

NOTICE OF CITY COUNCIL WORKSHOP MEETING

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS, WILL MEET IN A WORKSHOP SESSION OPEN TO THE PUBLIC AS FOLLOWS:

DATE: Tuesday, April 22, 2014

TIME: 6:45 p.m.

PLACE: Rosenberg City Hall
City Hall Council Chamber
2110 4th Street
Rosenberg, Texas 77471

PURPOSE: City Council Workshop Meeting, agenda as follows:

During a City Council Workshop, the City Council does not take final action on the agenda items and any consideration of final action will be scheduled at a Regular or Special City Council Meeting. Public comments are welcomed at Regular or Special City Council Meetings. No public comments will be received at a Workshop Meeting.

The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by Title 5, Chapter 551, of the Texas Government Code.

Call to order: City Hall Council Chamber

AGENDA

1. Review and discuss proposed Ordinance No. 2014-08, an Ordinance amending the Code of Ordinances by amending subsections (a)(4) and (a)(7) and by adding new subsections (a)(8), (a)(9) and (a)(10) to Section 6-362.2 of Article XIII of Chapter 6 thereof, providing for expanded boundaries of Sign District "B"; by adding a new Section 6-362.3 of Article XIII of Chapter 6 thereof, establishing Sign District "C" and regulations for Sign District "C"; by adding a new Section 6-362.4 of Article XIII of Chapter 6 thereof, establishing a Sign District map; providing a penalty in an amount as provided in Section 1-13 of this Code for violation of any provision hereof; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability. (Tanner)
2. Review and discuss the FY2014 Street Overlay and Reconstruction Project List, and take action as necessary to direct staff. (Maresh)
3. Review and discuss proposed "Sex Offender" Ordinance, and take action as necessary to direct staff. (Warren)
4. Review and discuss proposed revisions to the Christmas in Rosenberg event, and take action as necessary to direct staff. (McCarthy)
5. Review and discuss merchandise prominently displayed at the site of sale, and take action as necessary to direct staff. (Benton)
6. Review and discuss a comprehensive stop sign plan for the City, and take action as necessary to direct staff. (Benton)
7. Review and discuss "long-term" parking of vehicles in front yards of area residences, and take action as necessary to direct staff. (Benton)
8. Review and discuss proposed amendment to Section 6-367 of the Code of Ordinances providing rules and regulations governing the painting of street numbers on curbs, and take action as necessary to direct staff. (Benton)
9. Adjournment.

[EXECUTION PAGE TO FOLLOW]

DATED AND POSTED this the _____ day of _____ 2014, at _____m.,

by _____.

Attest:
Linda Cernosek, TRMC, City Secretary

Approved for Posting:
Robert Gracia, City Manager

Approved:
Vincent M. Morales, Jr., Mayor

Reasonable accommodation for the disabled attending this meeting will be available; persons with disabilities in need of special assistance at the meeting should contact the City Secretary at (832) 595-3340.



CITY COUNCIL COMMUNICATION

April 22, 2014

| ITEM # | ITEM TITLE |
|--------|---|
| 1 | Proposed Ordinance No. 2014-08 – Sign Ordinance Amendments (Aves. H, I & SH 36) Discussion |

ITEM/MOTION

Review and discuss proposed Ordinance No. 2014-08, an Ordinance amending the Code of Ordinances by amending subsections (a)(4) and (a)(7) and by adding new subsections (a)(8), (a)(9) and (a)(10) to Section 6-362.2 of Article XIII of Chapter 6 thereof, providing for expanded boundaries of Sign District “B”; by adding a new Section 6-362.3 of Article XIII of Chapter 6 thereof, establishing Sign District “C” and regulations for Sign District “C”; by adding a new Section 6-362.4 of Article XIII of Chapter 6 thereof, establishing a Sign District map; providing a penalty in an amount as provided in Section 1-13 of this Code for violation of any provision hereof; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.

FINANCIAL SUMMARY

Annualized Dollars:

One-time
 Recurring
 N/A

Budgeted:

Yes No N/A

Source of Funds: N/A

ELECTION DISTRICT

District 1
 District 2
 District 3
 District 4
 City-wide
 N/A

SUPPORTING DOCUMENTS:

1. Ordinance No. 2014-08 – Redline w/o Exhibit
2. Ordinance No. 2014-08
3. City Council Meeting Minute Excerpt – 02-18-14
4. City Council Meeting Minute Excerpt – 11-26-13
5. City Council Meeting Minute Excerpt - 09-24-13

MUD #: N/A

APPROVALS

Submitted by:

Travis Tanner
 Travis Tanner, AICP
 Executive Director
 Community Development

Reviewed by:

Exec. Dir. of Administrative Services
 Asst. City Manager for Public Services
 City Attorney
 City Engineer
 (Other)

Approved for Submittal to City Council:

Robert Gracia
 Robert Gracia
 City Manager

EXECUTIVE SUMMARY

This Ordinance was brought to City Council on February 18, 2014. City Council directed staff to put the Ordinance on a future Workshop Agenda for further discussion. The CCC executive summary report that was provided to City Council on February 18th is included in its entirety below.

Freestanding sign regulations for height and area for Avenues H and I and State Highway 36 (between I-69/U.S. 59 and Avenue H) have been discussed in two (2) previous City Council Workshop meetings: once on September 24, 2013, and again on November 26, 2013. In the most recent discussion on November 26, 2013, staff presented options for sign regulations for these corridors to City Council. The most agreed-upon option involved designating the eastern parts of Avenues H and I as being included in previously-approved Sign District “B.” These parts of the corridors have larger properties that could accommodate the larger signage allowed in District “B” (maximum of 16-foot/120 square foot single-tenant signs and 24-foot/320 square foot multi-tenant signs). Staff recommended that should City Council choose this option, the dividing lines for larger signage would be Miles and Mahlmann Streets. This was due to the larger properties and shopping centers mostly being located to the east of these streets. There was subsequent discussion and potential agreement on the dividing line being moved to the west to 8th

Street with the exception properties located on the south side of Avenue I, which should have smaller signage due to more residences being located in the area.

Staff has prepared an Ordinance amendment that we believe most reflects the discussion and consensus of City Council on November 26, 2013. It can be summarized as follows:

State Highway 36 between I-69/U.S. 59 and Avenue H (not including Downtown); Avenue H between Spur 529 and 8th Street (not including Downtown); Avenue I between Spur 529 and 8th Street (not including Downtown); and the south side of Avenue I between 8th and Mahlmann:

- Single-tenant:
 - Maximum height: twelve (12) feet
 - Maximum size: sixty (60) square feet
- Multi-tenant:
 - Maximum height: twelve (12) feet
 - Maximum size: ninety-six (96) square feet
 - Maximum of sixty (60) square feet per tenant

Avenue H east of 8th Street; Avenue I east of Mahlmann; and the north side of Avenue I between 8th and Mahlmann:

- Single-tenant:
 - Maximum height: sixteen (16) feet
 - Maximum size: one-hundred twenty (120) square feet
- Multi-tenant:
 - Maximum height: twenty-four (24) feet
 - Maximum size: three-hundred twenty (320) square feet
 - Maximum of one-hundred twenty (120) square feet per tenant

You will notice that the Downtown Area is not included in these recommendations. This is because Downtown already has its own standards that do not allow freestanding signs. This is due to the buildings mostly adjoining the right-of-way; thus the sites do not have yards for freestanding signs to be located in. No changes are recommended to the Downtown Area's existing sign regulations. In fact, Downtown has been discussed in previous meetings as potentially being Sign District "C" and Avenues H, I, and State Highway 36 as District "D"; however, because no changes are recommended to Downtown, staff does not see the need to create another sign district for it and therefore Avenues H, I & 36 are being designated as District "C."

Finally, due to the complexity of the Ordinance, staff has created a Sign District Map to make the Ordinance more user-friendly for staff and sign permit applicants. The map is attached as Exhibit "A" and incorporated in the Ordinance. Staff recommends approval of Ordinance No. 2014-08 in order to move forward with establishing permanent freestanding sign regulations for the corridors, as opposed to the current maximum height of nine (9) feet and maximum area of 36 square feet.

At this time, staff is requesting direction from Council on any changes to the Ordinance before it is adopted.

ORDINANCE NO. 2014-08

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROSENBERG, TEXAS, BY AMENDING SUBSECTIONS (a)(4) AND (a)(7) AND BY ADDING NEW SUBSECTIONS (a)(8), (a)(9) AND (a)(10) TO SECTION 6-362.2 OF ARTICLE XIII OF CHAPTER 6 THEREOF, PROVIDING FOR EXPANDED BOUNDARIES OF SIGN DISTRICT “B”; BY ADDING A NEW SECTION 6-362.3 OF ARTICLE XIII OF CHAPTER 6 THEREOF, ESTABLISHING SIGN DISTRICT “C” AND REGULATIONS FOR SIGN DISTRICT “C”; BY ADDING A NEW SECTION 6-362.4 OF ARTICLE XIII OF CHAPTER 6 THEREOF, ESTABLISHING A SIGN DISTRICT MAP; PROVIDING A PENALTY IN AN AMOUNT AS PROVIDED IN SECTION 1-13 OF THIS CODE FOR VIOLATION OF ANY PROVISION HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROSENBERG:

Section 1. The Code of Ordinances of the City of Rosenberg, Texas, is hereby amended by amending subsections (a)(4) and (a)(7) and by adding new subsections (a)(8), (a)(9) and (a)(10) to Section 6-362.2; by adding a new Section 6-362.3; and by adding a new Section 6-362.4 to Article XIII of Chapter 6 thereof to provide as follows:

“Sec. 6-362.2. - Sign District “B”.

(a) There is hereby created a Sign District “B”, which shall include:

- (1) All property located within the City adjacent to and fronting on the right-of-way of FM 2218; and
- (2) All property located within the City adjacent to and fronting on the right-of-way of FM 2977; and
- (3) All property located within the City adjacent to and fronting on the right-of-way of FM 762; and
- (4) All property located within the City adjacent to and fronting on the right-of-way of FM 723 and not in the Downtown Area; and
- (5) All property located within the City adjacent to and fronting on the right-of-way of the sections of State Highway 36 that extend south of U.S. Highway 59 and north of U.S. Highway 90A; and

- (6) All property located within the City adjacent to and fronting on the right-of-way of the section of U.S. Highway 90A that extends west of Spur 529; and
 - (7) All property located within the City adjacent to and fronting on the right-of-way of Spur 529; and
 - (8) All property located within the City adjacent to and fronting on the right-of-way of the section of U.S. Highway 90A that extends east of 8th Street; and
 - (9) All property located within the City adjacent to and fronting on the right-of-way of the section of FM 1640 that extends east of Mahlmann Street; and
 - (10) All property located within the City adjacent to and fronting on the north side of the right-of-way of the section of FM 1640 between 8th and Mahlmann Streets.
- (b) The following standards shall apply to single tenant signs within District “B”:
- (1) The maximum height shall be sixteen (16) feet.
 - (2) The maximum size shall be one-hundred twenty (120) square feet.
- (c) The following standards shall apply to multi-tenant signs within District “B”:
- (1) The maximum height shall be twenty-four (24) feet.
 - (2) The maximum overall size shall be three-hundred twenty (320) square feet.
 - (3) The maximum size per individual tenant shall be one-hundred twenty (120) square feet.

Sec. 6-362.3. - Sign District “C”.

- (a) There is hereby created a Sign District “C”, which shall include:
- (1) All property located within the City adjacent to and fronting on the right-of-way of the section of State Highway 36 between U.S. Highway 59 and U.S. Highway 90A and not in the Downtown Area; and
 - (2) All property located within the City adjacent to and fronting on the right-of-way of the section of U.S. Highway 90A between Spur 529 and 8th Street and not in the Downtown Area; and
 - (3) All property located within the City adjacent to and fronting on the right-of-way of the section of FM 1640 between Spur 529 and 8th Street and not in the Downtown Area; and
 - (4) All property located within the City adjacent to and fronting on the south side of the right-of-way of the section of FM 1640 between 8th and Mahlmann Streets.

(b) The following standards shall apply to single tenant signs within District “C”:

- (1) The maximum height shall be twelve (12) feet.
- (2) The maximum size shall be sixty (60) square feet.

(c) The following standards shall apply to multi-tenant signs within District “C”:

- (1) The maximum height shall be twelve (12) feet.
- (2) The maximum overall size shall be ninety-six (96) square feet.
- (3) The maximum size per individual tenant shall be sixty (60) square feet.

Sec. 6-362.4. – Sign District Map.

The Sign District Map, depicting Sign Districts “A,” “B,” and “C” and the Downtown Area of the City of Rosenberg, is attached hereto as Exhibit “A” and incorporated herein for reference purposes.”

Section 2. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount as provided in Section 1-13 of this Code. Each day of violation shall constitute a separate offense.

Section 3. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Rosenberg, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED AND APPROVED by a vote of _____ “ayes” in favor and _____ “noes” against on this first and final reading in full compliance with the provisions of Section 3.10 of the Charter of the City of Rosenberg on the _____ day of _____ 2014.

ATTEST:

APPROVED:

Linda Cernosek, **City Secretary**

Vincent M. Morales, Jr., **Mayor**

APPROVED AS TO FORM:

Lora Jean D. Lenzsch, **City Attorney**

ORDINANCE NO. 2014-08

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“Sec. 6-362.2. - Sign District “B”.

(a) There is hereby created a Sign District “B”, which shall include:

- (1) All property located within the City adjacent to and fronting on the right-of-way of FM 2218; and
- (2) All property located within the City adjacent to and fronting on the right-of-way of FM 2977; and
- (3) All property located within the City adjacent to and fronting on the right-of-way of FM 762; and
- (4) All property located within the City adjacent to and fronting on the right-of-way of FM 723 and not in the Downtown Area; and
- (5) All property located within the City adjacent to and fronting on the right-of-way of the sections of State Highway 36 that extend south of U.S. Highway 59 and north of U.S. Highway 90A; and

- (6) All property located within the City adjacent to and fronting on the right-of-way of the section of U.S. Highway 90A that extends west of Spur 529; and
 - (7) All property located within the City adjacent to and fronting on the right-of-way of Spur 529; and
 - (8) All property located within the City adjacent to and fronting on the right-of-way of the section of U.S. Highway 90A that extends east of 8th Street; and
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 - (2) The maximum size shall be one-hundred twenty (120) square feet.
- (c) The following standards shall apply to multi-tenant signs within District “B”:
- (1) The maximum height shall be twenty-four (24) feet.
 - (2) The maximum overall size shall be three-hundred twenty (320) square feet.
 - (3) The maximum size per individual tenant shall be one-hundred twenty (120) square feet.

Sec. 6-362.3. - Sign District “C”.

- (a) There is hereby created a Sign District “C”, which shall include:
- (1) All property located within the City adjacent to and fronting on the right-of-way of the section of State Highway 36 between U.S. Highway 59 and U.S. Highway 90A and not in the Downtown Area; and
 - (2) All property located within the City adjacent to and fronting on the right-of-way of the section of U.S. Highway 90A between Spur 529 and 8th Street and not in the Downtown Area; and
 - (3) All property located within the City adjacent to and fronting on the right-of-way of the section of FM 1640 between Spur 529 and 8th Street and not in the Downtown Area; and
 - (4) All property located within the City adjacent to and fronting on the south side of the right-of-way of the section of FM 1640 between 8th and Mahlmann Streets.

(b) The following standards shall apply to single tenant signs within District “C”:

(1) The maximum height shall be twelve (12) feet.

(2) The maximum size shall be sixty (60) square feet.

(c) The following standards shall apply to multi-tenant signs within District “C”:

(1) The maximum height shall be twelve (12) feet.

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The Sign District Map, depicting Sign Districts “A,” “B,” and “C” and the Downtown Area of the City of Rosenberg, is attached hereto as Exhibit “A” and incorporated herein for reference purposes.”

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Section 3. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Rosenberg, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED AND APPROVED by a vote of _____ “ayes” in favor and _____ “noes” against on this first and final reading in full compliance with the provisions of Section 3.10 of the Charter of the City of Rosenberg on the _____ day of _____ 2014.

