



P.O. Box 369 (Mail)
303 E. Pecan Dr. (Physical)
Johnson City, TX 78636
830.868.7111 (Phone)
830.868.7718 (Fax)

Commercial Building Permit Application

Please visit <https://www.johnsoncitytx.org/departments/permits/> for additional information on the Building Official, building codes, and plan review & inspection requirements.

Project Name: Huckleberry's Closet Valuation: \$ 150.00
Project Address: 204 E. Pecan Zoning: Downtown / Historic
Lot: 3(PT)+5 Block: 7 Subdivision: --- Square Foot: ---

Project Description: New Addition Remodel Finish Out Plumbing
 Mechanical Electrical Sign Fence Accessory Structure
 Irrigation Swimming Pool Other

Scope of Work: Putting two flyer flags out, hanging two signs from existing hook on the front porch.
Is this property in the floodplain? No Yes If yes, provide floodplain certificate or application.

Owner Name: Diamond X Properties Project Contact (if different): ---
Owner Address: PO Box 1816 City, State, Zip Code: JC TX 78636
Phone Number: --- Email Address: ---

Engineer:	Contact Person:	Phone Number:	Email / License No:
Architect:	Contact Person:	Phone Number:	Email / License No:
General Contractor: <u>Self</u>	Contact Person:	Phone Number:	Email / License No:
Mechanical Contractor:	Contact Person:	Phone Number:	Email / License No:
Plumbing Contractor:	Contact Person:	Phone Number:	Email / License No:
Electrical Contractor:	Contact Person:	Phone Number:	Email / License No:
TPO Energy Provider:	Contact Person:	Phone Number:	Email / License No:

A permit becomes null and void if work is not commenced within 365 days. All permits require final inspection. A final inspection and/or certificate of occupancy must be issued before any building is occupied. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other State or local laws regulating construction or the performance of construction.

Signature of Applicant: [Signature] Date: 4-3-2024

Building Permit Fee: _____ Plan Review Fee: _____ Water Fees: _____ Sewer Fees: _____

Meter Deposit Fee: _____ Total Fees: _____ Receipt No.: _____ Issued Date: _____ Issued By: _____

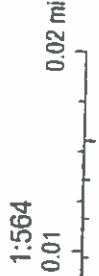
Blanco CAD Web Map



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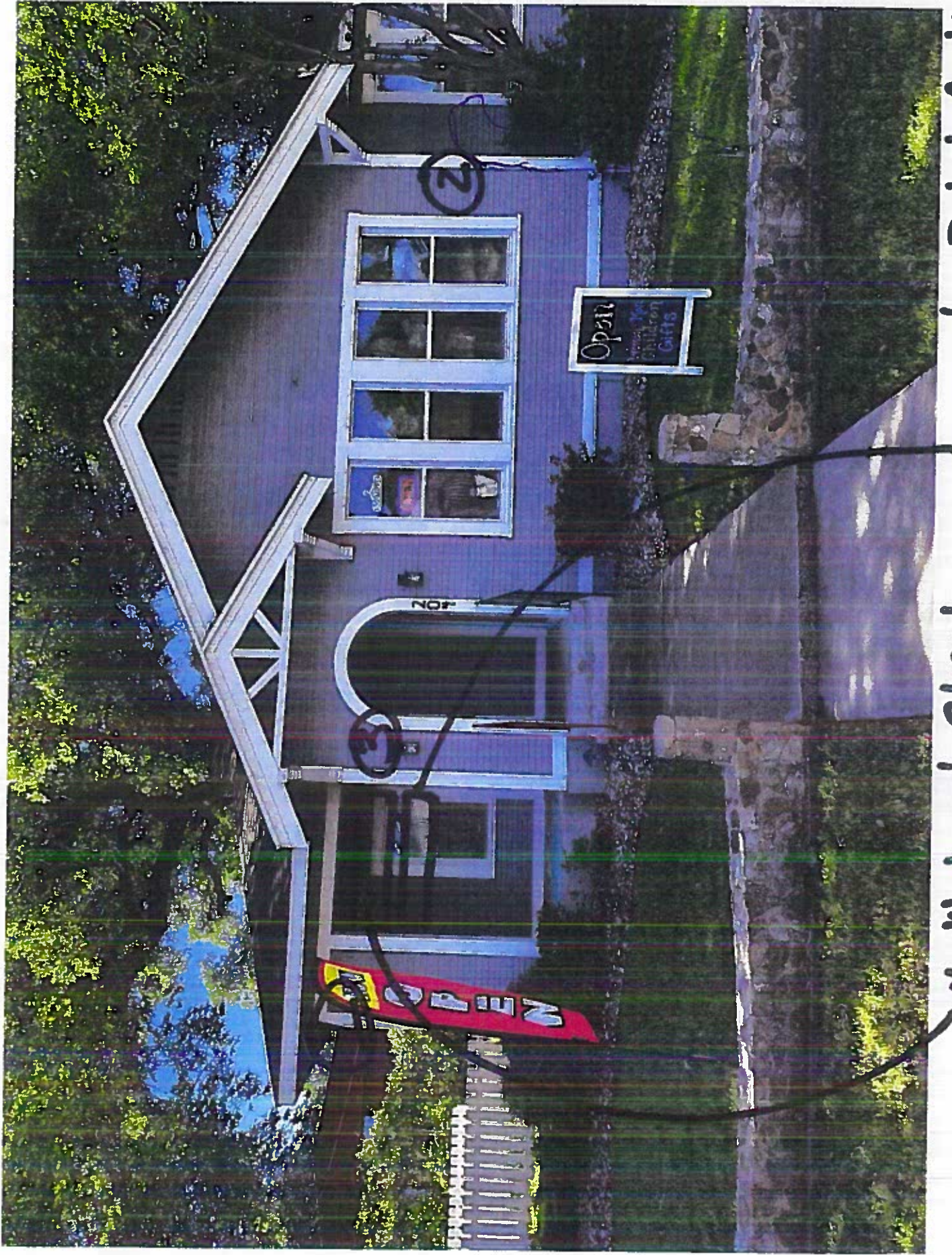
Parcels

