

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.02 (DEFINITIONS) TO AMEND THE DEFINITION OF MONUMENT SIGN; CHAPTER 20.18 (SIGN REGULATIONS), ARTICLE II (ADMINISTRATION) SECTION 20.18.140 (PROHIBITED SIGNS) TO REMOVE THE PROHIBITION OF ROOF SIGNS AND ROOF-MOUNTED SIGNS; ARTICLE IV (ON- PREMISE SIGN REGULATIONS), SECTION 20.18.400 (GENERAL) TO ADD ADMINISTRATIVE PROCEDURES FOR EXCEPTIONS TO SIGN STANDARDS; SECTION 20.18.440 (COP, C-1, P-C, P-I, R-MU, G-MU, AND I-MU DISTRICTS) TO AMEND THE REQUIREMENTS FOR WALL SIGNS AND TO ADD PERPENDICULAR SIGN STANDARDS; SECTION 20.18.450 (C-2, C-3, C-4, Q, M-1, M-2 AND M-3 DISTRICTS) TO AMEND THE DEFINITION OF INTERSTATE OR FREEWAY FRONTAGE, TO AMEND THE REQUIREMENTS FOR WALL SIGNS, AND TO ADD ROOF AND PERPENDICULAR SIGN STANDARDS; SECTION 20.18.455 (C-2, C-3, C-4, Q, M-1, M-2 AND M-3 DISTRICTS) CREATING A NEW SECTION TO ADD REQUIREMENTS FOR SHOPPING CENTER SIGN PLANS; AND 20.18.460 (C-5 DISTRICT) TO ADD ROOF SIGN STANDARDS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Title 20 (Zoning) of the El Paso City Code was adopted to promote the health, safety, morals, and general welfare of the community; and,

WHEREAS, Title 20 (Zoning) regulates sign standards for aesthetics, safety, and to provide adequate information to the public; and,

WHEREAS, Title 20 (Zoning) regulates sign standards based on the finding that “the number, sizes and height of signs in the city ... is unduly distracting and confusing to motorists and pedestrians, creates traffic hazards, and reduces the effectiveness of signs needed to direct the public; that the appearance of the city, particularly that of its residential and light commercial districts, is marred by the excessive number of signs; that the aforementioned effects detract from the pleasure, safety and economic well-being of the community, and that the number of distracting signs ought to be reduced in order to lessen the detrimental effects; That the use of signs in the exercise of First Amendment freedoms must be balanced against the community, neighborhood, and social impacts of such signs”; and that the regulations contained in this chapter are the minimum amount of regulation necessary to achieve its purpose; and,

WHEREAS, a public hearing regarding the proposed amendment was held before the City Plan Commission, and the Commission recommended approval of the amendment; and,

WHEREAS, the El Paso City Council has determined that this amendment is in the best interest of the public and will promote the public health, safety, and welfare of the City;

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NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

SECTION 1. That Title 20 Zoning, Chapter 20.02 Definitions be amended as follows:

20.02.922 Sign, monument

Monument sign means a freestanding sign with a one hundred percent width base; however, the sign may be supported by an internal pipe structure. Base materials may include unpainted brick, stone, cast or cultured stone, or other natural material such as adobe or rammed earth (or similar veneer). Skirts shall also be constructed of minimum three millimeter aluminum, excluding sheet metal. The sign base width may be reduced below 100 percent, but not less than 33 percent, in instances where the proposed sign includes the same architectural features and aesthetics of the buildings on site. Paint colors alone shall not meet this standard. Also known as "ground sign."

SECTION 2. That Title 20 Zoning, Chapter 20.18 Sign Regulations, Article II Administration, Section 20.18.140 Prohibited Signs be amended as follows:

Delete Subsection E. Roof signs and roof-mounted signs in its entirety. The remaining sections should be re-lettered as Subsections E, through T., accordingly.

SECTION 3. That Title 20 Zoning, Article IV On Premises Sign Regulations, Section 20.18.400 General be amended to add Subsection B:

B. Exceptions for Sign Standards Due to Unique Circumstances

1. Where topography, the unique characteristics of a particular lot (i.e. road alignment, curvature of the road, utility structures), or where the location or relationship of the lot to surrounding properties are such that the signage permitted on the property is not adequate the Director of the City Development Department or designee may vary the limitations as to height, size, or both for proposed signs up to twenty percent (20%) of the standards in commercial (C-1, C-2, C-3, C-4), mixed use (C-OP, C-1, P-C, P-I, R-MU, G-MU and I-MU), or apartment zone (A-1, A-2, A-3, A-4, A-M, PR-I, PR-II, SRR, A-O, A-3/O and S-D), except that variances shall not be granted for obstructions from any other off-premise or on-premise signs.
2. Procedure Requirements: Applicants seeking an exception for sign standards shall provide the following information:
 - a. Completed sign application and fee receipt.
 - b. Written request with justification for exception request.
 - c. Site and aerial photos documenting the unique characteristics of the lot requiring the request for this exception.

