

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Planning & Economic Development Department

AGENDA DATE: Introduction: April 12, 2011
Public Hearing: May 3, 2011

CONTACT PERSON/PHONE: Mathew McElroy, (915) 541-4193,
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DISTRICT(S) AFFECTED: All Districts

SUBJECT:

An Ordinance amending Title 20 (zoning), Chapter 20.02 (General Provisions and Definitions), and Chapter 20.18 (Sign Regulations), Section 20.18.400 (General), Section 20.18.450 (C-2, C-3, C-4, Q, M-1, M-2 and M-3 Districts) of the El Paso City Code to modify definitions related to signs, to modify monument and pole sign regulations, to modify wall sign regulations, and to add designated special control areas for on-premise signs. The penalty is as provided in Section 20.24 of the El Paso City Code.

BACKGROUND / DISCUSSION:

This amendment takes the current provisions for monument signs and reduces them to be consistent with pole signs. LED signs will also be adjusted to match. The amendment also adds a "Shopping Center" sign that is similar to a monument sign that will allow shopping centers to consolidate their signage into one larger sign. Also, "Special Control Areas", selected because of their scenic attributes, will be added to the code that will have more stringent signage requirements.

PRIOR COUNCIL ACTION:

On November 30, 2010, the El Paso City Council approved moving forward with a Smart Growth implementation Plan. Items can be expected throughout April, May and then throughout the rest of the calendar year.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) recommended approval on March 20th and the item will be heard by the City Planning Commission (CPC) on April 7th.

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Deputy Director-Planning & Economic Development

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.02 (GENERAL PROVISIONS AND DEFINITIONS), AND CHAPTER 20.18 (SIGN REGULATIONS), SECTION 20.18.050, (DEFINITIONS), SECTION 20.18.400 (GENERAL), AND SECTION 20.18.450 (C-2, C-3, C-4, Q, M-1, M-2 AND M-3 DISTRICTS) OF THE EL PASO CITY CODE TO MODIFY DEFINITIONS RELATED TO SIGNS, TO MODIFY MONUMENT AND POLE SIGN REGULATIONS, TO MODIFY WALL SIGN REGULATIONS, AND TO ADD DESIGNATED SPECIAL CONTROL AREAS FOR ON-PREMISE SIGNS. THE PENALTY IS AS PROVIDED IN SECTION 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) of the El Paso City Code, Chapter 20.18 (Sign Regulations) was amended on May 4, 2010, September 1, 2009, October 14, 2008 and November 1, 2007; 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, City Council has determined that the regulation of signs is necessary to promote the health, safety, morals and general welfare of the community; as well as the esthetic and safety needs of the community,

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 as follows:

20.02.862 - Shopping center.

"Shopping center" means a group of commercial establishments, including all all detached buildings planned, designed or developed to function together as a commercial unit, containing three or more premises, each of which is offered by sale, lease or otherwise for separate occupancy or control, and each of which occupies an enclosed area having its own door or entranceway, regardless of whether the lots within the shopping center are separately platted lots or the lots are divided with a commercial unit development. The buildings may share common facilities, including but not limited to, driveways, accessways, internal roadways or circulation facilities, parking, landscaping, or other features.

20.02.922 - Sign, monument.

Monument sign means a freestanding sign with a 100 percent width base constructed of unpainted brick or stock (or other natural material e.g. adobe or rammed earth) that is not attached to a building and is not a pole sign. Also known as "ground sign."

20.02.942 - Sign, pole.

Pole sign means a freestanding sign that is supported from the ground by pole(s) or a three-dimensional support structure that is not attached to a building and does not fit the definition of a monument sign.

SECTION 2. That Title 20, Zoning, Chapter 20.18, Sign Regulations, Article I, General Provisions, Section 20.18.050, Definitions, of the El Paso City Code be amended as follows:

“Monument sign” means a freestanding sign with a 100 percent width base constructed of unpainted brick or stock (or other natural material e.g. adobe or rammed earth) that is not attached to a building and is not a pole sign. Also known as "ground sign."

“Pole sign” means a freestanding sign that is supported from the ground by pole(s) or a three-dimensional support structure that is not attached to a building and does not fit the definition of a monument sign.

SECTION 3. That Title 20, Zoning, Chapter 20.18, Sign Regulations, Article IV, On Premise Sign Regulations, Section 20.18.400, General, Paragraph A, Subparagraph 9, section b, of the El Paso City Code is amended as follows:

b. A maximum of one primary sign per premise may contain a changeable electronic variable message sign. For purposes of this section, primary sign is the sign belonging to the major or primary tenant of the commercial development.

SECTION 4. That Title 20, Zoning, Chapter 20.18, Sign Regulations, Article IV, On Premise Sign Regulations, Section 20.18.400 General, Paragraph A, Subparagraph 9, section m, of the El Paso City Code is amended as follows:

m. Maximum total sign area for signs with a changeable electronic variable message sign:

	0—29.9%	30—34.9%	35—39.9%	40—44.9%	45—50%
Primary Pole or Primary Monument Sign - Freeway					
All	180	160	150	140	120
Primary Pole or Primary Monument Sign - Arterial					
All	135	120	112	105	90

SECTION 5. That Title 20, Zoning, Chapter 20.18, Sign Regulations, Article IV, On Premise Sign Regulations, Section 20.18.450, C-2, C-3, C-4, Q, M-1, M-2 and M-3 districts, Paragraph A and Paragraph B of the El Paso City Code be deleted in its entirety and replaced with the following:

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

A. Monument and pole 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 arterial frontage	Yes	One per street frontage for premises less than six acres, not to exceed three signs per premise; two per street frontage for premises of six acres or more, not to exceed four signs per premise	25 feet	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	Yes	One per street frontage for premises less than six acres, not to exceed three signs per premise; two per street frontage for premises of six acres or more, not to exceed four signs per premise	35 feet above ground; however, a sign may be 10 feet above the pavement grade of the freeway main lanes along Interstate Highway 10, Joe Battle Blvd, and Americas Avenue	250 square feet
Signs in C-2, C-3, C-4, M-1, M-2 and M-3 for properties on a collector arterial, minor arterial	Yes	One per street frontage	25 feet	80 square feet
Shopping Center primary signs in C-2, C-3, C-4, Q, M-1, M-2 and M-3 with arterial frontage	Yes	One per street frontage for premises less than six acres, not to exceed three signs per premise; two per street frontage for premises of six acres or more, not to exceed four signs per premise	25 feet	< 1 acre, 200 square feet 1 acre and up, 250 square feet

Shopping Center primary signs in C-2, C-3, C-4, Q, M-1, M-2 and M-3 with interstate or freeway frontage	Yes	One per street frontage for premises less than six acres, not to exceed three signs per premise; two per street frontage for premises of six acres or more, not to exceed four signs per premise	35 feet above ground; however, a sign may be 10 feet above the pavement grade of the freeway main lanes along Interstate Highway 10, Joe Battle Blvd, and Americas Avenue	< 5 acres, 300 square feet 5 acres and up, 400 square feet
Detached buildings in shopping centers in C-2, C-3, C-4 M-1, M-2 and M-3	Yes	One per detached building. Only permitted as a monument sign when along arterial frontage or as a pole or monument sign when adjacent to Interstate Highway 10, US Highway 54, Joe Battle Blvd, and Americas Avenue	8 feet with arterial frontage; 25 feet above ground when adjacent to Interstate Highway 10, US Highway 54, Joe Battle Blvd, and America Avenue	80 square feet
Manufacturer identification signs in C-3 and C-4, where 70% or more of the business inventory for sale is in an outdoor location that is accessible to customers	Yes	One per licensed manufacturer	25 feet	Combined square footage of all manufacturer signs shall not exceed 300 square feet; however, each sign shall not exceed 80 square feet

1. Location: no portion of the sign shall be closer than fifteen feet from the back of the curblines; if the property line is located more than fifteen 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. Illumination: internal or indirect; may not be flashing or intermittent;
3. Additional standards: shall comply with Section 20.18.400 of the El Paso City Code.

SECTION 6. That Title 20, Zoning, Chapter 20.18, Sign Regulations, Article IV, On Premise Sign Regulations, Section 20.18.450, C-2, C-3, C-4, Q, M-1, M-2 and M-3 districts, Paragraph D of the El Paso City Code be amended as follows:

D. Wall signs shall comply with the following requirements:

1. Permit required: yes;
2. Maximum number: for single-tenant facility, any number of wall signs are permitted, provided that the combined sign area does not exceed the maximum sign area; for multi-tenant facility, one wall sign for each tenant space not to exceed the maximum sign area; for apartments; for apartments, one wall sign for each apartment complex per street frontage and public entryway, not to exceed four signs per complex;
3. Maximum sign area: for single-tenant facility, twenty percent of the building frontage façade; for multi-tenant facility, twenty percent of the tenant space façade; for apartments, twenty percent of the building façade;
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; shall not extend beyond the edges of the structure;
5. Illumination: internal or indirect; may not be flashing or intermittent.

SECTION 7. That Title 20, Zoning, Chapter 20.18, Sign Regulations, Article IV, On Premise Sign Regulations, of the El Paso City Code be amended to add the following section:

20.18.505 - Designated Special Control Areas for On-Premise Signs

A. The following regulations apply to signs within 1,000 feet of the right-of-way of the following special control categories for on-premise signs.

1. Freeway Scenic Corridors
 - a. The following roadways are freeway scenic corridors: US Highway 54 (Patriot Freeway) from Hondo Pass to the Texas – New Mexico Stateline, Transmountain Road from Interstate Highway 10 to US Highway 54, Northeast Parkway
 - b. Freestanding signs cannot exceed 20 feet in height above ground
 - c. Detached buildings in shopping center signs and manufacturer identification signs shall not exceed 8 feet in height above ground
 - d. Freestanding signs shall be monument signs
 - e. No CEVM/LED signage is permitted
2. Freeway Special Control Corridors

- a. The following roadways are freeway special control corridors: US Highway 54 from Cesar Chavez Border Highway to Hondo Pass, Transmountain Road from US Highway 54 to Railroad Drive, Interstate Highway 10 from Mesa Street to Schuster Drive, Interstate Highway 10 from Schuster Drive to Cotton Street, Spur 601 (Liberty Expressway)
- b. Freestanding signs cannot exceed 25 feet in height above ground
- c. Freestanding detached buildings in shopping center signs and manufacturer identification signs shall not exceed 8 feet in height above ground
- d. No CEVM/LED signage is permitted

3. Scenic Roadways

- a. The following roadways are scenic roadways: Gary Ord–Artcraft Road, Paseo Del Norte Road, Redd Road, Diana Drive, Sean Haggerty Drive
- b. Freestanding signs cannot exceed 8 feet in height above ground and 80 square feet in sign area
- c. Freestanding detached buildings in shopping center signs and manufacturer identification signs shall not exceed 8 feet in height above ground
- d. Freestanding signs shall be monument signs
- e. No CEVM/LED signage is permitted

SECTION 8. Except as herein amended Title 20 (Zoning) of the El Paso City Code shall remain in full force and effect.

PASSED AND APPROVED this _____ day of _____, 2011.

THE CITY OF EL PASO

John Cook
Mayor

ATTEST:

Richarda Momsen
City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy, Deputy Director
Planning and Economic Development
Department

ORDINANCE _____