



Agenda Item Report

Legislative Board:

Planning and Zoning
Commission

Date:

January 27, 2026

Contact:

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Agenda Item ID /

2025-911- / G.1

Number:

ITEM TITLE: Continued deliberation, and possible action on a request for a sign regulation variance from the Unified Development Code (UDC) § 4.02.08C to allow for a multi-tenant monument sign with an approximate area of 150 square feet, approximate height of 43 feet, approximate width of 115 feet, and to reduce the required setback for the same sign to 0 feet. This sign would be located on a property known as Persimmon Phase 1 Section 1, Lot 1, Block A, 4.5640 acres; and another property known as Persimmon Phase 1 Section 1, Lot 2, Block A, 6.3882 acres; City of Buda, Hays County, TX; located at the NE Corner of the FM 967 Roundabout, Buda, TX 78610. (V 25-08) (Assistant Director of Development Services Will Parrish)

1. EXECUTIVE SUMMARY

This is a continuation of an action item regarding a sign regulation variance request to allow for a multi-tenant monument sign with an approximate area of 150 square feet, approximate height of 43 feet, approximate width of 115 feet, and to reduce the required setback for the same sign to 0 feet at properties located at the NE Corner of the FM 967 Roundabout. The public hearing was held on October 14, 2025, and the Commission voted to table the request 7-0.

Since this request was tabled, the applicant has updated their public improvement construction plans to include cistern, which is intended to store make up water from the condensers of future commercial development for their ponds. These construction plans have been approved, and the cistern is considered part of the drainage at this time. The applicant intends for the cistern to have a dual purpose, that of storing water, and acting as the monument structure for the proposed signage.

The proposed signage is for one monument sign: an approximately 115'x43' multi-tenant sign with 144.04 square feet of signage area.

The proposal requires sign regulation variances as UDC § 4.02.08C limits the maximum area for multi-tenant monument signs to 75 square feet in the Form District 4 (F4); UDC § 4.02.08C also limits the maximum height for monument signs to 12 feet; UDC § 4.02.08C also limits the maximum width for multi-tenant monument signs to 25 feet; UDC § 4.02.08C also requires that monument signs be setback 10 feet from all property lines.

In considering whether to grant relief from the sign regulations, the Planning and Zoning Commission may consider whether:

1. There are special or unique circumstances or conditions arising from the physical surroundings, shape, topography, or other feature affecting the property on which the sign is to be located.
2. The circumstances causing the hardship similarly affect all or most properties in the vicinity of or similarly classified as the applicant's property.
3. The proposed sign location, configuration, design, materials, colors, and supporting structure are harmonious with the surrounding structures.
4. The variance request includes mitigation measures related to the sign in question or other signs on the same premises.

5. The request is the minimum amount necessary to meet the needs of the applicant and satisfy the standards of the sign regulations.
6. The relief sought alters the character of, or impairs the use of, adjacent properties.
7. The hardship suffered by the applicant is caused wholly or in substantial part by the applicant.
8. The relief is sought is not primarily for financial reasons.
9. Granting of the variance will be in harmony with the spirit and purpose of the sign regulations.

2. BACKGROUND/HISTORY

At the October 14, 2025 Planning and Zoning Commission, the Commission voted to table this item after the public hearing, requesting that additional information be provided. Additionally, the Commission voted to approve the variance request for another sign within this community (V 25-09).

The purpose of the City's sign regulations is to establish a clear set of standards related to the placement and specifications of commercial signage within the City's jurisdictional area. They balance the need to protect the public safety and welfare, the need for a well maintained and attractive community, and the need for adequate identification, communication and advertising.

The proposed signage is subject to the *City of Buda Development Agreement Bailey/Armbruster Tract Subdivision* ([Ordinance No. 2024-30](#)). The proposed signage is also within a Planned Development (PD) zoning district that encompasses base zoning districts of One & Two Family Residential (R-3), Transitional Residential (R-4), and F4 with certain regulations subject to [Ordinance No. 2025-08](#). As part of the development agreement (DA) and PD zoning district, the regulations of the Rural Heritage Overlay (O-R) District do not apply to the proposed signage.

The applicant has submitted a common signage plan application (2025-369) that is proposing to install a multi-tenant monument sign for a new neighborhood. The proposed sign requires a sign regulation variance for approval for the following reasons:

1. The sign has a total sign area of 144.04 square feet; multi-tenant monument signs in the F4 zoning district are limited to 75 square feet.
2. The sign has a total height of 42.58 feet; monument signs are limited to 12 feet.
3. The sign has a total width of 111.17 feet; multi-tenant monument signs are limited to 25 feet.
4. The sign's overall structure is located within two lots (Lot 1 & Lot 2) and thus has no setback from the property boundary between them, however the applicant states that the signage itself will be set back 5 feet from the property line. Additionally, the structure abuts the property line of Lot 2 facing FM 967. Monument signs should be setback at least 10 feet from all property lines.

City staff find that all other aspects of the signage as proposed are compliant with the UDC's sign regulations and other relevant requirements (as amended by the DA and PD zoning district, and the approved sign variance (V 25-09).

As part of the request, the applicant has stated that their reasoning for requesting a sign with no setback from property lines is to allow for the use of a cistern as signage, to avoid conflicting with surrounding wastewater easements, and to minimize disturbances to surrounding trees. In regard to height and width, the applicant states the purpose of the variance is simply to account for the heights and widths of the supporting structures (the cistern and trellis) rather than the signs themselves. For area, the applicant states that the variance would allow for the overall community's sign and separate commercial signs to exist on the same structure.

