



City of El Paso – City Plan Commission Staff Report

Amendment to Title 20

Planning proposes revisions to the zoning code regulations pertaining to definitions of shopping centers and shopping center signage, after review of current industry definitions and standards.

The International Council of Shopping Centers (ICSC) is an organization that publishes and updates industry-recognized Shopping Center Classifications and Characteristics. The definitions in the zoning code have been updated to better reflect the current ICSC classifications. While researching this information, it became apparent that different categories of shopping centers have different signage needs, and revisions to the sign code for shopping center signage are also proposed.

The proposed revisions were presented to the Development and Infrastructure Committee of the Chamber of Commerce on August 10, 2016, and were recommended for approval.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.02 (GENERAL PROVISIONS AND DEFINITIONS), ARTICLE II (DEFINITIONS) TO MODIFY DEFINITIONS FOR TYPES OF SHOPPING CENTERS, AND 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) TO MODIFY MONUMENT SIGN REGULATIONS FOR SHOPPING CENTERS; THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Title 20 (Zoning) of the El Paso City Code, Chapter 20.02 (Definitions) and Chapter 20.18 (Sign Regulations) provide definitions and standards for signage in this city; and

WHEREAS, the current definitions for certain types of shopping centers do not coincide with the retail industry's development trends; and,

WHEREAS, the current on-premise signage standards do not provide sufficient sign regulations for shopping centers that are larger than six (6) acres in size; 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 after a public hearing 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), Article II (Definitions) of the El Paso City Code be amended as follows:

20.02.862 - Shopping center.

"Shopping center" means a group of three or more retail and other commercial establishments and detached buildings that is planned, developed, and operated as if it were a single property regardless of ownership. On-site parking is provided. The center's size and orientation are generally determined by the market characteristics of the trade area served by the center. The two main configurations of shopping centers are malls and open-air strip centers, regardless of whether the lots within the shopping center are separately platted lots or the lots are divided with a commercial unit development. In no instance shall a shopping center be located within a shopping center. The boundary of a shopping center should be clearly defined by a visual marker (e.g. curb planter, landscape, garden wall, etc.) but a limited number of internal driveways and/or access easements are permitted between adjacent shopping centers to facilitate traffic flow.

20.02.864 - Shopping center, community.

"Community shopping center" means a moderate-sized shopping center generally utilizing a site of ten (10) to forty (40) acres, with fifteen (15) to forty (40) stores and leading tenants being a discount store, supermarket, drug or small department store and serving several neighborhoods generally having a trade area of three (3) to six (6) miles.

20.02.866 - Shopping center, convenience.

"Convenience shopping center" means a small shopping center on less than three (3) acres of land and designed to serve a trade area of one mile, with convenience goods.

20.02.868 - Shopping center, neighborhood.

"Neighborhood shopping center" means a small to moderate shopping center, generally utilizing a site of three (3) to ten (10) acres, with leading tenants being a supermarket and/or drugstore, and serving a trade area of three (3) miles.

20.02.870 - Shopping center, regional.

"Regional shopping center" means a large shopping center, generally utilizing a site of forty (40) to one hundred (100) acres with GLA of 400,000 to 800,000 square feet having as leading tenants two (2) or more large anchor stores and serving a trade area of five (5) to fifteen (15) miles.

20.02.871 - Superregional shopping center.

"Superregional Shopping Center" means a shopping center consisting of three (3) or more anchors and only a minimum amount of small specialty tenants. Compared to traditional regional shopping centers, superregional shopping centers include more anchor stores, offer a deeper selection of merchandise, and draw from a larger population base. To qualify as a superregional, a shopping center must have a total site acreage that exceeds forty (40) acres in size under the control of a single owner, have a GLA that exceeds 800,000 square feet, and have a primary trade area in excess of fifteen (15) miles.

SECTION 2. 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 of the El Paso City Code be amended as follows:

20.18.450 - C-2, C-3, C-4, Q, M-1, M-2 and M-3 districts.

