City of El Paso – City Plan Commission

Ordinance to Amend Application Requirements for Rezoning Special District Properties

- Ordinance revises application requirements for City owned properties being rezoned to the Urban Reserve District.
- Specifically, requirements for a legal description of the property (i.e. a description of a parcel of land indicating the lot or tract number, block number, and name of officially approved subdivision which has been recorded with the county clerk; or a metes and bounds description of a parcel of land and amount of land included, certified as a complete and proper legal description by an architect, or a professional engineer with a civil engineering degree, or a surveyor) is waived.
- The legal description requirement is replaced with a requirement for general property description, consisting of, at minimum, identification of the land survey of record in which the subject property is located and a corresponding map exhibit.

Attachments:

Attachment 1: Proposed Ordinance Redlined

Attachment 2: Proposed Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.04 (ADMINISTRATIVE PROVISIONS), SECTION 20.04.380 (APPLICATION REQUIREMENTS) TO REVISE APPLICATION REQUIREMENTS SPECIFIC TO CITY-OWNED PROPERTIES BEING REZONED TO THE URBAN RESERVE DISTRICT. 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, on May 3, 2011, by Ordinance No. 17547, the Urban Reserve District was established as a special purpose zoning district for land within the City limits that has development value with open space opportunities, but may not be currently available for development due to the lack of necessary supporting infrastructure or because the land is owned by the City; and

WHEREAS, the Urban Reserve District may be used as a means to preserve land for sustainable, transit served, form based code development when such land becomes necessary to serve growth in the region and must be rezoned to the Smart Code zoning district prior to development; and

WHEREAS, portions of Urban Reserve District zoned land may have intrinsic value as open space and may contain such features as scenic corridors, view sheds, arroyos, steep slopes, and protected habitat that should remain in its natural state once development occurs; and

WHEREAS, the City owns several thousand acres of land that have been identified on the City's Future Land Use Map, contained within the City's Comprehensive Plan, Plan El Paso, as natural areas that should remain in their natural state or as remote areas that should not be considered for urban development until after 2030; and

WHEREAS, the rezoning of such land to the Urban Reserve District increases conformity with the Future Land Use Map, thereby furthering the goals and implementing the policies as expressed in the City's Comprehensive Plan; and

WHEREAS, current application requirements under Title 20 (Zoning) of the El Paso City Code hinder the implementation of these policies; and

WHEREAS, a public hearing regarding the proposed amendment was held before the City Plan Commission, and the Commission has recommended approval of the amendment; and,

WHEREAS, the El Paso City Council finds that the proposed amendment as herein provided will implement the policies as expressed in the City's Comprehensive Plan and promote the public 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 Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), Section 20.04.380 (Application Requirements), Subsection A is amended as follows:

A. A site plan drawn to scale in black and white, and not less than eight and one-half inches by eleven inches and not more than twenty-four inches by thirty-six inches, showing the boundaries of the property proposed for rezoning, names of streets immediately adjacent to the property proposed for rezoning, the north point, the legal description of the property proposed for rezoning and the amount of land included. When over eight and one-half inches by eleven inches, the drawing shall be on paper suitable for reproduction. For City-owned property rezoned to the Urban Reserve District (URD), a general property description consisting of, at minimum, identification of the land survey of record in which the subject property is located and a corresponding map exhibit shall satisfy this requirement.

SECTION 2. 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

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Oscar Leaser
Mayor

ATTEST:

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Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

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Karla M. Nieman
Assistant City Attorney

APPROVED AS TO CONTENT:

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Mathew S. McElroy, Director
City Development Department

REDLINE

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.04 (ADMINISTRATIVE PROVISIONS), SECTION 20.04.380 (APPLICATION REQUIREMENTS) TO REVISE APPLICATION REQUIREMENTS SPECIFIC TO CITY-OWNED PROPERTIES BEING REZONED TO THE URBAN RESERVE DISTRICT. 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, on May 3, 2011, by Ordinance No. 17547, the Urban Reserve District was established as a special purpose zoning district for land within the City limits that has development value with open space opportunities, but may not be currently available for development due to the lack of necessary supporting infrastructure or because the land is owned by the City; and

WHEREAS, the Urban Reserve District may be used as a means to preserve land for sustainable, transit served, form based code development when such land becomes necessary to serve growth in the region and must be rezoned to the Smart Code zoning district prior to development; and

WHEREAS, portions of Urban Reserve District zoned land may have intrinsic value as open space and may contain such features as scenic corridors, view sheds, arroyos, steep slopes, and protected habitat that should remain in its natural state once development occurs; and

WHEREAS, the City owns several thousand acres of land that have been identified on the City's Future Land Use Map, contained within the City's Comprehensive Plan, Plan El Paso, as natural areas that should remain in their natural state or as remote areas that should not be considered for urban development until after 2030; and

WHEREAS, the rezoning of such land to the Urban Reserve District increases conformity with the Future Land Use Map, thereby furthering the goals and implementing the policies as expressed in the City's Comprehensive Plan; and

WHEREAS, current application requirements under Title 20 (Zoning) of the El Paso City Code hinder the implementation of these policies; and

WHEREAS, a public hearing regarding the proposed amendment was held before the City Plan Commission, and the Commission has recommended approval of the amendment; and,

WHEREAS, the El Paso City Council finds that the proposed amendment as herein provided will implement the policies as expressed in the City's Comprehensive Plan and promote the public health, safety, morals, and general welfare of the community;

REDLINE

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

SECTION 1. That Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), Section 20.04.380 (Application Requirements), Subsection A is amended as follows:

A. A site plan drawn to scale in black and white, and not less than eight and one-half inches by eleven inches and not more than twenty-four inches by thirty-six inches, showing the boundaries of the property proposed for rezoning, names of streets immediately adjacent to the property proposed for rezoning, the north point, the legal description of the property proposed for rezoning and the amount of land included. When over eight and one-half inches by eleven inches, the drawing shall be on paper suitable for reproduction. For City-owned property rezoned to the Urban Reserve District (URD), a general property description consisting of, at minimum, identification of the land survey of record in which the subject property is located and a corresponding map exhibit shall satisfy this requirement.

Comment [AIF1]: Add City-Owned URD Rezoning amendment.

SECTION 2. 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

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Oscar Leaser
Mayor

ATTEST:

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Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

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Karla M. Nieman
Assistant City Attorney

APPROVED AS TO CONTENT:

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Mathew S. McElroy, Director
City Development Department

Title 20 (Zoning)

Ordinance No. _____