

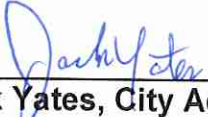
**MONTGOMERY PLANNING AND ZONING COMMISSION AGENDA
PUBLIC HEARING AND REGULAR MEETING OF
MONDAY, JANUARY 22, 2018, 6:00 P.M.
CITY HALL COUNCIL CHAMBERS 101 OLD PLANTERSVILLE ROAD,
MONTGOMERY, TEXAS.**

CALL TO ORDER

VISITOR/CITIZENS FORUM

Any citizen with business not scheduled on the agenda may speak to the Commission. Prior to speaking, each speaker must be recognized by the Chairman. Commission may not discuss or take any action on any item, but may place the issue on a future agenda. The number of speakers along with the time allowed per speaker may be limited.

1. Consideration/take action regarding November 27, 2017 minutes
2. Public Hearing for Corridor Enhancement Ordinance amendment
3. Consideration/take action regarding Corridor Enhancement Ordinance Final Report
4. Consideration/take action regarding request for outbuildings approval in historic district at 603 College Street -- Larry and Mary Wagner
5. Consideration and possible action regarding approval of The Shoppes at Montgomery Section 1 Final Plat.
6. Consideration and possible action following the presentation of the final Joint Mobility Study, as prepared by Jones|Carter on behalf of the City of Montgomery and Montgomery County Precinct Nos. 1 & 2.
7. Report regarding flashing and electronic signs
8. Adjournment



Jack Yates, City Administrator



Posted January 19, 2018 at 4:45 p.m. This facility is wheelchair accessible and accessible parking spaces are available. Please contact the City Secretary's office at 936-597-6434 for further information or for special accommodations.

MINUTES OF REGULAR MEETING

November 27, 2017

MONTGOMERY PLANNING AND ZONING COMMISSION

CALL TO ORDER

Chairman Nelson Cox declared a quorum was present, and called the meeting to order at 6:02 p.m.

Present: Nelson Cox, William Simpson, Arnette Easley, Jeffrey Waddell and Carol Langley

Absent:

Also Present: Jack Yates, City Administrator
Susan Hensley, City Secretary
Chris Roznovsky, City Engineer

Chairman Cox advised that he expected Arnette Easley to arrive at any time.

VISITOR/CITIZENS FORUM

Any citizen with business not scheduled on the agenda may speak to the Commission. Prior to speaking, each speaker must be recognized by the Chairman. Commission may not discuss or take any action on any item, but may place the issue on a future agenda. The number of speakers, along with the time allowed per speaker may be limited.

There were no citizen's comments made.

1. Consideration/take action regarding October 23, 2017 minutes
Jeffrey Waddell moved to pass the minutes as written for the October 23, 2017 meeting.
Arnette Easley seconded the motion, the motion carried unanimously. (5-0)
2. Consideration and possible action regarding Planning and Zoning Commission Meeting Schedule for December 2017.

Mr. Yates asked the Commission whether they wanted to have a meeting during December 2017, partially because of the holidays the Commission has not met in December, however, if there was some action that required the Commission to meet they could call a Special Meeting. Mr. Yates advised that the fourth Monday in December is Christmas Day.

Carol Langley moved to cancel the December Planning and Zoning Meeting unless there is a need for a meeting. Jeffrey Waddell seconded the motion, the motion carried unanimously. (5-0)

3 Consideration/take action regarding a sign permit at 312 John A. Butler – Amanda Hall.

Mr. Yates advised that Ms. Hall is present at the meeting and this request is to place an illuminated electronic sign above the door in the window of the hair design shop at 312 John A. Butler. Mr. Yates said that there are three signs, which Ms. Hall has provided drawings for in the meeting pack.

Mr. Yates said that the first sign is encased in aluminum around an electronic display, and said that in his mind, questionable about whether or not it fits the Historic motif of the downtown area. Mr. Yates said that the second sign is in the window and appears to be a sign showing various graphic designs covering the entire window. Mr. Yates said that the third sign is a door sign that appears to be a depiction of a 50's hair stylist shop. Mr. Yates said that as he stated in his comments to the Commission, the aluminum sign to him was kind of borderline as far as to whether it follows the Historic character of the downtown. Mr. Yates said that the window sign appears to be better in keeping with graphic display motif of the area, it is made of vinyl material and is not illuminated. Mr. Yates said that, to him, the door sign was questionable, but since it is not illuminated is acceptable. Mr. Yates said that he also noted the high cost of the sign.

Carol Langley asked Ms. Hall about the sign that was going to be on the outside wall, and asked if that was the one with the car graphic. Ms. Hall said that was correct. Carol Langley asked if the size of the sign was close to the signs that had previously been there. Ms. Hall said that was correct. Carol Langley asked if the sign was the same type of sign

that fits on the wall. Ms. Hall said that where the box is located, the car will outline the box, but it would be about the same size. Carol Langley asked if the sign would be located in the same spot that it has been in the past for the last two tenants. Ms. Hall said that was correct. Jeffrey Waddell asked if that was the sign that is 10 feet x 4 feet. Carol Langley asked if the sign was really that large.

Ms. Hall said that she had spoken to the designer and said that they were probably not going to be able to do the illumination of the sign, which she is okay with. William Simpson said that another tenant has soffit fluorescent lights for the laundromat and he could probably put those up there for this sign, and said that they are really bright. William Simpson asked Mr. Yates if the windows and the doors would be considered window dressing or signs, and asked if they were the type of signs that they could see through. Ms. Hall said that they could see out of the signs but you can't see in.

Jeffrey Waddell said that he did not know if there was any security issue if you can't see inside the business. William Simpson said that he did not know if that would be an issue. Carol Langley asked what the reasoning was for covering the window in the door. Ms. Hall said that it was just different and will help keep the shop cool. Arnette Easley said that it would be like pulling a shade down. Carol Langley asked if the name of the business was anywhere on the door or the window. Ms. Hall said that they are working with the design, and said that they could put the hours of the business with the name of the business on the door.

Ms. Hall said that the sign that they are discussing, which is the black and white checkered floor door sign was actually showing what the inside of the shop is going to look like. Ms. Hall said that they were thinking of putting a silhouette picture of Elvis on the door, from top to bottom. Ms. Hall said that she was thinking that the window sign would be record covers. Carol Langley said that she knew the two previous owners, one was there when the Historic District came in, and the other one came in after and put up a sign, which was lit but did not do anything, and that was approved.

Jeffrey Waddell asked if the sign would have neon lighting or some type of backlighting. Ms. Hall said that it was just going to be lit up, she did not want anything too drastic. Jeffrey Waddell said that it was the flashing type signs that they try to keep away from the Historic District. Carol Langley said that she knew the sign ordinance states that if this is on her window on the inside, then it is not classified as a sign, and she did not know if the ordinance still had that wording or not, but in the past that was how people got away with having numerous advertisement for their businesses. Carol Langley said that, to her, this was like a film sign on the window.

William Simpson asked Ms. Hall to confirm that the picture of the door was not representing a sign it was showing how the shop would look. Ms. Hall said that was correct, that was what the inside would look like.

Carol Langley asked to confirm that Ms. Hall did not really know the dimension of the sign that is on the wall outside. Ms. Hall said that the designer said that it was on the drawing and would cover the box that is already there. William Simpson said that would be 10 foot, which is on the drawing of the sign. William Simpson asked if Ms. Hall was proposing an illuminated sign or just a sign. Carol Langley said that it is being proposed to be lit on this drawing.