Abstracts



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Huckleberry's Closet

Upscale, Retail, Boutique

HUCKLEBERRY'S

Closet

5'

UPSCALE

RESALE

BOUTIQUE

2'



402

HUCKLEBERRY'S
Claret
UPSCALE
RESALE
BOUTIQUE



Claret

HUCKLEBERRY'S

Closet

UPSCALE

RESALE

BOUTIQUE



§ 3.06.004. Definitions and specific restrictions.

(a) **Rules of interpretation.** Words and phrases used in this article shall have the meanings set forth in this section. Words and phrases which are not defined in this article but are defined in the zoning ordinance of the city shall be given the meanings set forth in the ordinance. Other words and phrases shall be given their common, ordinary meaning unless the context clearly requires otherwise. Headings and captions are for reference purposes only, and shall not be used in the interpretation of this article.

(b) **General definitions.**

Abandoned sign. A sign for which any of the following conditions apply:

- (1) Does not contain a message on the 180th day of the date the business, person, or activity that the sign or sign structure identifies or advertises ceases to operate on the premises on which the sign or sign structure is located.
- (2) If the premises containing the sign or sign structure are leased, then if the sign does not contain a message on the 180th day after the date the most recent tenant ceases to operate on the premises.
- (3) The city may agree with the owner of the sign or sign structure to remove only a portion of the sign or sign structure.

Area. The entire sign surface within a single, contiguous perimeter, excluding support structures. The area of a sign with more than one face is the sum of the areas of all sign faces visible from any one point. However, a sign structure with two faces back-to-back, oriented in opposite directions and separated by not more than three feet, with the same copy on both sides, shall be counted only as the area of one face. In cases where a sign is composed only of letters, figures, or other characters, the dimensions used to compute the sign area are the smallest figure, such as a rectangle, circle or triangle, or other, which will fully contain the sign's content.

Commercial complex. Any development, such as a shopping center, office park or industrial park, which consists of two or more establishments on a single platted lot; or on two or more contiguous lots which may be separated only by a street or drainage rights-of-way.

Establishment. A use of land for any purpose which requires a building on the land, regardless of the commercial, nonprofit or public nature of the activity, but excluding a residence or active agricultural use in any form.

Height. As applied to any sign, the vertical distance between the highest attached component of the sign or of its supporting structure, whichever is higher, and the average established ground level beneath the sign. The established ground level beneath the sign is the lower of (i) the existing grade prior to construction of the sign, or (ii) the newly established grade after construction, exclusive of any fill, mound or excavation solely for the purpose of locating the sign, unless the curb elevation at the street in front of the sign is higher than the established ground level, in which case the height shall be measured from curb level.

Nonresidential area. Inside the city limits, the area within any nonresidential zoning

district; in the city's extraterritorial jurisdiction, any lot or tract of land which is the site of an establishment or commercial complex.

Public works director. The public works director or his/her duly authorized representative.

Residential area. Inside the city limits, the area within any residential zoning district; in the city's extraterritorial jurisdiction, any lot or tract of land which is vacant or in any form of agricultural use, or in which the principal use of the land is as a residence.

Responsible party or party responsible. The person, firm, organization or other entity whose product, service, activity or enterprise of any character is announced or advertised by the sign, or whose message is carried by the sign, and/or the owner of the land upon which the sign is located.

- (c) **Types of signs.** For the purposes of this article, a sign means any letters, figures, symbols, trademarks, or devices designed either to inform people or to attract the attention of people to an individual, firm, profession, business, organization, institution, commodity, service, activity, cause or purpose, and which is recognizable from any public right-of-way. That is, any medium for visual communication or its structure used or intended to attract the attention of the public. Types of signs which are regulated by this article are defined as follows.

