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## NORTHLAKE MAYOR AND COUNCIL COMMUNICATION

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**DATE:** MARCH 10, 2022

**REF. DOC.:** UNIFIED DEVELOPMENT CODE (UDC)

**SUBJECT:** UDC AMENDMENT TO REQUIRE NOTIFICATION SIGNS



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### GOALS/OBJECTIVES:

- Reinforce our Identity; Define who we are (and don't settle for less)

### BACKGROUND INFORMATION:

- P&Z and Town Council briefed on proposed requirement for notification signs for zoning changes
- Consensus of input provided:
  - Type of signs (corrugated plastic on t-posts)
  - Size of signs (4' x 4')
  - Sign content (see exhibit)
  - Number of signs and placement (min. 1 per 1,500 ft street frontage to max. of 3)
  - Responsibility for purchasing, placement, and monitoring of signs (by applicant)
  - Timing of posting, removal, and replacement of signs (21 days before hearing/7 days after)
- UDC amendment drafted for consideration based upon input
  - Requires signs to provide notice of public hearings for:
    - Zoning changes
    - Planned developments
    - Specific Use Permits
  - UDC text amendment includes general requirements for signs
  - Detailed informational sign design criteria to be developed according to requirements
  - Summary of key requirements and example design provided in attached presentation

### P&Z RECOMMENDATION:

- Held public hearing and received no comments on the proposed amendment
- Recommended approval of the UDC text amendments as presented in the attached ordinance

### COUNCIL ACTIONS:

- Hold public hearing
- Consider approval of the UDC amendment ordinance



TOWN OF NORTHLAKE, TEXAS  
OFFICIAL ORDINANCE

**NO. 21-0310B**

**AN ORDINANCE AMENDING CODE OF ORDINANCES, TOWN OF NORTHLAKE, TEXAS BY AMENDING THE THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF NORTHLAKE, TEXAS; PROVIDING FOR THE REQUIREMENT OF NOTIFICATION SIGNS FOR ZONING CHANGES, PLANNED DEVELOPMENTS, AND SPECIFIC USE PERMITS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Northlake, Texas is a home rule municipality acting under its charter adopted by the electorate pursuant to article XI, section 5 of the Texas Constitution and chapter 9 of the Texas Local Government Code; and

**WHEREAS**, the Town previously adopted the Town’s Unified Development Code (“UDC”) on January 24, 2013 which includes regulations governing the notice of public hearings for zoning changes, planned developments, and specific use permits (“SUPs”); and

**WHEREAS**, the UDC provides for text amendments in certain situations; and

**WHEREAS**, Town staff drafted certain amendments with input from the Planning and Zoning Commission and Town Council to require notification signs for zoning changes, planned developments, and SUPs; and

**WHEREAS**, upon review and consideration of the Planning and Zoning Commission following a public hearing at their meeting on March 1, 2022, the Planning and Zoning Commission recommended approval of the amendment as outlined herein; and

**WHEREAS**, the Town Council held a public hearing on March 10, 2022 after proper notification thereof with respect to the adoption of the proposed UDC text amendments in accordance with the UDC and the Texas Local Government Code; and

**WHEREAS**, the Town Council has determined that the amendment as outlined herein is in the best interest of the health, safety, and general welfare of the citizens of the Town of Northlake and the public.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS THAT:**

**SECTION 1.** The findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

**SECTION 2.** Section 4.3, “Notice Requirements,” in Article 4, “Procedures and Applications,” of the Unified Development Code of the Town Northlake is hereby amended by adding Subsection 4.3.C. to read as follows:

**“Sec. 4.3 Notice Requirements**

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C. Sign Notice. Whenever sign notice of a public hearing before a Board, Commission, or the Town Council is required, posting of a notification sign or signs shall be required as follows:

1. Placement

- a. A minimum of one (1) sign per 1,500 feet of each street frontage or portion thereof shall be posted on the property in question.
- b. A maximum of three (3) signs shall be posted on any street frontage.
- c. Signs shall generally be centered and spaced evenly along the street frontage.
- d. Signs shall be visible from and placed perpendicular to the street.
- e. Signs shall be located on the property outside of the public right-of-way unless placed a minimum of ten (10') feet from the edge of street pavement.

2. Design

- a. Signs shall be four (4') feet by four (4') feet.
- b. Signs shall be double-sided, durable, and mounted on two stakes/poles.
- c. The bottom of signs shall be at least one foot above grade.
- d. Signs shall be constructed in accordance with the Town's notification sign design criteria and shall include lettering/graphics placed on both sides containing the following information at a minimum:
  - i. Type of case (i.e. zoning change, SUP, etc.)
  - ii. Project/case number
  - iii. Proposed zoning or use
  - iv. Size of subject property in acres
  - v. Town logo
  - vi. Town phone number to contact for more information
  - vii. Town website to visit for more information

3. Posting

- a. Owner/applicant shall be responsible for obtaining, posting, and maintaining the posting of all required signs according to this subsection.
- b. Signs shall be posted a minimum of 21 days before a scheduled public hearing and shall be maintained until the subject of the public hearing has been approved, denied, or withdrawn. A public hearing will not be scheduled and published notice and written notice will not be initiated until Town staff confirms the placement of the required notification signs.
- c. Owner/applicant shall remove signs within one (1) week of approval, denial, or withdrawal of the request requiring the public hearing. The owner/applicant shall also repair or replace any damaged or missing signs within one (1) week of notice from Town staff.

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**SECTION 3.** Section 5.4, “Zoning Change/Zoning Map Amendment,” of Article 5, “Zoning Districts,” of the Unified Development Code of the Town Northlake is hereby amended to read as follows:

**“Sec. 5.4 Zoning Change/Zoning Map Amendment**

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C. Processing of Application and Decision.

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2. Review by Planning and Zoning Commission.

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- c. *Notification Requirements.* Prior to consideration, an application for a zoning change or zoning map amendment requires published, written, and sign notice in accordance with section 4.3 of this UDC.

3. Decision by Town Council.

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- b. *Notification Requirements.* Prior to consideration, an application for a zoning change or zoning map amendment requires published, written, and sign notice in accordance with section 4.3 of this UDC.

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**SECTION 9.** Article 5, "Zoning Districts," of the Unified Development Code of the Town Northlake is hereby amended by amending Sections 5.10, "Planned Development," and 5.11, "Specific Use Permit (SUP)," to read as follows:

**"Sec. 5.10      Planned Development**

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B. Processing of Application and Decision.

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2. Review by Planning and Zoning Commission.

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- c. *Notification Requirements.* Prior to consideration, an application for a PD requires published, written, and sign notice in accordance with section 4.3 of this UDC.

3. Decision by Town Council.

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- a. *Notification Requirements.* Prior to consideration, an application for a PD requires published, written, and sign notice in accordance with section 4.3 of this UDC.

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**Sec. 5.11      Specific Use permit (SUP)**

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C. Processing of Application and Decision.

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4. Review by Planning and Zoning Commission.

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d. *Notification Requirements.* Prior to consideration, an application for an SUP requires published, written, and sign notice in accordance with section 4.3 of this UDC.

5. Decision by Town Council.

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c. *Notification Requirements.* Prior to consideration, an application for a SUP requires published, written, and sign notice in accordance with section 4.3 of this UDC.

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**SECTION 4.** Any person violating any provision of this ordinance shall be fined for each and every day during which any violation of any provision of this ordinance is committed, continued, or permitted in the maximum amount allowed by law as provided in Section 1.01.009 of the Town Code.

**SECTION 5.** With the exception of those Ordinances expressly repealed herein, this Ordinance shall be cumulative of all provisions of Ordinances of the Town of Northlake, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more stringent provision shall apply and the less stringent provision, whether contained within this Ordinance or in any prior Ordinance of the Town, whether codified or un-codified, is hereby repealed to the extent of the conflict, but all other provisions of the Ordinances of the Town, whether codified or un-codified, which are not in conflict with the provisions of the Ordinance, shall remain in full force and effect.

**SECTION 6.** It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraph section of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court or competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since same would have been enacted by the Town Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 7.** All rights and remedies of the Town are expressly saved as to any and all violations of the provisions of this Ordinance, or any other Ordinances affecting the matters addressed herein, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by the Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 8.** The Town Secretary of the Town of Northlake is hereby directed to publish the caption, penalty clause, publication clause, and effective date clause of this Ordinance.

**SECTION 9.** This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

**PASSED AND APPROVED ON THIS THE 10th DAY OF March, 2022**

Town of Northlake, Texas

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David Rettig, Mayor

ATTEST:

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Zolaina R. Parker, Town Secretary

TOWN OF NORTHLAKE

# UDC Amendment to Require Notification Signs



MARCH 10, 2022

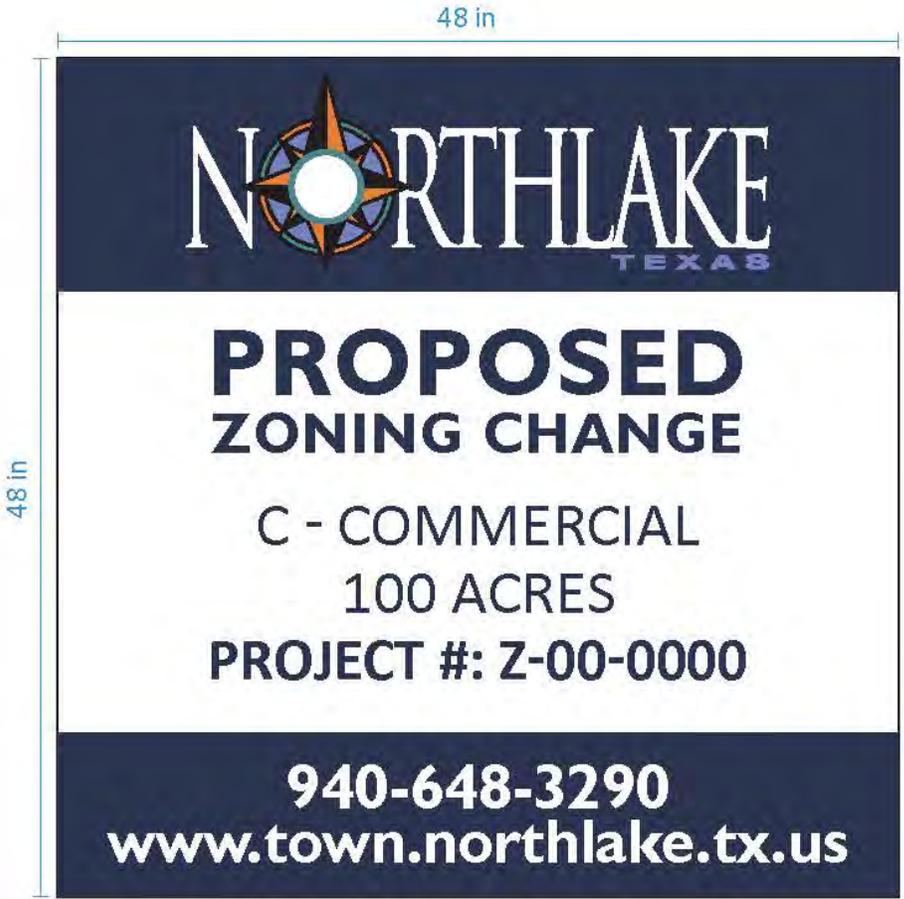


# PROPOSED UDC AMENDMENT

- Briefed P&Z and Town Council on requiring zoning change signs
- Drafted UDC amendment based on input from briefings
  - Minimum of 1 sign per 1,500 feet of each street frontage
  - Max of 3 signs per any street frontage
  - Visible from street placed perpendicular to street
  - 4' x 4' sign size
  - Bottom at least one foot above grade
  - Owner/applicant responsible for posting/maintaining sign
  - Must be posted 21 days prior to scheduled public hearing
  - Must be removed/replaced within 1 week

# EXAMPLE NOTIFICATION SIGN

## Sign Placement



**NORTHLAKE**  
TEXAS

**PROPOSED  
ZONING CHANGE**

C - COMMERCIAL  
100 ACRES  
PROJECT #: Z-00-0000

**940-648-3290**  
[www.town.northlake.tx.us](http://www.town.northlake.tx.us)

**NORTHLAKE**  
TEXAS

**PROPOSED  
ZONING CHANGE**

C - COMMERCIAL  
100 ACRES  
PROJECT #: Z-00-0000

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# EXAMPLE SIGN PLACEMENT