Carol Langley asked Ms. Hall if she was positive that the sign on the outside of the building is this box with the car and the Suzy Q and you want it lit at night, and asked if that was her proposal for that sign. Ms. Hall said that was correct, she wanted the 50's car, she did not necessarily want the car to be green as shown in the drawing, she did not like the green, but it will probably be black or white. Carol Langley said that the car is red or maroon, burgundy type color, not cherry red or a florescent color. Ms. Hall said that was correct it is red. Mr. Yates asked for the size of the sign that is on the building at this time. William Simpson said that there was a 10 foot by 4 foot sign that has been there. Carol Langley asked to confirm that the name of the business is Suzy Q. Ms. Hall said that it would be named Suzy Q Cut and Shaves. Carol Langley asked if that name would be on the car or at the bottom, but not in the color that they are seeing right now. Ms. Hall said that was

correct. Mr. Yates asked if the sign could be changed from one graphic design to another after it is designed. Jeffrey Waddell asked if Mr. Yates was talking about being able to change the design electronically. Mr. Yates said that was correct. Ms. Hall said that would not be able to be done. Carol Langley stated that when she drives past the business, she will see the red car with the name of the business, and then when she goes around the block and she comes back around she will see the same thing, the sign will not change. Ms. Hall said that was correct; the sign does not change.

Carol Langley said that she was not comfortable with the window package that she has this evening, being that Ms. Hall is saying that she is going to change the design to record covers, and asked if they have a picture of that sign. Ms. Hall said that she did not have a picture of that. Carol Langley said that they do not have a picture of the Elvis on the door, and she said that she did not know if the Commission had to approve that if it was on the inside of the door. William Simpson said that with the illumination they have to work within the fine constraints of the historical area with signage, and they have never had anything like this presented to the Commission before so it is taking a little time to decide. William Simpson said that in the past the signage has just been the business names and that is it, with a little design. Jeffrey Waddell said that they just want to make sure that they know what they are looking at. Jeffrey Waddell said that what they are seeing is an example for the window, and the colors would be in keeping with the area, not wild colors. Chairman Cox asked if when they are saying records they are meaning album covers. Ms. Hall said they would be pictures of round records not the covers. William Simpson said that the main thing that they are concerned with is the large sign with the car. Ms. Hall said that she was naming the shop after her mother, and that car was named Suzy Q in the 1950's, which is why she picked the car.

Arnette Easley said that if the car sign would be black and white, and have it the same size as the current sign, that might work. Jeffrey Waddell said that as long as it all works together, and is not bright and too busy. Jeffrey Waddell said that as long as the car is not a bright cherry red, but was a maroon color in keeping with the look. Jeffrey Waddell said

that there is a lot of color, in his opinion. William Simpson said that the window will be toned down if it is records, because records are black.

Carol Langley said that she was okay with the sign on the wall outside, but she would like to see what the window and door was going to look. Carol Langley asked Ms. Hall if she was positive that she was going with the sign as shown. Ms. Hall said that she did not like the colors, but said that they could fix the colors. Carol Langley asked if Ms. Hall was going to keep the car color red, unless the Commission makes a motion that she can't use red. Jeffrey Waddell asked if when they are saying red, to him, it is not a fire engine red it is more of a maroon color. Chairman Cox said that it would have an Aggie feel to it. Ms. Hall said that she would prefer the car to be just red, because she does not like the maroon. Jeffrey Waddell said that their concern was because the sign is so big.

Carol Langley asked if Mr. Yates had any other questions. Mr. Yates said that he thought that they should either approve or deny or whatever they have in front of them. Mr. Yates said they have discussed what the black would look like, and what the records on the door would look like, but the window will change, and if they go with the black and white on the sign, he thought it would be grey and white. Mr. Yates then asked what color the Suzy Q wording would be, if the sign were black and white.

Carol Langley asked if Mr. Yates did not feel that the red was appropriate for the Historic District. Mr. Yates said that, in his opinion, he felt that the encasement of aluminum and the electronic sign in general was not right for the downtown Historic District. Carol Langley said that they have nothing in the Historic District or in the sign ordinance that says this isn't something that can go in the Historic District. Mr. Yates said that was where the Planning and Zoning Commission comes in, you are right there are no set rules, but that is on purpose to give the Commission the latitude and for the people who are designing the signs to come up with a design.

Carol Langley asked Mr. Yates if he was not comfortable with the size of the sign. Mr. Yates said that he thought the size of the sign was alright, but if you look at the other

businesses along that area, nobody else has an electronic sign. Mr. Yates asked Ms. Hall if the sign would be illuminated from behind with a plastic cover, or would it have a series of lights. Ms. Hall said that she just wanted the sign where people could see the sign from SH 105. Mr. Yates asked if there were neon lights behind it or is it a lighted sign. Ms. Hall said that she just wants the sign lit up so that people can see it. Jeffrey Waddell said that the Commission would need to know the brightness of the lighting of the sign.

William Simpson asked if they were going to take the existing 4 foot by 10 foot sign down and put this new sign up. Ms. Hall said that was correct, the previous owner is going to take that sign because it is hers. William Simpson said that the new sign is actually going to be smaller than the previous sign, maybe 5 foot by 8 foot. Carol Langley said that the permit states 10 feet by 4 feet, and on his proposal it states 10 feet by 4 feet.

Jeffrey Waddell asked if anyone knew if this was going to be LED Single Stroke lighting and said that he was not sure what that means regarding the brightness. Ms. Hall said that the contractor is aware that the sign can't be flashing. Jeffrey Waddell said that the brightness is a question and the other signs are lit by soffit lighting. Mr. Yates asked if there were any other light boxes downtown. Chairman Cox said that the only sign that he could think of was the City's sign. Arnette Easley said that he did not think that the lighting would be any more than they have at Jim's, he felt that it was the size and color of the sign. William Simpson asked if a black car would be possible. Carol Langley asked if Ms. Hall was open for business. Ms. Hall said yes she was open for business.

Jeffrey Waddell said that whatever is going in the window, the records, color wise, should all work together and he hated to try to tell Ms. Hall that it had to be a certain color. Arnette Easley said that the records and Elvis silhouette was pretty much taken care of, the issue is the sign. Carol Langley said that she personally did not have a problem with the red car, but Mr. Yates said that he did not think that the red car fits in the Historic District, so she did not want to touch that. Mr. Yates said that he feels better about the car color now that he realizes it is not an electronic sign with a bunch of different bulbs, which is much better. Jeffrey Waddell said that he felt that the main thing is the color of the car, and it is not a

cherry bomb red, being too bright, because what he is seeing in the picture is a kind of standard maroon cherry red. Arnette Easley asked if the color of the vehicle in the photo is what Ms. Hall was thinking about. Ms. Hall said no, she wanted fire engine red. Arnette Easley said that color of fire engine red would be the issue in the Historic District, it would need to be toned down to a crimson red or burgundy, which would be more conducive, and they could vote on it. Ms. Hall said that she did not have a problem with that.

Jeffrey Waddell moved to approve a 10 foot by 4 foot wall sign, as discussed, with the stipulation that the car color be a subdued red, for example burgundy. Arnette Easley seconded the motion, the motion carried unanimously. (5-0)

The City Secretary asked to confirm that this was approval of only the wall sign. The Commission concurred that it was on the wall sign. Carol Langley said that Ms. Hall should check with the Police Department to make sure that there is not a reason why that film would not work on the window, and maybe once they see the material it might be fine. Carol Langley said that if she had to call 9-1-1 and if they are not able to see inside the shop, she does not know, but it might be a question that should be checked out prior to purchase of the window material.

4 Consideration and possible action regarding approving a building permit for 401 College Street to add exterior wall and brick archway – Kemifer Corporation.

