

ORDINANCE NO. 7547

AN ORDINANCE AMENDING CHAPTER 4, ARTICLE 5, SECTION 4.78, "SIGNS - PERMIT REQUIRED," OF THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

That Section 4.78 of the Garland Development Code of the City of Garland, Texas, is hereby amended *in part* to read as follows:

"Section 4.78 Signs - Permit Required

. . . .

(M) Mural (also termed Original Art Display). Mural means a nonelectronic, static work of art, its primary purpose being non-commercial speech (that is, no more than 30% of the total surface area may be used as commercial speech), generally for the purpose of decoration or artistic expression. To qualify as a mural under this section, no individual commercial speech element may be larger than 10% of the total surface area of a mural.

(1) Permit: Subject to subsection (4) below, a permit is not required for any Original Art Display that meets the definition of a "Mural."

(2) Location: Murals are expressly prohibited in all residential districts. Murals are allowed by right in all nonresidential and mixed-use zoning districts with the approval of the property owner.

(3) Placement/setbacks: Murals must be applied using paint or other material that will weather well and will generally remain legible and in its original appearance for at least 5 years following application. A mural that extends from a vertical wall facing requires a permit that is issued for the sole purpose of inspecting the structural components of the extension and issued in the

same manner as a provided under Section 4.65 for a sign. The permit fee for a mural extension shall be consistent with the sign permit fee established under Chapter 30, Article XVI of the City Code.

(4) Commercial speech: For the purposes of this Section, the percentage of allowed commercial speech incorporated in a mural shall be calculated in the following manner:

a. Copy, symbols, lettering, trademarks, advertising, or other references to the premises, the products sold, or services provided, on the premises shall be considered commercial speech.

b. The measurement of the percentage of allowed commercial speech in a mural is as follows:

i. Determine the overall area of the mural in the same manner as signs under Section 4.75.

ii. Determine the size of the area of the proposed commercial speech components of the mural in the same manner as signs and individual cutout words or figures under Section 4.75.

iii. Determine the maximum allowed commercial speech area as related to the overall size using the following formula: (total mural area/commercial speech area) x 100.

. . ."

Section 2

That a violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

Section 3

That Chapter 4 of the Garland Development Code of the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 4

That the terms and provisions of this Ordinance are severable and are governed by Sec. 1.07 of the Garland Development Code of the City of Garland, Texas.

Section 5

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

PASSED AND APPROVED this the 3rd day of September, 2024.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

PUBLISHED: