



City of El Paso – City Plan Commission Staff Report

Amendment to Title 20 Superregional Shopping Center Use Definition and Superregional Shopping Center CEVM Standards

The proposed amendment is necessary to add superregional shopping center as a definition as well as provide sign standards for superregional shopping center Changeable Electronic Variable Message signs.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.02 (GENERAL PROVISIONS AND DEFINITIONS) AND CHAPTER 20.18 (SIGN REGULATIONS), ARTICLE IV (ON-PREMISE SIGN REGULATIONS) OF THE EL PASO CITY CODE TO ADD A DEFINITION FOR SUPERREGIONAL SHOPPING CENTERS AND TO ESTABLISH STANDARDS FOR SUPERREGIONAL SHOPPING CENTER CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS. 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, it is necessary to amend the sign regulations to add standards for superregional shopping center changeable electronic variable message signs; 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;

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

SECTION 1. That Title 20, Zoning, Chapter 20.02, General Provisions and Definitions, of the El Paso City Code be amended to add the following definition:

20.02.871 "Superregional Shopping Center" means a shopping center consisting of several freestanding connected anchors and only a minimum amount of small specialty tenants. These shopping centers are of larger size, anchors, deeper selection of merchandise, and draw from a larger population base than regional shopping centers. The total site acreage exceeds forty acres in size and has a primary trade area of 25-60+ miles. Superregional Shopping Centers are permitted in the C4 zoning district only.

SECTION 2. That Title 20, Zoning, Chapter 20.18, Sign Regulations, Article IV, On-Premise Signs, of the El Paso City Code be amended to add the following section:

20.18.405 CEVM Standards for Superregional Shopping Centers

A. A superregional shopping center changeable electronic variable message sign is permitted as a monument sign or pole sign subject to the following conditions:

1. The property shall be zoned C-4 and located on Interstate Highway 10.
2. A superregional shopping center changeable electronic variable message sign shall not exceed a maximum sign area of six hundred square feet.

3. A superregional shopping center changeable electronic variable message sign may not exceed 45 ft. in height.
4. A superregional shopping center changeable electronic variable message sign shall be mounted on a pole that shall be encased in a structure containing architectural detail consistent with other on-site development with a base at least twenty percent of the sign width.
5. A superregional shopping center changeable electronic variable message sign is permitted on lots that are 40 acres or greater in size.
6. Only one changeable electronic variable message display is permitted on each side of the sign with a maximum of two changeable electronic variable message displays per sign.
7. Superregional shopping center changeable electronic variable message signs may be located on either side of the roadway; however, each sign must only be visible from one direction of travel.
8. A superregional shopping center changeable electronic variable message sign shall display a static message for at least eight seconds and a change of message shall be accomplished within one second and shall occur simultaneously on the entire sign face.
9. A superregional shopping center changeable electronic variable message sign is not permitted if the lot or premises has a changeable electronic variable message billboard or non-CEVM billboard.
10. A superregional shopping center changeable electronic variable message sign shall not be used to display commercial messages relating to products or services that are not offered on the premises. However, the sign may display any variety or combination of non-commercial messages, including but not limited to public interest items not taking place on premises such as events for schools, amber alerts, and religious institutions.
11. A superregional shopping center changeable electronic variable message sign shall have an automatic dimmer control to produce distinct illumination change from a higher illumination level to a lower level meeting the above illumination standards for the time period between one half-hour before sunset and one half-hour after sunrise.
12. A superregional shopping center changeable electronic variable message sign is not permitted within 500 feet from R-F, R-1, R-2, R-2A, R-3, R-3A, R-4, R-5, P-RI, P-RII, RMH, PMD, A-1, A-2, A-3, A-4, A-M, A-3/O, A-O, R-MU, G-MU, I-MU, and SCZ zoning districts.
13. A maximum of two superregional shopping center changeable electronic variable message signs per premise shall be permitted on I-10 so long as the two signs are spaced at a distance of at least 1,500 ft.

14. A superregional shopping center changeable electronic variable message sign is not permitted within a special area as defined in Section 20.18.250.

15. Superregional shopping center changeable electronic variable message signs must be under single ownership and located on one contiguous parcel at the time of sign permit issuance.

16. If a superregional shopping center has a changeable electronic variable message sign, all monument signs shall be 8 ft. in height or less, not to include primary or principal shopping center signs.

17. Superregional shopping centers with changeable variable message signs shall submit a comprehensive sign plan.

18. Owner responsibilities.

a. The sign owner shall provide on the sign permit contact information for a person who is available to be contacted at any time and who is able to turn off the changeable electronic variable message sign promptly after a malfunction occurs.

b. If the development services department finds that a changeable electronic variable message has malfunctioned, the owner of the sign, within 24 hours of a written notification by the department, shall correct the malfunction or power off the sign.

c. Changeable electronic variable message signs shall display on the sign, the permit number issued by the City for the sign.

SECTION 2. Except as expressly herein amended, Title 20, Zoning, Chapter 20.18, Sign Regulations, of the El Paso City Code shall remain in full force and effect.

ADOPTED THIS _____ day of _____ 2012.

CITY OF EL PASO

ATTEST:

John F. Cook, Mayor

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

Mathew S. McElroy, Director
City Development Dept.