Mr. Kevin Barnes was present for the discussion. Mr. Yates said that in his mind, if the brick matches the building and it appears to follow the motif of the courtyard and of the Historic District, the color of the brick needs to be added to the building permit so that it is a requirement of the building permit approval. Mr. Yates said that he spoke with Mr. Barnes after he wrote this report, and Mr. Barnes said that the brick for the arch way would match the building. Mr. Barnes said that they would be Chicago style solid bricks, which is what the courtyard is paved with and will be the same. Carol Langley asked if this would be on the backside of the building. Mr. Barnes said that it would be between his building and the electrical outlet for Just for Grins and it will have an archway between. Mr. Barnes

said that he was thinking of putting a wrought iron gate there, but he could not find one that he wanted, so he is going to leave it open so there is no fire hazard or anything.

Jeffrey Waddell asked what the footing was made of right now. Mr. Barnes said that it is currently grass, and said that he would dig down and put a footing there large enough to hold the brick and extend the patio all the way over to where his parking area is located so the sidewalk meet, with some flower beds and tropical plants.

William Simpson moved to approve the building permit and construction of the archway at College Street. Jeffrey Waddell seconded the motion, the motion carried unanimously.
(5-0)

5. Consideration and possible action regarding calling a public hearing for Corridor Enhancement Ordinance Amendment.

Mr. Yates advised that there will be approximately 600 notices that will need to be sent out to the property owners within 200 feet, and the Commission had set the Public Hearing for December. Mr. Yates said that the cost of the mail out is about \$3,600, because each one is \$6.49, so he is asking the Commission to reset the Public Hearing for January 22, 2018 so that they can send out one notice for both the Planning and Zoning Commission and City Council Public Hearings, because if they did not reschedule they would have to send out two notices. Mr. Yates said that City Council will hold their Public Hearing on January 23, 2018. Mr. Yates said that this will save about \$3,500 and City Council will not be able to have their Public Hearing until January 23, 2018, so they are not gaining much by sticking with the earlier date other than costing the City \$3,500 for notices and staff time for preparing the mail out. Chairman Cox asked if the Commission was scheduled for a meeting on January 22, 2018. Mr. Yates said that was the regular meeting date.

Mr. Yates said that the notice will have a cover letter, the legal notice for both the Commission and City Council and a map showing the area.

Chairman Cox moved to schedule a Public Hearing regarding the Corridor Enhancement Ordinance Amendment to be held on January 22, 2018 at 6:00 p.m. Arnette Easley seconded the motion, the motion carried unanimously. (5-0)

7. Adjournment

William Simpson moved to adjourn the meeting at 6:53 p.m. Jeffrey Waddell seconded the motion, the motion carried unanimously. (5-0)

Submitted by:  Date approved: _____

Susan Hensley, City Secretary

Chairman Nelson Cox

Montgomery City Council
AGENDA REPORT

Meeting Date: January 22 2018	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Information packet as mailed to citizens in affected areas and within 200 feet of new areas.
Date Prepared: January 19, 2018	

Subject

This is the public hearing regarding the core door enhancement district being extended from 300 feet to 750 feet on both sides of State Highway 105 and a new area east of FM 149 to city limits on FM 1097 exceeding 300 feet from 1097

Description

This is the opportunity for the public comment, with little or no discussion from the Commission.

As of 2:30 PM January 17, I have had nine calls -- five are already in the Corridor, two outside the Corridor wondering why they received the letter, one is in the new area that SH 105 court or district but did not seem that concerned, one had not picked up his letter yet and was upset about having to wait in the post office line to pick up a letter that he did not know what it was about (he was all right after I explained and showed him what was in the information letter).

Recommendation

Listen and consider any comments

Approved By

City Administrator

Jack Yates

Date: January 19, 2018

January 10, 2018

«FIRST_NAME» «LAST_NAME»
«STREET»
«CITY», «STATE» «ZIP»

Property ID: «PROPERTY_ID»

Dear Property Owner:

You are receiving this notice because you are a property owner with property that is located either within the 200-foot notice area outside the Corridor Enhancement District **or** inside the Corridor Enhancement Area, which is being considered for amendments as described in the attached legal notice.

The Corridor Enhancement District Map, which has been attached, shows the areas with a **RED Line detailing the 200 foot notification boundary** and the **YELLOW Line shows the boundary of the area included in the Corridor Enhancement Area.**

Attached you will also find a copy of the legal notice that was published in the Conroe Courier, which is the City's Official Newspaper and posted on the City's website at www.montgomerytexas.gov detailing the following Public Hearings regarding the Corridor Enhancement Area Amendments that will be held at City of Montgomery City Hall at 101 Old Plantersville Road, Montgomery, 77316:

- **01/22/18 - Planning and Zoning Commission Public Hearing at 6 p.m.: and**
- **01/23/18 - City Council Public Hearing at 6 p.m.**

If you have any questions or would like additional information, please contact Jack Yates at (936) 597-3962.

Sincerely,

Susan Hensley
City Secretary

*Certified Mail No. «CERTIFIED_NO»
RETURN RECEIPT REQUESTED*

**NOTICE OF PUBLIC HEARINGS
CORRIDOR ENHANCEMENT DISTRICT**

The **City of Montgomery Planning and Zoning Commission** will hold a **Public Hearing** at 6:00 p.m. on the **22nd day of January, 2018** at the City of Montgomery City Hall, 101 Old Plantersville Road, in Montgomery, Texas in the City Council Chambers for the purpose of giving all interested persons the right to appear and be heard regarding the proposed expansion of the right-of-way of the City's Corridor Enhancement District from 300 feet to 750 feet.

The **City of Montgomery City Council** will hold a **Public Hearing** at 6:00 p.m. on the **23rd day of January, 2018** at the City of Montgomery City Hall, 101 Old Plantersville Road, in Montgomery, Texas in the City Council Chambers for the purpose of giving all interested persons the right to appear and be heard regarding the proposed expansion of the right-of-way of the City's Corridor Enhancement District from 300 feet to 750 feet.

The areas involved in the Montgomery Corridor Enhancement District are SH 105 extending from the eastern boundary of the City limits to the western boundary of the City limits, FM 149 extending from the northern boundary of the City limits to the southern boundary of the City limits and the entire Lone Star Parkway extending from SH 105 on the east to SH 105 on the west.

