

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF UNIVERSITY PARK, TEXAS, AUTHORIZING A SPECIAL SIGN FOR THE ROBERT S. HYER ELEMENTARY SCHOOL ON THE PROPERTY AT 3920 CARUTH; PROVIDING CONDITIONS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS** the Zoning and Development Advisory Committee (formerly the Urban Design and Development Committee) of the City has considered a request to authorize a special sign for the campus of the Hyer Elementary School and has recommended to the City Council the authorization of the special sign, with conditions; and

**WHEREAS** the provisions of Article 3.09 of the Code of Ordinances have been complied with and the City Council has provided notice and a public hearing about such request and recommendation and is of the opinion and finds that such special sign should be authorized. **Now, Therefore,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS:**

**SECTION 1.** That the Zoning and Development Advisory Committee, formerly the Urban Design and Development Committee, has considered a request from the Highland Park Independent School District to authorize a special sign for the Robert S. Hyer Elementary School to promote the cultural and scenic character of the campus and the student garden known as the Hyer Garden. That such request was accompanied by plans which provide the details and specifications required by the Code of Ordinances, Section 3.09.023, and in the opinion of the Committee, such sign will be unique to the location and compatible with the general cultural and scenic character of the school and the neighborhood, the total area of the sign face plus the total combined area of all existing signs on the campus will not exceed the total area of all signs allowed on the campus, the sign will not be contrary to the public interest, and will serve to create a sense of place. A sign permit shall be required before the special sign may be installed. That the Committee has recommended to the City Council that the

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special sign be authorized for the Hyer Elementary School campus, commonly known as 3920 Caruth Boulevard, permitting the special sign in accordance with the submitted plans.

**SECTION 2.** That after notice and public hearing, the City Council has determined that the authorization of the special sign is in the best interest of the public health, safety and general welfare of the City and should be granted, subject to the following special conditions:

- A. That the sign permitted as a special sign shall be installed as shown on the plans attached hereto collectively as Exhibit “A” and made a part hereof for all purposes; and
- B. That the following conditions shall apply:
  - (1) The sign will be five feet (5’) in height and six feet (6’) in width.
  - (2) The sign will be non-illuminated.
  - (3) The sign identifies a cultural use unique to the surrounding properties.
  - (4) The sign must be within the allowable area of all signs on the campus.
  - (5) The sign will be set back fifty feet (50’) from the street curb.
  - (6) Only one special sign will be permitted for the Hyer campus.
  - (7) The sign will establish a sense of place.
  - (8) The lettering on the sign must be in equal size in font and stroke for both “The Hyer Garden” and the sponsor’s name. The sponsor’s name may change so the sign may be changed to reflect the name of the current sponsor.
  - (9) The Superintendent of Schools for HPISD must acknowledge and approve in writing the permit application, content, and placement of the sign.

**SECTION 3.** That any ordinance of the City of University Park in conflict with the provisions of this ordinance is hereby repealed.

**SECTION 4.** That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance, or any part or provision thereof, other than the part so declared to be invalid, illegal, or unconstitutional.

**SECTION 5.** That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal

court of the City of University Park, Texas, shall be subjected to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each day any such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

**DULY PASSED** by the City Council of the City of University Park, Texas, on the 5th day of October 2021.

**APPROVED:**

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**TOMMY STEWART, MAYOR**

**ATTEST:**

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**CHRISTINE GREEN, CITY SECRETARY**

**APPROVED AS TO FORM:**

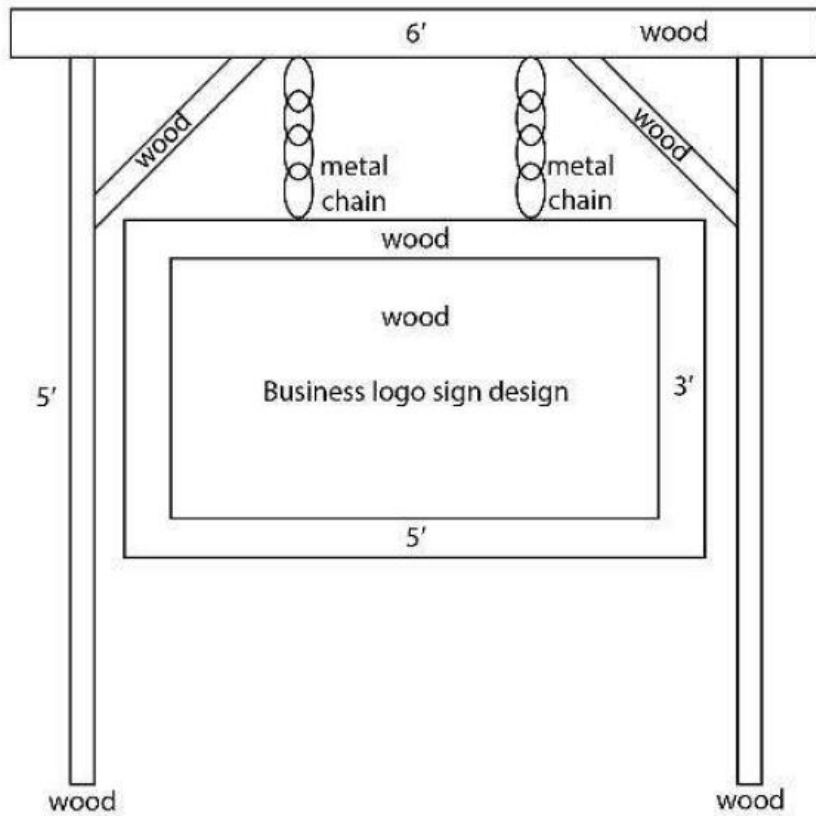
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**CITY ATTORNEY**

(RLD/09/28/2021)

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EXHIBIT "A"



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**APPROVED:**

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**MAYOR**

**ATTEST:**

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**CITY SECRETARY**

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