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- d. A three dimensional rendering of both the permitted and proposed signs from ground level from both directions of the abutting right(s)-of-way.
- 3. In cases where the property owner disagrees with the determination of the Director of the City Development Department or designee, the decision may be appealed to the City Plan Commission.
- 4. Only four signs will be granted an exception at any time on any lot or shopping center.

SECTION 4. That Title 20 Zoning, Chapter 20.18 Sign Regulations, Article IV On Premises Sign Regulations, Section 20.18.440 C-OP, C-1, P-C, P-I, R-MU, G-MU and I-MU districts, Subsection C. 4 be amended and that Section D be added as follows:

C. 4. Location: shall not project more than eighteen inches from the face of the wall or the surface of the canopy or awning; shall be erected in such a manner that building fenestration is not obscured and the architectural integrity of the building is not altered;

D. Perpendicular signs shall comply with the following requirements:

- 1. Permit required: Yes.
- 2. Maximum number: Two per street frontage or pedestrian right-of-way per building.
- 3. Buildings must have at least one-hundred feet of continuous street frontage or pedestrian right-of-way;
- 4. Maximum sign area: One-hundred square feet;
- 5. Location: A nine-foot clearance shall be maintained between the bottom edge of the perpendicular sign and the ground; shall be placed perpendicular to the wall of the building and not project more than eighty inches if over public rights-of-way;
- 6. Shall require a special privilege license to be obtained in conjunction with sign application where the sign projects into the right-of-way.
- 7. Illumination: Sign may be illuminated but digital/CEVM technology is not permitted;
- 8. Signs shall not project into Texas Department of Transportation Right-of-Way.

SECTION 5. That Title 20 Zoning, Chapter 20.18 Sign Regulations, Article IV On Premises Sign Regulations, Section 20.18.450 C-2, C-3, C-4, Q, M-1, M-2 and M-3 districts, Subsection A.2 be amended as follows:

2. For the purposes of this section, interstate or freeway frontage is defined as Interstate Highway 10, US Highway 54, Joe Battle Boulevard, Americas Avenue, Zaragosa Road from Joe Battle Boulevard to Sun Fire Boulevard and Montana east of Geronimo. In no case shall a freeway primary monument sign exceed fifty feet in height or a shopping center primary monument sign exceed sixty feet in height.

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SECTION 6. That Title 20 Zoning, Chapter 20.18 Sign Regulations, Article IV On Premises Sign Regulations, Section 20.18.450 C-2, C-3, C-4, Q, M-1, M-2 and M-3 districts, Subsections D.3 and D.4 (Wall signs) be amended as follows and that a new Sections (F) and (G) be added to regulate Roof and Perpendicular signs:

D. 3. Maximum sign area: Forty percent of the building facade on one elevation with street frontage; twenty percent of the building facade on other elevations, except where the elevation or wall is within one hundred feet of and facing a residential, apartment zoning district, or special purpose district. The sign area shall include signage on any canopies or awnings;

D. 4. Location: Shall not project more than eighteen inches from the face of the wall or the surface of the canopy or awning; shall be erected in such a manner that building fenestration is not obscured and the architectural integrity of the building is not altered.

F. Roof signs and roof-mounted signs shall comply with the following requirements:

1. Permit required: yes;
2. Maximum number: one sign per street frontage for single-tenant buildings, and one sign per tenant for multi-tenant buildings;
3. Minimum building height: roof signs and roof-mounted signs shall be permitted on buildings a minimum of thirty feet in height;
4. Maximum sign area: two hundred square feet;
5. Maximum height: permitted at building height to sign height ratio of 3:1, with the sign not to exceed ten feet in height.
6. Location: the sign shall not extend beyond the edges of the structure;
7. Illumination: internal or indirect; may not be flashing or intermittent;

G. Perpendicular signs shall comply with the following requirements:

1. Permit required: Yes.
2. Maximum number: Two per street frontage or pedestrian right-of-way per building.
3. Buildings must have at least one-hundred feet of continuous street frontage or pedestrian right-of-way;
4. Maximum sign area: Eighty square feet;
5. Location: A nine-foot clearance shall be maintained between the bottom edge of the perpendicular sign and the ground; shall be placed perpendicular to the wall of the building and not project more than eighty inches if over public rights-of-way;
6. Shall require a special privilege license to be obtained in conjunction with sign application where the sign projects into the right-of-way.
7. Illumination: Sign may be illuminated but digital/CEVM technology is not permitted;
8. Signs shall not project into Texas Department of Transportation Right-of-Way.