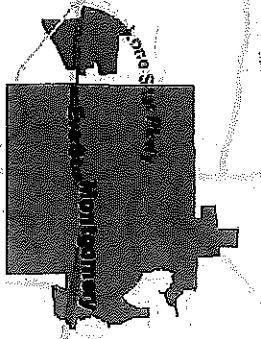
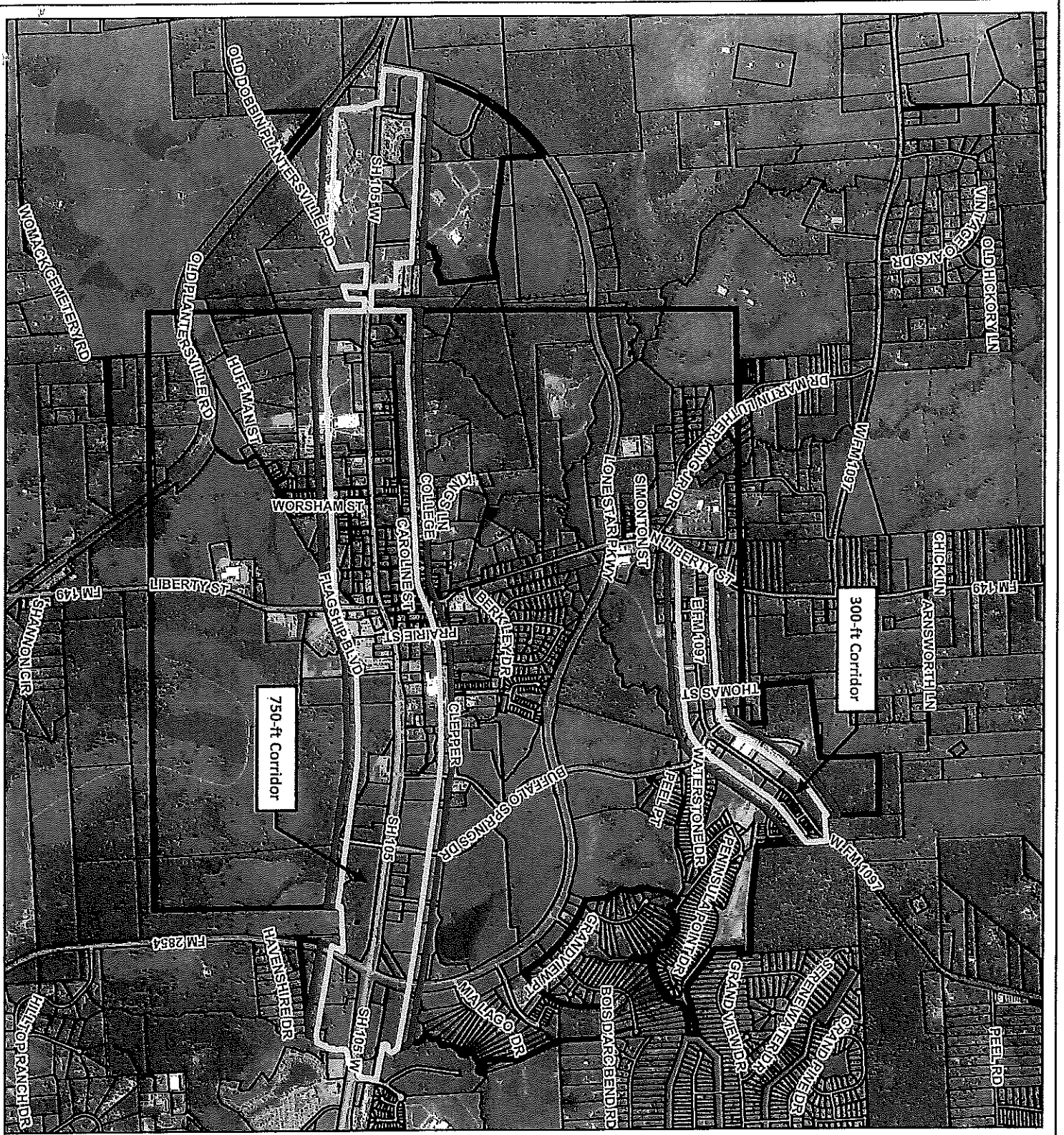
Two amendments to the District guidelines have been proposed to be added. There are no changes recommended for the District on FM 149.

1. A new area for the District is proposed on FM 1097 from the east boundary of the City limits to FM 149. The District boundaries will be 300 feet on both sides of FM 1097; and
2. To extend the District boundary area from 300 feet to 750 feet on both sides of SH 105 within the City limits.

Additional information can be viewed at City Hall, Monday – Friday, 8 am to 5 pm. If you have questions, please contact Jack Yates at (936) 597-6434.





/s/ Susan Hensley, City Secretary

Publication Dates: January 2nd & January 9th



VICINITY MAP
Scale: 1 inch equals 2 miles

LEGEND

-  Corridor Boundary
-  200-ft Notification Boundary
-  City of Montgomery City Limits
-  MCAD Parcels

Aerial Imagery from January 2015

CORRIDOR ENHANCEMENT AREAS

CITY OF MONTGOMERY
MONTGOMERY COUNTY, TEXAS



DRAWING NOT TO SCALE

Disclaimer: This product is offered 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 property, governmental and/or political boundaries or related facilities to said boundary. No express warranties are made by Jones & Carter, Inc. concerning the accuracy, completeness, reliability, or usability of the information included within this exhibit.



JONES & CARTER
Texas Board of Professional Engineers Registration No. F-438

Montgomery City Council
AGENDA REPORT

Meeting Date: January 22 2018	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Ordinance <i>to be provided at meeting.</i>
Date Prepared: January 19, 2018	

Subject

This is the ordinance to recommend or not to the city Council for their approval.

Description

Again, this increases the district on State Highway 105 from 300 feet to 750 feet wide, and adds the district to FM 1097 from the East city limits to the east side of FM 149.

The fundamental reason for going to 750 feet on state Highway 105 is the realization, as shown by the metal building at McCoy's, that the development of 105 is much deeper than what was originally thought when that 300 foot dimension was used.

For the 300 foot on FM 1097 -- the realization that this is probably going to be a commercial area and the desires to maintain a good appearance for the area.

Recommendation

Since you have had numerous discussions regarding the subject and because the City Council is holding their public hearing on the district on January 23 , tomorrow, it is imperative that you decide/vote at this meeting on whether to recommend the ordinance or not to the Council.

Approved By

City Administrator	Jack Yates	Date: January 19, 2018
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Montgomery City Council
AGENDA REPORT

Meeting Date: January 22 2018	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Building application, pictures of proposed buildings
Date Prepared: January 19, 2018	

Subject

This is a request from Larry and Mary Wagner at 603 College St. to place a metal storage building on the property. The building needs to be on the west half the of the property in order to be outside the Corridor Enhancement District which would otherwise prevent the metal construction of the building.

Description

The Wagner's are proposing to build one building. Whichever the Commission prefers will be all right with them, they said.

As shown on the enclosed pictures both buildings or metal buildings and are fairly large. Building "A" is 14 feet wide by 30 feet long and Building "B" is 16 feet wide by 24 feet long. They are both metal buildings—they can be any color you desire.

Please keep in mind that these are metal buildings and are not in keeping with the historic character of the area -- however this is in a residential area and there are several metal buildings along Pond Street behind the commercial businesses that face onto liberty Street.

Recommendation

Consider the appropriateness of the buildings and motion to approve. Deny the application.

Approved By

City Administrator	Jack Yates	Date: January 19, 2018
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CITY OF MONTGOMERY

P.O. BOX 708
MONTGOMERY, TX 77356
PHONE: 936-597-6434 |
Permits@ci.montgomery.tx.us
www.montgomerytexas.gov

CONSTRUCTION/DEMO PERMIT APPLICATION

For the erection of buildings, accessories, repairs, demolition, moving, etc.

Expires in 6 months (180 days)
Non-Transferable

DATE OF APPROVAL:

PERMIT NUMBER:

Owner: Larry + Mary Wagner | Owner Phone #: (281) 467-8447

Contractor: Owner | Cont. Phone #: ()

Contractor Mailing Address: ~~same~~ 603 College Street

City: Montgomery | State: Tx | Zip: 77356

Job Site Address: 603 College Street

Residential or Commercial Project: Residential | Zoned: Residential

LOT #: _____ | BLOCK#: _____ | LOT SIZE: _____ | BLDG. SIZE (SQ. FT.): _____

Description of work (Including Class & Construction Types):

Building A or B whichever is approved

VALUE OF TOTAL WORK: \$ (A) 7,897 (B) 16,550

\$0 - \$1000	\$60 FLAT FEE
\$1,001 - \$50,000	\$15.00 FOR FIRST \$1,000 + \$5.00 FOR EACH ADD'L \$1,000 OR FRACTION THEREOF
\$50,001 - \$100,000	\$260.00 FOR FIRST \$50,000 + \$4.00 FOR EACH ADD'L \$1,000 OR FRACTION THEREOF
\$100,001 - \$500,000	\$460.00 FOR FIRST \$100,000 + \$3.00 FOR EACH ADD'L \$1,000 OR FRACTION THEREOF
OVER \$500,001	\$1,660.00 FOR FIRST \$500,000 + \$2.00 FOR EACH ADD'L \$1,000 OR FRACTION THEREOF
PLAN REVIEW FEE	EQUAL TO ONE-HALF OF THE PERMIT FEE WHEN VALUATION EXCEEDS \$70,000.00

NOTICE: SEPARATE PERMITS ARE REQUIRED FOR PUBLIC UTILITIES, ELECTRICAL, PLUMBING, HEATING, VENTILATION, AIR CONDITIONING, GRADING, ALARMS, ROOFING, LANDSCAPING, FIRE SPRINKLERS AND LAWN SPRINKLERS.

