sign to promote design compatibility among buildings.

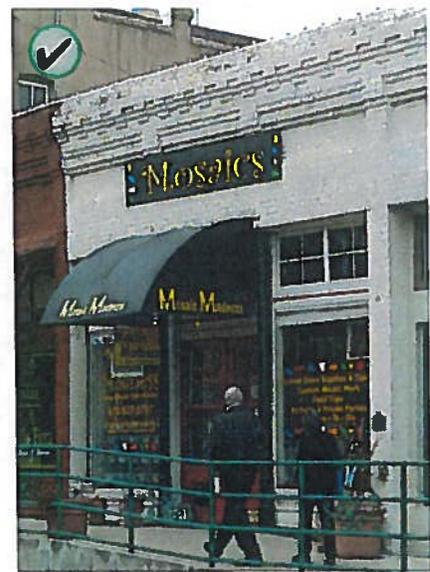
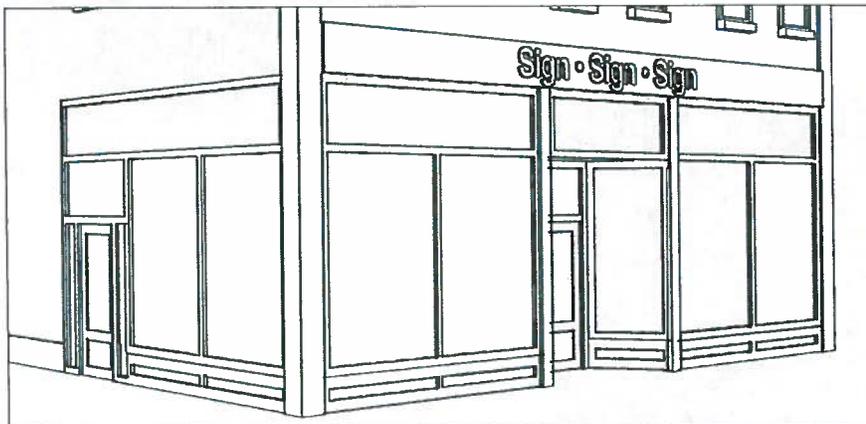
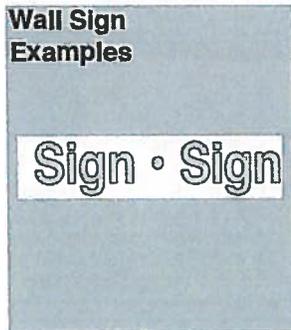
- Place a wall sign to align with other signs on nearby buildings.

6.15 Place a wall sign to be relatively flush with the building facade.

- Design a wall sign to minimize the depth of a sign panel or letters.
- Design a wall sign to sit within, rather than forward of, the fascia or other architectural details of a building.

6.16 Place wall signs to integrate with historic building details and elements.

- Do not obstruct the character-defining features of a building with signage.
- Locate a flush-mounted wall sign to fit within a panel formed by decorative moldings or transom panels where they exist.



Design a wall sign to fit within, rather than forward of, the architectural details of a building.

Projecting Sign

A projecting sign is attached perpendicular to the wall of a building or structure.

6.17 Design a bracket for a projecting sign to complement the sign composition.

6.18 Locate a projecting sign to relate to the building facade and entries.

- Locate a small projecting sign near the business entrance, just above or to the side of the door.
- Mount a larger projecting sign higher on the building, centered on the facade or positioned at the corner.



Design a bracket for a projecting sign to be decorative or complementary to the sign composition.

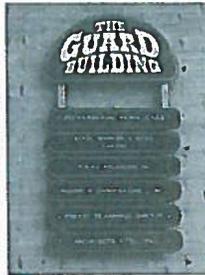
Tenant Panel or Directory Sign

A tenant panel or directory sign displays the tenant name and location for a building containing multiple tenants.

6.19 Use a tenant panel or directory sign to consolidate small individual signs on a larger building.

- Use a consolidated tenant panel or directory sign to help users find building tenants.
- Locate a consolidated tenant panel or directory sign near a primary entrance on the first floor wall of a building.

Informational/Directory Sign Examples



A tenant panel or directory sign displays the tenant name and location for a building containing multiple tenants.



Interpretive Sign

An interpretive sign refers to a sign or group of signs that provide information to visitors on natural, cultural, and historic resources or other pertinent information. An interpretive sign may be erected by a non-profit organization or may be a public sign erected by a national, state or local government agency.

Generally, interpretive signs should comply with the design guidelines for the sign type that is the closest match. The guidelines below apply to a common freestanding sign type.

6.20 Design an interpretive sign to be simple in character.

- The sign face should be easily read and viewed by pedestrians. An interpretive sign should remain subordinate to its context.



An interpretive sign refers to a sign or group of signs that provide information to visitors on natural, cultural, and historic resources or other pertinent information.



Murals

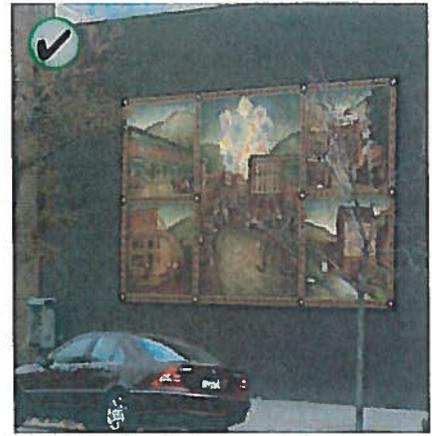
A mural is a painting located on the side of the building whose content, generally, should reflect a cultural, historic or environmental event(s) or subject matter from Waxahachie.

6.21 Design murals with material appropriate to Downtown Waxahachie and its environs.

- The mural may not depict a commercial product brand name or symbolic logo that is currently available.
- The content should reflect a cultural, historic or environmental event(s) or subject matter from Waxahachie.

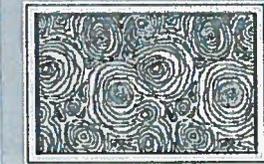
6.22 Integrate a mural into overall building design.

- The mural should complement the wall on which it is placed.
- It should not obscure key features of a historic building.



The content of a mural should reflect the heritage of the community by highlighting a cultural, environmental, historical event or subject.

Mural Examples



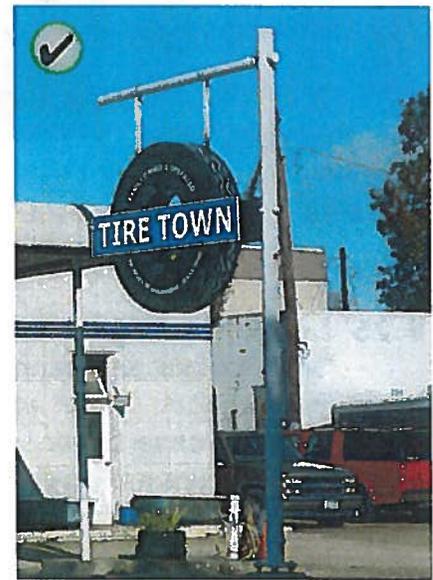
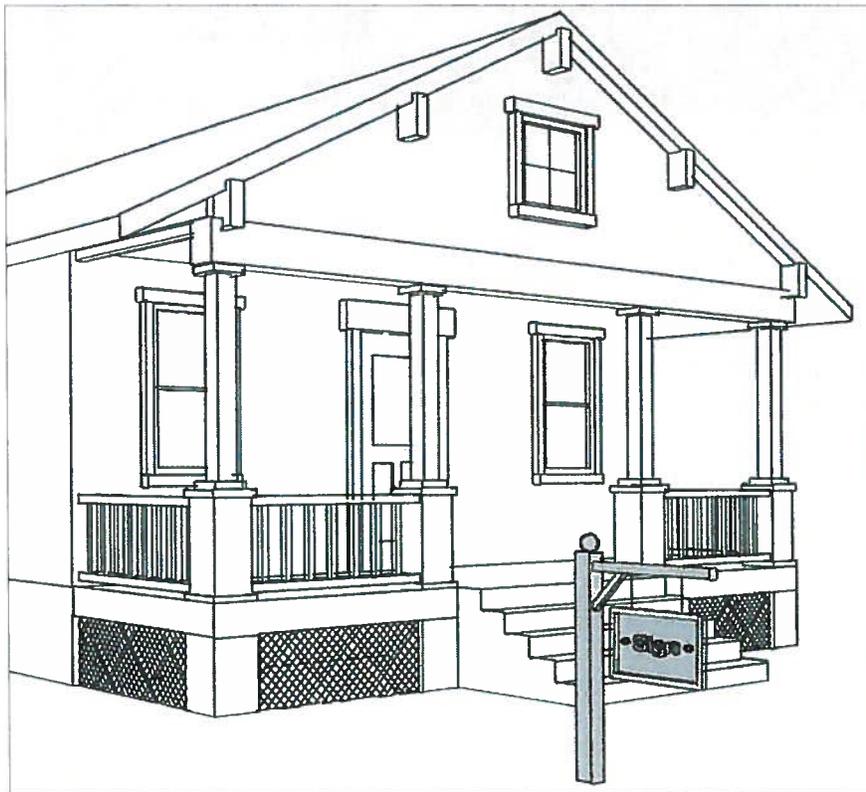
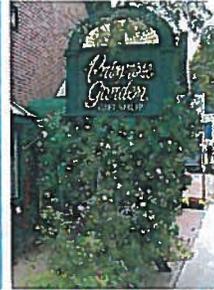
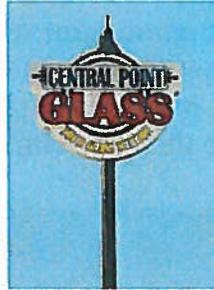
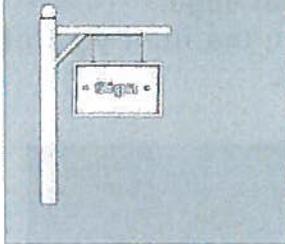
Pole or Freestanding Sign