ATTEST:

APPROVED:

Linda Cernosek, **City Secretary**

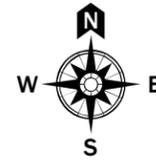
Vincent M. Morales, Jr., **Mayor**

APPROVED AS TO FORM:

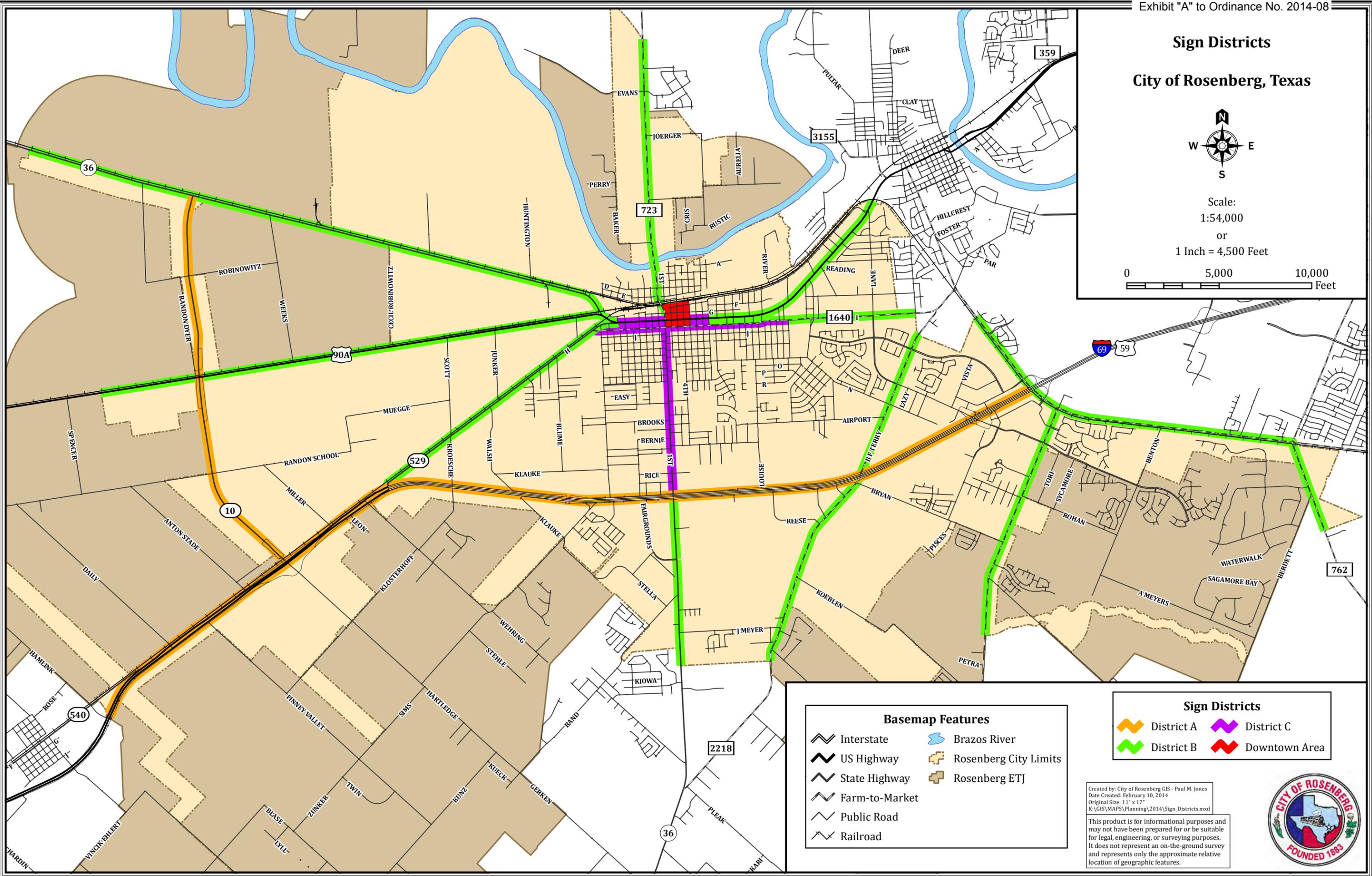
Lora Jean D. Lenzsch, **City Attorney**

Sign Districts

City of Rosenberg, Texas



Scale:
1:54,000
or
1 Inch = 4,500 Feet



Basemap Features

- Interstate
- US Highway
- State Highway
- Farm-to-Market
- Public Road
- Railroad
- Brazos River
- Rosenberg City Limits
- Rosenberg ETJ

Sign Districts

- District A
- District B
- District C
- Downtown Area

Created by: City of Rosenberg GIS - Paul M. Jones
 Date Created: February 10, 2014
 Original Size: 11" x 17"
 K:\GIS\MAPS\Planning\2014\Sign_Districts.mxd

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of geographic features.



Action: Councilor McConathy made a motion, seconded by Councilor Bolf to approve a proposal to combine the Special Events Committee and Parks and Recreation Board. The motion carried by a unanimous vote.

10. CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2014-10, AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY DELETING ARTICLES I, II, AND III OF CHAPTER 12 AND SUBSTITUTING THEREFOR NEW ARTICLES I, II, AND III OF CHAPTER 12 THEREOF; PROVIDING FOR GENERAL DEFINITIONS AND GUIDELINES FOR FLOOD PREVENTION AND CONTROL, ADMINISTRATIVE PROCEDURES, AND PROVISIONS FOR FLOOD HAZARD REDUCTION; PROVIDING A PENALTY NOT TO EXCEED \$500 FOR VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

Executive Summary: The Flood Insurance Rate Maps (FIRMs) for Fort Bend County and all incorporated areas within the County has been updated and reissued by the Federal Emergency Management Agency (FEMA). The primary changes in the maps were based on modifications to the Brazos River flows and improved terrain mapping with LiDAR elevations. This resulted in an increase in the Base Flood Elevations (BFEs) along the Brazos River, generally increasing the width of the floodplain along the Brazos River. Within the City, the improved terrain mapping resulted in removal of a large portion of Cambridge Village from the floodplain.

These new FIRMs have an effective date of April 04, 2014. Therefore, Chapter 12 of the Code of Ordinances needs to be updated to adopt these new maps.

In addition, Chapter 12 has been amended to be in agreement with our design standards which require that structures in a regulatory floodplain be elevated to twelve (12) inches above the BFE. There are additional "housekeeping" revisions to Chapter 12 within the Texas Water Development Board sample ordinance that are included in this amended Ordinance such as updated and additional definitions.

Staff recommends approval of Ordinance No. 2014-10 as presented.

Key discussion points:

- Charles Kalkomey, City Engineer gave an overview of the item regarding Ordinance No. 2014-10. There has been an ordinance on the books for several years and this is an update to that ordinance.
- The flood plain maps have been revised based on the different flow value for the Brazos River as well as improve modeling of the terrain from LiDAR information.
- Lora Lenzsch stated the preamble mistakenly placed a penalty of \$500.00 when in fact, since we have a code, we reference 1-13. The revised recommended preamble leaves the word providing a penalty but deletes that section regarding \$500.00.

Questions/Comments:

- Mayor Morales asked if the penalty is being taken out.
- Lora Lenzsch stated just in the preamble. On the last page of the Ordinance, Section 4 (Page 21) is the penalty provision which is how it is written in all of the City ordinances which references our penalty provision in our Code.

Action: Councilor McConathy made a motion, seconded by Councilor Euton to approve Ordinance No. 2014-10, an Ordinance amending the Code of Ordinances by deleting Articles I, II, and III of Chapter 12 and substituting therefor new Articles I, II, and III of Chapter 12 thereof; providing for general definitions and guidelines for flood prevention and control, administrative procedures, and provisions for flood hazard reduction; providing a penalty not to exceed \$500 for violation of any provision hereof; and providing for severability. The motion carried by a unanimous vote.

11. CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2014-08, AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY AMENDING SUBSECTIONS (A)(4) AND (A)(7) AND BY ADDING NEW SUBSECTIONS (A)(8), (A)(9) AND (A)(10) TO SECTION 6-362.2 OF ARTICLE XIII OF

CHAPTER 6 THEREOF, PROVIDING FOR EXPANDED BOUNDARIES OF SIGN DISTRICT "B"; BY ADDING A NEW SECTION 6-362.3 OF ARTICLE XIII OF CHAPTER 6 THEREOF, ESTABLISHING SIGN DISTRICT "C" AND REGULATIONS FOR SIGN DISTRICT "C"; BY ADDING A NEW SECTION 6-362.4 OF ARTICLE XIII OF CHAPTER 6 THEREOF, ESTABLISHING A SIGN DISTRICT MAP; PROVIDING A PENALTY IN AN AMOUNT AS PROVIDED IN SECTION 1-13 OF THIS CODE FOR VIOLATION OF ANY PROVISION HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

Executive Summary: Freestanding sign regulations for height and area for Avenues H and I and State Highway 36 (between I-69/U.S. 59 and Avenue H) have been discussed in two (2) previous City Council Workshop meetings: once on September 24, 2013, and again on November 26, 2013. In the most recent discussion on November 26, 2013, staff presented options for sign regulations for these corridors to City Council. The most agreed-upon option involved designating the eastern parts of Avenues H and I as being included in previously-approved Sign District "B." These parts of the corridors have larger properties that could accommodate the larger signage allowed in District "B" (maximum of 16-foot/120 square foot single-tenant signs and 24-foot/320 square foot multi-tenant signs). Staff recommended that should City Council choose this option, the dividing lines for larger signage would be Miles and Mahmann Streets. This was due to the larger properties and shopping centers mostly being located to the east of these streets. There was subsequent discussion and potential agreement on the dividing line being moved to the west to 8th Street with the exception properties located on the south side of Avenue I, which should have smaller signage due to more residences being located in the area.

Staff has prepared an Ordinance amendment that we believe most reflects the discussion and consensus of City Council on November 26, 2013. It can be summarized as follows:

Key discussion points:

- Travis Tanner, Executive Director of Community Development stated this item was discussed at the November, 2013 Workshop Meeting. There was a consensus at that time that we divide Avenues H and I in terms of signage at 8th Street with the exception of the south side of Avenue I which has more residential development. A map and Ordinance were included in the agenda packet.
- The map was reviewed and the areas were pointed out where larger signage is allowed and areas where it will be more restricted. Because we divided some of the streets up for some of the corridors it was important to include this map in the ordinance to avoid any confusion with developers and contractors.

Questions/Comments:

- Councilor Euton asked if there is any height limitation on the base of the sign that it has to be so tall before the sign starts.
- Travis Tanner stated this restricts the overall height and the overall size of the sign. The ordinance has limitations for visibility.
- Councilor Euton stated the sign committee had a recommendation that the bottom of the sign would begin at 7 feet and then up from there. She personally likes the 7 feet clearance because it provides visibility in areas and are not inhibited at intersections. Because of the 7 feet clearance their signs were taller to allow for that. She likes what the sign committee recommended because of the clearance and sight and heights. She would support this ordinance because it is better than what we have but she prefers what the sign committee recommended.
- Councilor Pena stated staff has worked hard on this and it has been to Council several times. He saw a copy of the original ordinance committee and it was extensive. He agreed with Councilor Euton this is better than what we have.
- Councilor Grigar thanked staff's patience in this as it has been long overdue and he thanked the committee members as well. It is time to move forward on this and he is glad to see we finally came to an agreement. Some of this is in line with Richmond's standards.

- Councilor Bolf asked how much different is this one than the sign committee's? Why did staff not take their recommendation?
- Travis Tanner stated staff was directed to go with smaller signage. The City has been coordinating with the City of Richmond on sign sizes and heights in areas with the intent that once we adopt these regulations the Management District will turn over that regulation to the City. What is before Council represents a compromise between their standards which are very restrictive and some sign committee's recommendations at that time.
- Councilor Grigar stated he is glad to see the map was included in the ordinance for developers or general public.
- Councilor Benton stated this is an improvement and we are close but he has some concerns. He is glad Avenue I has been split north and south with smaller signs in the neighborhood than larger signs.
- Councilor McConathy thanked Travis Tanner for his patience. We are so close but she suggested the item be brought back to a workshop to tweak it. There were some items added that were not there previously such as the maximum size per individual tenant shall be 60 square feet and that is in a multi-tenant sign. That was not discussed before. She does not see the discussion taking much time but she would like it brought back to a workshop.
- Mayor Morales stated he thought that was discussed in the workshop.
- Travis Tanner stated the reason for the individual tenant sizes is that is how we have done all of the districts. We did a maximum size for the single tenant signs and the multi-tenant signs per tenant size has been the same as the maximum per single tenant signs. That is how we did all of the other districts and we stayed consistent with that.
- Councilor Benton expressed some concern regarding the multi-tenant signs per tenant size.
- Travis Tanner stated the point is to keep people from abusing the multi-tenant sign. If you have a multi-tenant and you have 100 square feet single tenant space and you have a small amount left over for others. That is the reasoning behind that.
- Some Council members requested to bring the item back to a workshop to review the multi-tenant size, amount per tenant, visibility setback and measurement.
- Lora Lenzsch stated to address Councilor Euton's concerns regarding the measurement for the base and monument signs. There is an entire section in the ordinance that deals with how to measure the height at the base or below. It gives direction for monument signs.

Action: Councilor Benton made a motion, seconded by Councilor Bolf to table Ordinance No. 2014-08, an Ordinance amending the Code of Ordinances by amending subsections (a)(4) and (a)(7) and by adding new subsections (a)(8), (a)(9) and (a)(10) to Section 6-362.2 of Article XIII of Chapter 6 thereof, providing for expanded boundaries of Sign District "B"; by adding a new Section 6-362.3 of Article XIII of Chapter 6 thereof, establishing Sign District "C" and regulations for Sign District "C"; by adding a new Section 6-362.4 of Article XIII of Chapter 6 thereof, establishing a Sign District map; providing a penalty in an amount as provided in Section 1-13 of this Code for violation of any provision hereof; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability. *The motion carried by a vote of 5 to 2 as follows: Yeses: Councilors Benton, McConathy, Pena, Euton and Bolf. Noes: Mayor Morales and Councilor Grigar.*

12. CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2014-04, AN ORDINANCE ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 10, 2014, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS, FOR ADOPTION OR REJECTION, A PROPOSED ORDINANCE AND/OR RESOLUTION PROHIBITING THE CITY FROM DONATING SPECIFIED REAL PROPERTY FOR THE "ONE-WAY PAIRS" PROJECT; AND MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION.

Executive Summary: Ordinance No. 2014-04 is an Ordinance ordering a Special Election to be held on May 10, 2014.

The purpose of Ordinance No. 2014-04 is to submit to the qualified voters, for adoption or rejection, a proposed ordinance and/or resolution prohibiting the City from donating specified land to TXDOT (Texas Department of Transportation) or any other person or entity for the "One-Way Pairs" Project, per a petition

- Councilor Benton agreed with the weighted formula for the entire City.
- Staff will come back to another workshop with guidelines to expand the Program.
- No action was taken on the item.

4. REVIEW AND DISCUSS PROPOSED REVISIONS TO THE "SIGN" ORDINANCE FOR SIGN HEIGHT AND SIGN SIZE FOR DISTRICT "D" (AVENUE H, AVENUE I, AND STATE HIGHWAY 36) AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.

Executive Summary: At the September 24, 2013 City Council Workshop Meeting, staff presented recommendations for the maximum height and size of freestanding signs on Avenues H and I and the part of State Highway 36 (SH 36) between U.S. Highway 90A (US 90A) and Interstate-69/U.S. Highway 59 (I-69/US 59). The recommendations were as follows:

- Single-tenant:
 - Maximum height: twelve (12) feet
 - Maximum size: sixty (60) square feet
- Multi-tenant:
 - Maximum height: twelve (12) feet
 - Maximum size: ninety-six (96) square feet
 - Maximum of sixty (60) square feet per tenant

The above recommendations were the result of coordinating with the City of Richmond as directed by City Council in 2012. The concept, as generally agreed upon by Rosenberg, Richmond, and the West Fort Bend Management District (WFBMD), was for the two (2) cities to coordinate and adopt similar sign regulations on major corridors, after which the District would relinquish sign control to the cities.

There was discussion at the September 24, 2013, meeting regarding potentially larger multi-tenant sign sizes or dividing District "D" to allow larger signs to the east on Avenues H and I, where there are larger tracts and shopping centers. Councilors subsequently requested more information on the suggestions of the Sign Review Task Force and photos of existing signs and their sizes to help visualize the sign regulations.

The Sign Review Task Force met between January and May of 2010 and their recommendations were as follows for Avenues H and I and SH 36, which were grouped together at the time as they are proposed to be now:

- Single-tenant:
 - Maximum height: twenty-five (25) feet
 - Maximum size: one hundred (100) square feet
- Multi-tenant:
 - Maximum height: thirty-five (35) feet
 - Maximum size: five hundred (500) square feet

The above recommendations are similar to what the City has already adopted for I-69/US 59, and we have stepped down in size on the lesser corridors beginning with 16-foot/120 square foot single-tenant and 24-foot/320 square foot multi-tenant signs on the farm-to-market roads (District "B"). Staff would recommend continuing to step down in size due to the relatively small size of tracts and developed nature of the area, including close proximity to many residences and residential areas.

As a result of that discussion, staff recognizes that there are a variety of opinions on sign sizes and would like to provide options that City Council may reach a consensus on. Photos were included in the agenda packet to help visualize the following potential options:

1. Staff's original recommendation of 12-foot/60 square foot single-tenant and 12-foot/96 square foot multi-tenant signs
2. 12-foot/120 square foot single-tenant and 16-foot/256 square foot multi-tenant signs, similar to MUD No. 144 (Summer Lakes) Planned Unit Development (PUD)
3. If the above option is not satisfactory, City Council may wish to consider dividing District "D" at Miles Street and Mahlmann Street and incorporating the properties to the east of those streets on Avenues H and I into Sign District "B", as they are generally larger tracts and shopping centers that could be more compatible with District "B" (maximum 16-foot/120 square foot single-tenant signs and 24-foot/320 square foot multi-tenant signs).

Photos of a range of sign sizes were included in the agenda packet for review. The current allowed sign height is nine (9) feet, with a maximum of 36 square feet. Any of the above options would increase the allowed signage. Staff's recommendation is for sign standards to be adopted in the near future to facilitate development and redevelopment of the corridors. Further, completion of the City's "Sign" Ordinance amendments would expedite the West Fort Bend Management District's transferring of signage control to the cities as planned.

Key discussion points:

- Travis Tanner, Planning Director presented the proposed revisions to the "Sign" Ordinance for sign height and sign size for district "D" (Avenue H, Avenue I, and State Highway 36).
- **Freestanding Sign Regulation - Avenues H, I & SH 36**
- September 24 City Council Workshop Meeting
- Staff recommendation:
- 12' / 60 SF single-tenant signs
- 12' / 96 SF multi-tenant signs
- Coordinated with City of Richmond
- Per direction from Council in 2012
- Role of West Fort Bend Management District
- September 24 and Subsequent Feedback
- Concerns regarding multi-tenant sign recommendation (12') being too strict
- Talk of raising multi-tenant sign height
- Or allowing larger signs on east side of H & I
- Request for Sign Review Task Force Recommendations
- Request for Photos/Visuals
- **Sign Review Task Force**
- January-May 2010
- Avenues H, I & SH 36 grouped together
- Recommendations
- 25' / 100 SF single-tenant signage
- 35' / 500 SF multi-tenant signage
- Recommendations similar to what has already been adopted on 59
- Regulations have stepped down in size on lesser corridors
- Ex. 16' / 120 SF single-tenant and 24' / 320 SF multi-tenant signs in District B (farm-to-market roads)
- Pictures shown of:
 - 9' / 30 SF Single-Tenant Sign
 - 16' / 192 SF Multi-Tenant Sign
 - 24' / 225 SF Multi-Tenant Sign
 - 25' / 60 SF Single-Tenant Sign
 - 33' / 500 SF Multi-Tenant Sign
- **Freestanding Sign Options - Avenues H, I & SH 36**
- 1. Staff's original recommendation: 12' / 60 SF single-tenant and 12' / 96 SF multi-tenant signs
- 2. 12' / 120 SF single-tenant and 16' / 256 SF multi-tenant signs (MUD 144 / Summer Lakes PUD)
- 3. #1 above and place the parts of H and I east of Miles and Mahlmann in District B with 16-24' signs
- Map shown of Divided District Option
 - 12' / 96 SF; 12' / 60 SF
 - 16' / 256 SF; 12' / 120 SF
 - 24' / 320 SF; 16' / 120 SF
- Staff is seeking direction from Council on freestanding sign options for Avenues H, I and 36.
- Discussion was held regarding the proposed revisions.
- A suggestion was made to split Avenue H and Avenue I into two districts and expanding it east of Miles and Mahlmann to 8th Street.
- Council gave no direction to staff to move forward at this time.
- No action was taken on the item.

did not make a recommendation to delete or repeal it from the Code. It was suggested through a motion and the Board carried it.

- The Rental Inspector and Code Enforcement Officers agree they seldom quote out of this code.
- Councilor McConathy stated some people have had problems with bedbugs, particularly in an apartment complex. At the time it happened there was an apartment complex in Rosenberg that had an infestation of bedbugs. They were appropriately treated but then there was a re-infestation. At that time we did not have an ordinance that specifically addressed bedbugs. How are we handling this?
- Tonya Palmer stated it is being handled under the nuisance ordinance. The apartments are covered by the rental property inspector. She does not know what he has for enforcement. We have gone out to address for bats and bees in houses. We have had one complaint in a hotel for bedbugs. If they spray and are clean when inspected and then they come back, then the complainant needs to complain again and it has to be sprayed again.
- Wade Goates, Fire Chief explained that two factors play into the bedbug issues. One, there are a couple of methods they can use per experts in pest control. Second, the Houston Apartment Association, which helps the outlying areas, attached a line item to their contracts that makes the individual occupant responsible for it. When our property inspector is called on these we are a mitigating factor. They still get treated. If they take luggage and furnishings out and someone else acquires those furnishings then they re-infest and then it falls back on the occupant. We were working under the guidelines because the Center for Disease Control (CDC) has not identified them as an issue. It would be more of a nuisance and are not a health concern.
- Councilor McConathy stated an apartment complex had an issue with bats and the City was called and they could not do anything about it and the County was called and they did not do anything about it. That particular unit remained unoccupied due to the odor of the bats.
- Tonya Palmer stated she would like to know the specifics on that issue. We get complaints and we always handle them. The landlord has ten days to get a professional to get rid of them. Then there is an inspection to see that they are gone.
- The Board discussed this at great length and this was one code they did not feel comfortable with presenting to Council for adoption and recommended that it be repealed.
- Tonya Palmer referenced the Contractor Registration and stated a contractor registration was being enforced but we did not have an outlined procedure. She wanted to put it in ordinance form rather than in procedure form so people going to the codes know exactly what is required of them. There is no fee for registration.
- Councilor McConathy referenced the revocation of the registration – Under item 2 – “refusal to correct any code violation after notice”. That would be a contractor that is registered, pulled a permit and is being inspected and as part of the inspection process the inspector points out something to be corrected and if they refuse they will not get the permit but are subject to having their registration revoked. Is that correct?
- Tonya Palmer stated yes and the penalty for not being registered in the City of Rosenberg is they are not eligible to do work in the City.
- Tonya Palmer referenced carbon monoxide detectors and clarified that one and two family dwellings, town houses, duplexes and quadplexes meeting a certain criteria are all covered under the residential code. In the residential code, carbon monoxide detection is not retroactive. It is for new construction.
- No action was taken on the item.

RECESS SESSION, RECONVENE SESSION'

Mayor Morales recessed the Session at 8:04 p.m. and reconvened the Session at 8:12 p.m.

5. **REVIEW AND DISCUSS PROPOSED REVISIONS TO THE “SIGN” ORDINANCE FOR SIGN HEIGHT AND SIGN SIZE FOR DISTRICT “D” (AVENUE H, AVENUE I, STATE HIGHWAY 36, ETC.), AS RECOMMENDED BY THE SIGN REVIEW TASK FORCE, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: Free-standing sign regulations for Districts “A” and “B” were adopted by City Council in January 2013. The next step, as directed by City Council at the time, was for staff to coordinate with the City of Richmond and propose regulations for District “D”. Proposed Sign District “D” consists of Avenues H and I and the portion of State Highway 36 located between U.S. Highway 90A and Interstate-69/U.S. Highway 59.

The current regulations applying to District “D” (and other parts of the City not in District “A” or “B”) require a maximum sign height of nine (9) feet and a maximum area of thirty-six (36) square feet. As a result of

our continued coordination with the City of Richmond in this process, staff recommends increasing the maximum height and area to the following:

- Single-tenant:
 - Maximum height: twelve (12) feet
 - Maximum size: sixty (60) square feet
- Multi-tenant:
 - Maximum height: twelve (12) feet
 - Maximum size: ninety-six (96) square feet
 - Maximum of sixty (60) square feet per tenant

Richmond is currently moving forward with these sign sizes for the Jackson Street and Thompson Road corridors, which are the similar corridors in Richmond. It is important to note that District "D" consists of mostly developed areas with compact tracts relative to Districts "A" and "B". There are also many existing, nonconforming signs due to the largely developed nature of the area. The "Sign" Ordinance is very lenient regarding the reuse and "re-facing" of existing signs.

Staff believes the proposed regulations will not negatively impact property owners for the following reasons:

- Lack of vacant land on which new freestanding signage would typically be placed
- The ability to reuse existing, nonconforming signs under the current Ordinance
- An overall increase in the amount of signage that is allowed (1.67 times more for single-tenant signs and 2.67 times more for multi-tenant signs)
- The proposed regulations are appropriate for an area with relatively compact sites and developments.

Until permanent regulations are adopted for these corridors, new development and redevelopment will be subject to a maximum freestanding sign height of nine (9) feet and a maximum area of thirty-six (36) square feet. The proposed regulations are consistent with the City of Richmond, as directed by City Council, and would increase the amount of signage allowed on the subject corridors. With direction from City Council, staff will prepare an Ordinance specifying the above sign dimensions for District "D" for placement on a future City Council agenda.

Key discussion points:

- Travis Tanner, Planning Director read the Executive Summary and showed the area affected in a color coded map included in the agenda packet.

Questions/Comments:

- Councilor Benton stated if someone had a large piece of property with a lot of frontage it would not have an impact on the size of the sign.
- Travis Tanner stated no, not in this particular case; however, it would impact how many signs could be on the property because of spacing requirements. The larger the property the more signage you could have.
- Councilor McConathy stated the suggestion is sixty (60) square feet per tenant. Is that to allow for multiples?
- Travis Tanner stated the 60 square feet per tenant we are allowing is a maximum of ninety-six (96) square feet on the multi-tenant signs. This is to put a limit per tenant so one tenant does not have a much larger sign than can be on a single tenant sign. That is what we have done with District A and B in the past. It was recommended by Council at the time that we go with a per tenant maximum.
- Councilor McConathy stated both she and Councilor Benton served on the Sign Task Force and there are a couple of conflicting things. The Sign Task Force did recommend a District D with the twelve (12) foot height of the single tenant and with the multi-tenant there were three different recommendations. But, that was not including Avenue I, H and Highway 36 because the recommendation from the committee was to put those in District B. She still holds to that recommendation of those corridors be included in District B and they would comply with the other major thoroughfares other than Spur 10 and 59.
- Travis Tanner asked for clarification what corridors or parts of corridors in District B.
- Councilor McConathy stated Avenue I, Avenue H and Highway 36 from south of US 90A all the way up to US 59 because that was the Sign Task Force recommendation. We envisioned going into District D the other minor streets that were outside of the neighborhoods, such as, Radio

Lane, Avenue N, etc.

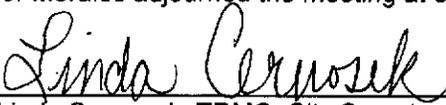
- Travis Tanner stated this could be a labeling issue. He thought that whether it was called District B or D or whatever it was called by the Sign Task Force was that the ones indicated in purple, Avenue H and I and Highway 36, regardless of whether it was one of those districts, they were distinguished from the farm to market roads and from Spur 10 and US 59, is that not correct.
- Councilor McConathy stated that is not correct. The reason why they should be included in District B was because Rosenberg's corridors, unlike Richmond's have large developments such as the Rose-Rich Shopping Center, Lamar Plaza, and others. There is the large development at the corner of 36 and 59 with large frontage. That is why the Sign Task Force put Avenue I, H and 36 in District B because of what was defined and recommended as the height, actual size of the sign recommendations for District B.
- Travis Tanner stated he was not here at the time and it could be that with working with the City of Richmond over the last few years since the Sign Task Force, they could have changed that recommendation or recommended something different. Some of these properties are tighter than others and as you go to the east we could look at something different for some of these parts of the corridor but that is our recommendation at this time for the majority of those roads. That is what we coordinated with Richmond on and the idea was to have a unified vision so our regulations can eventually replace the West Fort Bend Management District's.
- Councilor McConathy stated she agrees with the majority of that except that we, unlike Richmond, have these large frontage properties. If we as a unified Council adopt this then there should be some kind of exception for properties that have large four-hundred (400) linear foot frontages as far as sign height for multi-tenant. In most cases they will be multi-tenant.
- Mayor Morales stated on the larger properties they could have multiple signs versus a single tenant can have one sign. For each two-hundred fifty (250) feet they could have a multiple tenant signs.
- Councilor McConathy stated the other thing the committee addressed was the short monument signs provided they have the frontage for that. If the Rose-Rich property decided to demolish and start over, the existing signs would go away and they would be held to the standard adopted. She has a concern for a multi-tenant location having the necessary signage to give the businesses the opportunity to prosper at that location.
- Travis Tanner stated most of those multi-tenant locations have existing signs that will be grandfathered under our ordinance. We looked at that in developing these standards and he does not feel they will be affected. This is what the City of Richmond is moving forward with on Jackson Street and Thompson Road and that is our recommendation.
- Mayor Morales stated the historical area could be defined as one and then east of that, which is where the larger properties area.
- Travis Tanner stated that is an option for us to look at. If the majority of Council wants to go with our recommendation, which is the same sizes on all the corridors as shown in purple and if that wasn't the case we would look at breaking it down into different parts for the areas that have larger properties. Most of this is compact.
- Councilor McConathy stated her concern isn't the single tenant. What the committee recommended is not too far from what is being suggested. The size is reduced. The committee recommended one-hundred (100) square feet and sixty (60) square feet is being recommended. That is not a problem, it is the multi-tenant. The committee recommended for two or less tenants it would be twelve (12) feet and one-hundred fifty (150) square feet. But, if it was three to five tenants then eighteen (18) feet and one-hundred fifty (150) square feet for the size and for six and above twenty four (24) feet with two-hundred fifty (250) square feet for the size.
- Travis Tanner stated staff looked at the recommendations of the Task Force. We were asked to look at MUD 144 which has its own sign standards, the Management District's and the City's existing standards. It ended up between the City of Rosenberg and Richmond coming up with a compromise with a lot of those different things and is how we came up with these standards.
- Councilor Euton asked if Richmond has the multi-tenants like we have.
- Travis Tanner stated they have a few on Thompson Road.
- Mayor Morales suggested taking the corridor considered the historical district and keep a consistent lower profile signage there; then going east break it into another district where there are the larger tracts coming out of the historical district.
- Councilor Benton stated 8th Street is the first big development and he concurs with that.
- Mayor Morales stated the only way he would agree is that we do not have as many signs.
- Travis Tanner stated the larger properties give you more signage. That is a concern going up on the size.
- Councilor McConathy suggested leaving the single tenant as recommended. It is the multi-tenant

where we need to be more flexible. The maximum size is two-hundred (200) square feet for a twenty-four (24) foot sign for a District D.

- Councilor Benton suggested keeping it at eighteen (18) square feet.
- Councilor Euton agreed that it needs to be higher than twelve (12) feet for the multi-tenant and suggested eighteen (18) feet.
- Mayor Morales stated he does not think that size of sign should be allowed in the historical corridor.
- Travis Tanner stated he would have been concerned having anything greater than twelve (12) feet. Downtown is a separate area. There is a distinction of these in terms of size and we have to look at it to decide a breaking point. The downtown area goes up to Avenue I. Those are more restricted because there's not even a setback area in which to put the signs. The buildings are up to the right-of-way.
- Mayor Morales stated the strip center that was Hajdik's could put up a sixteen (16) foot sign.
- Travis Tanner stated yes. He asked Council if there is a consensus to stay with the twelve (12) feet and sixty (60) square feet for the single tenant within the central part of this district and do we want to go up to sixteen (16) feet potentially? Will the square footage stay at ninety-six (96) square feet?
- Councilor McConathy stated if we are saying sixteen (16) feet in height and three (3) feet per tenant sign are we allowing for the seven (7) foot clearance at the bottom or will we allow them to go from top to bottom on multi-tenant?
- Travis Tanner stated they can do it however they want as long as they are not creating a sight visibility issue. It would depend on the location of the sign.
- Mayor Morales asked what is in the other district.
- Travis Tanner stated we had sixteen (16) feet in District B for the single tenant and one-hundred twenty (120) square feet.
- Councilor McConathy stated she agreed with that.
- Mayor Morales stated his concern is the distance having that many signs and they could have any signs every two-hundred fifty (250) feet that size.
- Travis Tanner stated staff could look at it and bring back to Council.
- Councilor McConathy stated the committee addressed that and they limited those large size properties to two multi-tenant signs and the rest were the monument signs.
- Mayor Morales stated he could agree with that.
- Councilor Benton stated Town Center has a lot of signs.
- Travis Tanner stated it is on the freeway and travelling at a higher rate of speed and the signs are farther off the street. We are trying to be fair about it but also recognize the differences in these corridors in terms of as we go down to lower speed limits and tighter properties we have been lowering the signage based on that. That is reasoning behind the recommendation.
- Mayor Morales agreed. Staff will come back with signage recommendation in the downtown district areas and going east towards Richmond.
- No action was taken on the item.

6. **ADJOURNMENT.**

There being on further business Mayor Morales adjourned the meeting at 8:38 p.m.



Linda Cernosek, TRMC, City Secretary



CITY COUNCIL COMMUNICATION

April 22, 2014

| ITEM # | ITEM TITLE |
|--------|--|
| 2 | FY2014 Street Overlay and Reconstruction Project List Discussion |

ITEM/MOTION

Review and discuss the FY2014 Street Overlay and Reconstruction Project List, and take action as necessary to direct staff.

| FINANCIAL SUMMARY | ELECTION DISTRICT |
|-------------------|-------------------|
|-------------------|-------------------|

Annualized Dollars:

- One-time
- Recurring
- N/A

Budgeted:

Yes No N/A

Source of Funds:

101-5022-550-7030
410-0000-550-7035

- District 1
- District 2
- District 3
- District 4
- City-wide
- N/A

SUPPORTING DOCUMENTS:

MUD #: N/A

1. Proposed FY2014 Street Paving Project List – 04-15-14
2. Proposed FY2014 Street Paving Location Map
3. Rosenberg Development Corporation Meeting Draft Minute Excerpt – 04-03-14

APPROVALS

Submitted by:

Assistant City Manager for
Public Services

Reviewed by:

- Exec. Dir. of Administrative Services
- Asst. City Manager for Public Services
- City Attorney
- City Engineer
- Director of Economic Development

**Approved for Submittal
to City Council:**

Robert Gracia
City Manager

EXECUTIVE SUMMARY

In past years, the Public Works Department has submitted the list of streets to be overlaid and rebuilt to City Council for approval. The list of streets for this fiscal year is attached for your review. The Public Works Department has compiled a list of twenty-one (21) street sections. The list includes two (2) streets to be rebuilt and nineteen (19) to be patched, leveled up and overlaid with hot-mix pavement. The cost estimate for the recommended streets included on the Project List is \$863,923.11. The FY2014 Budget includes \$300,000.00, plus an additional \$79,410.00 remains from the FY2011 Street Paving Program which was previously approved for Homestead Road in the Suburban Estates Subdivision. The streets located in the Suburban Estates Subdivision were deferred until such time the FM 2218 construction project was completed and a final determination was made regarding the traffic control measures that would be implemented.