A. Monument signs shall comply with the following requirements:

Districts	Permit Required	Maximum Number	Maximum Height	Maximum Sign Area
Primary signs in C-2, C-3, C-4, Q, M-1, M-2 and M-3 with major or super arterial frontage (see A.1-7 after Table for additional information)	Yes	<p>One (1) per street frontage for premises less than six (6) acres, but not to exceed three (3) signs per premise;</p> <p>Two (2) per street frontage for premises of six (6) acres or more, but not to exceed four (4) signs per premise.</p>	Twenty five (25) feet	One Hundred and Fifty (150) square feet
Primary signs in C-2, C-3, C-4, Q, M-1, M-2 and M-3 with interstate or freeway frontage (see A.1-7 after Table for additional information)	Yes	<p>One (1) per street frontage for premises less than six (6) acres, but not to exceed three (3) signs per premise;</p> <p>Two (2) per street frontage for premises of six (6) acres or more, but not to exceed four (4) signs per premise.</p>	Thirty five (35) feet above ground at the sign or the pavement grade of the freeway, whichever is greater	Two hundred and fifty (250) square feet
Shopping Center primary monument signs in C-2, C-3, C-4, Q, M-1, M-2 and M-3 with arterial frontage (see A.1-7 after Table for additional information)	Yes	<p>One (1) per street frontage for premises less than three (3) acres, but not to exceed three (3) signs per premise;</p> <p>Two (2) per street frontage for premises</p>	Forty five (45) feet	<p>Less than one (1) acre two hundred (200) square feet,</p> <p>More than one (1) acre two hundred and fifty (250) square feet</p>

		<p>that are between three (3) acres and ten (10) acres, not to exceed four (4) signs per premise;</p> <p>Three (3) per street frontage for premises that are between ten (10) acres and twenty (20) acres, not to exceed six (6) signs per premise;</p> <p>No more than six (6) signs for premises between twenty (20) acres and forty (40) acres;</p> <p>No more than eight (8) signs for premises over forty (40) acres.</p>		
<p>Shopping Center primary monument signs in C-2, C-3, C-4, Q, M-1, M-2, and M-3 with interstate or freeway frontage (see A.1-7 after Table for additional information)</p>	<p>Yes</p>	<p>One (1) per street frontage for premises less than three (3) acres, not to exceed three (3) signs per premise;</p> <p>Two (2) per street frontage for premises between three (3) acres and ten (10) acres, not to exceed four (4) signs per premise;</p> <p>Three (3) per street frontage for premises</p>	<p>Forty five (45) feet above ground at the sign or the pavement grade of the freeway, whichever is greater</p>	<p>Less than three (3) acres, three hundred and fifty (350) square feet;</p> <p>More than three (3) acres, four hundred and fifty (450) square feet</p>

		<p>between ten (10) acres and twenty (20) acres, not to exceed six (6) signs per premise;</p> <p>No more than six (6) signs per premise for premises between twenty (20) acres and forty (40) acres;</p> <p>No more than eight (8) signs per premise for premises over forty (40) acres.</p>		
<p>Detached buildings in shopping centers in C-2, C-3, C-4, M-1, M-2 and M-3 (see A.1-7 after Table for additional information)</p>	<p>Yes</p>	<p>One (1) per detached building</p>	<p>Twenty five (25) feet</p>	<p>Eighty (80) square feet</p>
<p>Manufacturer identification signs in C-3 and C-4, where business inventory consists of motorized vehicles for sale, some in an outdoor location that is accessible to customers.</p>	<p>Yes</p>	<p>One (1) per licensed manufacturer</p>	<p>Twenty five (25) feet</p>	<p>Combined square footage of all manufacturer signs shall not exceed three hundred (300) square feet</p>

1. Location: no portion of the sign shall be closer than fifteen (15) feet from the back of the curblines; if the property line is located more than fifteen (15) feet from the curblines, signs shall be erected within the property line, and no portion of a sign shall extend beyond the property line.

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, Zaragoza 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 (50) feet in height or a shopping center primary monument sign exceed sixty (60) feet in height.
3. For minor and collector arterials, a primary monument sign shall not exceed eighty (80) square feet in sign area and eight (8) feet in height.
4. For minor and collector arterials, a shopping center monument sign shall not exceed eighty (80) square feet in sign area and twelve (12) feet in height.
5. For detached buildings in shopping center signs, the height shall not exceed fifteen (15) feet along major arterial and eight (8) feet along a minor or collector arterial.
6. Illumination: Internal or indirect; may not be flashing or intermittent;
7. Additional standards: Shall comply with Section 20.18.400 of the El Paso City Code.

SECTION 3. Except as herein amended, Title 20 (Zoning) of the El Paso City Code shall remain in full force and effect.

ADOPTED THIS _____ day of _____, 2016.

CITY OF EL PASO

Oscar Leeser, Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Karla M. Nieman
Assistant City Attorney

Larry F. Nichols, Director
Planning and Inspection Department

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Comment [KF1]: This language added to the definition per emails dated 8/3/16.

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"Community shopping center" means a moderate-sized shopping center generally utilizing a site of ten (10) to forty (40) acres, with fifteen (15) to forty (40) stores and leading tenants being a discount store, supermarket, drug or small department store and serving several neighborhoods generally having a trade area of three (3) to six (6) miles.