A pole mounted/freestanding sign is generally mounted on one or two simple poles.

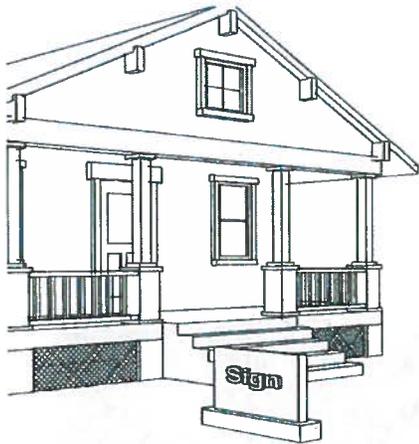
6.23 Design a pole sign to be appropriate to the commercial context.

- The top of the sign should not rise above the typical top of the street level storefront of a traditional commercial building.
- Sign panels that stretch to the ground are inappropriate.

Pole Sign Examples



A pole sign should be appropriate to the context. For example, the pole sign illustrated above reflects a connection to its past and present automotive use. This sign type would be inappropriate on a traditional commercial storefront building.

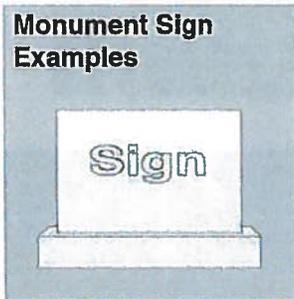


Monument Sign

A monument sign is any sign, picture, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service. It is located within the front yard and low to the ground. It has a solid base and the sign projects vertically from this.

6.24 Locate a monument sign in an appropriate context.

- A monument sign may be used in areas where the building is set back from the street edge.
- A monument sign may be used in the front yard of residence with a commercial use.



Kiosks

A sign kiosk is typically a series of configured sign panels.

6.25 Locate a sign kiosk in an appropriate context.

- Sign kiosks are generally provided by the city for wayfinding or for interpretive information. Other applications may be considered by the review authority on a case-by-case basis.
- Sign kiosks are appropriate in small plazas or areas offset from the primary public sidewalk.

Other sign types

All sign types that are not mentioned here, but which are permitted in Waxahachie, should adhere to the guidelines in this chapter.