I hereby certify that I have read and examined this application and know the same to be true & correct. All provisions of law and ordinances governing this type of work will be complied with whether or not specified herein. The granting of this permit does not presume to give authority to violate or cancel the provisions of any state or local law office regulating construction of the performance of construction.

Name of Applicant: Larry Wagner

Applicant Signature: Larry Wagner

OFFICE USE ONLY

Plan Review Fee: \$ _____

Accepted By: _____

Permit Fee: \$ _____

Issued By: _____

PERMIT FEE TOTAL: \$ _____

(A)

14' wide + 30' length

any color - light gray
dark gray trim



(B)

16' wide + 24' long



would add garage door on opposite end

CCR BUILDINGS

979-826-2230

Size: 16 x 24 Style: Gable

Specs: Serial #: 77989

60" walk-in w/ a lite
(2) 30x27 windows
vent

Retail- \$ 7410 Special: \$ 6550

Rent to Own

NO CREDIT CHECK!

36 Month:

Deposit- \$ 196.50

Monthly- \$ 328.26

48 Month:

Deposit- \$ 262

Monthly- \$ 295.43

2018/01/04 10:22

* The deposit + 1st month's rent is due at purchase

Building (B)

(A) tan/red trim interior



A

Office DEPOT

CCR BUILDINGS
979-826-2230

Size: 14 x 30 Style: Gable
Specs: Serial #: 75701

8' walls 10ft
R-19 w/bench
10x7 rollup Peg
(2) 4' lights (2) 110
metal apron

Retail- \$ 9050 Special: \$ 7897

Rent to Own
NO CREDIT CHECK!

36 Month: 48 Month:
Deposit- \$ 236.90 Deposit- \$ 315.89
Monthly- \$ 395.76 Monthly- \$ 356.19

• The deposit + 1st month's rent is due at purchase

2018/01/04 10:27

Montgomery City Council
AGENDA REPORT

Meeting Date: January 22 2018	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Section One Final Plat of The Shoppes at Montgomery
Date Prepared: January 19, 2018	

Subject

This is the Final Plat for Section One of The Shoppes at Montgomery located at the southwest corner of FM 2854 and State Highway 105.

Description

The Section One Final Plat carves out a building site on this corner. The remainder of the property will be accomplished in probably three or four Final Plats in the future

Recommendation

Approved the Shoppes at Montgomery Section 1 Final Plat as presented

Approved By

City Administrator

Jack Yates

Date: January 19, 2018



1575 Sawdust Road, Suite 400
The Woodlands, Texas 77380
Tel: 281.363.4039
Fax: 281.363.3459
www.jonescarter.com

January 17, 2018

The Planning and Zoning Commission
City of Montgomery
101 Old Plantersville Rd.
Montgomery, Texas 77356

Re: Submission of Final Plat
The Shoppes at Montgomery, Section 1
City of Montgomery

Dear Commission:

We reviewed the Final Plat submission for the referenced development on behalf of the City of Montgomery. Our review was based on The City of Montgomery's Code of Ordinances, Chapter 78, Section 61 and any other applicable chapters. We offer no objection to the plat and recommend the Commission approve the plat as submitted.

If you have any questions or comments, please contact me.

Sincerely,

A handwritten signature in blue ink that reads 'Chris Roznovsky'.

Chris Roznovsky, PE
Engineer for the City

CVR/ab

K:\W5841\W5841-1018-00 The Shoppes at Montgomery\Project Management\Letters\FINAL PLAT APPROVAL Shoppes at Montgomery Section 1 011718.doc

Enclosures cc: The Honorable Mayor and City Council – City of Montgomery
Mr. Jack Yates – City of Montgomery, City Administrator
Ms. Susan Hensley – City of Montgomery, City Secretary
Mr. Larry Foerster – Darden, Fowler & Creighton, LLP, City Attorney
Mr. Jay Dean Canine, RPLS – Landpoint

LEGEND / ABBREVIATIONS

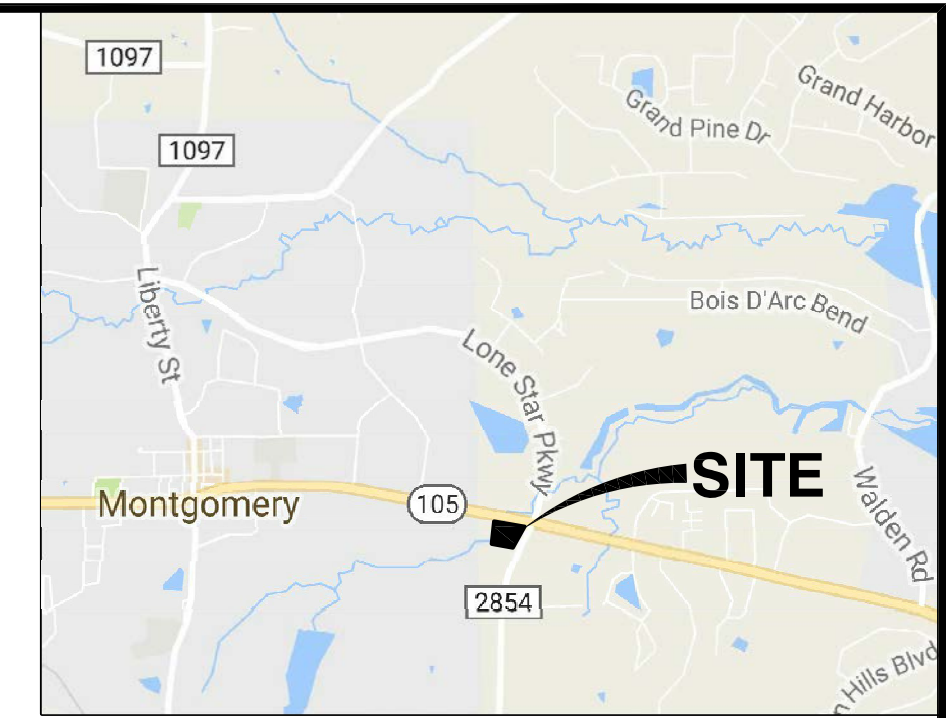
- C.F. CLERK'S FILE NUMBER
- FND. FOUND
- I.R. IRON ROD
- O.P.R. M.C.T. OFFICIAL PUBLIC RECORDS
- M.R. MAP RECORDS
- M.C.T. MONTGOMERY COUNTY, TEXAS
- R.O.W. RIGHT OF WAY
- D.R. DEED RECORDS
- B.L. BUILDING LINE
- U.E. UTILITY EASEMENT
- P.E. PATHWAY EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- CM CONCRETE MONUMENT
- G.S.U. GULF STATE UTILITY
- S.C.E. SANITARY CONTROL EASEMENT
- T.B.R. TO BE RELEASED
- PROPERTY MARKER

NOTES:

1. All corners are set 5/8 inch iron rods w/cap stamped "Landpoint 10194172" unless otherwise shown or noted.
2. This property is located in Zone "AE", Zone "X" and "Zone X-Shaded", determined to be inside 100 year flood plain. This plat does lie within a designated Special Flood Hazard Area, inundated by 100 year flood or Other Flood Areas.