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Comment [NKM2]: Please spell this out then place (GLA) after the word in parenthesis

20.02.871 - Superregional shopping center.

"Superregional Shopping Center" means a shopping center consisting of three (3) or more anchors and only a minimum amount of small specialty tenants. Compared to traditional regional shopping centers, superregional shopping centers include more anchor stores, offer a deeper selection of merchandise, and draw from a larger population base. To qualify as a superregional, a shopping center must have a total site acreage that exceeds forty (40) acres in size under the control of a single owner, have a gross leasable area GLA that exceeds 800,000 square feet, and have a primary trade area in excess of fifteen (15) miles.

Comment [NKM3]: Same comment as above

Comment [KF4]: Per the CSC chart, trade area for a superregional is 5-25 miles. Made it 15 and up so as not to conflict with a regional shopping center.

Comment [NKM5]: Currently this definition states the primary trade area in excess of 60 miles. Why is this amendment such a large drop? Are other cities using this measurement. The superregional by name and by this very definition distinguishes itself from the regional by being larger and draw from more population. It serves a much larger area than the regional center.

SECTION 2. 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 of the El Paso City Code be amended as follows:

20.18.450 - C-2, C-3, C-4, Q, M-1, M-2 and M-3 districts.

A. Monument signs shall comply with the following requirements:

Districts	Permit	Maximum Number	Maximum	Maximum Sign
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	Required		Height	Area
Primary signs in C-2, C-3, C-4, Q, M-1, M-2 and M-3 with major or super arterial frontage [see A.1-7 after tables for additional information]	Yes	One (1) per street frontage for premises less than six (6) acres, but not to exceed three (3) signs per premise;	Twenty five (25) feet	One Hundred and Fifty (150) square feet
		Two (2) per street frontage for premises of six (6) acres or more, but not to exceed four (4) signs per premise.		
Primary signs in C-2, C-3, C-4, Q, M-1, M-2 and M-3 with interstate or freeway frontage (see A.1-7 after tables for additional information) .	Yes	One (1) per street frontage for premises less than six (6) acres, but not to exceed three (3) signs per premise;	Thirty five (35) feet above ground at the sign or the pavement grade of the freeway, whichever is greater	Two hundred and fifty (250) square feet
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Shopping Center primary monument signs in C-2, C-3, C-4, Q, M-1, M-2 and M-3 with arterial frontage (see A.1-7 after tables for additional information) .	Yes	One (1) per street frontage for premises less than three (3) acres, but not to exceed three (3) signs per premise;	Forty five (45) feet	Less than one (1) acre two hundred (200) square feet, More than one (1) acre two hundred and fifty (250) square feet

Comment [KF6]: This added per suggestion from Rich Williams that these are often overlooked.

		<p>Two (2) per street frontage for premises that are between three (3) acres and ten (10) acres, not to exceed four (4) signs per premise;</p> <p>Three (3) per street frontage for premises that are between ten (10) acres and twenty (20) acres, not to exceed six (6) signs per premise;</p> <p>No more than six (6) signs for premises between twenty (20) acres and forty (40) acres;</p> <p>No more than eight (8) signs for premises over forty (40) acres.</p>		
<p>Shopping Center primary monument signs in C-2, C-3, C-4, Q, M-1, M-2, and M-3 with interstate or freeway frontage (see A.1-7 after tables for additional information).</p>	Yes	<p>One (1) per street frontage for premises less than three (3) acres, not to exceed three (3) signs per premise;</p> <p>Two (2) per street frontage for premises between three (3) acres and ten (10) acres, not to</p>	<p>Forty five (45) feet above ground at the sign or the pavement grade of the freeway, whichever is greater</p>	<p>Less than three (3) acres, three hundred and fifty (350) square feet;</p> <p>More than three (3) acres, four hundred and fifty (450) square feet</p>

		<p>exceed four (4) signs per premise;</p> <p>Three (3) per street frontage for premises between ten (10) acres and twenty (20) acres, not to exceed six (6) signs per premise;</p> <p>No more than six (6) signs per premise for premises between twenty (20) acres and forty (40) acres;</p> <p>No more than eight (8) signs per premise for premises over forty (40) acres.</p>		
<p>Detached buildings in shopping centers in C-2, C-3, C-4, M-1, M-2 and M-3 (see A.1-7 after tables for additional information).</p>	Yes	One (1) per detached building	Twenty five (25) feet	Eighty (80) square feet
<p>Manufacturer identification signs in C-3 and C-4, where business inventory consists of motorized vehicles for sale, some in an outdoor location that is accessible to customers.</p>	Yes	One (1) per licensed manufacturer	Twenty five (25) feet	Combined square footage of all manufacturer signs shall not exceed three hundred (300) square feet

1. Location: no portion of the sign shall be closer than fifteen (15) feet from the back of the curblin; if the property line is located more than fifteen (15) feet from the curblin, signs shall be erected within the property line, and no portion of a sign shall extend beyond the property line.
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SECTION 3. Except as herein amended, Title 20 (Zoning) of the El Paso City Code shall remain in full force and effect.

