

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

DEPARTMENT: City Development Department, Planning Division

AGENDA DATE: Introduction: August 12, 2014
Public Hearing: September 2, 2014

CONTACT PERSON/PHONE: Alex Hoffman, (915) 212-1566, hoffmanap@elpasotexas.gov

DISTRICT(S) AFFECTED: All

SUBJECT:

An ordinance amending Title 20 (Zoning), Chapter 20.18 (Sign Regulations), Article III (Billboard Regulations), Section 20.18.270 (Relocation of certain billboards for a City Public Works Project or City or State Roadway Improvement Project) to amend the existing provisions in their entirety to allow for the relocation of existing nonconforming billboards. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

BACKGROUND / DISCUSSION:

On January May 20, 2014, City Council directed staff to amend off-premises sign regulations to provide standards for the relocation of billboards as a result of City Public Works Projects or City or State Roadway Improvement Projects.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Recommended Approval (6-2 vote)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Director, City Development Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.18 (SIGN REGULATIONS), ARTICLE III (BILLBOARD REGULATIONS), SECTION 20.18.270 (RELOCATION OF CERTAIN BILLBOARDS FOR A CITY PUBLIC WORKS PROJECT OR CITY OR STATE ROADWAY IMPROVEMENT PROJECT) TO AMEND THE EXISTING PROVISIONS IN THEIR ENTIRETY TO ALLOW FOR THE RELOCATION OF EXISTING NONCONFORMING BILLBOARDS 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, morals, and general welfare of the community; and,

WHEREAS, Title 20 (Zoning) regulates sign standards for aesthetics, safety, and to provide adequate information to the public; and,

WHEREAS, Title 20 (Zoning) regulates sign standards based on the finding that "the number, sizes and height of signs in the city ... 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 in order to lessen the detrimental effects; 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 that the regulations contained in this chapter are the minimum amount of regulation necessary to achieve its purpose; 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 20.18. Sign Regulations, Article III Billboard Regulations, Section 20.18.270 Relocation of certain billboards for a city public works project or city or state roadway improvement project, be amended and replaced in its entirety as follows:

Section 20.18.270 Relocation of certain billboards for a city public works project or city or state roadway improvement project.

ORDINANCE NO. _____

A. Legal and legal non-conforming billboards located on or overhanging a parcel of land acquired by the State of Texas for roadway expansion projects may be relocated subject to the restrictions in this section.

B. The owner of the billboard and the State must submit a billboard relocation application within one year after the billboard is actually removed from the parcel of land. The applicant shall pay the established fee. The relocation must be completed within one year after approval of the relocation application.

C. Except as provided in this section, relocated billboards must fully comply with the size, height, spacing, setback, and other restrictions in this Title.

D. Relocation to remainder.

1. All relocated billboards must be relocated to the remainder of the tract on which the billboard is located, unless it is not possible for the following reasons:
 - a. there is no remainder;
 - b. the owner of the billboard is unable to obtain an agreement from the property owner of the remainder; or
 - c. the remainder is not of sufficient size or suitable configuration to allow the relocated billboard to be as visible as the original billboard from the nearest main traveled thoroughfare.
2. Billboards relocated to a remainder must comply with Section 20.22.090, and must be placed no less than 500 feet from an existing billboard.

E. Restrictions on relocations.

1. A billboard shall not be relocated to a scenic corridor or special control area.
2. A billboard not located on a road on the state highway system must be relocated at least 500 feet from another off-premise billboard.
3. A billboard located on a road on the state highway system must be relocated at least 500 feet from another off-premise billboard on the same side of the freeway.
4. A relocated billboard may not have a greater sign face area than it had at its original location, except that the sign face area of multiple relocated billboards may be combined, provided that:
 - a. the overall number of billboards within the city is reduced;
 - b. the sign face area of the combined billboard shall not exceed six hundred seventy two square feet, the maximum size of a bulletin sign,.
 - c. stacked billboards are prohibited
5. Two one-sided billboards may be relocated to create one two-faced billboard, provided that the two faces are oriented within 60 degrees of one another.
6. All relocated billboards must be built to comply with the building code.
7. A billboard may not be relocated until demolition and other required permits have been applied for and approved by the city.
8. A billboard may not be relocated within 500 feet of a historic district or a public park.

ORDINANCE NO. _____

9. A billboard not located on a road on the state highway system may not be relocated within 350 feet of a residential zoning district.
10. A billboard located on a road on the state highway system may not be relocated within 150 feet of a zoning district listed in 20.18.230.A.
11. No new properties, such as electrical, mechanical, or LED, may be added to a relocated billboard. (For example, an non-illuminated billboard may not be converted to an illuminated billboard, and a static billboard may not be converted to a digital or tri-vision billboard.)
12. The height of a relocated billboard may not exceed 42.5 feet above grade of the center point of the main-traveled way; however, at no time shall the overall sign height exceed 42.5 feet.

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

ADOPTED THIS _____ day of _____, 2014.

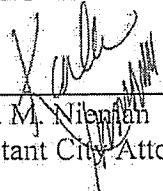
CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Karla M. Nienhoff
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew McElroy, Director
City Development Department

ORDINANCE NO. _____

MEMORANDUM

DATE: July 29, 2014

TO: The Honorable Mayor and City Council
Tommy Gonzales, City Manager

FROM: Alex Hoffman, Lead Planner

SUBJECT: **Zoning Ordinance Amendment**

City Plan Commission recommended approval of the Title 20 (Zoning) amendment by a vote of 6-2.

Attachment: Proposed Ordinance

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ORDINANCE NO. _____

- A. Legal and legal non-conforming billboards located on or overhanging a parcel of land acquired by the State of Texas for roadway expansion projects may be relocated subject to the restrictions in this section.
- B. The owner of the billboard ~~and the State~~ must submit a billboard relocation application, along with supporting documentation from the State requiring the relocation, within one year after the billboard is actually removed from the parcel of land. The applicant shall pay the established fee. The relocation must be completed within one year after approval of the relocation application.
- C. Except as provided in this section, relocated billboards must fully comply with the size, height, spacing, setback, and other restrictions in this Title.
- D. Relocation to remainder.
1. All relocated billboards must be relocated to the remainder of the tract on which the billboard is located, unless it is not possible for the following reasons:
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 2. Billboards relocated to a remainder must comply with Section 20.22.090, and must be placed no less than 500 feet from an existing billboard.
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1. A billboard shall not be relocated to a scenic corridor or special control area.
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8. A billboard may not be relocated within 500 feet of a historic district or a public park.
9. A billboard not located on a road on the state highway system may not be relocated within 350 feet of a zoning district listed in 20.18.230.A. ~~residential zoning district.~~
10. A billboard located on a road on the state highway system may not be relocated within 150 feet of a zoning district listed in 20.18.230.A.
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ADOPTED THIS _____ day of _____, 2014.

CITY OF EL PASO

Oscar Leaser
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Karla M. Nieman
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew McElroy, Director
City Development Department

ORDINANCE NO. _____



Recommendation/Public Input

- **Planning Division recommendation:** Approval
- **CPC Vote:** Approval Recommendation (6-2)
CPC Hearing July 17, 2014
- **Public Input:** 1 individual spoke in support at CPC hearing.



**An ordinance amending Title 20
(Zoning), Chapter 20.18 (Sign
Regulations), Article III (Billboard
Regulations) of the El Paso City Code.**



Amending Section 20.18.270

- Relocation of certain billboards for a city public works project or city or state roadway improvement project.



- Applies to both legal and legal non-conforming billboards
- Relocation must be completed within one year.
- Relocated billboards must comply with the size, height, spacing and setback restrictions currently codified.
- Relocated billboards should be moved to a location on the remainder of the tract unless it is not possible to do so.
- Relocated billboards must comply with 20.22.090 (Nonconforming signs) and be no less than 500 ft. from an existing billboard.



Restrictions

1. A billboard shall not be relocated to a scenic corridor or special control area.
2. A billboard not located on a road on the state highway system must be relocated at least 500 feet from another off-premise billboard.
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Restrictions (cont.)

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