

**ORDINANCE # 10-2020**  
**OUTDOOR ADVERTISING - COMMERCIAL SIGNS - BILLBOARDS**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMANCHE, TEXAS, AMENDING ORDINANCE #03-2007 ZONING REGULATIONS, ARTICLE II, SECTION 4 SIGN REGULATIONS; ORDINANCE #03-2020 PERMITS AND LICENSING FEES, SIGN/BANNER PERMIT FREE STANDING; AND PROVIDING FOR SAID AMENDED ORDINANCE TO TAKE EFFECT FROM AND AFTER ITS ADOPTION AND PUBLICATION.**

**WHEREAS, the City of Comanche, Texas is a General Law Municipality located in Comanche County created in accordance with provisions of the Texas Local Government Code and operating pursuant to the legislation of the State of Texas (“Town”)**

**WHEREAS, the City Council of the City of Comanche has investigated and determined that it will be advantageous, beneficial, and in the best interest of the citizens of the Town to adopt sign regulations; and**

**WHEREAS, Texas Administrative Code Title 43. Transportation, Part 1; Texas Department of Transportation, Chapter 21. Right of Way, Subchapter I. Regulation of Signs Along Interstate and Primary Highways, Division 1 signs; governs signs used along certain highways in Texas.**

**WHEREAS, this Ordinance shall regulate and apply to outdoor signs within the City of Comanche and its extraterritorial jurisdiction pursuant to the expressed authority provided in Chapter 216 of the Texas Local Government Code.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMANCHE, TEXAS, THAT:**

**ARTICLE II, SECTION 4. SIGN REGULATIONS**

**4-1. Sign Definitions is amended as follows:**

**(d) Commercial sign - A sign that is:**

**(1) at any time intended to be leased, or for which payment of any type is intended to be or is received, for the display of any good, service, brand, slogan, message, product, or company, except that the term does not include a sign that is leased to a business entity and located on the same property on which the business is located; or**

**(2) located on property owned or leased for the primary economic purpose of displaying a sign.**

**4-2 General Provision is amended as follows:**

**(g) A Commercial Sign can only be built along a U.S. Highway, State, or FM Roadway in the City limits of Comanche as allowed by Texas law and permitted by the Texas Department of Transportation hereafter referred to as TXDOT, and further permitted and allowed the City of Comanche. The City of Comanche will not allow Commercial Signs on any roadway except those mentioned above.**

**On the allowed U.S. Highway, State, or FM roadways permitted by TXDOT, the City of Comanche will only allow Commercial Signs if the property requesting is zoned Agriculture Open (AO), Commercial District 1 (C1), Commercial District 2 (C2), Light Industrial (LI), or Heavy Industrial (HI).**

**The City of Comanche will further not allow Commercial Signs unless approved by the Comanche City Council through the Special Use Variance Permit process. In addition to Texas law and TXDOT Policies, the City of Comanche will impose a minimum of a ten-foot (10') setback from property lines, and a maximum height of sixty (60) feet.**

Once the requestor of a Commercial Sign has received a permit from TXDOT, the requestor must submit a Special Use Variance Permit Application and a Building Permit Application to the City of Comanche requesting placement of the sign. If a Commercial Sign is approved by the Comanche City Council, the requestor must submit a Commercial Sign Application and remit the permit fee of one thousand (\$1,000.00) dollars.

(h) The City of Comanche will allow Electronic Commercial Signs in accordance with the conditions and criteria permitted by TXDOT as meeting State requirements. Electronic Commercial Signs must meet a minimum of a ten-foot (10') setback requirement and height limits as required by TXDOT, of no higher than sixty (60) feet.

(i) Commercial Signs in place at the time the Ordinance is adopted by the Comanche City Council are recognized as non-conforming permitted uses under the "grandfathered" and exist as a non-conforming use commercial sign or billboard. If a "grandfathered" Commercial Sign or Billboard is removed, it can only be replaced following the approved permit processes with TXDOT and the City of Comanche.

**(j) Sign Spacing.**

1. For a highway on a non-freeway primary system, and outside the incorporated boundaries of a municipality, permitted signs on the same side of the highway may not be erected closer than seven hundred fifty feet (750) feet apart.

2. For a highway on a non-freeway primary system highway and within the incorporated boundaries of a municipality, permitted signs on the same side of the highway may not be erected closer than three hundred (300) feet apart.

3. A permitted sign that is located within the incorporated boundaries of a municipality on a highway that is on a non-freeway primary system may not be closer than:

- (a) Seven hundred fifty (750) feet to another sign that is on the same side of the highway, and outside the incorporated boundaries of a municipality;  
or
- (b) Three hundred (300) feet to another sign that is on the same side of the highway and inside the incorporated boundaries of a municipality.

4. For the purposes of this section, the space between commercial signs is measured between points along the right of way of the highway perpendicular to the center of the signs.

5. For the purposes of this section, a municipality's extraterritorial jurisdiction is not considered to be included within the boundaries of the municipality.

6. The spacing requirements of this section do not apply to commercial signs separated by buildings, natural surroundings, or other obstructions in a manner that causes only one of the signs to be visible within the specified spacing area.

7. A permitted sign may not be erected within ten (10) feet of the highway right of way line within the City of Comanche or its extraterritorial jurisdiction. The distance shall be measured from the end of the sign face nearest the right of way line.

(j) A permitted sign that is being displaced by a highway construction project will not be considered in determining the spacing for a new sign application.

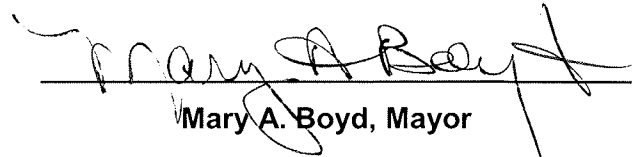
**ARTICLE II., SECTION 4-4 SIGN STANDARDS**

**Offsite:** The definition of Outdoor Advertising and or Billboards is changed to Commercial Sign. The Maximum Area is defined as defined by TXDOT guidelines and permitted by Texas law. The maximum height allowed is sixty (60) feet.

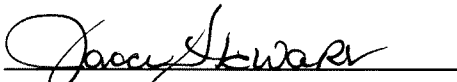
**SECTION 3**

This Ordinance shall take effect and be in full force from and after its passage and publication, as provided by the laws of the State of Texas.

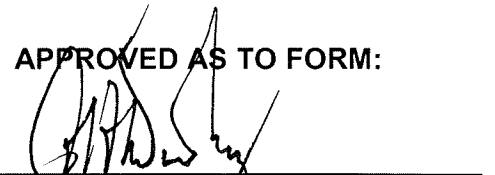
**DULY PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Comanche, Texas,  
on this 9<sup>th</sup> day of November, 2020.

  
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Mary A. Boyd, Mayor

**ATTEST:**

  
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Jacqui Stewart, CCD, ISC  
Interim City Secretary

**APPROVED AS TO FORM:**

  
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James H. Dudley, City Attorney