LINE TABLE		
NO.	BEARING	LENGTH
L1	S 12°48'02" E	4.93'
L2	S 19°22'45" E	20.48'
L3	N 16°05'33" W	65.89'
L4	N 00°14'23" W	32.40'
L5	N 27°59'13" E	45.34'
L6	N 53°27'12" E	61.49'
L7	N 35°25'09" E	39.55'

CURVE TABLE					
NO.	LENGTH	RADIUS	DELTA	CHD. BRG.	CHORD
C1	113.83'	2,934.79	2°13'20"	S 28°42'29" W	113.82'



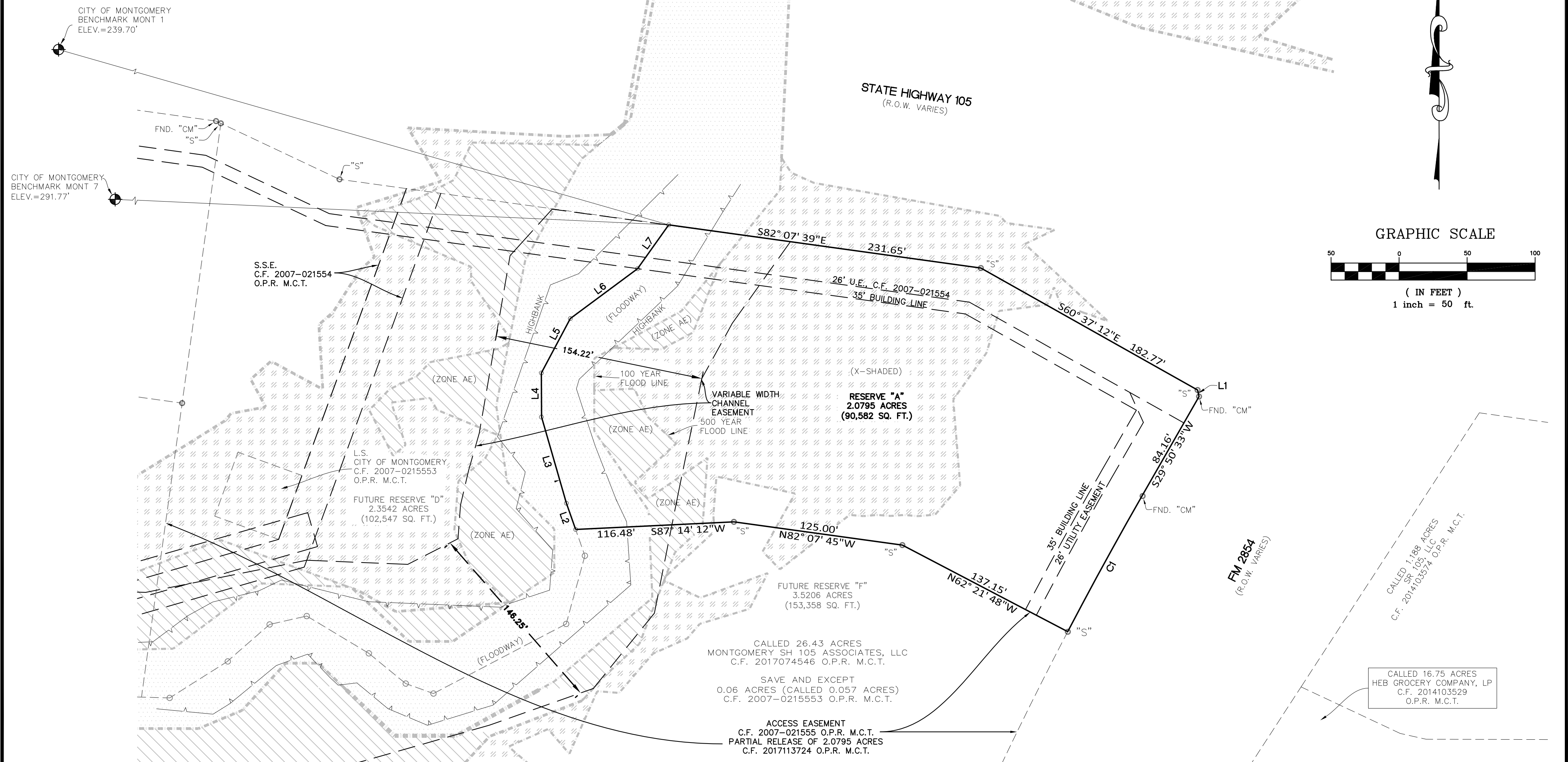
VICINITY MAP
N.T.S.



GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.



SURVEYOR:



Formerly
TOWN AND COUNTRY SURVEYORS
2219 SAWDUST ROAD, STE. 2003
THE WOODLANDS, TX 77380
(281)465-8730
www.landpoint.net

TBPLS REG. NO. 10194172

SDR/JDC JOB No. 17-0494

OWNER:

Montgomery SH 105 Associates, LLC
149 Colonial Road
Manchester, CN 06045

FINAL PLAT
THE SHOPPES AT MONTGOMERY SECTION 1

A SUBDIVISION OF 2.0795 ACRES (90,582 SQ. FT.)

IN THE

JOHN CORNER SURVEY, A-8

MONTGOMERY COUNTY, TEXAS

1 BLOCK

1 RESERVE

JANUARY 2018

SHEET **1** OF **2**

STATE OF TEXAS
COUNTY OF MONTGOMERY

That Montgomery SH 105 Associates, LLC herein acting individually or through the undersigned duly authorized agents, does hereby adopt this plat designating the herein described real property as the The Shoppes at Montgomery Section 1 Subdivision, and does hereby make subdivision of said property according to the lines, streets, alleys, parks, and easements therein shown, and dedicate to public use forever all areas shown on this plat as streets, alleys, parks, and easements, except those specifically indicated as private; and does hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys dedicated, or occasioned by the alteration of the surface of any portion of streets or alleys to conform to such grades and does hereby bind Owner, and Owner's successors and assigns to warrant and forever defend the title to the land so dedicated.

Owner hereby certifies that Owner has or will comply with all applicable regulations of the city, and that a rough proportionality exists between the dedications, improvements, and exactions required under such regulations and the projected impact of the subdivision.

IN TESTIMONY WHEREOF, the Montgomery SH 105 Associates, LLC has caused these presents to be signed by _____, its _____, there unto authorized, attested by its _____ and its _____ common seal hereunto affixed this _____ day of _____, 2018.

Montgomery SH 105 Associates, LLC

BY: _____

Attest: _____

STATE OF TEXAS
COUNTY OF MONTGOMERY

BEFORE ME, the undersigned authority, on this day personally appeared _____, and _____ of the The Shoppes at Montgomery Section 1, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein set out, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2018.

Notary Public for Harris County, Texas

Printed name _____

My commission expires _____

SURVEYOR'S CERTIFICATION

This is to certify that I, Jay Dean Canine, a licensed Surveyor of the State of Texas, have plotted the above subdivision from an actual survey on the ground; and that all block corners, angle points, and points of curve properly marked with iron rods of minimum 5/8 inch diameter and 3 foot long, and that this plat correctly represents that survey made under my direction.

Jay Dean Canine
Registered Professional Land Surveyor
Texas Registration No. 4345

CITY OF MONTGOMERY

I THE UNDERSIGNED, Engineer for the City of Montgomery, hereby certify that this subdivision plat conforms to all requirements of the subdivision regulations of the City as to which his approval is required.

BY: _____
Chris Roznovsky, P.E.
City Engineer - City of Montgomery

This plat and subdivision has been submitted to and considered by the City Planning and Zoning Commission and the City Council of the City of Montgomery, Texas and is hereby approved by such Commission and Council.

Dated this _____ Day of _____, 2018

ATTEST:

By: _____ By: _____
Kirk Jones Mayor Nelson Cox
Chairman - Planning Zoning Commission

By: _____
Susan Hensley - City Secretary

COUNTY CLERK

I, Mark Turnbull, Clerk of the County Court of Montgomery County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____ day of _____, 2018, at _____ o'clock ____M., and duly recorded on _____ day of _____, 2018, at _____ o'clock ____M., in cabinet _____, sheet _____ of Records of _____ for said County.

