

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

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: Nov. 15, 2011
Public Hearing: Dec. 6, 2011

CONTACT PERSON/PHONE: Kimberly Forsyth, (915) 541-4668

DISTRICT(S) AFFECTED: City-wide

SUBJECT:

An Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions) and Chapter 20.18 (Sign Regulations) of the El Paso City Code to add a definition and establish standards for temporary real estate banners, and to amend other standards for both on premise and off premise signs. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

BACKGROUND / DISCUSSION:

Several major revisions have been made to the City's sign regulations in recent years. Some of these revisions inadvertently deleted language and others have created internal conflicts within the code. This amendment will reinstate missing language and clarify provisions. No substantive changes are proposed.

PRIOR COUNCIL ACTION:

Amendments to Title 20, Chapter 20.18 (Sign Regulations) on June 14, 2011, May 4, 2010, September 1, 2009, October 14, 2008 and November 1, 2007.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

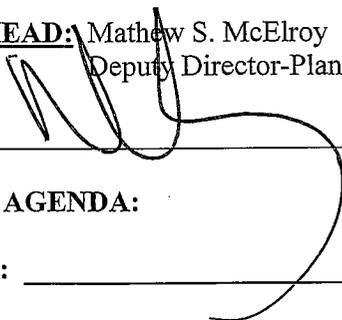
Development Coordinating Committee (DCC) – reviewed Sep. 21, 2011
City Plan Commission (CPC) – unanimous approval recommendation Sep. 22, 2011.

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

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



APPROVED FOR AGENDA: _____

CITY MANAGER: _____

DATE: _____

2011 NOV 10 AM 10:14
CITY CLERK DEPT.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.02 (GENERAL PROVISIONS AND DEFINITIONS) AND CHAPTER 20.18 (SIGN REGULATIONS) OF THE EL PASO CITY CODE TO ADD A DEFINITION AND ESTABLISH STANDARDS FOR TEMPORARY REAL ESTATE BANNERS, AND TO AMEND OTHER STANDARDS FOR BOTH ON PREMISE AND OFF PREMISE 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, Chapter 20.18 (Sign Regulations) was amended on June 14, 2011, May 4, 2010, September 1, 2009, October 14, 2008 and November 1, 2007, and,

WHEREAS, it is necessary to amend the sign regulations to add certain provisions that were inadvertently omitted, to expand on certain existing provisions and to resolve existing internal conflicts with other provisions of the code; 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:

20.02.978 "Sign, temporary real estate banner" means an on-premise sign composed of lightweight fabric or similar material that is secured and maintained in a safe condition at all times without rips or tears, and that is placed upon a premises advertising that property for sale, rent or lease. The sign may display the identification of a real estate agency, broker or owner of the property.

SECTION 2. That Title 20, Zoning, Chapter 20.18, Sign Regulations, of the El Paso City Code be amended as follows:

1. That Section 20.18.100, Sign Permit, be amended to add the following paragraph:

20.18.100, Sign Permit

H. After a permit application has been submitted, if additional information is requested in order to process the application, then the applicant has ninety days to provide the information or the sign permit application shall be deemed to have been abandoned. One extension of time for a period not to exceed 90 days may be allowed by the permit official if the extension is requested in writing.

2. That Section 20.18.220, Size and Height, be amended to add the following paragraph:

20.18.220, Size and Height

C. Not more than eight bulletin billboards, spaced a minimum of 6,000 feet apart, are permitted on Loop 375 from Interstate Highway 10 to Montana.

3. That Section 20.18.400, General, Paragraph A, Subparagraph 8, be amended as follows:

20.18.400 – General

8. If the total sign area of a monument sign is 80 square feet or less, the sign structure width cannot exceed three times the height of the sign. The sign structure width for all other monument signs shall not be greater than the height of that sign.

4. That Section 20.18.400, General, Paragraph A, Subparagraph 9, be amended as follows with the remainder of the sections a through m, under Subparagraph 9 to remain the same:

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-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:

5. That Section 20.18.400, General, Paragraph A, Subparagraph 11, be amended as follows:

11. A static changeable electronic price sign is permitted on a primary monument sign or 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 eighteen inches in either height or width unless the parcel is adjacent to Interstate Highway 10, U.S. Highway 54, Joe Battle Blvd. or Americas Ave. where forty-eight inch maximum height and width digits are allowed; and

b. Characters for the product being sold shall not exceed the size of the associated price digit and shall also remain static; and

c. Each separate visual image shall remain in place for a minimum of 30 seconds.

6. That Section 20.18.410 be amended to change the title of the section as follows:

20.18.410 – R-F, R-1, R-2, R-2A, R-3, R-3A, R-4, R-5, RMH and PMD districts

7. That Section 20.18.430, A-O, A-3/O and S-D districts, Paragraph B, Subparagraph 3, be amended as follows:

20.18.430 – A-O, A-3/O and S-D districts.