Auxiliary sign. A sign of any construction, not exceeding one square foot in area, which is not part of another sign and which is customarily secondary and incidental to the principal use of any nonresidential premises, such as one indicating hours of operation, credit cards accepted, or restrictions of sale to minors, or which is customarily secondary and incidental to a residence, such as "No Soliciting" or "Beware of the Dog."

Awning/canopy sign. A sign painted on or attached to the outside of an awning, canopy or any similar structure such as is typically extended in front of a window or door or over a patio, deck or walkway as a protection from the sun or rain, regardless of whether the structure is retractable. A sign which is suspended from or projects into the space beneath an awning, canopy or similar structure, or which is painted on, attached to or suspended from an interior surface, so as to be read from within the area enclosed by the structure, is an awning/canopy sign. One awning/canopy sign may be permitted per entrance to an establishment. No awning/canopy sign may extend beyond an edge of the canopy structure to which it is attached. An awning/canopy sign which is perpendicular to a building face may not exceed two-thirds of the width of the canopy structure. A canopy sign that is parallel to a building face may not exceed two-thirds of the length of the canopy structure. For the safety of people walking under a canopy on a sidewalk, no canopy sign may extend more than two feet either above or below the horizontal underside of the canopy structure or shall be less than 7 and a half feet from ground clearance. Awning/canopy signs shall be counted toward the limit on the total area of wall signs. One-third of the area of an awning/canopy sign will count toward the overall limit of wall signs on the wall to which it is attached.

Balloon. Includes balloons, inflatable signs, and inflatable devices of any other kind.

Banner. A sign intended to be hung either with or without frames, made of paper, plastic, fabric or any other flexible material, and which is used by its colors, characters, lettering,

illustration or ornamentation to call attention to an establishment on the site or to a community, civic or other event either on or off the site. Flags are distinguished from banners for the purposes of this article. Banners must be securely attached to a building or other permanent structure and they must be kept in good repair throughout the time of their display. Banners may not be erected for more than 21 days in succession, and they must be removed by the responsible party within no more than three days following the event to which they call attention. No establishment may display more than 2 banners at any one time. Banners may not exceed 8 square feet in a residential area or 18 square feet in all other areas, except highway banners. Vertical banners placed by civic, community and nonprofit organizations will be required to obtain a permit, however no fees will be assessed and the time limit shall be no longer than 60 days consecutively and no greater than 20 banners shall be placed. Size requirements shall be consistent will all banners [sic].

Beacon. Any light with a beam directed into the atmosphere or directed at a point that is not on the same lot or tract of land as the light source, or a light with one or more beams that rotate or move.

Bed and breakfast. A sign located on the property that includes a bed and breakfast establishment. Only bed and breakfast establishments that are registered with the city and the state comptroller's office as a bed and breakfast may have a sign. The identifier shall not exceed two square feet and not exceed four (4) feet in height.

Billboard. Any sign which is used or designed to be used to advertise or call attention to any product or service which is produced at a place other than on the premises on which the sign is located.

Bulletin board. A sign that is principally devoted to posting announcements of interest to the members or clientele of an organization concerning the activities of the organization, such as is customarily erected by a church, social club, society or charitable organization. A bulletin board may be located only on the premises of the institution or organization to whose activities it pertains. A bulletin board may not exceed 32 square feet in area. Only one bulletin board per establishment is allowed.

Changeable copy sign. A sign or part of a sign on which characters, letters or illustrations can be changed or rearranged without altering the face or surface of the sign, such as a theater marquee, a gasoline price sign, or a sign identifying the occupants of a shopping center. A sign on which the only copy that changes is a matter of general public information, such as the current time and temperature or an index of stock market averages, and which contains no other commercial message, is a public service sign. Any other sign on which the message changes more than once per day is a flashing sign.

Commercial sign. Any sign, regardless of its location or construction, whose wording or other contents, directly or indirectly, names, advertises or calls attention to any business, product, service, institution, organization, event, cause, purpose or other activity.

Community service sign. A sign, other than a banner, which solicits support for or participation in a nonprofit, non-political, community, public or social purpose, cause, event or activity, such as one marking a holiday or holiday season, or one supporting school activities, charitable programs, religious activities, or events of community

interest. A community service sign may be erected only by a unit of government, school, chamber of commerce, community league, religious organization or other nonprofit agency. The area of a community service sign may not exceed six square feet in a residential area or 32 square feet in a nonresidential area. A community service sign that promotes any particular event may not be erected more than 14 days prior to the event and must be removed by the responsible party not more than 3 days after the event.

Construction sign. A sign placed on a construction site identifying or announcing the character of the project and/or the names of the owners, developers, financiers, architects, engineers, contractors, leasing agents and others associated with the project. The area of a construction sign may not exceed 32 square feet in a nonresidential area or 16 square feet in a residential area. Only one construction sign may be permitted per street fronting a building or other project under construction, reconstruction or repair, except that one additional sign, not exceeding three square feet in area, may be placed on the site by any individual contractor or subcontractor working on the project and not acknowledged on the principal sign. No part of a construction sign may exceed a height of eight (8) feet. Construction signs which are larger than three square feet in area and not securely mounted on a wall shall be set back at least 10 feet from the property line. Within the city limits, a construction sign may not be erected before the city has issued a building permit for the project to which the sign refers, and all such signs must be removed within 30 days after the city issues a certificate of occupancy for the project. In the city's extraterritorial jurisdiction, a construction sign may not be erected before the start of actual construction of the project to which the sign refers, and all such signs must be removed within 30 days after the completion of the project.

Directional sign. A sign which is separate from other signs, incidental and secondary to the principal use of the land on which it is located, and whose primary purpose is to give directions such as to parking lots, exits, entrances, or drive-through windows, or directives such as "no parking" or "loading only." A directional sign may be placed off-site on private property and only with the consent of the owner of the property [and] may not contain any commercial message except the name, logo or other symbolic identification of the establishment to which the sign is designating. The area of a directional sign may not exceed 32 square feet.

Drive-through window sign. A sign which is secondary to the principal use on the premises of an establishment having a drive-through window for customer service, devoted to informing customers approaching the drive-through window of information such as the menu, services available or prices at the establishment.

Event sign, off-site. A sign giving directions to an occasional event at another location, other than a business event at a commercial establishment, such as directions to a civic or other noncommercial ceremony, to an event for the members of an organization, or to an event at a residence such as a garage sale, home for sale, real estate open house, or private party. An off-site event sign may not be lighted. Such signs may be placed only on private property and only with the consent of the owner of the property. No more than three such signs may be used to give directions to the same event. Such signs may not be placed more than 14 days prior to the event, and all such signs must be removed by the responsible party within one day after the conclusion of the event.

Event sign, on-site. A sign which is placed to advertise or mark the location of an occasional event on the same site, such as the location of a civic or other noncommercial ceremony, of an event for the members of an organization, or of an event at a residence such as a garage sale, home for sale, real estate open house, or private party. An on-site event sign may not exceed an area of three square feet at a residence or 32 square feet at any other location. Such sign may not be placed more than 14 days prior to the event, and it must be removed by the responsible party within one day after the conclusion of the event.

Flag. The flag of any governmental jurisdiction or a flag adopted by a business, institution or other organization and containing the name, logo or other symbolic emblem of that business, institution or organization. Except for flags that are located on public land or on the premises of a nonprofit institution, no flagpole may be higher than 25 feet. At any establishment, the area of any flag shall be counted toward the limit of the area of a self-supported sign.

Flashing sign. A sign with flashing, blinking, moving, rotating or traveling lights, or with lights that change in color or intensity, whether the sign is directly or indirectly illuminated, or a sign which uses lights to form traveling messages or messages which change more than once per day, except for a public service sign.

Freestanding sign. Either a monument sign or a self-supported sign. Only one freestanding sign may be permitted per individual freestanding establishment. Signs may be no more than 64 square feet in area and no taller than 12 feet. Only one freestanding sign may be permitted per commercial complex identifying the name and/or address of the complex and/or listing the individual tenants in the complex. However, a commercial complex with a land area of two acres or more may have one such freestanding sign along each street that borders the complex. If the commercial complex is made up of separate lots (i.e., business park/industrial park), the freestanding sign may be an off-premises sign; however, it shall be located on one of the lots within the complex. If the freestanding sign contains or supports more than one sign, then each sign shall be of the same construction, coloring, design and style. If a landscaped area is installed at the base of a freestanding sign, this landscaped area shall be protected from damage by pedestrian and vehicular traffic by a retaining wall or other barrier or method of acceptable separation. The plants in such landscaped area shall be maintained in a healthy condition, and the area shall be kept free of weeds, trash and debris by the responsible party. A separate freestanding sign for an individual establishment located within a commercial complex may be permitted only if the establishment meets both of the following conditions:

- (1) The establishment is located along a street bordering or within the complex and in a separate building from the principal building complex; and
- (2) The establishment has a separate parking area from the principal parking area of the complex, which may connect with the principal parking area but is visually set off from that area by fencing or landscaping.

Illuminated sign. Any sign illuminated in any manner by an artificial light source of any kind, either detached from the sign or a part thereof. Signs that are only incidentally and indirectly illuminated as a result of a lighting plan primarily designed as security lighting

or landscape lighting are not illuminated signs.

