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

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APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.06 (ZONING DISTRICTS AND MAPS), SECTION 20.06.010, (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 URBAN RESERVE 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 20.06.010, Districts Established and Enumerated, Paragraph D, of the El Paso City Code be amended to add the following District:

D. Special Purpose District

"URD" URBAN RESERVE 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. URBAN RESERVE DISTRICT (URD)

A. URBAN RESERVE DISTRICT means an area that has development value with open space opportunites. 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. Land may be zoned URD 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. 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, or protected habitat that should remain in its natural state once development occurs.

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 URBAN RESERVE DISTRICT (URD)

A. When development is proposed on land zoned URD, the land shall be developed in accordance with provisions of Title 21 – SmartCode. Prior to development URD property will be rezoned SmartCode.

B. Utility Facilities and Thoroughfares within an URD Zone. Land zoned URD 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 URD 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

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John F. Cook, Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

_____
Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

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