

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

DEPARTMENT: City Development Department

AGENDA DATE: Introduction: February 11, 2014
Public Hearing: March 4, 2014

CONTACT PERSON/PHONE: Mathew McElroy, 212-1550,
mcelroymx@elpasotexas.gov

DISTRICT(S) AFFECTED: All Districts

SUBJECT:

An Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions) Article II (Definitions) to delete definitions of Sign, Off-Premise Temporary Subdivision Directional in Section 20.02.938 and to substitute the definition of Sign, Temporary Subdivision with Temporary Subdivision Kiosk Sign in Section 20.02.984; and Chapter 20.08 (Appendix A), Table of Permissible Uses, Section 16 Temporary uses to add Temporary Subdivision Kiosk Sign; and Chapter 20.18 (Sign Regulations) Article I (General Provisions), Section 20.18.050 (Definitions) to delete Off-Premises Temporary Subdivision Directional Sign and Temporary Subdivision Sign and add Temporary Subdivision Kiosk Sign; Article III (Billboard Regulations) to add a new Section 20.18.310 Temporary Subdivision Kiosk Sign; Article IV (On-Premises Sign Regulations) Section 20.18.500 (Temporary On-Premises Signs) to delete Subsection B. Temporary Subdivision Identification Sign Requirements and re-letter Subsections B-H, of the El Paso City Code. The penalty is as provided in Chapter 20.24 of the El Paso City Code.

BACKGROUND/DISCUSSION:

See Attachment 1

PRIOR COUNCIL ACTION:

See Attachment 1

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD/COMMISSION ACTION:

Unanimous City Plan Commission Approval on Thursday, January 30, 2014

ATTACHMENTS:

Attachment 1: City Plan Commission Memo

Attachment 2: Proposed Ordinance

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

LEGAL: (if required)

FINANCE: (if required)

DEPARTMENT HEAD: Mathew S. McElroy
City Development Director

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____



ATTACHMENT 1

City of El Paso – City Plan Commission
Ordinance to Amend Temporary Subdivision
Identification Signs and Definitions

- On May 28, 2013 the City Council directed staff to implement an off-premises temporary subdivision directional sign kiosk program as discussed in the January 29, 2013 City Council meeting.
- The Ordinance amendment proposes to delete the existing Temporary Subdivision Identification Signs Section and Definitions and replace with Temporary Subdivision Kiosk Signs and Definitions.
- The purpose of the temporary subdivision kiosk signs are to provide the City with a uniform, coordinated method of providing homeowners, developers, and home builders a means of utilizing orderly directional signs, while minimizing the negative impacts to the City and its residents. Kiosk signs may be used by homebuilders, developers, and for subdivision directional signage.
- Specifically, this is an Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions) Article II (Definitions) to delete the definition of Sign, Off-Premises Temporary Subdivision Directional in Section 20.02.938 and to substitute the definition of Sign, Temporary Subdivision with Temporary Subdivision Kiosk Sign in Section 20.02.984; and Chapter 20.08 (Appendix A), Table of Permissible uses, Section 16 Temporary Uses to add Temporary Subdivision Kiosk Sign; and Chapter 20.18 (Sign Regulations) Article I (General Provisions), Section 20.18.050 (Definitions) to delete Off-Premises Temporary Subdivision Directional Sign and Temporary Subdivision Sign and add Temporary Subdivision Kiosk Sign; Article III (Billboard Regulations) to add a new section 20.18.310 Temporary Subdivision Kiosk Sign; Article IV (On-Premises Sign Regulations) Section 20.18.500 (Temporary On-Premises Signs) to delete Subsection B. Temporary Subdivision Identification Sign Requirements and re-letter Subsection B-H, of the El Paso City Code.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.02 (GENERAL PROVISIONS AND DEFINITIONS) ARTICLE II (DEFINITIONS) TO DELETE THE DEFINITION OF SIGN, OFF-PREMISE TEMPORARY SUBDIVISION DIRECTIONAL IN SECTION 20.02.938 AND TO SUBSTITUTE THE DEFINITION OF SIGN, TEMPORARY SUBDIVISION WITH TEMPORARY SUBDIVISION KIOSK SIGN IN SECTION 20.02.984; AND CHAPTER 20.08 (APPENDIX A), TABLE OF PERMISSIBLE USES, SECTION 16 TEMPORARY USES TO ADD TEMPORARY SUBDIVISION KIOSK SIGN; AND CHAPTER 20.18 (SIGN REGULATIONS) ARTICLE I (GENERAL PROVISIONS), SECTION 20.18.050 (DEFINITIONS) TO DELETE OFF-PREMISES TEMPORARY SUBDIVISION DIRECTIONAL SIGN AND TEMPORARY SUBDIVISION SIGN AND ADD TEMPORARY SUBDIVISION KIOSK SIGN; ARTICLE III (BILLBOARD REGULATIONS) TO ADD A NEW SECTION 20.18.310 TEMPORARY SUBDIVISION KIOSK SIGN; ARTICLE IV (ON-PREMISES SIGN REGULATIONS) SECTION 20.18.500 (TEMPORARY ON-PREMISES SIGNS) TO DELETE SUBSECTION B. TEMPORARY SUBDIVISION IDENTIFICATION SIGN REQUIREMENTS AND RE-LETTER SUBSECTIONS B-H, OF THE EL PASO CITY CODE. 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, and general welfare of the community;

WHEREAS, Title 20.18 (Sign Regulations) of the El Paso City Code provides for the regulation of all signs as authorized by the Texas Local Government Code Chapter 211 Municipal Zoning Authority and Chapter 216 Regulation of Signs by Municipalities and the City's zoning and police powers; and,

WHEREAS, as a result of the amount of growth the City is experiencing there are various illegal off-premise signs being installed throughout the City creating visual clutter, detracting from the pleasure, safety and economic well-being of the community; and,

WHEREAS, Title 20.18 (Sign Regulations), Section 20.18.040 of the El Paso City Code makes the following findings: "that the number, size and height of signs in the City, both off-premises and on-premises, is unduly distracting and confusing to motorists and pedestrians, creates traffic hazards, and reduces the effectiveness of signs needed to direct the public; that the appearance of the city, particularly that of its residential and light commercial districts is marred by the excessive number of signs; that the aforementioned effects detract from the pleasure, safety and economic well-being of the community, and that the number of distracting signs ought to be reduced to lessen the detrimental effects;" and,

WHEREAS, the proposed amendment to create Subdivision Kiosk Signs will regulate signage throughout the City of El Paso, will create aesthetic uniformity among the various signs and provide directional assistance to the traveling public, and to emergency service personnel; and,

WHEREAS, Title 20.18 (Sign Regulations), 20.18.040 of the El Paso City Code makes the following findings: "that the use of signs in the exercise of First Amendment freedoms must be balanced against the community, neighborhood, and social impacts of such signs; and the regulations contained in this chapter are the minimum amount of regulations necessary to achieve its purposes;" 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 permitting Subdivision Kiosk Signs 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 shall be amended as follows:

That Section 20.02.938 defining "Sign, off-premises temporary subdivision directional" is hereby deleted.

That Section 20.02.938 remain "Reserved"

That Section 20.02.984 defining "Temporary subdivision sign" be replaced with "Temporary Subdivision Kiosk Signs"

20.02.984 - Sign, Temporary Subdivision Kiosk Signs.

"Temporary Subdivision Kiosk Signs" means a sign that shall include any or all of the following: the name of the subdivision(s), the name of the developer or subdivider of record, the name of the homebuilder(s) and a descriptive statement describing the development (e.g. single-family homes, condominiums, etc.) and directional information including arrows or other similar symbols for the purpose of direction only.

SECTION 2. That Title 20, Zoning, Chapter 20.08, Permissible Uses, Section 20.08.030, Permissible Uses, Subsection C. Table of Permissible Uses. Appendix A, of the El Paso City Code shall be amended as follows:

That Section 16.0 Temporary Uses be amended to substitute 16.17 Tents (Special Events) with Temporary Subdivision Kiosk Signs and be designated with an "P" as a Permitted Accessory Use in Residential, Commercial, Manufacturing, and Special Purpose Districts and by adding "Section 20.18" to the Supplemental Standards column.

That Tents (Special Events) be renumbered to 16.18

That Yard Sale be renumbered to 16.19

SECTION 3. That Title 20, Zoning, Chapter 20.18, Sign Regulations, Article I, General Provisions, Section 20.18.050, Definitions, of the El Paso City Code shall be amended as follows:

That the definitions of "Off-premises temporary subdivision directional sign" and "Temporary subdivision sign" are hereby deleted.

That the definition of "Temporary Subdivision Kiosk Signs" be added to this section to read as follows:

"Temporary Subdivision Kiosk Signs" means a sign that shall include any or all of the following: the name of the subdivision(s), the name of the developer or subdivider of record, the name of the homebuilder(s) and a descriptive statement describing the development (e.g. single-family homes, condominiums, etc.) and directional information including arrows or other similar symbols for the purpose of direction only.

SECTION 4. That Title 20, Zoning, Chapter 20.18, Sign Regulations, Article III, Billboard Regulations, of the El Paso City, Code shall be amended to add a new section as follows:

20.18.310. Temporary Subdivision Kiosk Signs

A. Temporary Subdivision Kiosk Signs shall comply with the following requirements:

1. Permit required: yes, as per Section 20.18.100, application requirements.
2. The owner or developer of the subdivision as platted must be the applicant for a subdivision kiosk sign. A maximum of four (4) Temporary Subdivision Kiosk Signs will be permitted for approved and recorded subdivisions with twenty-five (25) units or less. A maximum of six (6) Temporary Subdivision Kiosk Signs will be permitted for approved and recorded subdivisions with fifty (50) units or less. A maximum of eight (8) Temporary Subdivision Kiosk Signs will be permitted for approved and recorded subdivisions with fifty (50) units or more. All Temporary Subdivision Kiosk Signs must be spaced a minimum of two-hundred feet 200' from one another.
3. Maximum sign area: Subdivision kiosk sign structures shall be ladder type with individual sign panels of 1' (H) x 4' (W) on Local and Collector Streets and 1' (H) x 8' (W) on Major and Minor Arterials and Freeways and shall consist of uniform background color. Temporary Subdivision Kiosk Signs can be double-sided. The panels may be divided in half vertically

Dimensions of the ladder sign structure shall be as follows:

- a. 6' (H) x 4' (W) when the sign is located adjacent to Local Streets and defined by Title 19 Subdivisions.
- b. 8' (H) x 4' (W) when the sign is located adjacent to Collector Streets as defined by Title 19 Subdivisions.
- c. 12' (H) x 8' (W) when the sign is located adjacent to Major and Minor Arterials and Freeway as defined by Title 19 Subdivisions.
4. Location: Temporary Subdivision Kiosk Signs are allowed in all zoning districts but are prohibited in the Special Control Areas listed in 20.18.250 and shall not be located on public rights of way. Temporary Subdivision Kiosk Signs shall not obstruct City rights of way or the use of sidewalks and walkways, and shall not obstruct visibility triangles.
5. Illumination: is permitted on Major and Minor Arterials or Freeway only as specified below:
 - a. Externally illuminated and must meet the dark sky ordinance.
 - b. Solar generated illumination is permitted.
6. Additional standards:
 - a. Temporary Subdivision Kiosk Signs shall not be displayed prior to the recording of the plat.

b. All Temporary Subdivision Kiosk Signs must be removed within thirty (30) days of the sale of the last lot to the end user in the subdivision.

c. A permit for a Temporary Subdivision Kiosk Sign may be reissued every 12 months until the last lot in the subdivision is sold to the end user.

d. The provisions of this section shall extend and apply to the City of El Paso's ETJ as per Title 20.18.020 Applicability.

7. Design standards: Signage shall be made of plywood, metal material, or other durable material, and may consist of reflective material.

8. Maintenance standards: The applicant shall comply with the maintenance standards, per Section 20.18.120, Maintenance.

SECTION 5. That Title 20, Zoning, Chapter 20.18, Sign Regulations, Article IV On-Premises Sign Regulations, Section 20.18.500, Temporary on-premises signs, of the El Paso City Code shall be amended as follows:

That Section 20.18.500B. Temporary Subdivision Identification Sign be deleted in its entirety.

That Sections 20.18.500B. through H., be re-lettered B through G.

SECTION 6. 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 _____, 2013.

THE CITY OF EL PASO:

Oscar Leeser, Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

Karla M. Niemeyer
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy, Director
City Development Department

ORDINANCE NO. _____

Doc #217684_6
Matter # 13-1007-780/Subdivision Kiosk Sign
KNIE

CITY CLERK DEPT.
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