Staff presented a request to the Rosenberg Economic Development Corporation (RDC) to provide funding in the estimated amount of \$133,865.00 (the cost estimate has since been revised to \$140,673.61) for the reconstruction of Koeblen Road, which was annexed in 2013. More recently, a dirt mining operation was developed on property that is only accessible from Koeblen Road and the heavy truck traffic has caused considerable damage to the road. The RDC did take action to fund approximately one-third of the initial cost estimate (\$44,621.00), leaving a balance of \$96,052.61. RDC staff has also attempted to contact the operator of the dirt pit to discuss the opportunity for the business to partner with the City and RDC by providing a financial contribution toward the road reconstruction cost. As of the date of this report, staff has not had the opportunity to have this discussion.

Due to the large amount of street repair and repaving work the City will have to address in future years. Staff recommends additional funding in the amount of \$439,892.11 which will provide a total of \$863,923.11. If City Council concurs, a budget adjustment will be presented at the May 06, 2014 meeting for approval.

Staff recommends approval of the FY2014 Street Overlay and Reconstruction Project List as presented.

City of Rosenberg
Proposed 2014 Street Paving Project - 04/15/14

| District | Street Name | Boundaries From - To | Dimensions | Tons | Asphalt Cost | Milling | Hauling | Gallons of Road Stabilizer | Price | Gallons of Prime Oil | Price | Crushed Concrete | Price | Pavement Marking | Curb Repair | Concrete Raising | Price | Grand Total per Street | District Total | |
|----------|----------------|---------------------------|--------------|---------------|----------------------|----------|-------------|----------------------------|---------------------|----------------------|--------------------|------------------|---------------------|------------------|-------------|------------------|-------------|------------------------|--------------------|----------------------|
| #1 | West Street | Avenue D - Walnut | 20' x 646' | 242 | \$ 13,552.00 | | | | | | | | | | | | | \$ 13,552.00 | | |
| #1 | Walnut | Willow - Mulcahy | 22' x 1550' | 639 | \$ 35,784.00 | | | | | | | | | | | | | \$ 35,784.00 | | |
| #1 | Radio Lane | Avenue H - Avenue I | 24' x 2020' | 909 | \$ 50,904.00 | | | | | | | | | | | | | \$ 50,904.00 | | |
| | | | | | | | | | | | | | | | | | | | DISTRICT TOTAL | \$ 100,240.00 |
| #2 | Mulcahy Street | Avenue I - Walger | 20' x 3,366' | 1,262 | \$ 70,672.00 | | | | | | | | | | | | | \$ 70,672.00 | | |
| #2 | Blackwood | Muegge - Dead End | 22' x 1475' | 608 | \$ 34,048.00 | | | | | | | | | | | | | \$ 34,048.00 | | |
| #2 | Cottonwood | Hwy 59 - City Limits | 24' x 2425' | 1,091 | \$ 61,096.00 | | | 10,350 | \$ 27,841.50 | | | | | | | | | \$ 88,937.50 | | |
| #2 | J. Meyer Road | FM 2218 - Seabourne Creek | 22' x 1480' | 610 | \$ 34,160.00 | | | | | | | | | | | | | \$ 34,160.00 | | |
| #2 | Houston Street | Avenue I - Avenue K | 22' x 700' | 288 | \$ 16,128.00 | | | | | | | | | | | | | \$ 16,128.00 | | |
| #2 | James Street | Avenue I - Avenue L | 20' x 1045' | 391 | \$ 21,896.00 | | | | | | | | | | | | | \$ 21,896.00 | | |
| | | | | | | | | | | | | | | | | | | | DISTRICT TOTAL | \$ 265,841.50 |
| #3 | Avenue L | Damon - Dead End | 28' x 375' | 197 | \$ 11,032.00 | | | | | | | | | | | | | \$ 11,032.00 | | |
| #3 | 7th Street | Avenue N - Parrot Street | 20' x 1270' | 476 | \$ 26,656.00 | | | | | | | | | | | | | \$ 26,656.00 | | |
| #3 | Avenue J | Mahlmann - Austin Street | 22' x 2160' | 891 | \$ 49,896.00 | | | | | | | | | | | | | \$ 49,896.00 | | |
| | | | | | | | | | | | | | | | | | | | DISTRICT TOTAL | \$ 87,584.00 |
| #4 | Cartwright | Grande Gables - Dead End | 22' x 640' | 264 | \$ 14,784.00 | | | | | | | | | | | | | \$ 14,784.00 | | |
| #4 | Heritage Haven | Grande Gables - Dead End | 22' x 600' | 247 | \$ 13,832.00 | | | | | | | | | | | | | \$ 13,832.00 | | |
| #4 | Little Haven | Grande Gables - Dead End | 22' x 470' | 194 | \$ 10,864.00 | | | | | | | | | | | | | \$ 10,864.00 | | |
| #4 | Grande Gables | City Limits - Dead End | 22' x 4628' | 1,909 | \$ 106,904.00 | | | | | | | | | | | | | \$ 106,904.00 | | |
| #4 | Homestead Road | FM 2218 - Dead End | 20' x 2450' | 919 | \$ 51,464.00 | | | | | | | | | | | | | \$ 51,464.00 | | |
| #4 | Lazy Lane | Homestead - Reading Road | 20' x 1150' | 431 | \$ 24,136.00 | | | | | | | | | | | | | \$ 24,136.00 | | |
| #4 | Richard Street | Homestead - Reading Road | 20' x 1135' | 425 | \$ 23,800.00 | | | | | | | | | | | | | \$ 23,800.00 | | |
| #4 | Allwright | Homestead - Reading Road | 20' x 1135' | 425 | \$ 23,800.00 | | | | | | | | | | | | | \$ 23,800.00 | | |
| #4 | Koeblen Road | FM 2218 to City Limits | 24' x 4370' | 1,295 | \$ 72,520.00 | | | 18,645 | \$ 50,155.05 | 819 | \$ 1,834.56 | 1,200 | \$ 16,164.00 | | | | | \$ 140,673.61 | | |
| | | | | | | | | | | | | | | | | | | | DISTRICT TOTAL | \$ 410,257.61 |
| | | | Total | 13,713 | \$ 767,928.00 | 0 | \$ - | 28,995 | \$ 77,996.55 | 819 | \$ 1,834.56 | 1,200 | \$ 16,164.00 | 0 | \$ - | 0 | \$ - | \$ 863,923.11 | | |
| | | | | | | | | | | | | | | | | | | | GRAND TOTAL | \$ 863,923.11 |

Proposed 2014 Street Paving

City of Rosenberg, Texas

 2014 Proposed Street Paving

Council Districts

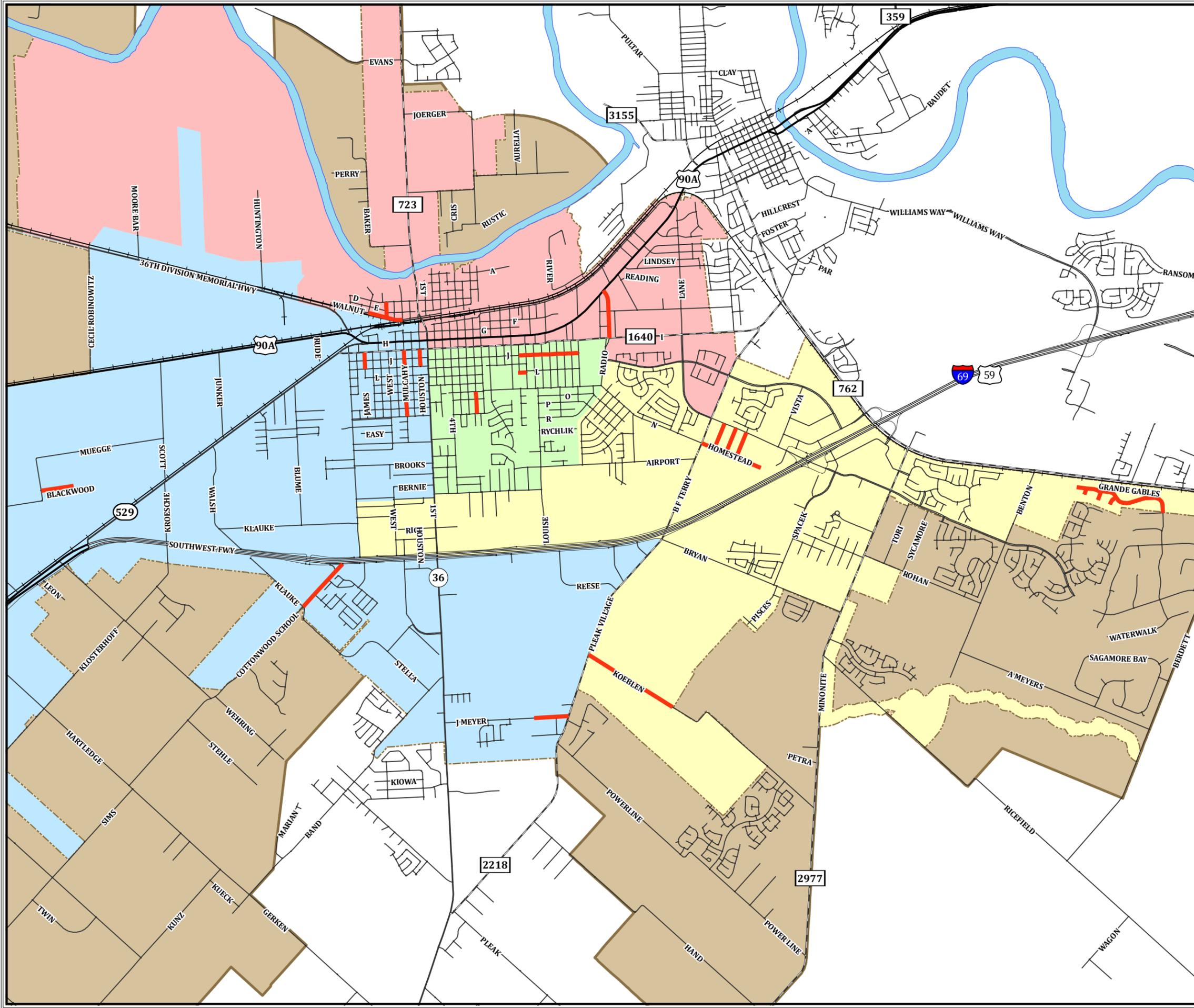
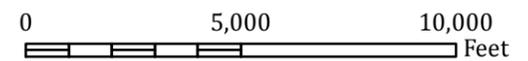
-  District 1
-  District 2
-  District 3
-  District 4

Basemap Features

-  Interstate
-  US Highway
-  State Highway
-  Farm-to-Market
-  Public Road
-  Railroad
-  Brazos River
-  Rosenberg ETJ



Scale:
1:51,000
or
1 Inch = 4,250 Feet



Created by: City of Rosenberg GIS - Paul M. Jones
Date Created: April 16, 2014
Original Size: 11" x 17"
K:\GIS\MAPS\Streets\2014\Proposed_Paving.mxd

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of geographic features.



Action: Director Scopel moved and Director Garcia seconded the motion to appoint Director Cook to the BAGP Review Committee. The motion passed unanimously by those present.

4. REVIEW AND DISCUSS CITY-WIDE GARAGE SALE, AND TAKE ACTION AS NECESSARY. (This item was taken out of order as Item No. 1)

Key discussion:

- Councilor William Benton requested that RDC consider participation in a city-wide garage sale.
- Councilor Benton commented that the event could help “clean up” the City and encourage Economic Development as people shop and eat in Rosenberg.
- Board concerns were voiced about the time and personnel necessary to organize an event of this size.
- Other suggestions were to emphasize bulk pick-up days and recycling with additional advertising and increased support of the “Keep Rosenberg Beautiful” campaign.

No action was taken.

5. REVIEW AND DISCUSS KOEBLEN ROAD RECONSTRUCTION, AND TAKE ACTION AS NECESSARY.

John Maresh opened the discussion by noting that Koeblen Road is heavily utilized by large trucks and has been damaged due to dirt hauling. He indicated that the road will require reconstruction.

Key discussion points:

- John Maresh reported about 4,000 feet of road is damaged.
- Fort Bend County is going to be working on their section of the road, and the City has an opportunity to partner with the County to do the repairs and to share the cost.

Action: Director Cook moved and Director Scopel seconded the motion that RDC fund one-half (½) of the cost of repairs to Koeblen Road in the amount of \$133,865. President Knesek, Directors Grigar and Garcia voted “No”. Directors Morales, Cook, and Scopel voted “Yes.” The motion failed due to lack of a majority vote.

Action: Director Grigar moved and Director Garcia seconded the motion that RDC fund one-third (1/3) of the cost of repairs to Koeblen Road in the amount of \$44,621.00. Directors Cook and Scopel voted “No”. President Knesek, Directors Grigar, Garcia and Morales voted “Yes.” The motion passed.

Note: The Board agreed by consensus to fund the Koeblen Road repairs from the Business Incentive line item. The Board also agreed by consensus to reconsider the possibility of awarding additional repair funding should additional funds be required.

6. REVIEW AND DISCUSS CITY OF ROSENBERG SIDEWALK PROJECTS, AND TAKE ACTION AS NECESSARY.

Key discussion points:

- President Knesek distributed copies of a proposed sidewalk plan.
- President Knesek indicated the sidewalk improvements could potentially cost approximately \$153,000.
- President Knesek requested that Mr. Maresh bring the City’s sidewalk plan to the Board for their review in anticipation the addition of further sidewalk improvements.

No action was taken.



CITY COUNCIL COMMUNICATION

April 22, 2014

| ITEM # | ITEM TITLE |
|---|--|
| 3 | Proposed "Sex Offender" Ordinance Discussion |
| ITEM/MOTION | |
| Review and discuss proposed "Sex Offender" Ordinance, and take action as necessary to direct staff. | |
| FINANCIAL SUMMARY | ELECTION DISTRICT |

Annualized Dollars:

- One-time
- Recurring
- N/A

Budgeted:

- Yes No N/A

Source of Funds: N/A

- District 1
- District 2
- District 3
- District 4
- City-wide
- N/A

SUPPORTING DOCUMENTS:

MUD #: N/A

1. Proposed "Sex Offender" Ordinance
2. Area Map – Drug Free Locations with 1,000 & 2,000 ft Buffers
3. Proposed Sex Offender Registration Form

APPROVALS

Submitted by:

Dallis Warren
Police Chief

Reviewed by:

- Exec. Dir. of Administrative Services
- Asst. City Manager for Public Services
- City Attorney *LJL/rl*
- City Engineer
- (Other)

Approved for Submittal to City Council:

Robert Gracia
City Manager

EXECUTIVE SUMMARY

City staff has seen an increase in the number of sex offenders currently registered in the City of Rosenberg. Currently there are minimal regulations pertaining to the residency of registered sex offenders.

Staff is recommending the City consider an Ordinance that provides for greater oversight of registered sex offenders and restriction on residence locations for these offenders. Should City Council direct staff to move forward, an Ordinance will be presented at a future City Council meeting for consideration and adoption.

Proposed "Sex Offender" Ordinance

Sec. XX-XX. - Definitions.

For the purposes of this section, the following words, terms and phrases when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Child sex offender means any offender subject to registration under state or federal law, or the Uniform Code of Military Justice or law of a foreign country, who has been convicted or received an order of deferred adjudication for a "sexual offense" involving a minor.

City park for purposes of this chapter means land owned or controlled by a unit of local government which is designated by the unit of local government for use solely or primarily for children's recreation.

City recreation center for purposes of this chapter means city recreational areas, including but not limited to soccer fields, baseballs fields and lakes under the jurisdiction of a unit of local government as amended from time to time.

Habitual offender means any offender subject to registration under state law, who has for a "sexually violent offense" been convicted two (2) or more times, received an order of deferred adjudication two (2) or more times, or been convicted and received an order of deferred adjudication or any combination thereof and is required to verify every ninety (90) days in accordance with the Texas Code of Criminal Procedure art. 62.058.

Minor means a person who is under the age of seventeen (17) years of age.

Permanent residence means a place where a person abides, lodges, or resides for fourteen (14) or more consecutive days.

Property owner means any owner of record, person who has contractual responsibility for the property, or person who has the legal right of possession of the property.

Temporary residence means a place where a person abides, lodges, or resides for a period of fourteen (14) or more days in the aggregate during any calendar year and which is not the person's permanent address, or a place where a person routinely abides, resides, or lodges for a period of four (4) or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence.

Sec. XX-XX. - Offender residency prohibition.

- (1) For each person required to register on the Texas Department of Public Safety's Sex Offender Database because they are a "Habitual Offender" or a "Child Sex Offender":
- (2) If a person is required by Chapter 62 of the Texas Code of Criminal Procedure, as amended, to register with a local law enforcement agency because of a violation involving a victim who was less than seventeen (17) years of age, it is unlawful for that person to establish a permanent residence or temporary residence within 2,000 feet of any premises where children commonly gather including but not limited to, any city park, city recreational center, a public or private school, child care facility, day care center, playground, public or private youth center, public swimming pool or video arcade facility, as those terms are defined in Sections 341.064 and 481.134 of the Texas Health and Safety Code, as amended and Section 42.002 of the Texas Human Resources Code, as amended.