Integral sign. A sign indicating the name of a building, as distinct and clearly distinguished from the name of a business, institution or other entity occupying the building, or indicating the date or other information of historical interest about the building's construction, when such sign is cut or molded into a masonry surface which forms part of a wall of the building or when it is constructed as a plaque or tablet of bronze or other incombustible material and permanently mounted on the face of the building. The area of an integral sign shall not be counted toward the limit on the area of wall signs on the same wall, provided that the integral sign contains no commercial message substantially duplicating another sign.

Model home sign. A sign which is located on the same lot as a model home in a residential subdivision and which calls the attention of prospective buyers to the model home. A model home sign may be erected only on the actual site of a model home, and only one such sign may be erected on the site. The area of a model home sign may not exceed 16 square feet, and the height of a model home sign may not exceed six feet. A model home sign may not be internally illuminated. All model home signs must be removed within 30 days after 90 percent of the homes in the subdivision are sold.

Monument sign. A sign that is built as a monument on the ground, as distinguished from a self-supported sign that is mounted on supports above the ground. The area of a monument sign for an individual establishment may not exceed 16 square feet in any residential zoning district or 48 square feet in any other zoning district and 64 [square feet] in the extraterritorial jurisdiction. The area of a monument sign for a commercial complex may not exceed 16 square feet in any residential zoning district, 48 square feet in nonresidential and 64 square feet in the extraterritorial jurisdiction. The height of a monument sign may not exceed eight feet and the total area of the monument may not exceed 64 square feet for an establishment and 80 square feet for a commercial complex. A changeable copy monument sign is one that contains the primary name of the establishment as well as a changeable copy feature. The changeable copy portion of the sign may not exceed eight square feet.

Monument sign, changeable copy. A monument sign that incorporates a changeable copy feature into the sign.

Moving sign. A sign, or any part of a sign, which rotates, moves, or uses lighting to simulate motion.

Nameplate. A sign, mounted flat against the wall of a building and not projecting more than two inches from the face of the wall, indicating the name and/or address of the building, and/or the name of an occupant thereof, and/or the practice of a permitted home occupation therein. The area of a nameplate may not exceed one square foot in a residential area or two square feet in a nonresidential area. Only one nameplate may be permitted per residence or establishment.

Neon sign. Any gas-filled glass tubing sign. A neon sign will not be permitted in a historic district without the approval of the historic landmark commission.

Nonconforming sign. A sign that does not conform to all of the regulations of this article or other city ordinances. Any sign that advertises or give directions to a business or

service in another location.

Off-site sign. A sign that is not located at the same location as the establishment. This type of sign is prohibited under this article.

Political sign. A sign which supports or opposes any candidate for public office or any proposition to be voted upon at an election, or which makes a political statement in the nature of constitutionally protected noncommercial free speech. Political signs may be placed only on the premises of a person or entity advocating the candidate, issue or cause involved. No political sign may be placed in, on or over any street or publicly owned land. The area of a political sign may not exceed 36 square feet in a nonresidential area or three square feet in a residential area. A political sign which refers to a candidate or issue on the ballot in an election must be removed by the responsible party within 3 days after the election. The political signs may not be illuminated nor have any moving parts.

Portable sign. Any sign which is not permanently attached to the ground or to a permanent structure or a sign designed to be transported, whether on attached wheels or otherwise, but excluding construction signs, on-site event signs, off-site event signs, realty signs and sidewalk signs. Portable signs may be used only to promote a nonprofit community event. Such signs may not be illuminated, either by internal [or external] means, and may not exceed an area of 32 square feet. Such signs may be placed on private property only with the permission of the owner of such property, on city property only with the approval of the public works director, or on other public property only with the permission of the agency owning the property. Such signs may not be erected more than 14 days prior to the event, and all such signs must be removed by the responsible party not more than three days after the event.

Projecting sign. Any sign, other than an awning sign or canopy sign, whose outside edge extends more than 12 inches from the face of a wall to which it is attached, or which extends at any point above or beyond the end of a wall to which it is attached. Only one projecting sign may be permitted per establishment. An establishment which is located on the corner of a street intersection or at the end of a building in a commercial complex may have one projecting sign on the front wall and one projecting sign on the side wall of the building. The area of a projecting sign may not exceed 16 square feet in any residential zoning district or 32 square feet in any other zoning district and in the extraterritorial jurisdiction. No projecting sign may exceed a height of 20 feet nor may extend vertically above the windowsill of a second story. No projecting sign may extend, either above the roof of the building or beyond the end of the wall to which it is attached, by more than four feet at the point of attachment. A projecting sign attached to a building on private property may not extend over any public land except a sidewalk adjacent to a building that is lawfully built up to the public right-of-way.

Public service sign. A sign or part of a sign that is devoted to changeable messages of general public information without other commercial content, such as the current time and temperature or an index of stock market averages. A public service sign may be placed only in a nonresidential area and only on the same lot or tract of land as the establishment sponsoring the sign. The area of a public service sign may not exceed 32 square feet, regardless of whether the public service sign is a separate sign or integrated as a component of another sign.

Realty sign. A sign that advertises the property on which it is located for sale, lease, or rent. Realty signs may be placed only upon the premises to which they refer, and only one such sign may be permitted per street fronting the lot or tract. The area of a realty sign may not exceed 32 square feet in a nonresidential area or 6 square feet in a residential area. Realty signs may not be illuminated and must be removed within 15 days after property closing or lease signing.

Residential development sign. A sign at the entrance to a residential development, such as a series of townhouses, an apartment complex or a residential subdivision, which identifies the name and/or the address of the residential development. In addition to the name and/or address of the residential development, a residential development sign may incorporate incidental leasing information and/or the contents of a directional signs. For a residential development with six or fewer residential units, the area of a residential development sign may not exceed 32 square feet. For a residential development with more than 6 residential units, the area of a residential development sign may not exceed the smaller of either five square feet per unit or 50 square feet in total. A residential development sign may not be internally illuminated. For a residential development sign in a condominium development or in a subdivision in which the sign is common property of the subdivision homeowners, the condominium regime or restrictive covenants must provide adequate assurance, in the judgment of the public works director, that the landscaped area, if present, at the base of the sign will be properly maintained by the condominium owners' association or homeowners' association.

Roof sign. Any sign that is mounted on or above the roof of a building, but excluding a projecting sign whose principal support fixtures are attached to a wall and a wall sign which is either painted directly on a sloping roof or mounted directly on a sloping roof in the same plane as the roof.

Self-supported sign. A permanent sign which is erected on supports placed on or anchored in the ground, as distinguished from a monument sign built directly on the ground, and which is independent of any other structure for its support. Self-supported signs are only permitted on commercial property. The area of a self-supported sign may not exceed 32 square feet. A self-supported sign may not exceed 24 feet tall.

Sidewalk sign. A sign, regardless of its construction, which is designed to be placed temporarily on the ground or sidewalk adjacent to an establishment in order to advertise or call attention to the goods or services offered at that establishment. Only one sidewalk sign is permitted per business address. A sidewalk sign may be placed or used only during the actual business hours of the establishment to which it refers. A sidewalk sign may not be placed in the paved area of any public right-of-way except for a sidewalk. Sidewalk signs generally are limited to eight (8) square feet in area and a maximum width of two (2) feet.

Single-family address sign. A sign, other than a nameplate, which identifies the name of the occupants and/or the address of a single-family or duplex residence, but excluding any commercial sign. In addition to the name of the occupants and/or the address of the residence, a single-family address sign may contain an incidental personal message from the occupants, but it may not contain any commercial sign. The area of a single-family address sign may not exceed two square feet.

Vehicular sign. A vehicle, whether motorized or a trailer, which is mounted above the ground as a sign or part of a sign, or any sign attached to or painted on such a vehicle which is mounted above the ground or which is parked so as to be visible from a street when such vehicle is not actually used for transportation in the day-to-day affairs of its owner.

Wall sign. A sign, other than a nameplate, painted on or mounted parallel to the face of any building, provided that the sign does not project over any public land or street right-of-way, or extend more than 12 inches from the face of the wall to which the sign is mounted, or extend at any point above or beyond the end of such wall. A sign that is painted on a sloping roof or mounted on a sloping roof in the same plane as the roof is also a wall sign. A wall sign that is not painted directly on the surface of a wall must be securely mounted to and supported by the wall throughout the length and width of the sign. Only one wall sign may be permitted per establishment in any residential area. The area of all wall signs on any single wall, including one-third of the area of any awning signs which are attached to the wall and required to be counted, may not exceed 16 square feet in any residential zoning district, or 25 percent of the area of the wall, exclusive of the area of doors and windows in the wall, in nonresidential areas. Changeable copy wall signs are wall signs that contain the primary name of the establishment as well as a changeable copy feature. The changeable copy portion of the sign shall not exceed eight (8) square feet.

Wall sign, changeable copy. A wall sign that incorporates a changeable copy feature into the sign.

Window sign. Any sign which is painted or placed inside or upon a window, or which is placed inside a building and oriented so as to be read from outside the building. The collective area of all window signs may not exceed either 25 percent of the total window area on any one floor of a building or 25 percent of the front window area of any individual occupant of a building.

(Ordinance 08-006, sec. 16, adopted 5/5/08 ; Ordinance adopting Code)

DIVISION 2
Historic Preservation

§ 3-16. Definitions.

Historic overlay district; "H." An area which has outstanding historical and cultural significance in the State, region, or City, within which the buildings, structures, accessory buildings, fences, or other appurtenances are of basic and vital importance for the development of culture and tourism because of their association with history, including:

- (1) Historic structures, sites, or areas within which the buildings, structures, appurtenances, and places exemplify the cultural, political, economic, or social history of the State, region, or City.
- (2) Historic structures, sites, or areas that are identified with the lives of historic personages or with important events in State, regional, or local history.
- (3) Structures or areas that embody the distinguishing characteristics of an architectural type specimen as to color, proportion, form, and architectural details.

