

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

DEPARTMENT: Planning and Economic Development Department, Planning Division

AGENDA DATE: Introduction: February 28, 2012
Public Hearing: March 20, 2012

CONTACT PERSON/PHONE: Arturo Rubio, (915) 541-4633, rubioax@elpasotexas.gov

DISTRICT(S) AFFECTED: All Districts

SUBJECT:

An Ordinance amending Title 20 (Zoning), Appendix B (Table of Density and Dimensional Standards), Subpart C (Building Setbacks) in the A (Apartment) and C (Commercial) Zoning Districts, to amend the setback requirements. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

BACKGROUND / DISCUSSION:

The current requirements for minimum front setbacks discourage the development of apartments and commercial properties that utilize smart growth principles and are pedestrian-friendly. The proposed amendment encourages affordable housing units and compact, walkable, higher density development that also provides a mix of compatible uses, all of which the city is in need of. The proposed amendment Ordinance and setback tables are attached.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Reviewed
City Plan Commission (CPC) – Approval Recommendation

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

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

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

MEMORANDUM

DATE: February 21, 2012

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Arturo Rubio, Senior Planner

SUBJECT: Title 20 (Zoning) Amendment

On February 9, 2012 the CPC recommended approval of the Title 20 (Zoning) amendment to amend the setback requirements in the A (Apartment) and C (Commercial) Zoning Districts. The current requirements for minimum front setbacks discourage the development of apartments and commercial properties that utilize smart growth principles and are pedestrian-friendly. The proposed amendment encourages affordable housing units and compact, walkable, higher density development that also provides a mix of compatible uses, all of which the city is in need of.

The CPC determined that the Title 20 (Zoning) Amendment protects the best interest, health, safety and welfare of the public in general; and that the amendment will have no negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was no **OPPOSITION** to this request.

Attachment: Ordinance and tables

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), APPENDIX B (TABLE OF DENSITY AND DIMENSIONAL STANDARDS), SUBPART C (BUILDING SETBACKS) IN THE A (APARTMENT) AND C (COMMERCIAL) ZONING DISTRICTS, TO AMEND THE SETBACK 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 has setback requirements in Appendix B (Table of Density and Dimensional Standards); and,

WHEREAS, the current requirements for minimum front setbacks discourage the development of apartments and commercial properties that utilize smart growth principals and are pedestrian-friendly; and,

WHEREAS, the City is experiencing a need for affordable housing units and compact, walkable, higher density development that also provides a mix of compatible uses; and,

WHEREAS, the El Paso City Council has determined that amending the minimum setback requirements in the A (Apartment) and C (Commercial) zoning districts for apartments and retail commercial uses will encourage more compact and walkable development; 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 setback requirements 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 C, "Building Setbacks", shall be amended as described on the attached Exhibit "A"; and,

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 _____, 2012.

(Signatures on following page.)

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

EXHIBIT "A"

A		SUBPART A		SUBPART B				SUBPART C							SUBPART D
B		Lot & Dwelling Size						Building Setbacks (in feet)							
C	Zoning District	Minimum District Area	Permitted Use	Minimum Lot Area (square feet)	Minimum Average Lot Width (in feet)	Minimum Lot Depth (in feet)	Other Standards	Minimum Front Yard (in feet)	Minimum Rear Yard (in feet)	Minimum Cumulative Front & Rear Yard Total	Minimum Side Yard (in feet)	Minimum Side Street Yard (in feet)	Minimum Cumulative Side & Side Street Yard Total	Other Standards	Maximum Height (in feet)
M.2	A-2	No minimum	Single-family attached dwellings & apartments	6,000	50	100	Minimum lot area of 1,750 sf per unit; open space minimum of 50% for interior lots and 40% for corner lots	0	25	N/A	5	10	N/A	N/A	35
N.2	A-3	No minimum	Single-family attached dwellings & apartments	4,000	50	80	Minimum lot area of 750 sf per unit; except for buildings 3 stories or more in height, minimum lot area of 500 sf per unit is required; minimum open space of 40% of interior lots and 30% of corner lots	0	20	N/A	4	5	N/A	N/A	35; buildings may exceed thirty-five (35) feet if an additional setback of two (2) feet for each one (1) foot of height in excess of thirty-five (35) feet is provided
O.2	A-4	No minimum	Single-family attached dwellings & apartments	20,000	100	100	Multi-family; minimum floor area of 300 sf per dwelling unit	0	20	N/A	4	10	N/A	Perimeter designed to ensure compatibility with adjacent development thru the use of setbacks, screening walls or landscaping; minimum setback of 10 feet between any structure and adjoining ROW	Per approved site development plan
P.2	A-0	No minimum	Single-family attached dwellings & apartments	6,000	50	100	Minimum lot area of 750 sf per dwelling unit; lot coverage not to exceed 50%	0	25	N/A	5	10	N/A	N/A	Max height equal to the distance between the centerline of abutting street and face of the building abutting that street.
Q.1	A-3/0	No minimum	Other permitted uses, except as otherwise specified in this title	6,000	50	N/A	Minimum lot area of 750 sf per dwelling unit; unless 3 or more stories, then minimum lot area of 500 sf per dwelling unit; open space requirement of 40% of the lot area of an interior lot and 30% of a corner lot	0	10	N/A	5	10	N/A	See Chapter 20.10	Max height equal to the distance between the centerline of abutting street and face of the building abutting that street; above 60' in height an additional setback of 1' is required from all yard lines per 2' of height above 60'.
T	C-1	No minimum	Apartments	1,500 per dwelling unit	N/A	N/A	Maximum of 29 units per acre	0	25	N/A	5	10	N/A	See Development Standards in Section 20.10.380 of this Title	35; may exceed 35 feet when an additional setback of one foot is provided from all adjacent yardlines for each foot of height in excess of 35.