WITNESS MY HAND AND SEAL OF OFFICE, at Conroe, Montgomery County, Texas the day and date last above written.

BY: _____
Mark Turnbull, Clerk, County Court,
Montgomery County, Texas

By: _____ Deputy

FINAL PLAT
THE SHOPPES AT MONTGOMERY
SECTION 1
A SUBDIVISION OF
2.0795 ACRES (90,582 SQ. FT.)
IN THE
JOHN CORNER SURVEY, A-8
MONTGOMERY COUNTY, TEXAS
1 BLOCK 1 RESERVE
JANUARY 2018

SURVEYOR:  **OWNER:**
Montgomery SH 105 Associates, LLC
149 Colonial Road
Manchester, CN 06045

Formerly
TOWN AND COUNTRY SURVEYORS
2219 SAWDUST ROAD, STE. 2003
THE WOODLANDS, TX 77380
(281)465-8730
www.landpoint.net

TBPLS REG. NO. 10194172

Montgomery City Council
AGENDA REPORT

Meeting Date: January 22 2018	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Mobility study (you have from the past), Letter Update (attached)
Date Prepared: January 19, 2018	

Subject

This is the final submittal of the Mobility Plan from the City Engineers

Description

The report reflects current traffic patterns and projects a ten-year estimate of the traffic in 2027.

The report also shows a listing of proposed projects that would improve the mobility of the city and the area.

Recommendation

Make comments as you think appropriate. and recommend/or not approval of the study to the City Council

Approved By

City Administrator

Jack Yates

Date: January 19, 2018

January 10, 2018

The Honorable Mayor and City Council
City of Montgomery
101 Old Plantersville Road
Montgomery, Texas 77316

Re: Mobility Study – Summary of Changes
City of Montgomery

Dear Mayor and Council:

As you are aware, we recently completed the Joint Mobility Study between the City of Montgomery and Montgomery County Precincts No. 1 and 2. A draft study was presented at the July 13, 2017 Joint Workshop between the City Council and the Planning and Zoning Commission, and it was concluded that various minor edits were needed as well as the major changes outlined in this letter.

Since the time of the meeting, we have gathered comments from Montgomery County Precincts No. 1 & 2 and have made all requested changes, including performing an additional traffic count at the intersection of SH-105 and FM 149 during peak school traffic and an analysis of the data from the count. Below is a summary of the major changes to the Mobility Study:

- Page 3 – Updated traffic count data text regarding new traffic count taken
 - An additional turning movement count was collected at SH 105 and FM 149 on Tuesday, October 24, 2017 from 1:00 PM to 5:00 PM to determine if there was a significant peak that occurred due to the various schools in the area. The count was collected when Lone Star Parkway was under construction; therefore, the westbound to northbound and southbound to eastbound turning movements were elevated with the count. The hourly volumes steadily increased each hour from 1:00 to 4:00 indicating that the 5:00-6:00 PM is still the peak hour in the afternoon; therefore, this new count was not utilized in the analysis.
- Pages 5 & 11 – Added new count at FM 149 at SH 105
- Page 13 – Added percent growth rate to figure
- Page 17 – Updated LOS descriptions from table
- Page 18 – Updated recommended improvements, including:
 - FM 2854 at SH 105 – Added northbound right turn lane
 - SH 105 at FM 149 – Removed northbound and southbound right turn lanes
 - Lone Star Parkway at Buffalo Springs – removed eastbound and westbound left turn lanes (already constructed)
- Page 19 – Updated LOS table based on revised recommended improvements
- Page 20 – Updated to note recommended improvements by others
- Page 22-25 – Updated schematics
- Page 28 – Updated construction timeframes



Honorable Mayor and Council

Page 2

January 10, 2018

- Page 31 – 32 – Updated Thoroughfare Plan
 - Added Railroad
 - Revised collector roadways northwest of City
- Page 33 – Updated Recommendations and Improvements
 - Added recommendations
 - Added short and long-range improvements
 - Added estimated costs
- Appendix D – Updated development map
- Appendix J – Updated scheduled projects information

Should you have any questions or need any additional information, please do not hesitate to contact me or Chris Roznovsky, at 281-363-4039.

Sincerely,

A handwritten signature in blue ink, appearing to read 'C. Wright', with the text 'P.E., P.T.O.E.' written in a smaller font to the right of the signature.

Colby Wright, PE, PTOE
Division Manager, Traffic Engineering

CWW/cvr/dch

K:\W5841\W5841-0024-00 Mobility Plan\2 Design Phase\Reports\Montgomery Mobility Plan Letter 20180110.docx

cc: Mr. Jack Yates – City of Montgomery, City Administrator
Ms. Susan Hensley – City of Montgomery, City Secretary
Mr. Larry Foerster – Darden, Fowler & Creighton, LLP, City Attorney
City of Montgomery Planning & Zoning Commission

Montgomery City Council
AGENDA REPORT

Meeting Date: January 22 2018	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Electronic sign ordinances information
Date Prepared: January 19, 2018	

Subject

A member of the City Council request that the Commission will you consider the ordinance regarding electric display signs.
I have investigated the subject as administered by other cities.

Description

The electric sign ordinance basically gets down to three issues to administer/enforce:

- The brightness of the sign and in the recommendation is not to exceed .5 footcandles more than 50 feet from the sign when measured with a standard light meter perpendicular to the face of the sign.
- How often the sign changes/flashes and the recommendation is 5 to 10 seconds.
- The fade/dissolve/transition of the sign message and the recommendation is to allow a "dissolve" (meaning where the first message gradually appears to dissipated news legibility simultaneously with a gradual appearance and legibility of the second message) "fade" (meaning where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases in intensity to the point of legibility) a "transition" any type of visual effect used on an electronic message display to change from one message to another (seems too broad to me to include, but might preclude some interesting graphics during the display transition time).

Once you decide the brightness, how often you want the sign to change/flash, and if you want the any of the fade/dissolve/transition elements preparing an ordinance will be fairly easy, probably ready next meeting for your consideration

Montgomery City Council
AGENDA REPORT

Recommendation

Read the enclosed materials and direct the staff to prepare an ordinance that applies.

Approved By

City Administrator

Jack Yates

Date: January 19, 2018

ELECTRONIC SIGN ORDINANCE ISSUES

Recent breakthroughs in the sign field have made available high intensity LEDs in red, green, blue and amber. These LEDs have made it possible to produce displays bright enough for outdoor use with viewing angles that are equal to, or better than, other technologies currently available. They are energy-efficient, can be programmed and operated remotely, and require little maintenance. In addition, the computer software has evolved such that a broad range of visual effects can be used to display messages and images. The spacing of the LEDs can be manipulated to achieve near-television resolution.

Electronic changeable message signs are generally of two types: light emitting and light reflective. Current light emitting display technologies include LED and incandescent lamp. Light reflective displays typically consist of either a reflective material affixed to a mechanical device (like a "flip disk") or a substance commonly referred to as electronic ink.

Electronic signs have evolved to the point of being capable of a broad range of operational capabilities. They are controlled via electronic communication. Text and graphic information is created on a computer using a software program. This software is typically a proprietary component that is supplied by the display manufacturer. These software programs determine the capabilities of the displays. The software is then loaded onto a computer that operates the sign. The computer may be installed within the sign itself, operated remotely from a nearby building, or even more remotely by a computer located miles away and connected to the sign with a telephone line modem or other remote communication technology.

All display capabilities are securely in the hands of the display operators. They are ultimately responsible for what type of, and how, information is displayed on their changeable message sign.