Sec. XX-XX. - Evidentiary matters; measurements.

- (1) It shall be prima facie evidence that this chapter applies to such a person if that person's record appears on the database and the database indicates that the person is required to verify every ninety (90) days in accordance with Texas Code of Criminal Procedure Section 62.058, as amended. For purposes of this chapter, that person is classified as a "habitual offender."
- (2) It shall be prima facie evidence that this section applies to such a person if that person's record appears on the database and the database indicates that the person is subject to registration for an offense involving a minor. For purposes of this chapter, that person is classified as a "child sex offender."
- (3) For the purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of the permanent or temporary residence to the nearest property line of the premises where children commonly gather, as described hereinabove. In the case of multiple residences on one (1) property, measurement is from the nearest wall of the building or occupied structure or the parking/driveway, whichever is closer to the nearest property line of the premises to the nearest property line of the premises where children commonly gather, as described herein.

- (4) The city will maintain a map depicting the prohibited areas. The city shall annually review the map annually, for changes. Said map will be available to the public, at the city police department.
- (5) In cases of a dispute over measured distances, it shall be incumbent upon the person(s) challenging the measurement to prove otherwise.
- (6) Nothing in this section shall be interpreted to modify or reduce the state's child safety ban.

Sec. XX-XX. - Property owners prohibited from renting real property to sexual offenders.

It is unlawful to let or rent any place, structure or part thereof, manufactured home or trailer, with the knowledge that it will be used as a permanent residence or temporary residence by any person prohibited from establishing such permanent residence or temporary residence pursuant to the terms of this chapter, if such place, structure or part thereof, manufactured home, trailer, or other conveyance, is located within two thousand (2,000) feet of any premises where children commonly gather, including but not limited to, any city park, city recreational center, a public or private school, child care facility, day care center, playground, public or private youth center, public swimming pool or video arcade facility, as those terms are defined in Sections 341.064 and 481.134 of the Texas Health and Safety Code, as amended and Section 42.002 of the Texas Human Resources Code, as amended.

Sec. XX-XX. - Affirmative defenses.

It is an affirmative defense to prosecution that any of the following conditions apply:

- (1) The person required to register on the database established the permanent or temporary residence and has complied with all of the sex offender registration laws of the state, prior to the date of the adoption of the ordinance codified in this section;
- (2) The person was a minor when he/she committed the offense and was not convicted as an adult;
- (3) The person is a minor;
- (4) The premises where children commonly gather, as specified herein, within two thousand feet (2,000) of the permanent or temporary residence of the person required to register on the database was opened, established or

created after the date the person had established the permanent or temporary residence and complied with all sex offender registration laws of the state; or

- (5) The information on the database is incorrect, and if corrected, this chapter section would not apply to the person.

Sec. XX-XX. - Posting of signs.

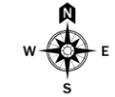
- (1) Every child sex offender and/or habitual sex offender, regardless of whether the adjudication was deferred, shall place and permanently maintain a sign at all times, within twenty (20) feet of the front entrance to their permanent or temporary residence that indicates that a registered sex offender resides in the residence. The sign's legibility must be maintained at all times. The sign shall have at least two-inch lettering stating "SEXUAL OFFENDER RESIDENCE". The City of Rosenberg shall provide the required sign to the child sex offender and/or the habitual sex offender.
- (2) Exceptions. A person is exempt from this provision, and does not commit a violation of this subchapter if any of the following apply:
 - (a) The person committed the offense described above prior to the date of adoption of this subchapter and has complied with all sex offenders registration laws of the State of Texas;
 - (b) The person established the permanent or temporary residence prior to the date of the adoption of this subchapter and has complied with all the sex offender registration laws of the State of Texas;
 - (c) The person was a minor when he/she committed the offense and was not convicted as an adult; or
 - (d) The person is a minor.

Sec. XX-XX - Violation – Penalty.

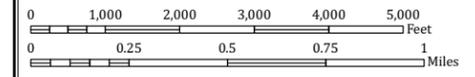
Any firm, corporation, or person who violates any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon a conviction shall be subject to a penalty in an amount as provided in Section 1-13 of this Code.

Secs. XX-XX – XX-XX. – Reserved.”

Drug Free Locations with 1000 ft & 2000 ft Buffers City of Rosenberg, Texas

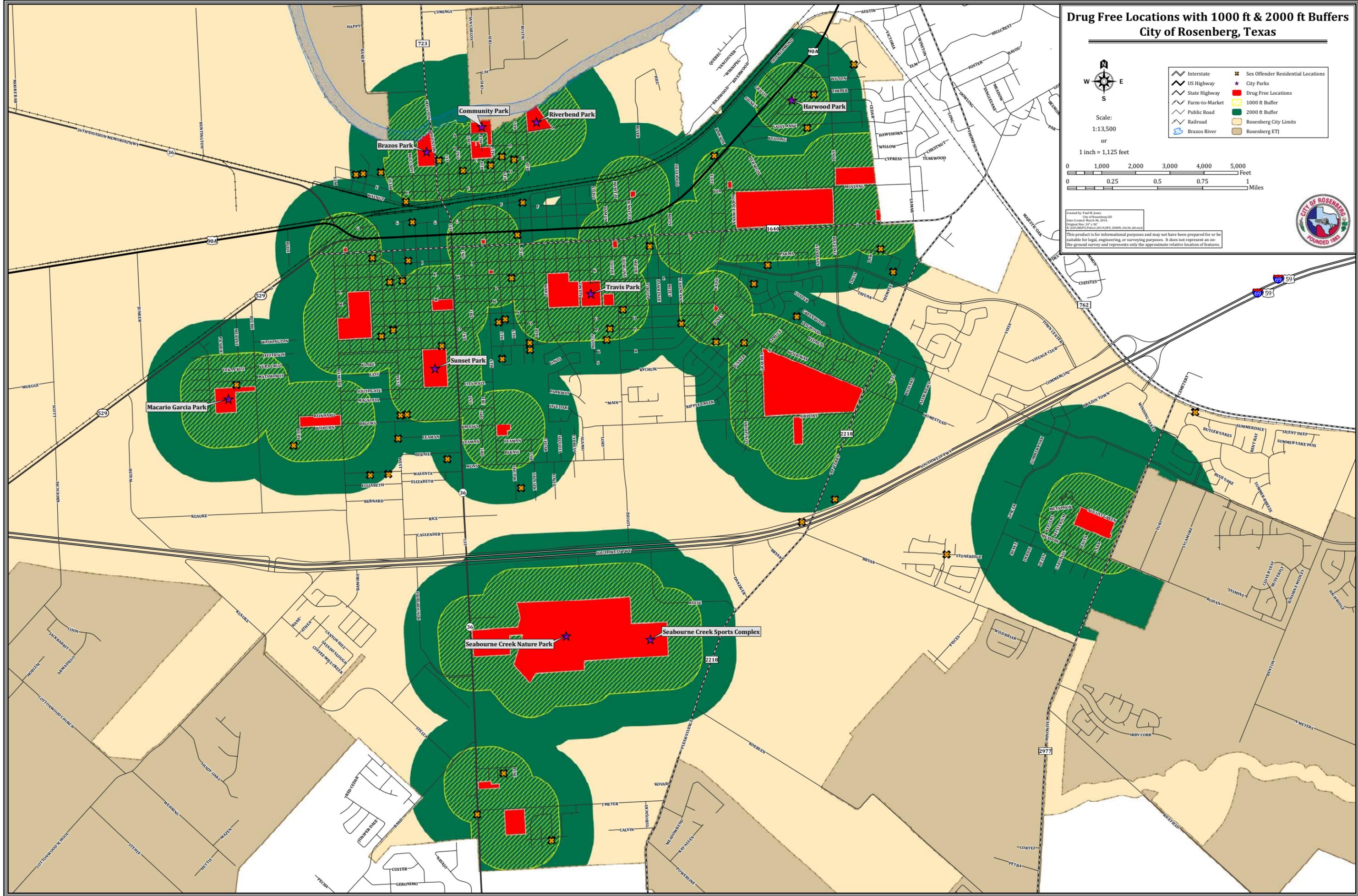


Scale:
1:13,500
or
1 inch = 1,125 feet



- | | | | |
|--|----------------|--|------------------------------------|
| | Interstate | | Sex Offender Residential Locations |
| | US Highway | | City Parks |
| | State Highway | | Drug Free Locations |
| | Farm-to-Market | | 1000 ft Buffer |
| | Public Road | | 2000 ft Buffer |
| | Railroad | | Rosenberg City Limits |
| | Brazos River | | Rosenberg ETJ |

Created by Paul M. Jones
City of Rosenberg GIS
Data Created: March 06, 2014
Original Size: 24" x 36"
ESRI MAPX Project: 2011-03-06_2000_24x36_Alt.mxd
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of features.



| | | | | | | | | | | | | |
|--|--|---|--|---|--|--|--|--|--------------------------------|--|--|--|
|  SEX OFFENDER REGISTRATION | REGISTRATION DATE | | SID NO. | | LENGTH OF DUTY <input type="checkbox"/> AT DISCHARGE <input type="checkbox"/> POST 10 YR <input type="checkbox"/> LIFETIME EXTRA JURISDICTIONAL: <input type="checkbox"/> 15 YR <input type="checkbox"/> 25 YR | | | | | | | |
| | TRN | RISK LEVEL: <input type="checkbox"/> CIVIL <input type="checkbox"/> HIGH <input type="checkbox"/> MODERATE <input type="checkbox"/> LOW | | SENTENCED AS: <input type="checkbox"/> ADULT <input type="checkbox"/> JUVENILE <input type="checkbox"/> NON-PUBLIC JUVENILE — ATTACH COURT DOCUMENTS | | VERIFICATION REQUIRED: <input type="checkbox"/> 30 DAY <input type="checkbox"/> 90 DAY <input type="checkbox"/> ANNUALLY | | | | | | |
| FULL NAME OF REGISTRANT (LAST, FIRST, MIDDLE) | | | DATE OF BIRTH | PLACE OF BIRTH | REGISTERING AGENCY ORI / NAME | | | | | | | |
| REGISTRANT INFORMATION | SEX | RACE | ETH. | HGT. | WGT. | EYES | HAIR | BLOOD TYPE | SHOE SIZE / WIDTH | REGISTERING AGENCY PHONE NO. () | | |
| | SOCIAL SECURITY NO. | | | | DRIVER LICENSE NO. | | STATE | TYPE | ID NO. | STATE | | |
| | ALIAS NAME(S) | | | | SCARS, MARKS, TATTOOS, AMPUTATIONS | | | | PRIMARY TELEPHONE NO. () | | <input type="checkbox"/> HOME <input type="checkbox"/> GELL <input type="checkbox"/> WORK <input type="checkbox"/> RELATIVE <input type="checkbox"/> OTHER | |
| | PHYSICAL ADDRESS OR DESCRIPTION OF THE GEOGRAPHICAL LOCATION | | | | | | CITY | COUNTY | STATE | ZIP | <input type="checkbox"/> URBAN <input type="checkbox"/> RURAL | |
| | EMAIL ADDRESS | | <input type="checkbox"/> Personal <input type="checkbox"/> Work <input type="checkbox"/> Other | | EMAIL ADDRESS | | <input type="checkbox"/> Personal <input type="checkbox"/> Work <input type="checkbox"/> Other | | EMAIL ADDRESS | | <input type="checkbox"/> Personal <input type="checkbox"/> Work <input type="checkbox"/> Other | |
| | ONLINE IDENTIFIER: WEBSITE NAME | | | WEBSITE ADDRESS (URL) | | | SCREEN NAME / MONICKER | | | | | |
| | OCCUPATION | | | OCCUPATIONAL LICENSE NO. | | | OCCUPATIONAL LICENSING AUTHORITY | | | | | |
| | NAME AND COMPLETE ADDRESS OF EMPLOYER | | | | | | CITY | STATE | ZIP | | | |
| | HIGHER EDUCATIONAL FACILITY NAME AND COMPLETE ADDRESS | | | | | | CITY | STATE | ZIP | CAMPUS CODE | <input type="checkbox"/> STUDENT <input type="checkbox"/> WORKER | |
| | PRIMARY VEHICLE LICENSE PLATE NO. | | STATE | TYPE | EXPIRATION YEAR | VEHICLE IDENTIFICATION NO. (VIN) | | | | | | |
| | PRIMARY VEHICLE YEAR | | MAKE | MODEL | STYLE | COLOR | | | | | | |
| | NAME OF REGISTRANT'S NEAREST RELATIVE (LAST, FIRST, MIDDLE) | | | | | | ADDRESS | CITY | STATE | ZIP | | |
| | OFFENSE | REGISTERING TEXAS OFFENSE (8 DIGIT CODE) | | PREPARATORY OFFENSE GOC <input type="checkbox"/> ATTEMPT <input type="checkbox"/> CONSPIRACY <input type="checkbox"/> SOLICIT | | VICTIM — SEX / AGE | | RELATIONSHIP TO VICTIM <input type="checkbox"/> RELATIVE <input type="checkbox"/> FRIEND <input type="checkbox"/> STRANGER | | WEAPON USED <input type="checkbox"/> TYPE | | |
| | | COURT CAUSE NO. | DISPOSITION DATE | DISCHARGE DATE | AMT. OF CONFINEMENT | AMT. OF PROBATION | STATUS <input type="checkbox"/> CSCD <input type="checkbox"/> FEDERAL <input type="checkbox"/> PAR <input type="checkbox"/> APPEAL <input type="checkbox"/> JPO <input type="checkbox"/> DISCHARGED | | COUNTY WHERE OFFENSE OCCURRED | | | |
| | | <input type="checkbox"/> MILITARY <input type="checkbox"/> FEDERAL <input type="checkbox"/> OUT OF STATE <input type="checkbox"/> OUT OF COUNTRY <input type="checkbox"/> TRIBAL | | OUT OF STATE/COUNTRY, FEDERAL, MILITARY, TRIBAL OFFENSE CITATION/TITLE (REQUIRED) | | | | | | | | |
| <p>I HAVE THOROUGHLY REVIEWED THE INFORMATION PRIOR TO SIGNING THIS FORM. TEXAS LAW DEFINES THE MAKING OF FALSE ENTRIES IN A GOVERNMENTAL RECORD AS A CRIME. ANYONE WHO GIVES FALSE INFORMATION ON THIS FORM COULD BE SUBJECT TO PROSECUTION.</p> <p>I HAVE BEEN NOTIFIED AND UNDERSTAND I HAVE A DUTY TO REGISTER AS A SEX OFFENDER IN TEXAS. FAILURE TO ABIDE BY THESE REQUIREMENTS COULD SUBJECT ME TO CRIMINAL PROSECUTION, PURSUANT TO TEXAS CODE OF CRIMINAL PROCEDURE, CHAPTER 62.</p> | | | | | | | | | | | | |
| PROBATION / PAROLE OFFICER (PLEASE PRINT) | | | | TELEPHONE NO. () | | REGISTRANT'S SIGNATURE | | | | | | |
| PREPARED BY: | | | | TELEPHONE NO. () | | DATE | | | | | | |

REGISTRATION

CR-35 (Rev. 4/11)

MAIL TOP SHEET (ORIGINAL) TO: CRIME RECORDS SERVICE, TEXAS DEPARTMENT OF PUBLIC SAFETY MSC 0230, PO BOX 4143, AUSTIN TX 78765-4143
FORWARD SECOND SHEET (YELLOW) TO: VERIFICATION AGENCY

(Notice of Registration Duties on Reverse)

Registration Duties

____ **Registration:** I am required to register with the local law enforcement authority in any municipality (chief of police) where I reside or intend to reside for more than seven days. If my residence is not in a municipality, I must register with the local law enforcement authority of the county (sheriff) where I reside or intend to reside for more than seven days. Registration must be completed not later than the 7th day after the date of arrival in the municipality or county. The local law enforcement authority in the municipality or county I reside in will be my primary registration authority. The duration of my duty to register is for the period of time indicated on this registration form.

____ **Periodic Verification of Registration:** I must personally appear at my primary registration authority and verify my registration information annually, every 90 days, or every 30 days, as indicated on this registration form.

____ **Additional Information as Required by the Department:** I am required to report to my primary registration authority any additional information required by the Texas Department of Public Safety including, but not limited to, blood type, nearest relative's name and address, and the identification of any vehicle to which I have access.

____ **Change of Address:** Not later than the 7th day before I move to a new residence in this state or another state, I must report in person to my primary registration authority and to any community supervision and corrections department officer, juvenile probation officer, or parole officer supervising me and inform that authority and officer of my intended move. If my new residence is located in this state, not later than the 7th day after changing address, I must report in person and register with the local law enforcement authority in the municipality or county where my new residence is located. If my new residence is located in another state, not later than the 10th day after the date I arrive in the other state, I must register with the law enforcement agency that is identified by the Texas Department of Public Safety as the agency designated by that state to receive registration information. If I do not move to an intended residence, not later than the 7th day after my anticipated move date, I shall report to my primary registration authority and to any supervising officer supervising me.

____ **Lack of Address:** If I lack a physical address assigned by a governmental entity for more than 7 days, I must provide to the local law enforcement authority a detailed description of the geographical location or locations where I reside or intend to reside. I must report in person to the local law enforcement authority not less than once in each 30 day period to confirm my location or locations until a physical address can be provided.