A		SUBPART A	SUBPART B					SUBPART C							SUBPART D	
B			Lot & Dwelling Size					Building Setbacks (in feet)								
C		Zoning District	Minimum District Area	Permitted Use	Minimum Lot Area (square feet)	Minimum Average Lot Width (in feet)	Minimum Lot Depth (in feet)	Other Standards	Minimum Front Yard (in feet)	Minimum Rear Yard (in feet)	Minimum Cumulative Front & Rear Yard Total	Minimum Side Yard (in feet)	Minimum Side Street Yard (in feet)	Minimum Cumulative Side & Side Street Yard Total	Other Standards	Maximum Height (in feet)
T.1	C-1	No minimum	Other permitted uses, except as otherwise specified in this title	N/A	N/A	N/A	See Chapter 20.10	0	10	N/A	10 when abutting a residential or apartment district	10	N/A	See Chapter 20.10	35; may exceed 35 feet when an additional setback of one foot is provided from all adjacent yardlines for each foot of height in excess of 35.	
U	C-2	No minimum	Apartments	1,500 per dwelling unit	N/A	N/A	Maximum of 29 units per acre	0	25	N/A	5	10	N/A	See Development Standards in Section 20.10.380 of this Title	35; may exceed 35 ft when an additional setback of one foot is provided from all adjacent yardlines for each foot of height in excess of 35.	
U.2	C-2	No minimum	Other permitted uses, except as otherwise specified in this title	N/A	N/A	N/A	See Chapter 20.10	0	20	N/A	10 when abutting a residential or apartment district	10	N/A	See Chapter 20.10	35; may exceed 35 ft when an additional setback of one foot is provided from all adjacent yardlines for each foot of height in excess of 35.	
V	C-3	No minimum	Apartments	1,500 per dwelling unit	N/A	N/A	Maximum of 29 units per acre	0	25	N/A	5	10	N/A	See Development Standards in Section 20.10.380 of this Title	35; may exceed 35 ft when an additional setback of one foot is provided from all adjacent yardlines for each foot of height in excess of 35.	
V.3	C-3	No minimum	Other permitted uses, except as otherwise specified in this title	N/A	N/A	N/A	See Chapter 20.10	0	10	N/A	10 when abutting a residential or apartment district	10	N/A	See Chapter 20.10	35; may exceed 35 ft when an additional setback of one foot is provided from all adjacent yardlines for each foot of height in excess of 35.	
W	C-4	No minimum	Apartments	Minimum site area of 4000 sf	50	N/A	Minimum lot area of 750 sf per dwelling unit; unless 3 or more stories, then minimum lot area of 500 sf per dwelling unit	0	25	N/A	5	10	N/A	See Development Standards in Section 20.10.380 of this title	60; may exceed 60' when an additional setback of one foot is provided from all adjacent yardlines for each foot of height in excess of 60.	
W.2	C-4	No minimum	Other permitted uses, except as otherwise specified in this title	N/A	N/A	N/A	See Chapter 20.10	0	10	N/A	10 when abutting a residential or apartment district	10	N/A	See Chapter 20.10; Floor area ratio of 1.5	60; may exceed 60' when an additional setback of one foot is provided from all adjacent yardlines for each foot of height in excess of 60.	