Historic landmark; "HL." A place which has outstanding historical and cultural significance in the nation, region, or City. The designation "historic landmark" recognizes that the historic place or the building(s), structure(s), accessory building(s), fences, or other appurtenances at the place, are of basic and vital importance for the preservation of culture and the development of tourism.

(Ordinance 21-1201 adopted 12/7/21)

§ 3-17. Designation of historic districts and historic landmarks.

- (a) **Designation of historic districts.** The city council designates the area notated on the city's official Zoning Map as the "Historic Overlay District." The Historic Overlay District shall bear the word "Historic" in its zoning designation, and such designation shall be in addition to any other Zoning District designation established in the Zoning Ordinance. All Zoning Maps shall reflect the Historic Overlay District by the letter "H."
- (b) **Criteria for designation of Historic Overlay District.** In making the designation of an area as a historic district, the city council shall consider one or more of the following criteria:
 - (1) Character, interest, or value as part of the development, heritage, or cultural characteristics of the city;
 - (2) Location as the site of a historical event;
 - (3) Embodiment of distinguishing characteristics of an architectural type or specimen;
 - (4) Relationship to other distinctive buildings, sites, districts, or structures which are historically significant and preserved, or which are eligible for preservation;
 - (5) Unique location of singular physical characteristics represents an established and familiar visual feature of a neighborhood, community, or the city;

- (6) Value as an aspect of community sentiment of public pride; and
 - (7) Identification with a person or persons who significantly contributed to the development or culture of the city.
 - (c) Designation of historic landmarks. After public notice and hearing, the city council may from time-to-time designate certain places in the city as historic landmarks. Such places shall bear the word "Historic" in their zoning designation, and such designations shall be in addition to any other Zoning District designation established in the Zoning Ordinance. All Zoning Maps shall reflect the historic landmark by the designation "HL."
 - (d) Criteria for designation of historic landmark. In making the designation of a place as a historic landmark, the city council shall consider the criteria set forth in Subsection (b) of this section.
- (Ordinance 21-1201 adopted 12/7/21)

§ 3-18. Historic review board.

- (a) Creation; composition. The Planning and Zoning Commission of the city shall serve as the Historic Review Board, hereinafter the "Board." In addition to its planning and zoning duties, the Commission shall assume all duties and perform all functions of the Board as contained and described in this division. All references to the "review board," or "historic review board" or the "board" in this division are to the Planning and Zoning Commission.
 - (b) Functions. The Board shall act in an advisory capacity only, and shall have no power to bind the city by contract or otherwise. It shall be the function of the Board to advise the city council concerning all applications for certificates of review in Historic Overlay Districts or Historic Landmarks.
- (Ordinance 21-1201 adopted 12/7/21)

§ 3-19. Certificate of review required; procedures.

- (a) No person or entity shall install, construct, reconstruct, alter, change, restore, remove, or demolish any exterior architectural feature of any historic landmark or of any building or structure located within a Historic Overlay District unless application is made for a certificate of review and such a certificate is granted by the city council.
- (b) The applicant shall submit to the Board an application in writing for a certificate of review that includes data and information required by the city council, including, but not limited to, the following:
 - (1) Name of the applicant and the property owner;
 - (2) Mailing address of the applicant and permanent address of the property owner;
 - (3) Location of the property to be altered or repaired;
 - (4) A detailed description of the nature of the proposed external alteration or repair to

be completed;

- (5) The intended and desired starting date and completion date of the alterations or repairs to be made; and
 - (6) A drawing or sketch of the proposed external alteration, if applicable.
- (c) Applications that are incomplete or not in compliance with the city Building Code, restrictions, and other City Ordinances shall be returned to the applicant for completion and compliance.
- (d) All applications shall be subject to review by the Board and action by the city council. The Board shall review the applications for all certificates of review and determine whether the applications are in conformance with this division. With the exception of Subsection (e) hereof, the city council shall approve, approve with conditions, or deny all applications within sixty (60) days of application submittal.
- (e) For a permit to demolish or move a historic landmark or building within a Historic Overlay District or any other Zoning District, the city council shall render a decision within one hundred twenty (120) days after receipt of a completed application.
(Ordinance 21-1201 adopted 12/7/21)

§ 3-20. Criteria for action on certificate of review.