ADOPTED THIS _____ day of _____, 2016.

CITY OF EL PASO

 Oscar Leeser, Mayor

ATTEST:

 Richarda Duffy Momsen
 City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

 16-1007-1686 / 545125_4
 Monument Sign- Shopping Center- Title 20
 KMN

U.S. Shopping-Center Classification and Characteristics

Type of Shopping Center	Concept	Center Count	Aggregate GLA (Sq. Ft.)	% Share of Industry GLA	Average Size (Sq. Ft.)	Typical GLA Range (Sq. Ft.)	Acres	# of Anchors	% Anchor GLA	Typical Number of Tenants	Typical Type of Anchors	Trade Area Size
General Purpose Centers												
Super-Regional Mall	Similar in concept to regional malls, but offering more variety and assortment.	622	774,164,063	10.2%	1,244,637	800,000+	60-120	3+	50-70%	NA	Full-line or junior department store, mass merchant, discount department store and/or fashion apparel store.	5-25 miles
Regional Mall	General merchandise or fashion-oriented offerings. Typically, enclosed with inward-facing stores connected by a common walkway. Parking surrounds the outside perimeter.	600	354,534,497	4.7%	590,891	400,000-800,000	40-100	2+	50-70%	40-80 stores	Full-line or junior department store, mass merchant, discount department store and/or fashion apparel store.	5-15 miles
Community Center ("Large Neighborhood Center")	General merchandise or convenience-oriented offerings. Wider range of apparel and other soft goods offerings than neighborhood centers. The center is usually configured in a straight line as a strip, or may be laid out in an L or U shape, depending on the site and design.	9,746	1,923,641,457	25.4%	197,378	125,000-400,000	10-40	2+	40-60%	15-40 stores	Discount store, supermarket, drug, large-specialty discount (toys, books, electronics, home improvement/furnishings or sporting goods, etc.)	3-6 miles
Neighborhood Center	Convenience oriented.	32,506	2,337,559,176	30.9%	71,912	30,000-125,000	3-5	1+	30-50%	5-20 stores	Supermarket	3 miles
Strip/Convenience	Attached row of stores or service outlets managed as a coherent retail entity, with on-site parking usually located in front of the stores. Open canopies may connect the store fronts, but a strip center does not have enclosed walkways linking the stores. A strip center may be configured in a straight line, or have an "L" or "U" shape. A convenience center is among the smallest of the centers, whose tenants provide a narrow mix of goods and personal services to a very limited trade area.	68,841	910,682,441	12.0%	13,229	< 30,000	<3	Anchor-less or a small convenience-store anchor.	NA	NA	Convenience store, such as a mini-mart.	<1 mile
Specialized Purpose Centers												
Power Center	Category-dominant anchors, including discount department stores, off-price stores, wholesale clubs, with only a few small tenants.	2,244	981,502,463	13.0%	437,390	250,000-600,000	25-80	3+	70-90%	NA	Category killers, such as home improvement, discount department, warehouse club and off-price stores	5-10 miles
Lifestyle	Upscale national-chain specialty stores with dining and entertainment in an outdoor setting.	478	158,772,071	2.1%	332,159	150,000-500,000	10-40	0-2	0-50%	NA	Large format upscale specialty	8-12 miles
Factory Outlet	Manufacturers' and retailers' outlet stores selling brand-name goods at a discount.	364	87,503,170	1.2%	240,393	50,000-400,000	10-50	NA	NA	NA	Manufacturers' and retailers' outlets	25-75 miles
Theme/Festival	Leisure, tourist, retail and service-oriented offerings with entertainment as a unifying theme. Often located in urban areas, they may be adapted from older--sometimes historic--buildings and can be part of a mixed-use project.	159	23,761,424	0.3%	149,443	80,000-250,000	5-20	Unspecified	NA	NA	Restaurants, entertainment	25-75 miles
Limited Purpose Property												
Airport Retail	Consolidation of retail stores located within a commercial airport	62	15,102,717	0.2%	243,592	75,000-300,000	NA	NA	NA	NA	No anchors; retail includes specialty retail and restaurants	NA
Total Industry	Traditional + Specialty + Special Purpose	115,622	7,567,223,479	100.0%	65,448							