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SECTION 7. That Title 20 Zoning, Chapter 20.18 Sign Regulations, Article IV On Premises Sign Regulations, be amended to add Section 20.18.455 Shopping Center Comprehensive Sign Plans for C-2, C-3, C-4, Q, M-1, M-2 and M-3 districts:

- A. Shopping Center Comprehensive Sign Plans:
 - 1. Shopping centers may allocate the total available square footage for all primary monument, pole, and out parcel signs permitted under this chapter according to a submitted and approved Comprehensive Sign Plan (CSP).
 - 2. The CSP shall be reviewed by the Planning Division for completeness and shall not be processed until any missing information is supplied and the applicant pays the established fee. Amendments to the sign plan shall be assessed the same fee as an original CSP.
 - 3. Administrative approval. Comprehensive Sign Plans shall be reviewed and approved by the Development Department.
 - 4. Comprehensive Sign Plans shall include the following:
 - a. Legal description of area proposed to be developed or metes and bounds description and amount of land included certified by a professional engineer (P.E.) or registered architect;
 - b. Three copies of the Comprehensive Sign Plan, showing the boundaries of the tract proposed for development; elevations or perspective of the building; location and arrangement, use, dimensions, square footage and height of all structures; yards, setbacks (number of feet); sidewalks and curb cuts; driveways; on-site parking spaces, to include loading and unloading berths; open spaces; landscape planted areas; size, screening walls; screening of on-site parking facilities;
 - c. Stamp or seal and signature of a professional engineer or architect preparing plans;
 - d. Proof of ownership, (warranty deed, title commitment, etc.);
 - e. The applicant shall pay the established fee;
 - f. The locations, dimensions, and elevations of each sign to be located within the site.
 - g. A table listing each sign, its permitted size under existing zoning and standard review, and the square footage allocated to the specific sign under the Comprehensive Sign Plan.
 - 5. Shopping Centers submitting a Comprehensive Sign Plan shall be eligible for one additional Primary Monument Sign to be used for no more than two anchor tenants to be identified by the property owner.
 - 6. All signs covered by the Comprehensive Sign Plan shall be monument signs.
 - 7. Signs covered by the Comprehensive Sign Plan shall not be eligible for the exceptions under 20.18.400.B.

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8. If the Development Department does not approve an applicant's CSP, the applicant may appeal the decision pursuant to 20.18.115. 9. Architecturally unique primary signs not also meeting the definition of monument sign may reduce the sign base below 33% when the CSP and sign elevations demonstrate a consistent theme across all shopping center signage and where the design of the primary signs is tied to the architecture of the primary building(s) within the shopping center.

SECTION 8. That Title 20 Zoning, Chapter 20.18 Sign Regulations, Article IV On Premises Sign Regulations, Section 20.18.460 C-5 districts, Section G be added to regulate Roof Signs:

G. Roof Signs shall comply with the following requirements:

1. Permit required: Yes.
2. Maximum number: Two per street frontage or pedestrian right-of-way per building, except that additional signs up to one per tenant may be approved by the Director of City Development where multiple tenants occupy the required 100 feet of required street frontage.
3. Buildings must be street oriented and have at least one-hundred feet of continuous street frontage or pedestrian right-of-way;
4. Maximum sign area: One-hundred square feet per sign;
5. Illumination: Sign may be illuminated but digital/CEVM technology is not permitted;
6. Shall require a special privilege license to be obtained in conjunction with sign application where the sign encroaches into the right-of-way.
7. Signs shall not project into Texas Department of Transportation Right-of-Way.

SECTION 9. Except as expressly herein amended, Title 20 Zoning, of the El Paso City Code shall remain in full force and effect.

ADOPTED THIS _____ day of _____ 2014.

CITY OF EL PASO

Oscar Leeser, Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

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APPROVED AS TO FORM:

Karla M. Nieman
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew McElroy
City Development Director

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Author: KMN