



City of El Paso – City Plan Commission Staff Report

Amendment to Title 20, Open Space Requirements in “A” Apartment zoning districts.

The zoning code currently requires between 30-50% open space for attached single-family and multi-family developments located in “A” apartment zoning districts. The definition of “open space” in 20.02.648 is:

“an area that is intended to provide light and air and is designed for either scenic or recreational purposes. Open space may include, but is not limited to, lawns, decorative planting, desert areas, foothills, walkways, active and passive recreation areas, hike and bike trails, equestrian trail nodes, picnic benches and shelters, scenic lookouts, viewing shelters, shade structures, playgrounds, fountains, river banks, swimming pools, wooded areas and water courses, and restrooms. The calculation of required open space shall not include driveways, parking lots or other surfaces designed or intended for vehicular travel or storage.”

This requirement is restricting the development of multi-family complexes, and some property owners are rezoning their property to higher intensity commercial zones that do not have the open space requirement. The proposed amendment will reduce the open space requirement percentage, but still requires that a substantial portion of the lot will remain as open space.

Zoning District	Current – interior lots	Proposed – interior lots	Current – corner lots	Proposed – corner lots
A-1	50%	35%	40%	25%
A-2	50%	35%	40%	25%
A-3	40%	30%	30%	20%
A-3/O	40%	30%	30%	20%
A-M	50%	35%	40%	25%

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), APPENDIX B (TABLE OF DENSITY AND DIMENSIONAL STANDARDS), SUBPART B (LOT AND DWELLING SIZE, OTHER STANDARDS) IN THE "A" (APARTMENT) ZONING DISTRICTS, TO AMEND THE OPEN SPACE REQUIREMENTS. 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 currently requires that single-family attached dwellings and apartment developments located in the "A" (Apartment) zoning districts set aside between 30% to 50% of the total lot area for open space; and,

WHEREAS, this requirement is restricting the development of multi-family complexes and property owners are rezoning their property to higher intensity commercial zones due to the open space requirements in A" (Apartment) zoning districts; and,

WHEREAS, the City is experiencing a need for affordable housing units and compact, walkable, higher density development that also provides open space and recreational area; and,

WHEREAS, the El Paso City Council has determined that amending the open space requirement in the "A" (Apartment) zoning districts will encourage more development in existing "A" (Apartment) zoning districts; 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 amending the open space requirement 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, Appendix B, (Table of Density and Dimensional Standards), SubPart B, "Other Standards" column, shall be amended for the following rows:

L.2 A-1 Zoning District. Single-family attached dwellings & apartments. Minimum lot area of 2,400 sf per unit; open space minimum of 35% for interior lots and 25% for corner lots.

M.2 A-2 Zoning District. Single-family attached dwellings & apartments. Minimum lot area of 1,750 sf per unit; open space minimum of 35% for interior lots and 25% for corner lots.

N.2 A-3 Zoning District. Single-family attached dwellings & apartments. Minimum lot area of 750 sf per unit; except for buildings three stories or more in height, minimum lot area of 500 sf per unit; open space minimum of 30% for interior lots and 20% for corner lots.

Q.1 A-3/O Zoning District. Single-family attached dwellings & apartments. Minimum lot area of 750 sf per unit; except for buildings three stories or more in height, minimum lot area of 500 sf per unit; open space minimum of 30% for interior lots and 20% for corner lots.

R.2 A-M Zoning District. Apartments. Minimum lot area of 1,750 sf per unit; open space minimum of 35% for interior lots and 25% for corner lots.

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

PASSED AND APPROVED this _____ day of _____, 2011.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

Mathew S. McElroy, Deputy Director
Planning and Economic Development
Department