3. ANALYSIS

The following criteria may be considered when evaluating a proposed sign regulation variance:

1. **There are special or unique circumstances or conditions arising from the physical surroundings, shape, topography, or other feature affecting the property on which the**

sign is to be located.

- The immediate surrounding area where the sign is proposed does have several trees and a wastewater easement that does limit sign placement. The proposed location for the sign is the most ideal for advertising; however, this development encompasses of several acres with many options for sign placement.
2. **The circumstances causing the hardship similarly affect all or most properties in the vicinity of or similarly classified as the applicant's property.**
 - The regulations set by the UDC in regard to area would be applied to all properties zoned F4. Additionally, several other zoning districts, overlay districts, and the extraterritorial jurisdiction (ETJ) enjoy the same size allowances in regard to area.
 - The choice to place signage elements on a cistern intended for stormwater drainage rather than construct a traditional sign is unique to the applicant. The UDC requires that the overall height and width of a sign's supporting structure be reviewed against our regulations which can present problems for applicants looking to use non-traditional supporting structures.
 - The configuration of the site in regard to easements and trees does present a unique hardship for the applicant; however, the applicant also has a large amount of land at their disposal for choosing where to place their sign—potentially allowing for a more compliant placement in regard to setbacks.
 3. **The proposed sign location, configuration, design, materials, colors, and supporting structure are harmonious with the surrounding structures.**
 - The proposed sign's design may be harmonious with its surroundings. The sign is intended to stand out by being placed on a large cistern which allows for the applicant to advertise for themselves more than surrounding property owners would be able to. The overall design of the sign should fit well with the master-planned Persimmon development. Additionally, the applicant has stated that the sign is inspired by the Buda Mill & Grain Co. signage and is attempting to extend the rural aesthetic of Buda with several of the sign's elements. While the sign is not subject to the regulations of the O-R overlay district, the main "Persimmon" sign element will include reverse channel lettering—something that is typically required of illuminated signs in the O-R overlay district.
 4. **The variance request includes mitigation measures related to the sign in question or other signs on the same premises.**
 - The applicant is not proposing any mitigation measures at this time.
 5. **The request is the minimum amount necessary to meet the needs of the applicant and satisfy the standards of the sign regulations.**
 - In order for the signage to satisfy the UDC's sign regulations, the area of the sign would have to be reduced by about 48%, the height of the sign would have to be reduced by almost 72%, the width of the sign would have to be reduced by 78%, and the sign would need to be setback an additional 10 feet from the property line abutting FM 967 on Lot 2 and the property line dividing Lot 1 and 2 (making the sign fully encompassed by one of the lots).
 6. **The relief sought alters the character of, or impairs the use of, adjacent properties.**
 - This sign would be by far the largest in the surrounding area. While it would not impair the use of adjacent properties, it would certainly stand out.
 7. **The hardship suffered by the applicant is caused wholly or in substantial part by the applicant.**
 - The hardship suffered by the applicant is caused mostly by the applicant. Should the applicant redesign their proposal in regard to area, height, width, and placement, the sign would then be compliant and the applicant would be able to proceed with their common signage plan application. It is worth noting; however, the hardship in regard to height and width stems from the atypical supporting structure for the sign, so a sign regulation variance may be seen as necessary if the Planning and Zoning Commission feels supportive of creative advertising methods. Additionally, while the applicant has

options for where signage could go within the development, this placement would be the most ideal for commercial use—providing for some rationale of a hardship considering the environmental characteristics.

8. The relief is sought is not primarily for financial reasons.

- The applicant has not indicated financial reasons as the primary motivation for requesting the sign regulation variance.

9. Granting of the variance will be in harmony with the spirit and purpose of the sign regulations.

- The granting of a sign regulation variance would likely not be harmonious since the UDC intends to keep advertisable area at a reasonable size and does not intend to allow multi-tenant monument signs of this height and width. While the UDC does intend to keep signs internal to properties with setback requirements, the UDC also intends to ensure that City's facilities within easements are readily accessible and free of objects that could impair their use. Additionally, the UDC intends to preserve and limit disturbances to desirable trees as much as possible.

4. FINANCIAL IMPACT

Consideration of this item has no financial impact.

5. STRATEGIC PLAN/GOALS

EXCEPTIONAL CITY SERVICES

6. STRATEGIC PLAN OBJECTIVES

Become a more business-friendly City Government - regulations, codes and processes

7. PROS AND CONS

Pros: The applicant would be able to proceed with their desired signage.

Cons: Approval of the sign regulation variance could set a precedent of having larger signs that are closer to property lines.

8. ALTERNATIVES

Approval of the sign regulation variance is entirely discretionary based on application of the criteria. As such, City staff presents the following options:

1. Approve the request (as presented by the applicant).
2. Modify and approve the request.
3. Table the request pending receipt of additional information.
4. Deny the request.

Any decision made by the Planning and Zoning Commission for sign regulation variances can be appealed to City Council.

9. REQUESTED ACTION / SUGGESTED MOTION / RECOMMENDATION

City staff has reviewed the request and submits it to the Planning and Zoning Commission for consideration.

Attachments:

[V 25-08 Location Map.pdf](#)

[1/27/26 Updated Request Letter](#)

[V 25-08 Common Signage Plan.pdf](#)

[V 25-08 Monument Sign Easement.pdf](#)

[G.1 Persimmon Sign Variance Slides.pdf](#)

