

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.04 (ADMINISTRATIVE PROVISIONS), ARTICLE VI (CHANGES AND AMENDMENTS), SECTION 20.04.380 (APPLICATION REQUIREMENTS), OF THE EL PASO CITY CODE TO ALLOW PROPERTY OWNED BY THE CITY OF EL PASO TO BE IDENTIFIED BY REFERENCE TO A GOVERNMENT SURVEY IN AN APPLICATION FOR REZONING 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;

WHEREAS, Chapter 20.06.020.D, Special Purpose Districts, of the El Paso City Code was amended to include a new district known as the “URD” Urban Reserve District (“URD”);

WHEREAS, the URD is a special purpose zoning district for land within the City limits that has development value with open space opportunities; however, the land may not be currently available for development due to the lack of necessary supporting infrastructure or because the land is owned by the City;

WHEREAS, land may be zoned URD 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;

WHEREAS, portions of URD 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;

WHEREAS, current application requirements under Title 20 (Zoning) of the El Paso City Code require 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 certified metes and bounds description of a parcel of land;

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 are remote areas that should not be considered for urban development until after 2030;

WHEREAS, the City would like to have large parcels of its undeveloped land considered for URD zoning; however, the rezoning application requires a legal description which discourages applications because of the prohibitive costs for a certified metes and bounds description;

WHEREAS, City staff has recommended that the application for the large parcels of land owned by the City of El Paso proposed to be rezoned to URD be expanded to allow such land to be described by reference to a government survey;

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 be amended in its entirety to read 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 property owned by the City of El Paso is proposed to be rezoned to the Urban Reserve District (URD) as per Section 20.06.020 D. 14., the application for rezoning can include legal description of the property which references a government survey; or 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. When the site plan is more than eight and one-half inches by eleven inches, the drawing shall be on paper suitable for reproduction.

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

Oscar Leeser, Mayor

ATTEST:

Richarda Duffy Momsen

City Clerk

APPROVED AS TO FORM:

Karla M. Nieman
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy, Director
City Development Department