In determining the recommendation and action on an application for a certificate of review, the Board and City Council shall consider the following matters:

- (1) The effect of the proposed change upon the general historic, cultural, and architectural nature of the District or landmark;
 - (2) The appropriateness of exterior architectural features that can be seen from a public street, alley, or walkway;
 - (3) The general design, scale, arrangement, texture, and material of the building or structure and the relation of such factors to similar features of buildings or structures in the District. The criteria shall not be the aesthetic appeal of the structure or the proposed remodeling, but rather, its conformity to the general character of the particular historic area involved;
 - (4) The character of the Historic Overlay District or Landmark for all signs;
 - (5) Preservation of the value of the Historic Overlay District or Landmark, as the area of unique interest and character;
 - (6) The general and specific Standards for Rehabilitation and Guidelines for Applying the Standards for Rehabilitation, as issued by the Secretary of the Interior; and
 - (7) The importance of balancing the current needs of the property owner with the importance of approving plans that will be economically reasonable for the property owner.
- (Ordinance 21-1201 adopted 12/7/21)

§ 3-21. Violations; penalty.

- (a) It shall be unlawful to construct, reconstruct, structurally alter, remodel, renovate, relocate, restore, demolish, raze, or maintain any building, structure, accessory building, fence or other appurtenance in a Historic Overlay District or Historic Landmark in violation of the provisions of this division. The city may institute any appropriate action or proceeding to prevent such unlawful construction, reconstruction, structural alteration, remodeling, renovation, restoration, relocation, demolition, razing, or maintenance; to restrain, correct, or abate such violation; and to prevent any illegal act, conduct, business, or maintenance in and about such premises. Each day such violation continues shall constitute a separate violation.
 - (b) **Criminal Offense.** Violation of any provision of this division is a misdemeanor. Each day of a violation shall constitute a separate offense. A fine for a violation may not exceed two hundred dollars (\$200.00).
 - (c) **Civil Action.** A person who violates a provision of this article is subject to a civil suit for injunctive relief and to a civil penalty. The city may seek also to recover damages from the violator in an amount adequate for the city to undertake activity necessary to bring compliance with the ordinance.
- (Ordinance 21-1201 adopted 12/7/21)

**AGENDA
CITY OF JOHNSON CITY, TEXAS
PLANNING AND ZONING COMMISSION**

The City of Johnson City Planning and Zoning Commission met for a Regular Meeting on Tuesday, April 23, 2024 at 6:00 p.m. in the City Hall Council Chamber, 303 E. Pecan Drive, Johnson City, Texas 78636. This was an open meeting, subject to the open meeting laws of the State of Texas.

Present: James Whitfill
Tricia Keith
Bart Burkhard
Paul Babb

Staff Present: Whitney Walston, City Secretary
Megan Santee, City Attorney

1. Call to order.

The commissioners agreed by consensus for Commissioner Whitfill to lead the meeting. Commissioner Whitfill called the meeting to order at 6:02 pm.

PUBLIC HEARING:

- 2. Public Hearing to give all interested persons the right to appear and be heard on a Zoning Amendment Application from Johnson City Coffee Company / Lyndon's Landing LLC dba West Main Sreatery for the amendment of an existing Conditional Use Permit for a Permanent Mobile Food Court increasing the maximum allowable food trucks from four (4) to six (6) located at 108 W. Main St. / 205 W. Pecan Dr., Johnson City, TX 78636.**

The public hearing opened at 6:02 pm and closed at 6:03 pm. There were no comments.

OPEN SESSION:

3. Public Comments.

There were no public comments.

ITEMS FOR INDIVIDUAL CONSIDERATION:

- 4. Discussion of and action on a Zoning Amendment Application from Johnson City Coffee Company / Lyndon's Landing LLC dba West Main Sreatery for the amendment of an existing Conditional Use Permit for a Permanent Mobile Food**

Court increasing the maximum allowable food trucks from four (4) to six (6) located at 108 W. Main St. / 205 W. Pecan Dr., Johnson City, TX 78636. (Applicant)

Commissioner Keith motioned to recommend to City Council the approval Zoning Amendment Application from Johnson City Coffee Company / Lyndon's Landing LLC dba West Main Stretery for the amendment of an existing Conditional Use Permit for a Permanent Mobile Food Court increasing the maximum allowable food trucks from four (4) to six (6) located at 108 W. Main St. / 205 W. Pecan Dr., Johnson City, TX 78636. Commissioner Burkhard seconded the motion. All were in favor and the motion passed.

5. **Pursuant to Municipal Code of Ordinances Chapter 14 Zoning, Article III Zoning Districts, Division 2 Historic Preservation, discussion of and action on a request by Huckleberry's Closet for approval of signage located at 204 E. Pecan Dr., Johnson City, TX 78636. (Applicant)**

Commissioner Babb motioned to recommend to City Council the approval of the signage located at 204 E. Pecan Dr., Johnson City, TX 78636, Huckleberry's Closet. Commissioner Burkhard seconded the motion. All were in favor and the motion passed.

6. **Discussion of and direction on Municipal Code of Ordinances Chapter 14 Zoning. (Staff)**

City Attorney Santee presented an overview of the changes and edits in the Zoning Code of Ordinances.

With no further business before the commission, the meeting was adjourned at 6:52 pm.

Commissioner

Whitney Walston, City Secretary