

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

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: April 12, 2011
Public Hearing: May 3, 2011

CONTACT PERSON/PHONE: Kimberly Forsyth, (915) 541-4668

DISTRICT(S) AFFECTED: City-wide

SUBJECT:

An Ordinance amending Title 20 (Zoning), Chapter 20.06 (Zoning Districts and Maps), Section 20.06.10, (Districts Established and Enumerated), Section 20.06.020 (Purpose of Districts) and Chapter 20.10 (Supplemental Use Regulations) and Appendix A (Table of Permissible Uses) of the El Paso City Code to add a restricted growth district and establish standards for the district to include uses allowed in the district. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

BACKGROUND / DISCUSSION:

Per City Council direction on March 29, 2011, a new zoning district is proposed. The Restricted Growth District is intended to act as an urban reserve, primarily for city-owned property until it is needed for development, at which time it will be rezoned to either SmartCode or a mixed-use district.

PRIOR COUNCIL ACTION:

The Planning & Economic Development LRC is scheduled to review this amendment on April 7, 2011.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

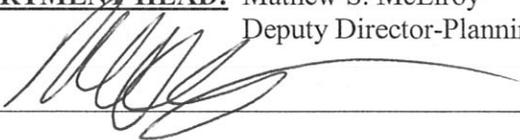
Development Coordinating Committee (DCC) – scheduled April 6, 2011
City Plan Commission (CPC) – scheduled April 7, 2011

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Deputy Director-Planning and Economic Development



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.06 (ZONING DISTRICTS AND MAPS), SECTION 20.06.10, (DISTRICTS ESTABLISHED AND ENUMERATED), SECTION 20.06.020 (PURPOSE OF DISTRICTS) AND CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS) AND APPENDIX A (TABLE OF PERMISSIBLE USES) OF THE EL PASO CITY CODE TO ADD A RESTRICTED GROWTH DISTRICT AND ESTABLISH STANDARDS FOR THE DISTRICT TO INCLUDE USES ALLOWED IN THE 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, the El Paso City Council has determined that development under SmartCode or mixed use development provides for sustainable, transit served, pedestrian friendly growth while preserving natural open space; and,

WHEREAS, the El Paso City Code does not have a zoning district for land within the city limit that is not ready for full development but when development is ready to occur the land should be developed as a transit served, pedestrian friendly development under SmartCode or mixed use development; and,

WHEREAS, the El Paso City Council desires to add a new zoning district that will reserve land for development under SmartCode or mixed use; 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 finds that the proposed amendment as herein provided will have a positive impact upon 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 20.06, Zoning Districts and Maps, Section 20.06.10, Districts Established and Enumerated, Paragraph D, of the El Paso City Code be amended to add the following District:

D. Special Purpose District

“RGD”

Restricted Growth District

SECTION 2. That Title 20, Zoning, Chapter 20.06, Zoning Districts and Maps, Section 20.06.020, Purpose of District, Paragraph D, Special Districts, of the El Paso City Code be amended to add the following subparagraph:

20.06.020 Purpose of District

D. Special Districts

14. Restricted Growth District (RGD)

A. Restricted Growth District means an area that has value as open space but is still subject to development. The land may not be available for development either due to a lack of necessary infrastructure to support development or because the land is owned by the City.

B. Portions of RGD zoned land may have intrinsic value as open space and may contain such features as scenic corridors, view sheds, arroyos, steep slopes, or protected habitat that should remain in its natural state once development occurs. Land may also be zoned RGD as a means of preserving the land for sustainable, transit served, form based code development and redevelopment when such land becomes necessary to serve growth in the region.

SECTION 3. That Title 20, Zoning, Chapter 20.10, Supplemental Use Regulations, of the El Paso City Code be amended to add the following section:

20.10.555 Restricted Growth District (RGD)

A. In order to preserve the open space identified within land zoned RGD, when development is proposed on land zoned RGD, the land shall be developed in accordance with provisions of Title 21 – SmartCode or in accordance with the provisions under a residential or general mixed use zoning plan meeting the LEED for Neighborhood Development Silver Rating standard. Prior to development RGD will be rezoned either SmartCode, GMU, or RMU.

B. Utility Facilities and Thoroughfares within an RGD Zone. Land zoned RGD may be used as necessary for utility facilities and thoroughfare construction projects. Permissible uses and uses allowed by special permit are identified in Appendix A. Any thoroughfare construction projects shall comply with the Institute for Transportation Engineers (ITE) *Designing Walkable Urban Thoroughfares: A Context Sensitive Approach, An ITE Recommended Practice* as amended.

SECTION 4. That Title 20, Zoning, Appendix A, Table of Permissible Uses, of the El Paso City Code be amended as follows:

APPENDIX A

Add RGD to the table of permissible uses, after NOS.

Add “X” to all uses listed under the “Use” column except for the following

Open Space “P”

Minor Utility facility “P”

Major utility facility “S”

Streets and ROW (public or private) "S"
Detention Basin "S"
Stormwater retention pond (public/private) "S"
Transfer of Development Rights "S"

Add §20.10.555 to the "Supplemental Standards" column for the used identified above as "S" above.

SECTION 4. 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 _____ 2011.

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
Dept.