Traffic Safety Considerations

Electronic message displays (EMDs) are capable of a broad variation of operations, from fully-static to fully-animated. In exterior sign use, they are often

placed where they are visible to oncoming traffic. Concerns are often raised as communities change their sign codes to expressly permit such signage about the traffic safety implications for signage with moving messages. These concerns are largely unfounded.

Operations: Duration of message on-time. The duration of the message on-time should be related to the length of the message, or in the case of messages displayed sequentially, the message element. For instance, based on state highway agency experience, "comprehension of a message displayed on a panel of three lines having a maximum of 20 characters per line is best when the on-time is 15 seconds. In contrast, the customary practice of signing which merely displays time and temperature is to have shorter on-times of 3 to 4 seconds. Use of electronic signs requires only that messages be changed at "reasonable intervals."

Regulation of Electronic Signs

There is no legal basis to deny a static-display electronic sign, as it is legally indistinguishable from any other illuminated sign. Virtually all illuminated signs go through a cycle of illumination and non-illumination, as the sign is turned off during the day when illumination is not needed, or during the evening after business hours. If this were the standard, most sign owners would be guilty of a code violation on a daily basis.

The critical regulatory factors in the display of electronic changeable message signs are: 1) Duration of message display, 2) Message transition, and 3) Frame effects. Messages should be permitted to change at "reasonable intervals." Government users of signs have utilized 3 to 5 seconds on their own signs as a reasonable interval for message changes, and other communities permit very short display times or continuous scrolling on business signs without adverse effect. As a policy matter, some communities have elected to adopt longer duration periods, although to do so limits the potential benefits of using an

electronic sign, particularly where messages are broken down into segments displayed sequentially on the sign.

Flashing is a frame effect that is:

- Level 1 Static Display Only (messages changed with no transition)
- Level 2 Static Display with “Fade” or “Dissolve” transitions, or similar subtle transitions and frame effects that do not have the appearance of moving text or images
- Level 3 Static Display with “Travel” or “Scrolling” transitions, or similar transitions and frame effects that have text or animated images that appear to move or change in size, or be revealed sequentially rather than all at once
- Level 4 Full Animation, Flashing and Video

Seeking to regulate electronic signs is procedural. Some signs may be acceptable always, while the community may determine that others are acceptable only in certain given circumstances. Alternatives to be considered for a sign code are as follows:

- Permit electronic signs “as a matter of right”
- Permit electronic signs with certain transitions “as a matter of right”
- Permit electronic signs, subject to a review procedure
- Permit electronic signs, with certain transitions, subject to a review procedure
- A hybrid of the above

Definition/Other Issues

ELECTRONIC MESSAGE BOARD. A business sign that uses light emitting diodes (LED), plasma screen, or other similar technology to electronically change the image or message displayed on the message board no more frequently than once every 30 seconds.

FLASHING, ANIMATED OR MOVING SIGN. A sign that intermittently reflects lights from either an artificial source or from the sun; a sign which has movement of any illumination such as intermittent, flashing or varying intensity or a sign that has any visible portions in motion, either constantly or at intervals, which motion may be caused either by artificial or natural sources. An electronic community bulletin board or electronic freestanding business sign meeting the requirements of section 28.13 shall not be considered a flashing, animated or moving sign.

- a. The area of the electronic message board does not exceed one-third of the entire size of the freestanding sign.
- b. The image or message on the electronic bulletin board does not change more frequently than once every 10 seconds.
- c. The sign cannot contain moving images (i.e. animated, television type screens).
- d. The image or message of the sign does not flash or scroll (vertically or horizontally).
- e. The electronic message board can operate only when the business is open or between the hours of 7:00 a.m. and 9:00 p.m., or shorter time period.

All electronic signs shall abide by the Lighting Code now in place. Light only what is needed when needed and only an illumination level necessary while reducing light scattering upwards away from the object being lit.

Illuminated signs located on the lot adjacent to any residential district shall not be operated between the hours of 9:00 PM and 7:00 AM. In the event the premises on which the sign is specifically operating is engaged in the operation of its business, this requirement shall not apply.

Lighting intensity. In no case shall the lighting intensity of any sign, whether resulting from internal illumination or external illumination shall not exceed 0.5 foot candles more than fifty (50) feet from the sign when measured with a standard light meter perpendicular to the face of the sign.

No electronic signs may be used on temporary signs.

Basic Ordinances ^{Choices} - Needs illumination brightness guidelines, times of operation add's to complete an ordinance.

Jack

Model Sign Code Provisions for Electronic Signs

Level 1-Static Display (Message Changed with no Transition)

Definitions

ELECTRONIC MESSAGE DISPLAY – A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

Electronic Message Displays may be permitted [with the approval of a use permit] [in the Commercial and Industrial zoning districts] subject to the following requirements:

- a. *Operational Limitations.* Such displays shall contain static messages only, and shall not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement of any illumination or the flashing, scintillating or varying of light intensity.
- b. *Minimum Display Time.* Each message on the sign must be displayed for a minimum of (insert reasonable interval) seconds. ~~(insert reasonable interval) seconds.~~ seconds.
- c. *Message Change Sequence.* ~~[Alternative 1: The change of messages must be accomplished immediately.]~~ **[Alternative 2:** A minimum of 0.3 seconds of time with no message displayed shall be provided between each message displayed on the sign.]

Model Electronic Sign Code Provisions
Level 2-Static Display (Fade/Dissolve Transitions)

Definitions

ELECTRONIC MESSAGE DISPLAY – A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

DISSOLVE – a mode of message transition on an Electronic Message Display accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

FADE – a mode of message transition on an Electronic Message Display accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

FRAME – a complete, static display screen on an Electronic Message Display.

FRAME EFFECT – a visual effect on an Electronic Message Display applied to a single frame to attract the attention of viewers.

TRANSITION – a visual effect used on an Electronic Message Display to change from one message to another.

Electronic Message Displays may be permitted [with the approval of a use permit] [in the Commercial and Industrial zoning districts] subject to the following requirements:

- a. *Operational Limitations.* Such displays shall contain static messages only, changed only through dissolve or fade transitions, or with the use of other subtle transitions and frame effects that do not have the appearance of moving text or images, but which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating or varying of light intensity.
- b. *Minimum Display Time.* Each message on the sign must be displayed for a minimum of (insert reasonable interval) seconds.

Model Electronic Sign Code Provisions
Level 3-Static Display (*Travel/Scroll Transitions and Animations*)

Definitions

ELECTRONIC MESSAGE DISPLAY – A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

DISSOLVE – a mode of message transition on an Electronic Message Display accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

FADE – a mode of message transition on an Electronic Message Display accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

FRAME – a complete, static display screen on an Electronic Message Display.

FRAME EFFECT – a visual effect on an Electronic Message Display applied to a single frame to attract the attention of viewers.

SCROLL – a mode of message transition on an Electronic Message Display where the message appears to move vertically across the display surface.

TRANSITION – a visual effect used on an Electronic Message Display to change from one message to another.

TRAVEL – a mode of message transition on an Electronic Message Display where the message appears to move horizontally across the display surface.

Electronic Message Displays may be permitted [with the approval of a use permit] [in the Commercial and Industrial zoning districts] subject to the following requirements:

- a. *Operational Limitations.* Such displays shall be limited to static displays, messages that appear or disappear from the display through dissolve, fade, travel or scroll modes, or similar transitions and frame effects that have text, animated graphics or images that appear to move or change in size, or be revealed sequentially rather than all at once.
- b. *Minimum Display Time.* Each message on the sign must be displayed for a minimum of (insert reasonable interval) seconds.

**Model Electronic Sign Code Provisions
Level 4-Video/Animation**

Definitions

ELECTRONIC MESSAGE DISPLAY – A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means, including animated graphics and video.

Electronic Message Displays may be permitted [with the approval of a use permit] [in the _____ zoning districts]