____ **Texas DL/ID Requirement:** Not later than the 30th day after the date I am released/placed on community supervision or juvenile probation, I shall apply for the issuance of, as applicable, an annually renewable Texas driver license or personal identification certificate from a Texas Department of Public Safety, Driver License Office. Failure to obtain an annually renewable driver license or personal identification certificate will result in the revocation of any existing license or certificate issued by the Texas Department of Public Safety. I shall maintain an annually renewable driver license or personal identification certificate for as long as I am required to register.

____ **Status Changes:** Not later than the 7th day after the date of the change, I shall report to my primary registration authority any change in the following: my name (includes a request for name change and a denial of a request), my physical health (includes hospitalization), job status (includes beginning and leaving employment and changing work locations), and educational status (includes a transfer from one educational facility to another).

____ **Change in Online Identifiers:** Not later than the 7th day after the date of the change, I shall report any changes to online identifiers or establishment of any new online identifiers not already included on my registration form to my primary registration authority in the manner prescribed by the authority.

____ **Institutions of Higher Education:** If I intend to be employed, carry on a vocation, or be a student at a public or private institution of higher education in this state, I must notify the authority for campus security for the institution and my primary registration authority of that fact not later than the 7th day after the date I begin to work or attend school at the institution. If I stop working or attending school at an institution of higher education, I must report that fact to the authority for campus security and my primary registration authority not later than the 7th day after the day I stop working or attending school at the institution. If the institution of higher education does not have an authority for campus security, I must provide the required notice to the local law enforcement authority (chief of police or sheriff) of the municipality or county in which the institution is located. If the institution of higher education is located in another state, I must notify any authority for campus security for that institution not later than the 10th day after the date I begin to work or attend school.

____ **Workers and Students:** If I reside outside of this state and intend to work or attend school in this state, not later than the 7th day after the date I begin to work or attend school, I must register and verify registration with the local law enforcement authority in the municipality or county in which I work or attend school. If I reside in this state and work or attend school in another state, I must register with the law enforcement agency that is identified by the Texas Department of Public Safety as the agency designated by that state to receive registration information not later than the 10th day after the date I begin to work or attend school.

____ **Visiting Locations:** If on at least 3 occasions during any month I spend more than 48 consecutive hours in a municipality or county other than the municipality or county I am registered in, I must report that fact to the local law enforcement authority of the municipality or county I am visiting. This notice must be provided before the last day of the month the visits occur.

____ **Postcard Notification Costs:** If I am assigned a High risk level or am civilly committed as a sexually violent predator, I shall reimburse the Texas Department of Public Safety all costs incurred by the DPS in providing postcard notification to my community of residence (Not applicable to an adjudication of delinquent conduct).

____ **Local Law Enforcement Authority Policies:** All registrations, verifications, and notifications must be provided in person within the time periods indicated above. If I appear within a time period indicated above and the local law enforcement authority instructs me that their policy requires me to appear at a later date, I will appear on that later date to register, verify, or to provide a notification, as applicable.

____ **DNA Specimen:** A person required to register shall comply with a request for a DNA specimen made by a law enforcement agency under Section 411.1473, Government Code.

____ **Criminal Penalties:** My failure to comply with any requirement imposed upon me by Chapter 62, Code of Criminal Procedure, is a felony offense. Further, if I am on parole, community supervision, or juvenile probation, my failure to comply with any requirement imposed upon me by Chapter 62, Code of Criminal Procedure, may result in the revocation of my parole, community supervision, or juvenile probation.

PRINTED NAME OF PERSON NOTIFIED

SID NO. OF PERSON NOTIFIED

SIGNATURE OF PERSON NOTIFIED

DATE

OFFENDER REFUSED TO SIGN OFFENDER UNABLE TO SIGN



CITY COUNCIL COMMUNICATION

April 22, 2014

| ITEM # | ITEM TITLE |
|--------|---|
| 4 | Proposed Changes to Christmas In Rosenberg Discussion |

ITEM/MOTION

Review and discuss proposed revisions to the Christmas in Rosenberg event, and take action as necessary to direct staff.

| FINANCIAL SUMMARY | ELECTION DISTRICT |
|-------------------|-------------------|
|-------------------|-------------------|

Annualized Dollars:

One-time
 Recurring
 N/A

Budgeted:

Yes No N/A

Source of Funds:

212-1900-540-5325

District 1
 District 2
 District 3
 District 4
 City-wide
 N/A

SUPPORTING DOCUMENTS:

MUD #: N/A

1. PowerPoint Presentation: Rosenberg Christmas Nights

APPROVALS

Submitted by:

Darren McCarthy
Parks and Recreation
Director

Reviewed by:

Exec. Dir. of Support Services *ST*
 Asst. City Manager for Public Services
 City Attorney
 City Engineer
 Economic Development Director *RM*

**Approved for Submittal to
City Council:**

Robert Gracia
City Manager

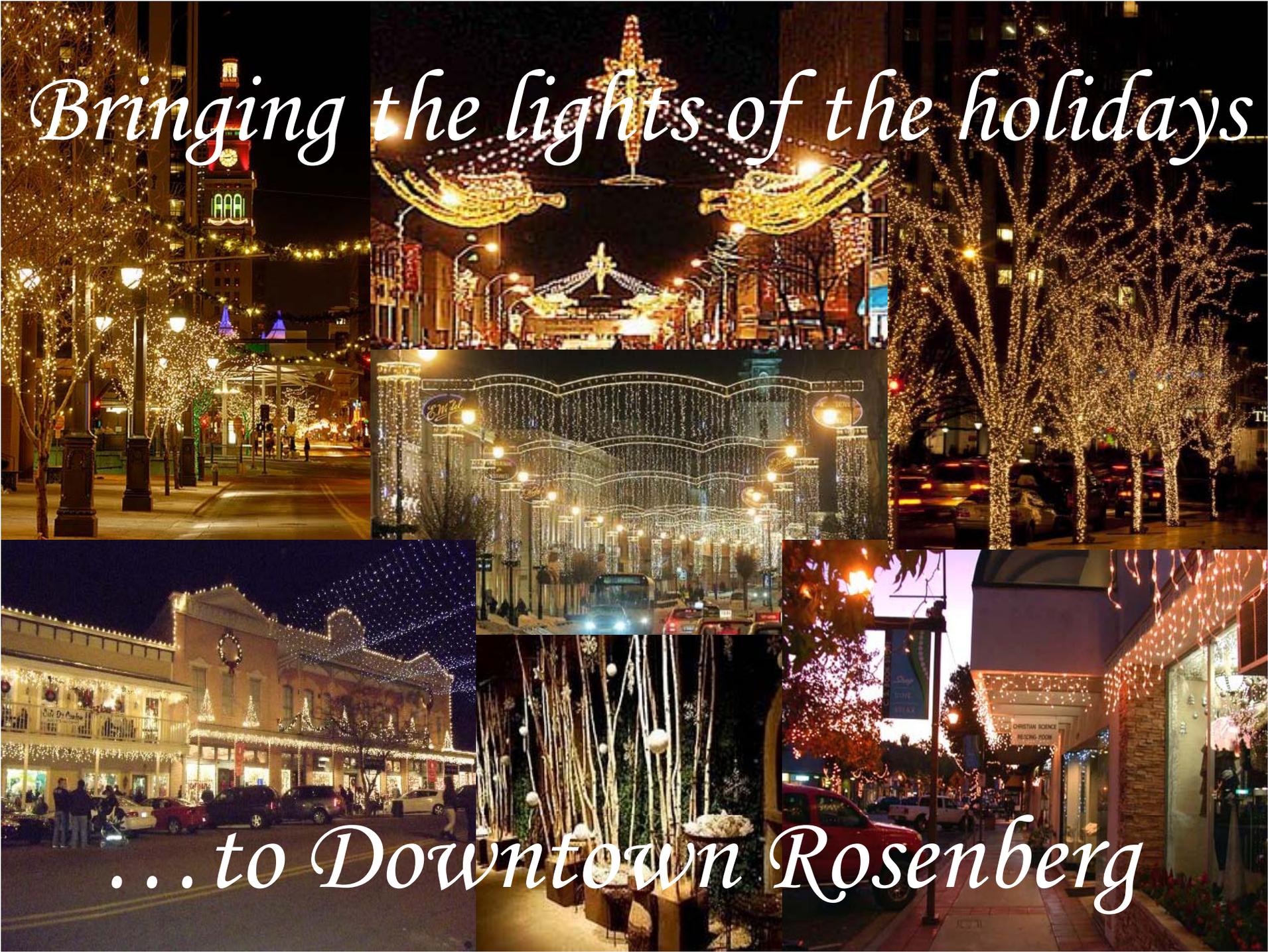
EXECUTIVE SUMMARY

Staff has placed this item on the Agenda to review and discuss, with City Council, proposed changes to the Christmas in Rosenberg event.



Introducing.....

*Rosenberg
Christmas
Nights*



Bringing the lights of the holidays

...to Downtown Rosenberg



Three Nights of Holiday Cheer



*A Sip-and-Stroll through
downtown shops*

A tree-lighting ceremony



*A family-friendly,
holiday movie*





*Pictures with
Santa Claus*

*Holiday theatre
performance*





CITY COUNCIL COMMUNICATION

April 22, 2014

| ITEM # | ITEM TITLE |
|---|--|
| 5 | Merchandise Displayed at Site of Sale Discussion |
| ITEM/MOTION | |
| Review and discuss merchandise prominently displayed at the site of sale, and take action as necessary to direct staff. | |
| FINANCIAL SUMMARY | ELECTION DISTRICT |

Annualized Dollars:

- One-time
- Recurring
- N/A

Budgeted:

- Yes No N/A

Source of Funds: N/A

- District 1
- District 2
- District 3
- District 4
- City-wide
- N/A

SUPPORTING DOCUMENTS:

MUD #: N/A

1. Sugar Land Code Excerpt – Chapter 2, Article II, Part 12. General Business District (B-2)

| APPROVALS | | |
|--|---|--|
| Submitted by: | Reviewed by: | Approved for Submittal to City Council: |
| <i>William Benton/rl</i> | <ul style="list-style-type: none"> <input type="checkbox"/> Exec. Dir. of Administrative Services <input type="checkbox"/> Asst. City Manager for Public Services <input type="checkbox"/> City Attorney <input type="checkbox"/> City Engineer <input type="checkbox"/> (Other) |  Robert Gracia City Manager |
| William Benton Councilor, At Large Position One | | |

| EXECUTIVE SUMMARY |
|--|
| <p>This item has been added to the Agenda to offer City Council the opportunity to discuss regulations that might govern merchandise prominently displayed at the site of sale on a regular or long term basis.</p> <p>Attached you will find a copy of the current Code regarding garage sales.</p> <p>Additionally, it was requested that City staff research the City of Sugar Land's ordinance related to this issue. Sugar Land's Zoning Ordinance provides for merchandise to be temporarily displayed or stored outside the Building on the same premises if the merchandise:</p> <ul style="list-style-type: none"> • Is not located on public property or within a required Parking Space or Yard; • Is not displayed or stored outside for more than 30 consecutive days or for more than 90 days within one calendar year; • Is owned by the owner or lessee of the Building; and • Does not occupy a contiguous area in of excess of 10% of the ground Floor Area of the Building or tenant space of the business displaying or storing the merchandise. The 10% restriction does not apply to landscaping materials for retail nurseries or lawn and garden supply stores, if displayed within a fenced area. <p>The ordinance is attached for reference.</p> |

- SUPPLEMENT HISTORY TABLE
Chapter 2 - ZONING REGULATIONS
ARTICLE II. - ZONING DISTRICTS AND LAND USES

PART 12. GENERAL BUSINESS DISTRICT (B-2)

PART 12. GENERAL BUSINESS DISTRICT (B-2)

[Sec. 2-141. Statement of Intent.](#)

[Sec. 2-142. Permitted Uses.](#)

[Sec. 2-143. District Regulations.](#)

[Secs. 2-144—2-148. Reserved.](#)

Sec. 2-141. Statement of Intent.

The General Business district allows the development of a variety of general commercial uses including wholesale sales and services with restrictions. Limited outdoor storage and display of merchandise is permitted in this district as an Accessory Use to the principal use. The B-2 district is dependent on high traffic volumes and locations along or adjacent to arterial Streets and, thus, is appropriate for the development of most shopping centers.

Sec. 2-142. Permitted Uses.

As shown in the Land Use Classification Matrix.

Sec. 2-143. District Regulations.

The following regulations apply in the General Business District:

(a) Maximum Height of Structures:

- 100 ft. above finished grade
- Over 100 ft. with a conditional use permit
- Bulk plane requirements in (f).

(b) Minimum Yards:

(1) Front:

- 25 feet.
- 40 feet on arterial Streets or highways.

(2) Side and Rear:

- 10 feet if abutting a Nonresidential District or R-4
- A yard is not required where the common wall of a building is located on a shared rear or side lot line of two lots abutting a Nonresidential District or R-4.
- 25 feet if abutting a Residential District other than R-4.

- SUPPLEMENT HISTORY TABLE
Chapter 2 - ZONING REGULATIONS
ARTICLE II. - ZONING DISTRICTS AND LAND USES

PART 12. GENERAL BUSINESS DISTRICT (B-2)

- 40 feet on arterial Streets or highways.

(c) *Minimum Parking Lot Setbacks:*

- 25 feet from Street Side Lot Lines.

(d) *Minimum Open Space:*

- 15% of Lot Area.

(e) *Outside Use:*

- Merchandise may be temporarily displayed or stored outside the Building on the same premises if the merchandise:

(1) Is not located on public property or within a required Parking Space or Yard;

(2) Is not displayed or stored outside for more than 30 consecutive days or for more than 90 days within one calendar year;

(3) Is owned by the owner or lessee of the Building; and

(4) Does not occupy a contiguous area in of excess of 10% of the ground Floor Area of the Building or tenant space of the business displaying or storing the merchandise. The 10% restriction does not apply to landscaping materials for retail nurseries or lawn and garden supply stores, if displayed within a fenced area.

(f) *Bulk Plane.* If any portion of a proposed building is within 500 linear feet of a Residential District, other than R-4, the building may not extend beyond the Bulk Plane formed by a bulk plane ratio of a setback of 2 feet for each 1 foot in height over 24 feet.

(Ord. No. 1305, §§ 3, 8, 11-6-01; Ord. No. 1607, § 3, 2-20-07)

Secs. 2-144—2-148. Reserved.



CITY COUNCIL COMMUNICATION

April 22, 2014

| ITEM # | ITEM TITLE |
|---|------------------------------------|
| 6 | Proposed Stop Sign Plan Discussion |
| ITEM/MOTION | |
| Review and discuss a comprehensive stop sign plan for the City, and take action as necessary to direct staff. | |
| FINANCIAL SUMMARY | ELECTION DISTRICT |

Annualized Dollars:

- One-time
- Recurring
- N/A

Budgeted:

- Yes No N/A

Source of Funds: N/A

- District 1
- District 2
- District 3
- District 4
- City-wide
- N/A

SUPPORTING DOCUMENTS:

MUD #: N/A

1. Code of Ordinances Excerpt – Section 28-26
2. Friendswood, Texas – Multi-Way Stop Application, R-1 Series Warrant Worksheet
3. Pasadena, Texas – Fax of Stop Sign Regulations
4. Sugar Land, Texas – Stop Signs Brochure
5. Richardson, Texas – Stop Sign Requests
6. Irvine, Texas – Website Excerpt – Stop Signs
7. Grand Forks, North Dakota – Website Excerpt – Stop Signs

APPROVALS

Submitted by:

William Benton/rl

William Benton
Councilor, At Large Position One

Reviewed by:

- Exec. Dir. of Administrative Services
- Asst. City Manager for Public Services
- City Attorney
- City Engineer
- (Other)

Approved for Submittal to City Council:

Robert Gracia
City Manager

EXECUTIVE SUMMARY

This item has been added to the Agenda to offer City Council the opportunity to discuss the potential of establishing a comprehensive stop sign plan. You will find a copy of the applicable Code Section and along with examples of policies from several other cities.

Code of Ordinances

DIVISION 1. TRAFFIC CONTROL DEVICES, GENERALLY

Sec. 28-26. Conformity with state specifications; uniformity.

All traffic control signs, signals, and devices shall conform to the manual and specifications approved by the state department of highways and public transportation. All signs and signals required under this chapter for a particular purpose shall, so far as practicable, be uniform as to type and location throughout the city. All traffic control devices so erected hereafter and consistent with the provisions of state law or this chapter shall be official traffic control devices. All traffic control devices in existence prior to the date of adoption of this section shall be exempt from the effect of this section.

(Ord. No. 95-08, § 1, 3-21-95)

**MULTI-WAY STOP APPLICATIONS, R-1 SERIES
Warrant Worksheet**

Study Location: _____

Study Date: _____

Study Conducted by: _____

Authorization

The installation or removal of multi-way stop control shall be authorized when an engineering / traffic study indicates that such methods of control, or rearrangement of such control, are warranted to improve safety or capacity of the street system.

Multi-way stop control can be a useful safety measure at intersections if certain traffic conditions exist. Safety concerns associated with multi-way stops include pedestrians, bicyclists, and all road users expecting other road users to stop. Multi-way stop control is used where the volume of traffic on the intersecting roads is approximately equal. Multi-way stop signs should not be installed where they may be ignored by drivers, needlessly interrupt traffic flow or otherwise pose an undue risk to the public. Absent engineering data which establishes a need for multi-way stop control, the traffic control at the intersection shall remain unchanged.