B. Monument signs shall comply with the following requirements:

3. Maximum sign area:

< one acre	80 square feet
1 acre and larger	100 square feet

8. That Section 20.18.500, Temporary on-premise signs be amended to add the following paragraph:

20.18.500, Temporary on-premise signs

H. Temporary real estate banner signs. Temporary real estate banner signs shall comply with the following requirements:

1. Permit required: no;
2. Maximum number: one sign per street frontage;
3. Maximum sign area: one hundred square feet which is included in the maximum wall sign area calculation permitted for all wall signs;
4. Location: shall be securely attached to a building facade, 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 no portion shall extend beyond the roof plane or outside the building envelope;
5. Illumination: not permitted;
6. Permitted districts: C-1, C-2, C-3, C-4, C-5, Q, M-1, M-2 and M-3; only for apartments in A-1, A-2, A-3, A-4, A-O, A-3/O, A-M, PR-I, PR-II and SRR districts; not permitted on property within historic overlay zones, historic districts or with designated significant landmarks.

9. That Section 20.18.510, Non- commercial messages, Paragraph B, Subparagraph a, be amended as follows:

20.18.510. Non- commercial messages

B. Noncommercial messages. In addition to the noncommercial messages which may be displayed by message substitution, any noncommercial message within the protection of the First Amendment to the U.S. Constitution may be displayed on any parcel and at any time, subject to the following:

- a. Maximum area cannot be greater than 36 square feet; and

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

SIGNATURES ON FOLLOWING PAGE

ADOPTED THIS _____ day of _____ 2011.

CITY OF EL PASO

ATTEST:

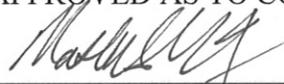
John F. Cook, Mayor

Richarda Duffy 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 Dept.



Title 20, Chapter 20.18, Sign Regulations

Several amendments in recent years:

June 14, 2011 (ordinance #17585), effective date Oct. 3, 2011

- Revised definitions
- Revised standards for monument, pole and wall signs in commercial & manufacturing zoning districts

May 4, 2010 (ordinance #17317)

- Replaced Article I (including Definitions)
- Replaced Article II (Sign Permit procedures)
- Replaced Article III (Billboard Regulations)



Title 20, Chapter 20.18, Sign Regulations

Several amendments in recent years:

May 4, 2010 (ordinance #17318)

- Amended 20.02 (Definitions) to revise all definitions relating to signs
 - *deleted the definition of a temporary real estate banner sign*

“a temporary sign composed of lightweight fabric or similar material that is secured and maintained at all times without rips, tears or holes; and is placed on a premises advertising that property for sale, rent or lease. The sign may display the identification of a real estate agency, broker, or owner of the property”



Title 20, Chapter 20.18, Sign Regulations

Several amendments in recent years:

September 1, 2009 (ordinance #17185)

- Revised Section 20.18.020 to extend off-premise sign regulation to the City's extraterritorial jurisdiction (ETJ)
- Revised Section 20.18.050 - Definitions
- Revised Section 20.18.100 - Permit requirements
- Revised Section 20.18.130 - Removal of signs
- Revised Section 20.18.400 - CEVM regulations
- Revised Sections 20.18.410 & 480 - Revised regulations in residential and historic zoning districts.

October 14, 2008 (ordinance #17013)

- Added and revised all regulations relating to changeable electronic variable message signs (CEVMs)



Title 20, Chapter 20.18, Sign Regulations

Proposed revisions:

- Reinstatement definition and standards for temporary real estate banner signs
- Add permit application abandonment language, previously in Title 18 (90 days to make corrections on deficient application & one 90 day extension)
- Reinstatement regulations for billboards on Loop 375 (I-10 to Montana)
Maximum of 8 bulletin billboards spaced at least 6,000 feet apart
- Clarify monument sign structure standards
Sign structure width cannot exceed 3 times the height, if sign area is 80 square feet or less. Otherwise sign width cannot exceed height.



Title 20, Chapter 20.18, Sign Regulations

Proposed revisions:

- Delete "wall sign" from permitted CEVM standards
This section refers only to freestanding signs (pole and monument)
- Reinstate electronic price sign standards
- Delete PR (PR) zoning districts from low density residential section standards
Currently PR sign regulations are shown in two sections: low density and high density residential, and they conflict with each other
- Correct monument sign area table for A-O and S-D zones
Current table shows up to 160 square feet; since max height is 10 feet, max area is 100 square feet.
- Clarify sign area for non-commercial messages
Currently "36 feet", add "square"