

AGENDA FOR SPECIAL MEETING

KERRVILLE CITY COUNCIL

MONDAY, APRIL 30, 2012, 4:00 P.M.

KERRVILLE CITY HALL COUNCIL CHAMBERS

800 JUNCTION HIGHWAY, KERRVILLE, TEXAS

AGENDA FOR A SPECIAL MEETING OF THE

KERRVILLE CITY COUNCIL

MONDAY APRIL 30, 2012, 4:00 P.M.

CITY HALL COUNCIL CHAMBERS

800 JUNCTION HIGHWAY, KERRVILLE, TEXAS

1. Call to Order
2. An ordinance amending City of Kerrville, Texas, Ordinance No. 2012-01 by extending the moratorium on the acceptance of specified applications and the issuance of permits for the installation of electronic and traveling lighted message signs, through June 30, 2012, or until the adoption of an ordinance amending the city's Sign Code, Chapter 6, Article II of the city's Code of Ordinances, whichever event occurs first.
3. Adjournment.

The facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this event. Please contact the City Secretary's Office at 830-257-8000 for further information.

I do hereby certify that this notice of meeting was posted on the bulletin board at the city hall of the city of Kerrville, Texas, and said notice was posted on the following date and time: April 27, 2012 at 4:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Cheryl Brown
Deputy City Secretary, City of Kerrville, Texas

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Deputy City Secretary, City of Kerrville, Texas

**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: An Ordinance extending the Moratorium on the acceptance of applications and the issuance of permits for the installation of electronic and traveling lighted message signs, through June 30, 2012, or until the adoption of an ordinance amending the City's Sign Code, Ch. 6, Art. II of the Code of Ordinance

FOR AGENDA OF: April 30, 2012

DATE SUBMITTED: April 26, 2012

SUBMITTED BY: Mike Hayes
City Attorney

CLEARANCES:

EXHIBITS: Ordinance

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER:

Expenditure	Current Balance	Amount	Account
Required:	in Account:	Budgeted:	Number:
\$	\$ NA	\$ NA	NA

PAYMENT TO BE MADE TO: NA

REVIEWED BY THE DIRECTOR OR FINANCE:

SUMMARY STATEMENT

At its last meeting, staff informed City Council of the status of the draft ordinance which if adopted, will amend the City's Sign Code (Ch. 6, Art. II, of the City's Code of Ordinances). An ad hoc committee previously met and studied the City's current Sign Code. At the conclusion of its meetings, the committee submitted proposed amendments to the City Council and the Council directed staff to draft an ordinance with such amendments. In an effort to maintain the status quo with respect to electronic and traveling lighted message signs, City Council also adopted a 90 day moratorium on the application for and the issuance of permits for such signs. Staff reported its progress to City Council at each of the last 2 regular Council meetings and informed Council that the ordinance could not be completed in time to share it with the ad hoc committee and other interested organizations and people in time to meet the expiration date of the moratorium (May 14, 2012). After deliberation that included comments from a commercial sign company representative, City Council voted to extend the moratorium through the end of June 2012, but with several amendments that narrowed the scope of the moratorium. The extension of the moratorium will only apply to permits for electronic signs in excess of 32 square feet or where a location is sought within 100 feet of a residential zoning district. The attached ordinance will extend the moratorium through June 30, 2012, or until such time that City Council adopts amendments to the Sign Code. The ordinance also makes the amendments which narrow the scope of the moratorium.

RECOMMENDED ACTION

Approval of Ordinance upon 1st Reading.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2012-___**

AN ORDINANCE AMENDING CITY OF KERRVILLE, TEXAS, ORDINANCE NO. 2012-01 BY EXTENDING THE MORATORIUM ON THE ACCEPTANCE OF SPECIFIED APPLICATIONS AND THE ISSUANCE OF PERMITS FOR THE INSTALLATION OF ELECTRONIC AND TRAVELING LIGHTED MESSAGE SIGNS, THROUGH JUNE 30, 2012, OR UNTIL THE ADOPTION OF AN ORDINANCE AMENDING THE CITY'S SIGN CODE, CHAPTER 6, ARTICLE II OF THE CITY'S CODE OF ORDINANCES, WHICHEVER EVENT OCCURS FIRST

WHEREAS, the City Council of the City of Kerrville, Texas (the "City"), continues seeking ways of ensuring that its building and land use regulations reflect current land development trends, enhance community character, and accurately reflect the goals of future development within its municipal boundaries and where applicable, its extraterritorial jurisdiction; and

WHEREAS, on February 14, 2012, at a regular meeting, the City Council adopted Ordinance No. 2012-01 (the "Moratorium Ordinance") on second reading, which established a moratorium on the acceptance and the issuance of permits for the installation of electronic and traveling lighted message signs within the City; and

WHEREAS, City staff continues preparing a draft ordinance that will amend Chapter 6, Article II of the City's Code of Ordinances, otherwise known as the Sign Code, to reflect recommendations made by an ad hoc committee with respect to the City's sign regulations; and

WHEREAS, staff has informed City Council that additional time is required to complete the draft ordinance of amendments to the Sign Code and to meet with the committee and other organizations and interested parties with respect to the ordinance; and

WHEREAS, City Council, in an effort to balance the various interests involved, believes extending the moratorium for an additional period of time is reasonable, but with amendments that will narrow the scope of the moratorium; and

WHEREAS, amendments to the Moratorium Ordinance consist of limiting the moratorium to only electronic and traveling lighted message signs greater than 32 square feet and/or where a location is sought within 100 feet of a residential zoning district; and

WHEREAS, the City Council finds that it is in the public interest to extend the Moratorium Ordinance through June 30, 2012, or until such date that City Council adopts an ordinance upon second reading to adopt an amended Sign Code, whichever date is earlier, and to continue to preserve the status quo by not accepting applications or issuing permits for the installation of electronic and traveling lighted message signs, as further specified below, within

the municipal boundaries of the City, and its extraterritorial jurisdiction, pending completion of a regulatory review and public deliberation; and

WHEREAS, the City Council finds that the extension of the Moratorium Ordinance is for the purpose of allowing additional time to complete the drafting of an ordinance amending the Sign Code, meeting with the ad hoc committee and other interested persons, and is not for the purpose of delay;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

SECTION ONE. The moratorium established by the Moratorium Ordinance on the acceptance of applications or the issuance of permits for electronic or traveling lighted message signs, as those signs are defined within the Sign Code and as further specified below, is extended through June 30, 2012, or until such date that City Council adopts an ordinance upon second reading amending the Sign Code, whichever date is earlier.

SECTION TWO. The scope of the moratorium is amended to apply only to those electronic and traveling lighted message signs proposed to be larger than 32 square feet and/or proposed to be located within 100 feet of a residential zoning district.

SECTION THREE. City staff is directed to complete the draft ordinance of amendments to the Sign Code and to meet with the ad hoc committee, other organizations, and interested parties with respect to the proposed ordinance.

SECTION FOUR. All other provisions of the Moratorium Ordinance remain in full force and effect.

PASSED AND APPROVED ON FIRST READING, this the _____ day of _____, A.D., 2012.

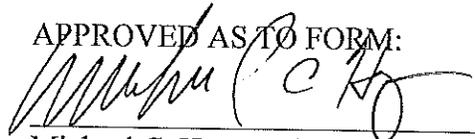
PASSED AND APPROVED ON SECOND AND FINAL READING, this the _____ day of _____, A.D., 2012.

David Wampler, Mayor

ATTEST:

Brenda G. Craig, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney