



Town of Double Oak
Town Council – Public Meeting

Double Oak Town Hall
320 Waketon Road, Double Oak
TX 75077

Monday, November 2, 2020
7:00 p.m.

In response to the coronavirus pandemic, effective March 16, 2020, Texas Governor Abbott suspended certain Open Meeting rules to allow meetings of government bodies that are accessible to the public to decrease large groups of people from assembling. The suspension temporarily removes the requirement that government officials and members of the public be physically present at a meeting location. The town's online public meetings can be viewed online during the meeting.

There will be limited seating in the Mayor Bill Wilkinson Community-Government Room to allow for social distancing. Meeting participants may be asked to wait in the lobby until their name is called.

● **Facebook Live** on the facebook.com/doubleoaktx/ (*Anonymous viewing*)

- **Email Town Secretary Eileen Kennedy** (eileen.kennedy@doubleoak.texas.gov)
- Residents can participate by emailing their questions/comments for the meeting.
 - Emails must be received by 5:00 p.m. the day of the meeting.

Please state whether your emailed comment is regarding a specific agenda item or a non-agenda item. Your comment will be read into the record during the meeting. (must be within the 3-minute time limit)

- I. Opening:
- Call to Order
 - Roll Call
 - Invocation
 - Pledge of Allegiance – American Flag
 - Pledge of Allegiance – Texas Flag

“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

II. Citizens comments

- III. Consent Agenda - All consent agenda items listed are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

1. Consideration on minutes from the October 19, 2020 meeting.

IV. Mayor, Council Members and Staff reports:

2. Mayor and Council
3. Public Works - Code Enforcement – Animal Control
4. Administration
5. Public Safety
6. Roads and Drainage Committee

V. New business agenda (consideration and action):

7. Discussion, consideration, and action on quote from 1-2 Tree for tree trimming at town hall

Presentation: Mayor Donnelly

8. Discussion, consideration and action on a request from Jacqueline Howard, 5807 Pepperport Lane to allow an exception under the Sign Regulations, Article 3.1300 of the Code of Ordinances for a 12 ft by 6 ft sign on her property with the farm name and address.

Presentation: Assistant Town Secretary Lynn Jones

9. The Town Council shall convene in closed executive session under Texas Government Code, Section 551.074 (personnel matters) and Section 551.071 (consultation with attorney) to discuss and deliberate the appointment, employment, evaluation, reassignment, and duties of the police chief and to receive legal advice from the town attorney on personnel matters.

Reconvene into open session and consider action, if any, on items discussed in executive session.

Presentation: Mayor Donnelly

10. Citizens comments

11. Council – staff announcements and comments:

- Brian Shults will celebrate his 13-year anniversary with Double Oak November 12
- Clint Murphy will celebrate his 6-year anniversary with Double Oak November 25
- Eric Tolliver will celebrate his 1-year anniversary with Double Oak November 4

- Election Day November 3 – voting for Double Oak will be at Crossroads Bible Church from 7:00 am to 7:00 pm
- Town Hall will be closed Monday, November 11 in observance of Veteran's Day
- Christmas Tree lighting is Monday December 7 at 6:00 pm

12. Adjournment

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the Town Attorney, or on any other item covered under the code, on any agenda item listed herein.

The Town of Double Oak reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

I certify that the above notice of meeting was posted by Friday, October 30, 2020 by 4:00 p.m. on:

- 1) Bulletin boards located in the Town Hall Parking Lot at 320 Waketon Road, Double Oak, Texas
- 2) On the Town's website (<https://doubleoak.texas.gov>)



Town Secretary

PUBLIC PARTICIPATION If you wish to address the Council, please sign the "CITIZENS WHO WISH TO SPEAK TO THE TOWN COUNCIL" sheet before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, citizens wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened. For citizens wishing to speak on a non-public hearing item, they may either address the Council during the Citizen Comments portion of the meeting or when the item is considered by the Town Council.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Town Secretary's office at 972.539.9464, fax 972.539.9613 or email to eileen.kennedy@doubleoak.texas.gov for additional information.

UNAPPROVED-NOT FOR
PUBLICATION

STATE OF TEXAS
COUNTY OF DENTON
TOWN OF DOUBLE OAK

The Double Oak Town Council met in regular session at 7:00 p.m. October 19, 2020 at the Double Oak Town Hall, located at 320 Waketon Road with the following members present to-wit:

Joe Dent
Billie Garrett
Von Beougher

Mayor Pro-Tem
Deputy Mayor Pro-Tem
Council Member

Mayor Mike Donnelly and Council Members Anita Nelson and Scott Whisenhunt were absent. Also, in attendance were Town Secretary Eileen Kennedy, Assistant Town Secretary Lynn Jones, and Municipal Clerk Brian Shults and Police Captain Ruben Rivas.

The Mayor Pro-Tem called the meeting to order at 7:00 p.m.

Mayor Pro-Tem Dent gave the invocation and Council Member Beougher lead the Pledge of Allegiance to the American and Texas flags.

II. CITIZENS COMMENTS

None

III. Consent Agenda - All consent agenda items listed are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

1. Consideration on minutes from the October 5, 2020 meeting.
2. Consideration on quote from Stalker Radar Applied Concepts, Inc. for the purchase of Lidar-XLR-C for traffic control in the amount of \$2,105.50.

Motion Beougher, second Garrett to approve the Consent Agenda as presented.

AYE: Garrett, Dent, Beougher
NAY: None
ABSTAIN: None

Motion carried

IV. Mayor, Council Members and Staff reports:

3. Mayor and Council

None

4. Public Works - Code Enforcement – Animal Control

None

5. Administration

Town Secretary Eileen Kennedy reported Susan Crawford Board Member of Cross Timbers Water Supply Corporation is stepping down. Ms. Kennedy has a list of standard board requirements and asked if anyone has recommendations for the open position.

Ms. Kennedy also reported Mayor Emeritus Dick Cook resigned from the Upper Trinity Board of Directors. Ms. Kennedy has a list of requirements and asked if anyone had recommendations for the open position.

6. Public Safety

Police Captain Ruben Rivas went over the quarterly report included in the agenda packet and was available to answer questions.

7. Roads and Drainage Committee

None

V. New business agenda (consideration and action):

8. Conduct a public hearing on a request from Grayson Ceballos to replat 6000 Pepperport Lane, Tract 5 of the North Shiloh Addition and 5801 Pepperport Court, Block A Lot 7 of the Estates of Pepperport Addition.

The Mayor Pro-Tem opened the public hearing at 7:08 p.m.
Mayor Pro-Tem closed the public hearing at 7:08 p.m.

9. Discussion, consideration, and action on a request from Grayson Ceballos to replat 6000 Pepperport Lane, Tract 5 of the North Shiloh Addition and 5801 Pepperport Court, Block A Lot 7 of the Estates of Pepperport Addition.

Assistant Town Secretary Lynn Jones reported the Planning and Zoning Commission recommends approval of the replat.

Motion Beougher, second Garrett to approve the replat request.

AYE: Beougher Garrett, Dent
NAY: None
ABSTAIN: None

Motion carried

10. Discussion, consideration and action on a request from Jacqueline Howard, 5807 Pepperport Lane to allow an exception under the Sign Regulations, Article 3.1300 of the Code of Ordinances for a 12 ft by 6 ft sign on her property with the farm name and address.

Motion Garrett, second Dent to table the request until the next council meeting, November 2, 2020, where a full council could weigh in on the exception request.

AYE: Garrett, Beougher, Dent
NAY: None
ABSTAIN: None

Motion carried

Mayor Pro-Tem skipped to agenda item 12.

12. Discussion, consideration, and action on a request from the Tropical Smoothie Cafe to allow an exception under the Sign Regulations, Article 3.1300 of the Code of Ordinances for one additional wall mounted sign

No action taken. The requested allowance is already allowed in the SUP ordinance 16-06.

Returned to the agenda order

11. Discussion, consideration, and action on a request from the Tropical Smoothie Café to allow an exception under the Sign Regulations, Article 3.1300 of the Code of Ordinances for three directional signs

Motion Beougher, second Garrett to allow the requested exception under the Sign Regulations, Article 3.1300 of the Code of Ordinances.

AYE: Garrett, Beougher, Dent
NAY: None
ABSTAIN: None

Motion carried

13. Discussion on town hall – town property door and hardware replacements

The general consensus of council members present was to proceed with the door and hardware replacement for Town Hall.

14. Citizens comments

None

15. Council – staff announcements and comments:

Council Member Beougher reported he will be meeting Precinct 4 County Commission Dianne Edmondson regarding the Waketon Road Reconstruction Project on October 20th.

16. Adjournment

With no further business to come before the Council, motion Beougher, Garrett second, the meeting was adjourned at 7:38 p.m.

Eileen Kennedy, Town Secretary

Joe Dent, Mayor Pro-Tem



1-2 Tree, LLC
111 Duncan Ln.
Lewisville, TX
(972) 989-9332
bneal@12tree.com
12tree.com

Estimate 1823

ADDRESS

Mike Donnelly
Town of DoubleOak
Building Official
320 Waketon Road
Double Oak, TX 75077

DATE
09/08/2020

TOTAL
\$1,000.00

ACTIVITY

QTY

AMOUNT

Tree Service

Full trimming around

-Town Hall

-Fire Station

-Parking area for fire station

-Property line between school and town

1

1,000.00

Please review the attached estimate that Mark completed. Feel free to contact him at 214-492-9036 if you have any questions or would like to approve.

TOTAL

\$1,000.00

THANK YOU.

Accepted By

Accepted Date



**TOWN COUNCIL
OCTOBER 19, 2020
AGENDA ITEM #**

AGENDA ITEM: Discussion, consideration and action on a request from Jacqueline Howard, 5807 Pepperport Lane to allow an exception under the Sign Regulations, Article 3.1300 of the Code of Ordinances for a 12 ft by 6 ft sign on her property with the farm name and address.

STAFF CONTACT: Lynn

DESCRIPTION: Ms. Howard would like to put a sign on her property that is not found in the Sign Regulations. Under Section 3.1302 Classification of Signs (D) General Standards (iv) Exceptions, there may be an exception approved by the Town Council.

ATTACHMENTS: Application for sign permit
Picture and drawing of sign
Location of sign
Sign Regulations
E-mail about sign from Mr. Berman



TOWN OF DOUBLE OAK
320 Waketon Road
Double Oak, Texas 75077
P: 972-539-9464 F: 972-539-9613
permits@doubleoak.texas.gov

Building Permit Application
Sign

PERMIT #

DATE: / /

Location & Description of Work

5807 PEPPERPORT LN DOUBLE OAK TX 75022
(Location of Work)

N/A N/A N/A
(Subdivision Name) (Lot #) (Block #)

REPLACE WOODEN SIGN WITH STONE CLAD MONUMENT SIGN
(Description of Work)

JACQUELINE HOWARD 214-493-0755 jacqui.howard@hotmail.com
(Homeowner's Name) (Homeowner's Phone) (Email)

Sign Company Information

HOME OWNER - JACQUELINE HOWARD
(Company Name)

5807 PEPPERPORT LN DOUBLE OAK 75022
(Address) (City) (Zip Code)

214-493-0755
(Contact Name) (Phone) (Fax)

(Email) (License #)

Electrical Contractor Information

NO ELECTRICAL - SOLAR LIGHT
(Company Name)

(Address) (City) (Zip Code)

(Contact Name) (Phone) (Fax)

(Email) (License #)

Project Information

Number of signs: ONE Type of work: ☐ New Sign ☐ Repair Existing ☐ Other: (Explain below)

Type of Sign: ☐ Temporary ☐ Attached Permanently ☒ Freestanding Permanently ☐ Other: (Explain below)

Will the sign be illuminated? ☒ Yes ☐ No Size of sign: 12' x 6' Dimensions: 8' x 3'

Description of work: REPLACE OLD WOOD SIGN WITH STONE CLAD
MONUMENT TYPE SIGN, SIGN HAS FARM NAME AND
ADDRESS AND WILL BE ILLUMINATED WITH SOLAR
LIGHT - SEE ATTACHED DRAWING.

Application Checklist (please check the boxes to indicate items submitted with the application)

- ☐ 1) Application completed and signed.
- ☐ 2) Fee varies per sign (will be calculated prior to permit being issued)
- ☐ 3) Diagram of sign (with dimensions)
- ☐ 4) Site plan location of sign with setbacks

<https://www.doubleoak.texas.gov>



TOWN OF DOUBLE OAK
320 Waketon Road
Double Oak, Texas 75077
P: 972-539-9464 F: 972-539-9613
permits@doubleoak.texas.gov

Building Permit Application
Sign

PERMIT #

DATE: / /

The applicant/contractor agrees to execute the work in conformance with the plans attached to this application, and agrees to abide by the Building Codes and Ordinances of the Town of Double Oak. These plans (substantially) meet the minimum code requirements of the Town of Double Oak. The applicant is responsible for any and all engineering bills and legal fees if required for the project. Legal fees and engineering fees incurred by the Town in the review and processing of this permit application are pass through costs that shall be reimbursed by the applicant and is a condition of final approval. Oversights and errors in plans DO NOT relieve the contractor or builder of the responsibility of complying with codes and laws in effect at time of issuance.

APPLICANT SIGNATURE

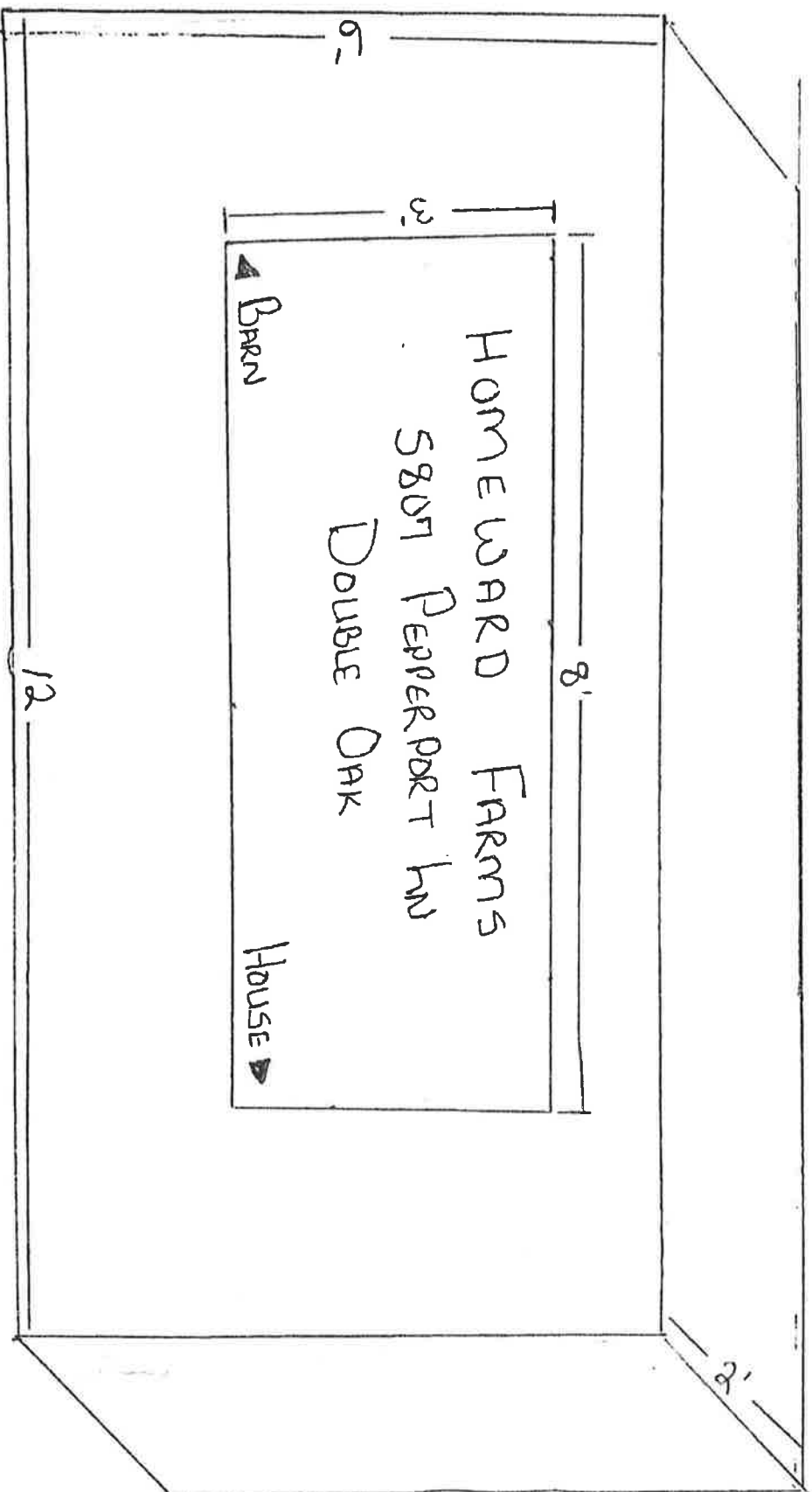
DATE

APPROVED BY BUILDING INSPECTOR

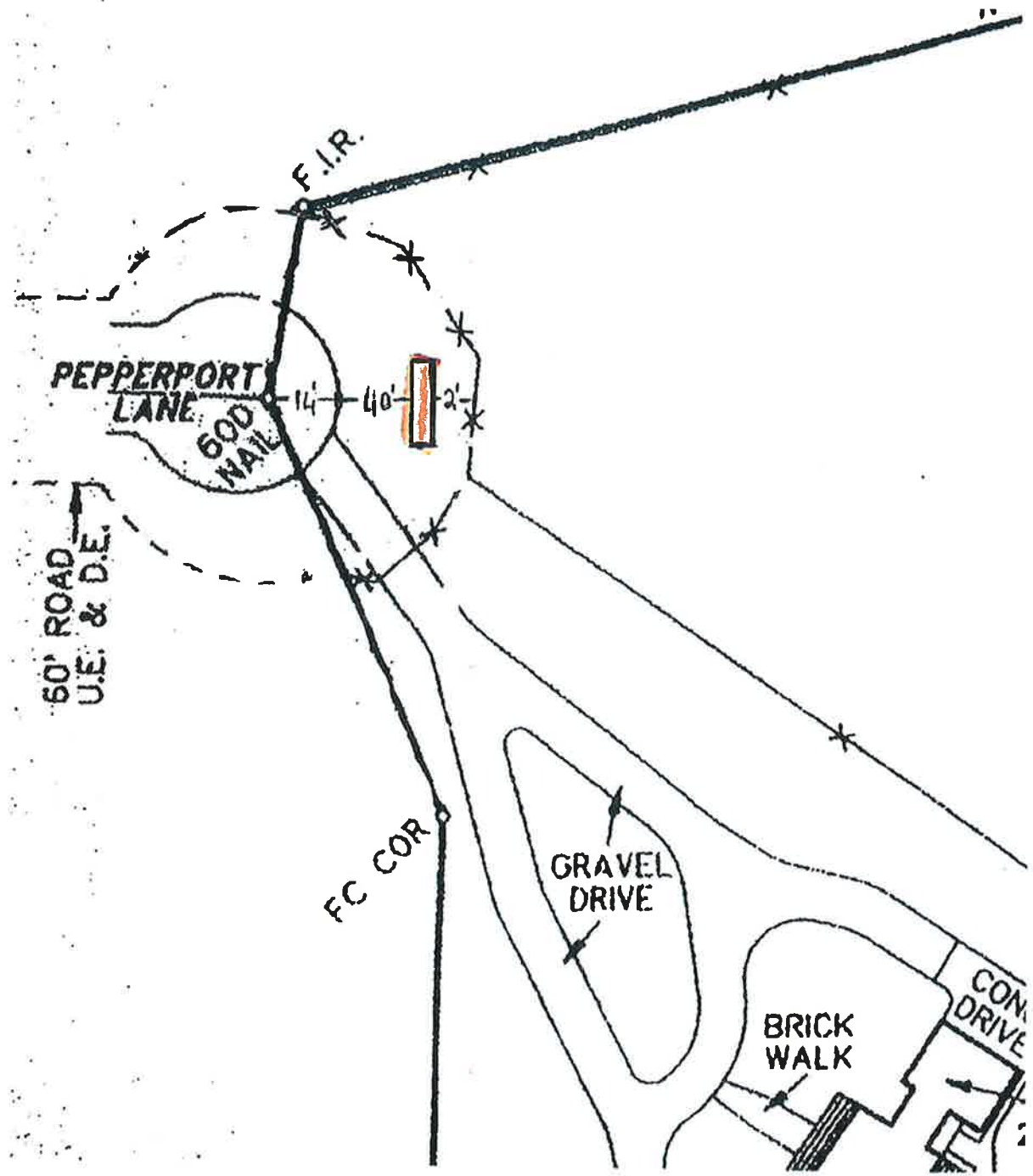
DATE APPROVED

<https://www.doubleoak.texas.gov>

TO BE CURD IN NATURAL STONE MATERIAL

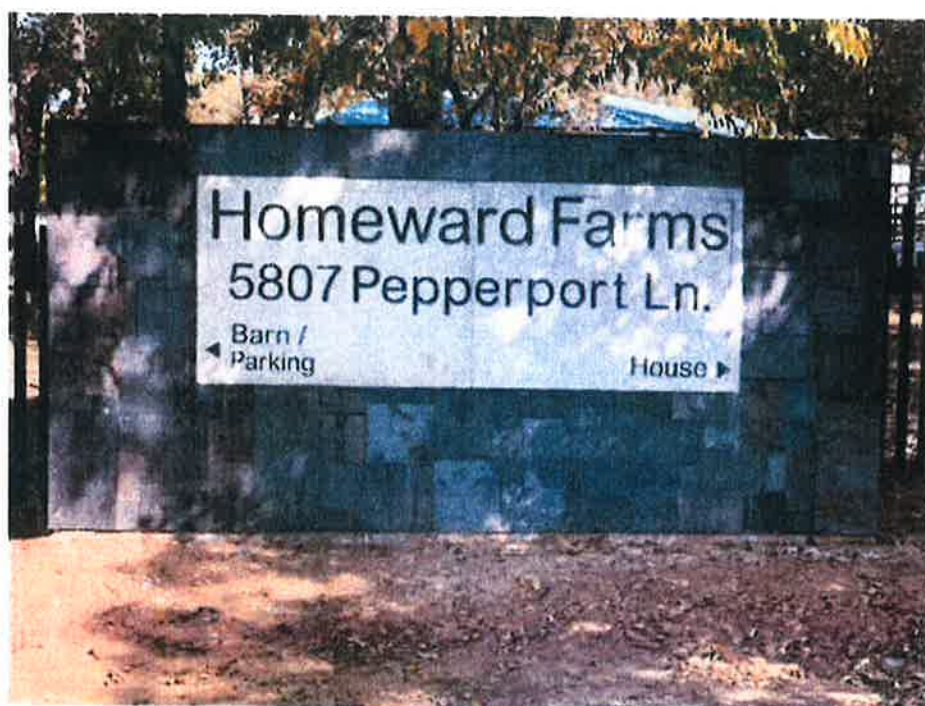


Scale 1:3/4









ARTICLE 3.1300 SIGN REGULATIONS*

Sec. 3.1301 Definition of a Sign

For the purpose of this article, a "sign" shall mean a lettered and/or a combination of lettering, pictures and symbology applied to a rigid surface/fixture, for public display and for the purpose of communicating by reading a message and/or identity of a particular property, location, person, firm, activity or event.

Sec. 3.1302 Classification of Signs

(a) All signs will be classified as temporary or permanent, and further categorized as follows:

(1) Temporary.

(A) Class I - Private use.

(B) Class II - Off-premises public and private use.

(Ordinance 42 adopted 8/20/98)

(C) Class III - New construction, subdivision development and retail. (Ordinance 07-03, sec. 1, adopted 6/18/07)

(2) Permanent.

(A) Class I - Municipal official use.

(B) Class II - Subdivision identification.

(C) Class III - Commercial.

(D) Class IV - Private advisory.

(b) Permitted purposes for each category is as follows:

(1) Temporary Class I. Intended primarily for the direct benefit and use of private citizens for noncommercial purposes. Such signs may only be posted upon the premises of the location of the property or event. Permitted uses are:

(A) The sale, lease or rental of privately owned real property.

(B) Garage, yard or estate sales.

(C) The sale of a motor vehicle, boat, lawn tractor or trailer or similar private property.

(D) The identification of a privately owned residence for family reunions, birthdays, weddings and similar private social events.

(E) A building contractor's sign while engaged in work for the property owner, for repair, renovation or remodeling, and for which a building permit is required.

(F) Political signs promoting a particular candidate or party.

(2) Temporary Class II. For off-premises display, and for specific short term noncommercial private and public events such as:

(Ordinance 42 adopted 8/20/98)

(A) Directional signs and/or "arrows" which guide motorists to the site of a for sale "open house," a garage, yard or estate sale, private social event, and similar activity, and which supports the activities authorized under temporary Class I signs. Temporary Class II signage includes signs posted by private organizations such as clubs, teams, and municipal departments whose membership is made up of town residents. The purpose of such signs is to direct and/or invite the citizenry-at-large to participate in or attend a specific shortterm public event. Examples include: DOVFD aluminum pickup, DOWC benefit breakfast or similar events, and the mayor's "Pot Hole Day." (Ordinance 07-03, sec. 2, adopted 6/18/07)

(3) Temporary Class III.

(A) Applicable to subdivision developers, new construction, building contractors, representative real

estate agents, lending institutions and other persons, firms or activity associated directly or indirectly with a new development or construction, and where a sign is displayed upon such sites identifying such persons or firms, and where the purpose of such signage is to sell the property.

(B) For the owners and/or their agents of undeveloped land with an area of one or more acres, when a sign is displayed upon the property which announces that the property is for sale, lease or rent.

(Ordinance 42 adopted 8/20/98)

(C) Banner Signs. A permit for a temporary banner sign for commercial advertisements is required and will be valid for a maximum of 14 days. Temporary banner sign permits may be issued a maximum of 12 times per year with at least a 14-day gap between permits for the same business or location. Allowed temporary banner sign materials are either cloth or canvas, may have a maximum square footage of 40 feet, and shall be professionally constructed and designed. Signs must be firmly attached to the building in such a way so as to prevent the sign from moving freely in the wind or detaching under adverse weather conditions. Banners shall not be attached to trees or utility poles. A permit application containing the language as stated on the banner, general design, location and date to be erected and removed shall be required. A permit fee is required. (Ordinance 07-03, sec. 3, adopted 6/18/07)

(4) Permanent - Municipal Class I. For official municipal use to aid in identification and to promote public safety. Such uses are:

(A) Town boundary/location identification.

(B) Town building/facility identity and location.

(C) Street identification.

(D) Motor vehicle traffic control.

(E) And such other signage as the town council may direct to promote the public safety, welfare and convenience.

(5) Permanent - Subdivision Class II. For the identification of fully developed and/or established developing residential subdivisions within the corporate limits of the town.

(Ordinance 42 adopted 8/20/98)

(6) Permanent - Commercial Class III. Outdoor signs of all types are to be regulated to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the town and preserve the scenic and natural beauty of the town. It is further intended to reduce visual clutter, distractions, and obstructions that may contribute to traffic accidents, to reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, and to provide more open space.

Government signs (signs erected and/or maintained by the state or federal government or an instrumentality or political subdivision thereof) are exempt. For the purposes of this article, "sign" does not include signs erected and maintained pursuant to and in discharge of any governmental function or required by law, ordinance, or governmental regulation. All other signs and outdoor advertising are hereby regulated.

No commercial Class III sign shall be erected, placed, or located except in accordance with the following standards:

(A) Zoning Districts. Commercial signs are allowed only in the following zoning districts:

(i) Business (B).

(ii) Office (O).

(iii) Retail (R).

(iv) Planned Development (PD).

(v) Specific Use Permit (SUP) (nonresidential areas only).

(B) Sign Permits. No sign shall be constructed, erected, remodeled, relocated, or expanded until a sign permit for such sign has been issued by the town. No sign permit shall be issued unless the sign complies with the provisions of this article. Fees for commercial signs are contained in the town's fee schedule and may be updated from time to time as deemed necessary or appropriate by the town.

(C) Structural Types of Signs.

(i) Awning, Canopy and Marquee Signs. A sign that is mounted, printed, or painted on, or attached to, an awning, canopy or marquee that is otherwise permitted by this article. No such sign shall project above, below, or beyond the physical dimensions of the awning, canopy or marquee.

(ii) Monument or Ground Signs. A sign permanently erected on or supported by the ground independent of the principal building or structure on the property. The height of the sign, including the base, shall be measured from ground level (average grade). A monument sign shall be solid from the ground up; pole(s) or support(s) shall be concealed. A monument sign within a business development or retail area must be of a uniform appearance in nature and be complementary to the exterior composition of the buildings or structures within the property, area or development. All monument signs must conform to the following regulations:

1. Construction. Monument signs shall be constructed of 100% masonry material or a combination of masonry and translucent materials. Monument signs shall not have moveable lettering.

2. Illumination. One hundred percent masonry signs may be illuminated by external, shielded fluorescent lights located at ground level. Signs constructed of masonry perimeters and translucent central sections may be internally illuminated. Monument signs may be illuminated up to 24 hours per day. No other lighting other than that provided by this section will be allowed for monument signs.

3. Maximum Size (Including Foundation and Edging). One monument sign per building (excluding accessory buildings) will be allowed with a maximum height of 5 feet and maximum length of 8 feet with a maximum interior sign size of 3 feet high by 6 feet wide.

4. Setback. Monument signs shall be at least 10 feet from the property line.

(iii) Pole Signs. A sign mounted on a freestanding pole or tree. Pole signs are not allowed.

(iv) Roof Signs. A sign fastened to or resting on the roof of a structure. Roof signs are not allowed.

(v) Sandwich Board Signs. A fold-out freestanding, portable sign, which is hinged at the top and placed on the ground or pavement so as to be self supporting, located at the exterior of a building. Sandwich board signs are not allowed.

(vi) Building Wall-Mounted Signs. A sign fastened to or painted on a wall of a building or structure such that the wall becomes merely the supporting structure or forms the background surface. Building wall-mounted signs shall not project more than 12 inches from the wall of such building. One wall-mounted building sign per business may be permitted. For a condominium-style office building, if constructed with an entrance or entrances into a common lobby for all businesses, one building-mounted sign may be permitted. If the condominium-style office building is constructed with individual external entrances with each business having a separate entrance and exit to the exterior of the building, then one individual building wall-mounted sign per business may be permitted, limited to a maximum size of 5 square feet. All building wall-mounted signs shall conform to the following regulations:

(Ordinance 07-03, sec. 4, adopted 6/18/07)

1. Illumination. Building signs may be internally or externally lit. No flashing, intermittent, or moving lights will be permitted. (Ordinance 19-08 adopted 10/7/19)

2. Maximum size. All signs shall be limited to two-thirds (2/3's) of the width of the building (or leased space) frontage or face. A building wall-mounted sign can be no more than 3 feet in height at any point. Building wall-mounted signs shall be limited to a maximum of 40 square feet of building signage as measured by the area of the smallest rectangle that encloses the sign. (Canopies, awnings, or marquees will be included in the maximum 40 square feet allowed.) The building wall-mounted sign may not protrude above the roofline or parapet at any point along the building exterior or project more than 12 inches from the building.

(vii) Portable Commercial Billboards or On-Site Business Signs. Any sign which is supported by the ground but not attached to the ground or a permanent structure, which is used primarily to advertise to the general public for commercial purposes, is not allowed.

(viii) Window Signs. All window signage shall be limited to no more than 10% of the aggregate size of the window excluding informational (e.g., hours of operation) and/or enforcement (e.g., no weapons allowed) signs. Window signs may be lit during posted business hours or 10:00 p.m., whichever is later.

(D) General Standards.

(i) Obsolete and Abandoned Signs, and Signs in Disrepair. All signs, including all awnings, canopies, and marquees, that are considered to be obsolete or to be abandoned, including but not limited to signs identifying or advertising businesses, services, or products no longer available at the location where the sign is erected, shall be removed within 30 days of notice by the town, at the owner's or occupant's expense or at the expense of the individual or company to whom the last sign permit was issued. Signs that are in disrepair or that have not been maintained so as to be unsafe or in disrepair shall be immediately repaired or removed. If such sign is not repaired or removed after notice thereof has been issued by the town, the town may, at the owner's or occupant's expense, cause the removal of the sign.

(ii) Miscellaneous Construction. No permanent sign or part thereof shall contain or consist of banners, strings of lights, pennants, ribbons, streamers, spinners or other similar moving objects. Inflated or floating objects or temporary portable signs of a commercial or advertising nature are likewise prohibited. Commercial signs of a temporary nature shall be allowed only as permitted by Temporary Class III sign regulations.

(iii) Illuminated Signs. Any illuminated sign or lighting device shall be of constant intensity and no sign shall be illuminated by or contain flashing, intermittent, rotating, moving, or scrolling lights. In no event shall an illuminated sign or lighting device be directed on or illuminate a public street, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance as determined by the building official. All sign lighting shall be screened from residential structures and premises.

(iv) Exceptions. Exceptions from the requirements of this article may be approved by the town council after a specific finding that the exception is reasonable and necessary under special circumstances for which the exception is requested and that such exception will not violate the intent of this article. The town council may stipulate conditions it deems necessary to protect the public health, safety and welfare.

Minor deviations from the original permitted sign may be approved by the design review committee.

(v) Holiday Lights and Decoration. Temporary lights and holiday decorations shall be exempt from the provisions of this article provided that they are installed no sooner than mid-November and removed no later than January 5th of the next calendar year.

(Ordinance 07-03, sec. 4, adopted 6/18/07)

(7) Permanent Private Class IV. For private residential use and or public advisory/warning purposes only, such as signs indicating "Beware of Dog," "No Trespassing," "Protected by ABC Security," etc. No time limit nor permit required.

Sec. 3.1303 Sign Sizes; Time Limitations

(a) Temporary - Class I Private.

(1) No permit or fee required.

(2) Maximum sign size is six (6) square feet in area and 60" in height.

(3) One sign for each authorized purpose is permitted for a maximum of two signs at any one time.

(4) Sign display time limits are as follows:

<u>Purpose</u>	<u>Maximum Time</u>
Sale of real property	Until property is sold
Garage sale	2 days
Private social	2 days

Private property sale days Until property is sold or 30 [days]

Political Until day after election day

Private contractor Until work is completed or maximum of 30
(Renovation & repair) days thereafter

(5) No temporary Class I private signage may be tacked to municipal sign posts or upon utility poles.

(6) Under penalty of fine, all off-premises directional signage under this category must be removed within 24 hours after the event.

(b) Temporary Class II - Off-Premises Public and Private Events.

(1) No permit or fee required.

(2) Maximum sign size is six (6) square feet in area and 60" in height.

(3) Maximum of six directional (arrow) signs permitted for private events, not to exceed two days of display.

(4) Public event signs may be posted at all public roadway entrances/exits to the town for a maximum of seven (7) days prior to the event.

(5) All signs in this category must be removed within 24 hours after the specific event.

(c) Temporary Class III - Subdivision Development and New Construction.

(1) Permits and fees are required (see Section 3.1304).

(2) The time limit for this category of sign is one (1) year, renewable upon payment of an additional annual fee.

(3) Only one sign per new residential building site is permitted, and shall not exceed six (6) square feet in area nor be greater than 60" in height.

(4) Subdivision development signs are permitted which do not exceed thirty-two (32) square feet in area and ten (10) ft. in height. A maximum of one sign per public roadway entrance to the subdivision is permitted.

(5) Signs for the sale of undeveloped land located near private residences are restricted in size to six (6) square feet of area, and not higher than 60".

(d) Permanent Class I - Municipal. Exempt from permits and fliers. Sign sizes and time limitations are in compliance with state and county laws.

(e) Permanent Class II - Established Subdivision.

(1) One-time permit and fee. See Section 3.1304.

(2) Indefinite time limit.

(3) Maximum twenty (20) square feet of sign area (each sign) not to exceed 72" in height.

(4) One sign permitted per each direct physical entrance/exit to subdivision.

(Ordinance 42 adopted 8/20/98)

(f) Permanent Class III - Commercial. Same as permanent Class II. (Ordinance 07-03, sec. 5, adopted 6/18/07)

(g) Permanent Class IV - Private Advisory.

(1) Maximum 4 square feet of each sign area.

(2) No permit.

(3) No time limit.

Sec. 3.1304 Permits and Fees

- (a) A sign permit is required for the following classifications of sign:
 - (1) Temporary Class III - New subdivision and/or construction.
 - (2) Permanent Class II - Established subdivision.
 - (3) Permanent Class III - Commercial.
 - (b) Requests for sign permits will be submitted to the town secretary in the form of a drawing of the proposed sign showing its dimensions, wording, color scheme, design and its exact proposed location on the new construction site or subdivision development. (Except for Class III - Commercial)
 - (c) Upon approval and payment of a sign fee at the rate as set forth in the fee schedule in the appendix of this code, a permit will be issued for each sign.
 - (d) Sign permits for temporary Class III signs are valid for 1 year from the date of issue. Renewal for an additional year is permitted upon payment of the annual fee. Further renewals of temporary Class III signs will require town council approval.
 - (e) Permits for permanent Class II (Subdivision) and Class III (Commercial) signs are issued for an indefinite period. Payment of a one-time fee as set forth in the fee schedule in the appendix of this code for each sign is required.
- (Ordinance 42 adopted 8/20/98)
- (f) Owners of Class II and Class III signs must certify in writing, at the time of permit issuance, that such signs will be maintained in a clean, neat, [and] attractive manner. (Ordinance 07-03, sec. 6, adopted 6/18/07)
 - (g) Permits issued and fees paid for signs posted prior to the effective date of this article are exempt from the provisions of this section. (Ordinance 42 adopted 8/20/98)

Sec. 3.1305 Specific Requirements and Prohibitions

- (a) All signs erected and maintained within the town limits and extraterritorial jurisdiction of the town may only relate to a current activity or persons who occupy or own the property at the sign location. Unless specifically allowed in this article, off-premises signs are prohibited. (Ordinance 07-03, sec. 7, adopted 6/18/07)
- (b) When temporary Class II (off-premises) signs are posted in accordance with the provisions of this article and such signs are erected upon private property, the permission of the property owner must be obtained. (Ordinance 42 adopted 8/20/98)
- (c) All signs within the town limits or extraterritorial jurisdiction of the town will be freestanding upon their own structure. Exceptions are certain permanent commercial Class III signs. (Ordinance 07-03, sec. 7, adopted 6/18/07)
- (d) No sign shall be erected that will interfere with the visibility of a motorist, nor may it obstruct the view of any traffic sign.
- (e) All signs must be posted at least eight (8) feet from the edge of a public roadway.
(Ordinance 42 adopted 8/20/98)
- (f) No animated, illuminated, or flexible banner-type signs will be permitted within the town limits or extraterritorial jurisdiction of the town, unless specifically allowed in this article.
- (g) No commercial signage of any type may be erected or maintained in a residential zoned district or area predominantly used for single-family residential purposes.
(Ordinance 07-03, sec. 7, adopted 6/18/07)
- (h) The owner of any sign displayed in accordance with the provisions of this article, shall maintain such sign in a clean, legible, [and] attractive condition.
- (i) No person shall place, erect or maintain a sign without first having obtained a permit as required by this article. No person shall place, erect or maintain a sign that does not comply with any of the terms or provisions of this article. In the event that any person fails to remove such sign or take appropriate corrective measures to comply with this article within ten (10) days after receipt of notice of such

violation, the offending sign may be removed by the town.

(Ordinance 42 adopted 8/20/98)

(j) The provisions of this article shall be applicable within the limits of the town and within the town's extraterritorial jurisdiction. To the extent that any specific regulation relates, applies to, or references a zoning category, a sign erected or maintained within the town's extraterritorial jurisdiction shall be subject to the same regulations applicable to the most similar zoning category use to which the property on which the sign is erected is put. (Ordinance 07-03, sec. 8, adopted 6/18/07)

Sec. 3.1306 Penalty

Any person in violation of any provision of this article relating to the placement or maintenance of signs shall be guilty of a misdemeanor and subject to a penalty of fine in accordance with the general penalty provision set forth in Section 1.109 of this code, and each day or part thereof that such violation continues shall be a separate offense. (Ordinance 42 adopted 8/20/98)

Lynn Jones

From: David Berman <Dberman@njdhs.com>
Sent: Monday, October 5, 2020 2:16 PM
To: Lynn Jones; Eileen Kennedy; Mike Donnelly; Von Beougher
Subject: RE: Another sign question

Technically, it is not allowed. From our code, sec. 3.1305:

(g) No commercial signage of any type may be erected or maintained in a residential zoned district or area predominantly used for single-family residential purposes.

Agricultural use is an allowed use and although our zoning regulations designate AG-zoning as predominantly residential, the regulations clearly allow limited ranching operations, but do not specifically allow commercial signage. Plus, AG-1 is supposed to be a temporary zoning designation. Because it is not allowed, they would need council approval by way of an exception. It's not a board of adjustment question because our sign regulations are not contained in our zoning code.

David M. Berman
Nichols | Jackson, LLP
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Email: dberman@njdhs.com

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From: Lynn Jones <lynn.jones@doubleoak.texas.gov>
Sent: Thursday, October 01, 2020 3:15 PM
To: David Berman <Dberman@njdhs.com>; Eileen Kennedy <eileen.kennedy@doubleoak.texas.gov>; Mike Donnelly <mike.donnelly@doubleoak.texas.gov>; Von Beougher <von.beougher@doubleoak.texas.gov>
Subject: Another sign question

Mr. Berman, a resident applied for a sign permit for her property zoned AG1, she lives on the property and has a large barn. Attached are details of the sign that she has already put up but is now requesting a permit for.

I do not see a category or anything in the sign ordinance that allows the sign. Would she go to the Town Council under Exceptions?

I thank you,

Lynn Jones
Assistant Town Secretary
Court Administrator CCC II
320 Waketon Road Double Oak, TX 75077
Phone: 972-539-9464
Fax: 972-539-9613