The Texas Manual on Uniform Traffic Control Devices restrictions on the use of stop signs also apply to multi-way stop applications, and state that stop signs are not to be used for speed control.

Elements of Engineering / Traffic Study

The following elements shall be considered, as applicable, in every engineering and traffic study pertaining to stop control or multi-way stop control:

- (1) Accident analysis
- (2) Geometric review
- (3) Sight distance
- (4) Traffic volumes
- (5) Roadway 85th percentile speed

Background

Speed Limit

85th Percentile Speed

Major Street:

Minor Street:

For each condition, the major and minor streets information shall be for the same eight (8) hours.

| | Major Street | | Minor Street | |
|-----------|---------------------|--------------------|---------------------|--------------------|
| Time Ends | Both Approaches | | Both Approaches | |
| | Vehicles | Pedestrians | Vehicles | Pedestrians |
| | | | | |
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Comments:

Warrants

Stop control and multi-way stop control may be considered at an intersection when one or more of the following conditions exist:

Criteria A: Interim Traffic Control. Where traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of a traffic control signal.

(1) Has a traffic control signal been justified for this intersection?

YES _____ NO _____

(2) Is a multi-way stop sign needed for interim traffic control?

YES _____ NO _____

Criteria A met? YES _____ NO _____

Criteria B: Accident Analysis. Multi-way stop control is often effective in reducing some types of accidents, such as right-angle and turning collisions. The following criteria must be met:

(1) Have there been five (5) or more accidents susceptible to correction by a multi-way stop sign in twelve (12) months, including only personal injury and property damage on a filed report?

YES _____ NO _____

Criteria B met? YES _____ NO _____

Criteria C: Eight (8) Hour Minimum Volumes. If the 85th-percentile approach speed of the major-street traffic exceeds 40 mph (64 kph), the minimum vehicular volume warrants are seventy percent (70%) of the values indicated below.

| <i>(insert street name)</i> | | | | <i>(insert street name)</i> | | | |
|---|-----|-----|----------|---|-----|-----|----------|
| Major St. – Both Approaches (Vehicles) 8th Highest Hour | | | | Minor St. – Both Approaches (Vehicles/Pedestrians) 8th Highest Hour | | | |
| Required | | | Existing | Required | | | Existing |
| 100% | 80% | 70% | _____ % | 100% | 80% | 70% | _____ % |
| 300 | 240 | 210 | | 200 | 160 | 140 | |

(1) The vehicular volume entering from the major street approaches (total of both approaches) average at least 300 vehicles per hour for any eight (8) hour period of a typical day:

YES _____ NO _____

(2a) The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) average at least 200 units per hour for the same eight (8) hours above:

YES _____ NO _____

(2c) There is an average delay of thirty (30) seconds or more for vehicular traffic on the minor street during the highest hour:

YES _____ NO _____

Criteria C met? YES _____ NO _____

Criteria D: Combination of Criteria. When no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to eight percent (80%) of the minimum values. Criteria 2c is excluded from this consideration under Criteria D.

Criteria D met? YES _____ NO _____

Criteria E: Additional Criteria. Additional criteria that may be considered in an engineering study are as follows.

(1) Locations where a road user, after stopping, cannot see conflicting traffic and is not able to safely negotiate the intersection unless conflicting cross traffic is also required to stop:

Sight distance required: _____ Sight distance provided: _____



FAX

Department of Traffic and Transportation
City of Pasadena, Texas
FAX #: 713-475-1153 Phone #: 713-475-4826

DATE:

Don Duncon 713 475 4924

TO:

*Sherri
Nichols*

FROM:

4/1/14

FAX #:

SUBJECT:

Stop Sign Warrants

NUMBER OF PAGES INCLUDING COVER:

3

COMMENTS:

Once the decision has been made to install two-way stop control, the decision regarding the appropriate street to stop should be based on engineering judgment. In most cases, the street carrying the lowest volume of traffic should be stopped.

A STOP sign should not be installed on the major street unless justified by a traffic engineering study.

Support:

The following are considerations that might influence the decision regarding the appropriate street upon which to install a STOP sign where two streets with relatively equal volumes and/or characteristics intersect:

- A. Stopping the direction that conflicts the most with established pedestrian crossing activity or school walking routes;
- B. Stopping the direction that has obscured vision, dips, or bumps that already require drivers to use lower operating speeds;
- C. Stopping the direction that has the longest distance of uninterrupted flow approaching the intersection; and
- D. Stopping the direction that has the best sight distance to conflicting traffic.

The use of the STOP sign at highway-railroad grade crossings is described in Section 8B.08. The use of the STOP sign at highway-light rail transit grade crossings is described in Section 10C.04.

Section 2B.06 STOP Sign Placement

Standard:

The STOP sign shall be installed on the right side of the approach to which it applies. When the STOP sign is installed at this required location and the sign visibility is restricted, a Stop Ahead sign (see Section 2C.29) shall be installed in advance of the STOP sign.

The STOP sign shall be located as close as practical to the intersection it regulates, while optimizing its visibility to the road user it is intended to regulate.

STOP signs and YIELD signs shall not be mounted on the same post.

Guidance:

Other than a DO NOT ENTER sign, no sign should be mounted back-to-back with a STOP sign in a manner that obscures the shape of the STOP sign.

Support:

Section 2A.16 contains additional information about separate and combined mounting of other signs with STOP signs.

Guidance:

Stop lines, when used to supplement a STOP sign, should be located at the point where the road user should stop (see Section 3B.16).

If only one STOP sign is installed on an approach, the STOP sign should not be placed on the far side of the intersection.

Where two roads intersect at an acute angle, the STOP sign should be positioned at an angle, or shielded, so that the legend is out of view of traffic to which it does not apply.

Where there is a marked crosswalk at the intersection, the STOP sign should be installed in advance of the crosswalk line nearest to the approaching traffic.

Option:

At wide-throat intersections or where two or more approach lanes of traffic exist on the signed approach, observance of the stop control may be improved by the installation of an additional STOP sign on the left side of the road and/or the use of a stop line. At channelized intersections, the additional STOP sign may be effectively placed on a channelizing island.

Support:

Figure 2A-2 shows examples of some typical placements of STOP signs.

Section 2B.07 Multiway Stop Applications

Support:

Multiway stop control can be useful as a safety measure at intersections if certain traffic conditions exist. Safety concerns associated with multiway stops include pedestrians, bicyclists, and all road users expecting other road users to stop. Multiway stop control is used where the volume of traffic on the intersecting roads is approximately equal.

The restrictions on the use of STOP signs described in Section 2B.05 also apply to multiway stop applications.

 Guidance:

The decision to install multiway stop control should be based on an engineering study.

The following criteria should be considered in the engineering study for a multiway STOP sign installation:

- A. Where traffic control signals are justified, the multiway stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.
- B. A crash problem, as indicated by 5 or more reported crashes in a 12-month period that are susceptible to correction by a multiway stop installation. Such crashes include right- and left-turn collisions as well as right-angle collisions.
- C. Minimum volumes:
 1. The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day, and
 2. The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour, but
 3. If the 85th-percentile approach speed of the major-street traffic exceeds 65 km/h or exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the above values.
- D. Where no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this condition.

Option:

Other criteria that may be considered in an engineering study include:

- A. The need to control left-turn conflicts;
- B. The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes;
- C. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to reasonably safely negotiate the intersection unless conflicting cross traffic is also required to stop; and
- D. An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multiway stop control would improve traffic operational characteristics of the intersection.

Section 2B.08 YIELD Sign (R1-2)**Standard:**

The YIELD (R1-2) sign (see Figure 2B-1) shall be a downward-pointing equilateral triangle with a wide red border and the legend YIELD in red on a white background.

Support:

The YIELD sign assigns right-of-way to traffic on certain approaches to an intersection. Vehicles controlled by a YIELD sign need to slow down or stop when necessary to avoid interfering with conflicting traffic.

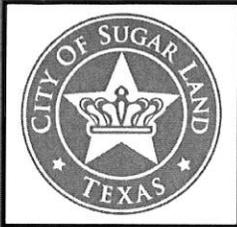
Section 2B.09 YIELD Sign Applications**Option:**

YIELD signs may be used instead of STOP signs if engineering judgment indicates that one or more of the following conditions exist:

- A. When the ability to see all potentially conflicting traffic is sufficient to allow a road user traveling at the posted speed, the 85th-percentile speed, or the statutory speed to pass through the intersection or to stop in a reasonably safe manner.
- B. If controlling a merge-type movement on the entering roadway where acceleration geometry and/or sight distance is not adequate for merging traffic operation.
- C. The second crossroad of a divided highway, where the median width at the intersection is 9 m (30 ft) or greater. In this case, a STOP sign may be installed at the entrance to the first roadway of a divided highway, and a YIELD sign may be installed at the entrance to the second roadway.
- D. An intersection where a special problem exists and where engineering judgment indicates the problem to be susceptible to correction by the use of the YIELD sign.

Standard:

A YIELD (R1-2) sign shall be used to assign right-of-way at the entrance to a roundabout intersection.



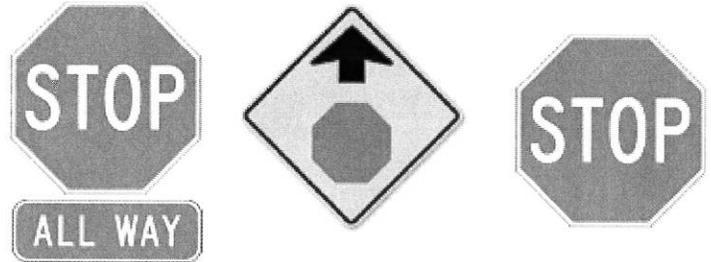
City of Sugar Land

Traffic Operations / Engineering Division

Stop Signs

Stop Signs

A STOP sign is a sign used to direct motorists to stop at the spot where a STOP sign is located. STOP signs are used as method for controlling traffic at intersections where the normal application of the right-of-way rule is insufficient to ensure safety and provide reasonable compliance with the law. These signs are found on the right side of the roadway (and sometimes on medians to increase visibility). When more than two directions are controlled by STOP signs, then a supplemental plaque, such as a 4-WAY plaque or an ALL WAY plaque may be used to inform motorists of the type of traffic control that exists at that intersection. If a STOP sign is in its correct location and it cannot be seen very well because of hills or curves, a STOP AHEAD warning sign may be used in advance on the approach to the STOP sign.



Installation Policy

Stop Sign Installations will be addressed according the policies established in the City of Sugar Land Neighborhood Traffic Policy. STOP signs at an intersection are installed only upon the approval of the Traffic Operations/Engineering Division after a careful investigation has been made of the existing conditions. The investigation is conducted using the guidelines for installing STOP signs provided in the Texas Manual of Uniform Traffic Control Devices (TMUTCD).

The following are some of the steps taken to ensure STOP signs are installed correctly.

1. First a history of the intersection in question is reviewed. This includes reviewing prior investigations and accident data to determine if a STOP sign is justified.
2. A field investigation is also performed to check the visibility, street layout, and general surroundings of the site.
3. If necessary, a count of vehicles, pedestrians, and bicyclists is conducted for the intersection of concern on an average day. The results of the count are then reviewed and compared to the minimum requirements allowed by the TMUTCD for installation of STOP signs.
4. Once it has been determined that the installation of a STOP sign is justified and the City Traffic Engineer approves, the STOP sign is installed.

How to Request a Stop Sign in Your Area!

To request a stop sign in your area, call the Traffic Operations/Engineering Division at 281-275-2450. Be prepared to provide the following information:

- Names of the intersecting streets requested for investigation
- Name of requestor
- Daytime phone number of requestor
- Basis for requesting stop sign (such as "no controls exist," or "numerous accidents have occurred," etc.)

Traffic Operations / Engineering Division
111 Gillingham Lane
Sugar Land, Texas 77478
281-275-2450

www.sugarlandtx.gov/public_works/traffic_management/index.asp

Stop Signs

Two-Way STOP Signs

If no STOP signs exist at an intersection, a STOP sign would be warranted on one of the crossing streets where one or more of the following conditions exist:

- On a minor road at its intersection with a main road where the accident history justifies the placement of STOP signs.
- On a street entering a through highway or street. A STOP sign would be placed on the road with the lower traffic volume and speed.
- On a minor street where the safe approach speed is less than 10 miles per hour.
- At an un-signalized intersection in a signalized area.
- At an intersection where a combination of high speed, restricted view, and accident records indicates a need for control by a STOP sign.

All-Way (3-Way, 4-Way) STOP Signs

All-Way STOP signs are used when traffic volumes on intersection streets are almost equal. According to the TMUTCD an all-way stop sign may be warranted when any of the following conditions exist:

- 1 Where traffic signals are warranted and urgently needed, the multi-way STOP signs may serve as an interim measure which can be installed quickly to control traffic while arrangements are being made for the signal installation,
- 2 Where there is a serious accident problem as indicated by five or more reported accidents per year of the type susceptible to correction by the all-way STOP sign,
- 3 Where the following minimum traffic volumes exist:
 - a The total major street vehicular volume entering the intersection from all approaches averages 300 vehicles per hour for any eight hours of an average day, and
 - b The combined vehicular and pedestrian volume from the minor street or highway averages at least 200 units per hour for the same eight hours, with an average delay to minor street motorists of at least 30 seconds per vehicle during the peak hour, but
 - c When the 85th percentile approach speed of the major street traffic exceeds 40 miles per hour, the minimum vehicular volume warrant is 70 percent of the above requirements.

Should STOP Signs Be Used to Control Speeding in My Neighborhood?

This is a question that is frequently asked by citizens who are concerned about speeding in their neighborhood. Although we share citizens' concern about speeding, the installation of STOP signs is not an appropriate way to solve the problem of speeding. STOP signs are a traffic control device intended for assigning the right of way, not controlling speed. Traffic Calming devices and police enforcement have been found much more effective in controlling speed.

STOP signs result in speed reduction only near the sign, and drivers tend to speed up between STOP sign controlled intersections to make up for lost time. According to National Transportation Engineering Study, when not required to stop by cross street traffic, only 5 to 20% of all drivers come to a complete stop, 40 to 60% will come to a rolling stop below 5 mph, and 20 to 40% will pass through at higher speeds.

Often, unjustified STOP signs are ignored by motorists, which can be more dangerous than speeding. Therefore, it is our policy not to install stop signs to control speeding.

Adverse Impacts of Unjustified STOP Signs

- Unjustified STOP signs cause motorists frustration when they are forced to stop for no apparent reason. Unwarranted STOP signs result in disrespect for all signs and reduce the effectiveness of stop signs at other intersections where they are essential for safety.
- Vehicle emissions account for much of pollution in the air. These emissions increase when vehicles are accelerated and decelerated. It is important to minimize unnecessary stops since steady speeds increase fuel economy and reduce vehicle emissions. Unwarranted STOP signs increase the number of unnecessary stops and reduce the efficiency of our transportation system which results in increased air pollution.

Traffic Operations / Engineering Division
111 Gillingham Lane
Sugar Land, Texas 77478
281-275-2450

www.sugarlandtx.gov/public_works/traffic_management/index.asp

STOP SIGN REQUESTS

The City of Richardson follows the rules in the Texas Manual of Uniform Traffic Control Devices (TMUTCD) on the placement and use of STOP signs. STOP signs are not used to control speeds along a road. Studies have shown that STOP signs placed strictly for speed control have a much higher violation rate, and actually create increased speeds between the signs as drivers try to “make up” the lost time they incur by slowing down for them.

It has been found that drivers violate (run) STOP signs most frequently when they don't expect to encounter traffic on the crossing street.

When a driver stops at a STOP sign several times, and never sees any vehicles on the crossing street, the tendency to not come to a full STOP, and eventually not slow down at all, is very typical. This creates a much more dangerous situation than no signs, because drivers and pedestrians on the crossing street have an expectation that approaching vehicles will stop, and when they run the sign instead, collisions can occur.

The rules and guidelines for STOP sign placement in the TMUTCD are primarily based on statistical measures that try to ensure that vehicles crossing the intersection will encounter a conflicting vehicle a significant percentage of the time they go through the intersection. This requires certain volumes of vehicles on both streets for large portions of the day. Provisions are also made, however, for engineering judgment, intersection sight distance problems, intersection crash experience, and pedestrian activity.

Stop Signs

Each year, the City of Irvine receives many inquiries about installing stop signs as a way to reduce accidents and speeding. Research shows that other measures are often more effective than adding more stop signs. Our experience has shown that simply improving the intersection visibility is often more effective in reducing traffic accidents. Improving intersection sight visibility often reduces the need to install more restrictive intersection controls.

Advantages of Warranted Stop Signs

Stop signs that are warranted provide the following:



Assignment of right of way to drivers at an intersection

Improved safety at the intersection

Disadvantages of Unwarranted Stop Signs

Stop signs installed that are **NOT** warranted cause the following:

Reduce their effectiveness and are largely ignored by drivers

Unnecessarily increases fuel consumption and air and noise pollution

May actually cause an increase in potential accidents

Installation Policies

The Federal Manual on Uniform Traffic Control Devices (MUTCD) dictates the size, shape and color of all traffic signs. This manual has guidelines for installing signs and thus creates uniformity from state to state.

