

AN ORDINANCE AMENDING TITLE 20 (ZONING) CHAPTER 20.02 (GENERAL PROVISIONS AND DEFINITIONS) AND CHAPTER 20.18 (SIGN REGULATIONS), ARTICLE 1, (GENERAL PROVISIONS), AND ARTICLE IV, (ON-PREMISE SIGN REGULATIONS), SECTION 20.18.400 (GENERAL) OF THE EL PASO CITY CODE TO ALLOW CHANGEABLE ELECTRONIC VARIABLE MESSAGE AND DIGITAL SIGNS AND THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

08 AUG 21 AM 11:22

CITY CLERK DEPT.

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, digital signs are currently prohibited within the City and it is the desire of City Council to adopt regulations to allow the use of digital signs for on premise signs; and,

WHEREAS, City Council has determined that the regulations of digital signs for on-premise locations is necessary to promote the health, safety, morals and general welfare of the community;

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

SECTION 1. That the following amendments are hereby made in Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions) by adding the following subparagraph:

20.02.897 Sign, changeable electronic variable message

Changeable electronic variable message sign means an on-premise sign which permits lights to be turned on or off intermittently or which is operated in a way whereby light is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including a light emitting diode (LED) or digital sign, and which varies in color or intensity.

SECTION 2. That the following amendments are hereby made in Title 20 (Zoning), Chapter 20.18 (Sign Regulations), Sections 20.18.140 (Prohibited Signs) by adding the following subparagraph:

20.18.140 Prohibited signs.

O. Animated, flashing, running light or twinkle signs, except changeable electronic variable message signs which conform to the provisions of this chapter. Signs projecting or displaying three-dimensional or holographic images.

SECTION 3. That the following amendments are hereby made in Title 20 (Zoning), Chapter 20.18 (Sign Regulations), Article IV (On-Premise Sign Regulations), Sections 20.18.400 (General) by adding the following subparagraph:

Article IV On-Premise Sign Regulations

CITY CLERK DEPT.
08 AUG 21 AM 11:22

20.18.400 General

9. A changeable electronic variable message sign is permitted on a primary monument sign or a primary pole sign in a C-2, C-3, C-4, M-1, M-2 and M-3 zoning district on a major arterial or higher category arterial subject to the following conditions:

- a. Changeable electronic variable message signs shall be in conformance with the maximum sign area requirements of Section 20.18.400.
- b. A maximum of one primary sign per premise may contain a changeable electronic variable message sign.
- c. Only one changeable electronic variable message sign is permitted on each side of the primary sign with a maximum of two changeable electronic variable message signs on the primary sign.
- d. Each message on a changeable electronic variable message sign shall be displayed for at least ten seconds and a change of message shall be accomplished within one second.
- e. A change of message on a changeable electronic variable message sign shall occur simultaneously on the entire sign face.
- f. Changeable electronic variable message signs shall not contain animation, rolling or running letters or message, flashing lights or scrolling displays as part of the display.
- g. 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.
- h. A changeable electronic variable message sign is not permitted within 550 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 or I-MU zoning districts.
- i. A changeable electronic variable message sign is not permitted if the lot or premise has a CEVM billboard.
- j. A 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.
- k. A 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.
- l. Owner responsibilities.

- (1) 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.
- (2) If the development services department finds that a changeable electronic variable message has malfunctioned, the owner of the sign, within 12 hours of a request by the department, shall correct the malfunction or power off the sign.

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

	25 - 29.9%	30 - 34.9%	35 - 39.9%	40 - 44.9%	45 - 50%
Monument Sign - Freeway					
5 acres and up	405	360	337	315	270
< 5 acres	315	280	262	245	210
Monument Sign - Arterial					
1 acre and up	225	200	187	175	150
< 1 acre	180	160	150	140	120
Pole Sign - Freeway					
All	180	160	150	140	120
Pole Sign - Arterial					
All	135	120	112	105	90

CITY CLERK DEPT.
08 AUG 21 AM 11:22

10. A changeable electronic price sign is permitted on a primary monument sign or a primary pole sign in a C-1, C-2, C-3, C-4, M-1, M-2 and M-3 zoning district on a minor arterial, major arterial or higher category arterial subject to the following conditions:

- a. Each price digit may not exceed 12'' in either height or width. width unless the parcel is adjacent to Interstate Highway 10, where 48'' maximum height and width digits are allowed.

SECTION 4. 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 _____, 2008.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST

Richarda Duffy Momsen
City Clerk

SIGNATURES CONTINUE ON FOLLOWING PAGE

APPROVED AS TO FORM:



Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy
Deputy Director – Planning
Development Services Department

CITY CLERK DEPT.
08 AUG 21 AM 11:22