The City of Irvine is required by State law to comply with the guidelines of the MUTCD with California Supplement. In addition, the City has adopted policies for the installation of stop signs. These policies identify specific traffic and pedestrian volumes, accident history, and any unusual conditions which must be present at the intersection before these traffic control devices may be installed.

Stop signs cause a substantial inconvenience to motorists and should be installed at an intersection only after a careful engineering evaluation of the existing conditions indicates that their

installation is appropriate and warranted.

A STOP sign may meet warrants for an intersection if one or more of the following conditions exist:

Intersections of a minor street with a minor street where the application of the normal right-of-way rule is unduly hazardous, and the accident history justifies the placement of a stop sign

If the minor street's safe approach speed is less than 10 MPH

Other intersections where a combination of high speed, restricted view, and serious accidents history correctable by the installation of a STOP sign

In a case where two main highways intersect, the STOP sign should normally be posted on the street with the lesser flow of traffic. Traffic engineering studies may justify a decision for the installation of an all-way STOP sign on the major streets, which would create a three-way or four-way stop intersection.

An all-way STOP sign may meet warrants for an intersection if one or more of the following conditions exist:

Accident problem

Indicated by five or more reported accidents within a 12 month period of a type correctable by a multiway stop installation. Type of accidents correctable typically are right and left turn collisions and right angle collisions.

Minimum Traffic Volumes

- 1.** The total vehicular volume entering the intersection from all approaches must average at least 500 vehicles per hour for any 8 hours of an average day, and...
- 2.** The combined vehicular and pedestrian volume from the minor street or highway must average at least 200 units per hour for the same 8 hours, with an average delay to the minor street vehicular traffic of at least 30 seconds per vehicle during the maximum hour, but...
- 3.** When the 85th percentile approach speed exceeds 40 MPH, the minimum vehicular volume warrant is 70% of the above requirements.

Stop signs should not be viewed as a cure-all for solving all safety problems; however, when properly located, can be a useful traffic

control device to enhance safety for all roadway users.

The City is committed to providing the safest, most efficient and advanced Transportation Circulation System available. If you have any community traffic concerns, questions, or suggestions, please call the Irvine Traffic Research and Control (ITRAC) Center at **(949) 724-7324**.



Stop Signs

Why and Where Are Stop Signs Needed?

Each year, the City receives requests for stop signs as a way to reduce speeding, minimize driver delay and curtail traffic accidents. Stop signs are needed to assign right-of-way at an intersection, not to control speeding. Right-angle accidents can also be reduced by the installation of stop signs when warranted, but additional stops may also increase the frequency of rear-end accidents. The need for stop signs involves a trade-off between safety and delay. Because drivers have preconceived opinions on traffic control, public opinion can often justify the use of these devices when they are not needed. Therefore, the purpose of this brochure is to provide information related to North Dakota Law, when should stop signs be installed and when not, and the requirements that determine when stop signs are needed.



Traffic Engineering Pages

- [Traffic Engineering Home Page](#)
- [Children at Play Signs](#)
- [Pedestrian Roadway Warning Signs](#)
- [Deaf/Blind Child Play Area Signs](#)
- [Speed Limit Signs](#)
- [Addressing Concerns](#)
- [Traffic Signals](#)
- [Traffic Signal Cameras](#)
- [Suggested Routes to Schools](#)
- [Flashing Beacons](#)
- [Bicycle Safety](#)

North Dakota Traffic Law

Not every intersection must have an official traffic control device controlling traffic movement through the intersection. North Dakota law states: *If a vehicle approaches or enters an intersection that does not have an official traffic-control device and another vehicle approaches or enters from a different highway at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right. If the intersection is T-shaped and does not have an official traffic-control device, the driver of the vehicle on the terminating street or highway shall yield to the vehicle on the continuing street or highway.* There are many intersections that do not have stop signs, yield signs or traffic signals, particularly in residential areas.

What Harm Can Arise From Unnecessary Stops?

Stop signs should be installed at an intersection **only** when a careful evaluation of existing conditions indicates that their installation is warranted and appropriate. But what harm can arise from unnecessary stops when unwarranted stop signs are installed?

1. Overuse of stop signs reduces their effectiveness because drivers tend to speed up between stop sign controlled intersections rather than slow down. In fact, studies have shown that at residential speeds, drivers accelerate to their original speed prior to the stop sign in less than 200 feet (that's less than 3 house lots from the intersection). Driver acceleration and deceleration only adds to noise levels that can turn a quiet neighborhood into a race track.
2. Stop compliance is poor at unwarranted multi-way stop signs. Studies have determined that drivers see little reason to stop and yield the right-of-way when

- there is no traffic on the minor street. Unwarranted stop signs foster disrespect and disregard of the law.
3. Studies have found that pedestrian safety, particularly small children, is decreased at unwarranted multi-way stop sign locations. Pedestrians expect vehicles to stop at the stop signs but many vehicles "run" the unnecessary stop sign.
 4. The cost of installing stop signs is relatively low, but enforcement costs are not. In addition, enforcement cannot be provided "24/7" and at best, can only have limited effectiveness.
 5. Finally, according to North Dakota Century Code 39-13-07, *Uniform traffic-control devices on all streets and highways*, placement of stop signs not warranted by engineering studies may violate State of North Dakota law.

When are Stop Signs Warranted?

Installation Policies and Warrants

The Federal MUTCD (Manual on Uniform Traffic Control Devices) dictates the size, shape and color of all traffic control devices. The City of Grand Forks is required by State law to comply with the guidelines of the MUTCD when warranting stop signs. If stop signs are installed when they are not warranted, traffic safety is not improved and may actually be impaired. Unnecessary stops may cause rear-end accidents while increasing fuel consumption and adding to environmental concerns.

Stop signs must only be installed when an engineering study provides justification for their installation at the subject location. The MUTCD provides the following warrants for the use of stop signs: *STOP signs should be used if engineering judgment indicates that one or more of the following conditions exist:*

- *Intersection of a less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law;*
- *Street entering a through highway or street;*
- *Unsignalized intersection in a signalized area; and/or*
- *High speeds, restricted view, or crash records indicate a need for control by the STOP*

Most T-intersections in residential neighborhoods are not signed because when sight distance is adequate, these signs contribute little to traffic safety. North Dakota law states that at T-intersections, the "driver of the vehicle on the terminating street or highway shall yield to the vehicle on the continuing street or highway. ..."

The MUTCD warrants for ALL-WAY stops (4-way and 3-way at T-intersections) are typically not met in residential areas because traffic volumes must be roughly equal on both streets and exceed 500 vehicles per hour for at least eight hours of the day. These conditions are typically only found where two major streets intersect and a traffic signal is not warranted.

Conclusion:

We hope that this brochure has been informative and has illustrated some of the pros and cons associated with stop signs. These devices can produce negative impacts on the environment and waste unnecessary tax reserves. Therefore, they should only be installed when warranted by

a competent engineering study. If you have questions or suggestions concerning traffic, please call the Engineering Department at (701) 787-3720.



City of Grand Forks
255 N 4th Street * Grand Forks, ND 58203 * Phone
(701) 746-INFO



CITY COUNCIL COMMUNICATION

April 22, 2014

| ITEM # | ITEM TITLE |
|---|---|
| 7 | Vehicle Parking in Front Yards Discussion |
| ITEM/MOTION | |
| Review and discuss “long-term” parking of vehicles in front yards of area residences, and take action as necessary to direct staff. | |
| FINANCIAL SUMMARY | ELECTION DISTRICT |

Annualized Dollars:

- One-time
- Recurring
- N/A

Budgeted:

- Yes No N/A

Source of Funds: N/A

- District 1
- District 2
- District 3
- District 4
- City-wide
- N/A

SUPPORTING DOCUMENTS:

MUD #: N/A

1. Sugar Land Code Excerpt – Chapter 5, Article IV, Division 6 – Stopping and Parking

APPROVALS

Submitted by:

William Benton/rl

William Benton
Councilor, At Large Position One

Reviewed by:

- Exec. Dir. of Administrative Services
- Asst. City Manager for Public Services
- City Attorney
- City Engineer
- (Other)

Approved for Submittal to City Council:

Robert Gracia
City Manager

EXECUTIVE SUMMARY

This item has been added to the Agenda to offer City Council the opportunity to discuss “long-term” parking of vehicles in front yards of area residences, and the potential addition of guidelines regarding same.

It was requested that City staff research the City of Sugar Land’s ordinance related to this issue. Sugar Land prohibits the parking of vehicles on unimproved surfaces in front and side yards in residential zoning districts. There is an exception to the ordinance for cases where the vehicle has been parked on an unimproved surface prior to the effective date of the ordinance. The ordinance is attached for reference.

PART II - CODE OF ORDINANCES
Chapter 5 - PUBLIC PROPERTY AND SERVICES
ARTICLE IV. - TRAFFIC

DIVISION 6. STOPPING AND PARKING

Sec. 5-141. Prohibited off-street parking in residential districts.

(a) *Definitions.* In this section:

Improved surface means an area used for the parking of vehicles that is overlaid or otherwise paved with concrete or asphalt and accessed by a street driveway approach.

Motor vehicle means a self-propelled device in, upon, or by which, any person or property is or may be transported.

Recreational vehicle means a portable vehicle designed primarily for temporary occupancy or use for travel, recreation, and vacation use, and includes boats, travel and tent trailers, pickup campers and shells, motorized travel homes and similar vehicles.

Trailer means a vehicle that:

- (1) Is designed or used to carry a load wholly on the trailer's own structure; and
- (2) Is drawn or designed to be drawn by a motor vehicle.

Unimproved driveway means a private, continuous surface that is constructed with gravel, crushed stone, or other equivalent material and provides ingress and egress for vehicles from an off-street parking area, such as a garage or carport, to an adjacent street, alley, or other improved public way.

(b) It is unlawful for any person to stop or park a motor vehicle, recreational vehicle, or trailer within the front and side yards of a residential property upon any surface other than an improved surface.

(c) *Affirmative defense.* It is an affirmative defense to a violation of this section that:

- (1) The person stopped or parked the vehicle on an unimproved driveway of a residential property; and
- (2) The unimproved driveway was in existence prior to the effective date of this section.

(d) All new construction of off-street parking areas commenced on or after the effective date of this section must adhere to sections 2-206 and 2-168 of the Development Code.

(Ord. No. 1845, § 1, 2-7-2012)



CITY COUNCIL COMMUNICATION

April 22, 2014

| ITEM # | ITEM TITLE |
|--|--|
| 8 | Proposed Curb Painting Amendments Discussion |
| ITEM/MOTION | |
| Review and discuss proposed amendments to Section 6-367 of the Code of Ordinances providing rules and regulations governing the painting of street numbers on curbs, and take action as necessary to direct staff. | |
| FINANCIAL SUMMARY | ELECTION DISTRICT |

Annualized Dollars:

- One-time
- Recurring
- N/A

Budgeted:

- Yes No N/A

Source of Funds: N/A

- District 1
- District 2
- District 3
- District 4
- City-wide
- N/A

SUPPORTING DOCUMENTS:

1. Code of Ordinances Excerpt – Section 6-367
2. City Council Meeting Minute Excerpt – 04-01-14

MUD #: N/A

APPROVALS

Submitted by:

William Benton/rl

William Benton
Councilor, At Large Position One

Reviewed by:

- Exec. Dir. of Administrative Services
- Asst. City Manager for Public Services
- City Attorney
- City Engineer
- (Other)

Approved for Submittal to City Council:

Robert Gracia
City Manager

EXECUTIVE SUMMARY

On April 01, 2014, City Council held discussions regarding the potential of amending the City's curb-painting regulations to include the Texas flag.

This item has been added to the Agenda to offer City Council the opportunity to discuss the potential amendment of the rules and regulations governing the painting of street numbers on curbs. You will find a copy of the current Code Section 6-367 attached for your information and review.

PART II - CODE OF ORDINANCES
Chapter 6 - BUILDINGS AND BUILDING REGULATIONS
ARTICLE XIII. SIGN REGULATIONS

Sec. 6-367. Painting street numbers on city curbs.

The public works director or his designee is hereby authorized to issue a permit for limited periods of time, not exceeding ninety (90) days, stated in the permit, authorizing the permittee to paint street numbers, according to the specific standards set forth below, on the curb showing the correct street number of abutting property. Such permit shall be expressly conditioned upon the permittee's obtaining the consent of the abutting property owner before painting the address applicable to such abutting property, and such permit shall be revocable by the public works director or his designee upon violation of this section. Prior to issuance of a permit hereunder, a permittee shall be required to pay a permit fee of twenty-five dollars (\$25.00). A property owner may paint street numbers on the city curb abutting his or her private property in accordance with specifications hereinafter provided, but shall be exempt from the requirement of obtaining a permit and payment of the twenty-five dollar (\$25.00) permit fee.

All street numbers shall be written in a block numbering style, shall be four (4) inches in height, and the width shall be in proportion to the height or approximately two and one-half (2½) inches in width. A one-inch distance shall be maintained between figures. The color of the painted street curb shall be a reflective paint with black numbers on a white background. The background shall be rectangular in shape and should not extend more than one (1) inch above and below the numbers and not more than two (2) inches on each side. The rectangular background shall be no more than twenty (20) inches in length. No other letters, symbols, or emblems shall be painted on city curbs. The street numbers shall be positioned in front of the abutting property designated by such street number.

Painted street numbers, including flags and other symbols, existing on the date of adoption of this section, nonconforming to the requirements hereof, shall be permitted, provided that any future painting of street numbers on the curb shall be in accordance with the requirements of this section; however, if a curb has been painted with a name in violation of this section, then the property owner shall have ninety (90) days, from the date this section is adopted, to remove such name. If a property owner fails to remove any name in violation of this section within the ninety-day time period specified above, then the property owner will be in violation of this section and the city may take any necessary action to remove the painted name in violation of this section.

(Ord. No. 2011-07, § 1, 5-3-11)

- Joyce Vasut stated that only Council Members are allowed to ask questions.
- Councilor McConathy stated some perimeters need to be established.
- Mayor Morales stated a format needs to be established. He feels like we have a committee setup with committee members that work with our Finance Director. This needs to be treated like any other committee and others could apply for it.
- Robert Gracia, City Manager suggested that Council may want to consider the number of volunteers and setup guidelines and accept applications and go through an interview process.
- No action was taken on the item.

9. **REVIEW AND DISCUSS PROPOSED AMENDMENTS TO SECTION 6-367 OF THE CODE OF ORDINANCES PROVIDING RULES AND REGULATIONS GOVERNING THE PAINTING OF STREET NUMBERS ON CURBS, AND TAKE ACTION AS NECESSARY.**

Executive Summary: This item has been added to the Agenda to offer City Council the opportunity to discuss the potential amendment of the rules and regulations governing the painting of street numbers on curbs. You will find a copy of the current Code Section 6-367 attached for your information and review.

Key discussion points:

- Councilor Benton asked for Council input amending the ordinance to allow the painting of the Texas flag on curbs.
- Mayor Morales asked about the Home Owners' Associations (HOA's).
- Tonya Palmer, Building Official stated curb painting is enforced by the City not the HOA's.
- Lora Lenzsch, City Attorney pointed out that when you start carving out areas and colleges, etc., you are regulating signage and you are treading on a tight rope. You cannot say only the Texas flag is allowed. People are very creative and they come up with other types of signage.
- Councilor McConathy stated if the numbers are clearly painted for first responders she can support it. She is in favor of the Texas flag.
- Councilor Bolf agreed she can support the Texas flag if it is clearly marked for first responders but no murals all the way down the curb.
- Councilor Grigar stated with this ordinance if you painted the Texas flag and address would it be in compliance with the ordinance? With the specifications in our City Code for the lettering, there would not be room left to paint the Texas flag.
- Councilor Euton asked if someone wanted to paint on the driveway would it be in violation of the code.
- Travis Tanner, Executive Director of Community Development stated this ordinance applies to city curb only. He is not aware of any rules but it would probably fall under the HOA.
- Wade Goates, Fire Chief stated he does not have a problem with the Texas flag but from first responders point he would caution about night reflection. Our main concern is visibility and we want the numbers clear with a white background with reflective material.
- Dallis Warren, Police Chief reiterated the need for the numbers to be clear for visibility.
- Mayor Morales stated the numbers need to be where they are today regarding size. There needs to be some design graphics on this.
- Councilor Euton stated this needs to be discussed at a workshop. The ones out there now may not be in compliance with the ordinance.
- The item will be brought back to a workshop.
- No action was taken on the item.

10. **CONSIDER MOTION TO ADJOURN FOR EXECUTIVE SESSION.**

Action: Councilor Benton made a motion, seconded by Councilor McConathy to adjourn for Executive Session at 7:03 p.m. The motion carried by a unanimous vote of those present.

- Joyce Vasut stated that only Council Members are allowed to ask questions.
- Councilor McConathy stated some perimeters need to be established.
- Mayor Morales stated a format needs to be established. He feels like we have a committee setup with committee members that work with our Finance Director. This needs to be treated like any other committee and others could apply for it.
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Executive Summary: This item has been added to the Agenda to offer City Council the opportunity to discuss the potential amendment of the rules and regulations governing the painting of street numbers on curbs. You will find a copy of the current Code Section 6-367 attached for your information and review.

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10. **CONSIDER MOTION TO ADJOURN FOR EXECUTIVE SESSION.**

Action: Councilor Benton made a motion, seconded by Councilor McConathy to adjourn for Executive Session at 7:03 p.m. The motion carried by a unanimous vote of those present.

ITEM 9

Adjournment.