

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

DEPARTMENT: Development Services / Planning Division
AGENDA DATE: Introduction 05/13/08: Public Hearing 06/03/08
CONTACT PERSON/PHONE: Esther Guerrero, Planner – 541-4720
DISTRICT(S) AFFECTED: All Districts

SUBJECT:

An ordinance amending Title 20 (Zoning) Chapter 20.10 (Supplemental Use Regulations), Section 20.10.370 (Mountain Development) of the El Paso City Code by adding maximum permitted density standards in the PMD (Planned Mountain Development) zoning district. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Applicant: City of El Paso (All Districts)

BACKGROUND / DISCUSSION:

Zoning Ordinance (Title 20) was approved on June 5, 2007 and went into effect on November 1, 2007 which includes Chapter 20.10 (Sign Regulations), Section 20.10.370 (Mountain Development). Inadvertently the standards for maximum permitted density in the PMD (Planned Mountain Development) zoning district were omitted. This will permit maximum density per gross acre based on the average slope percentage.

PRIOR COUNCIL ACTION:

Zoning Ordinance (Title 20) was approved on June 5, 2007, effect November 1, 2007.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee: N/A
City Plan Commission: N/A

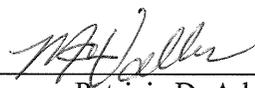
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*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: _____



Patricia D. Adauto, Deputy City Manager

APPROVED FOR AGENDA: _____

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING) CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTION 20.10.370 (MOUNTAIN DEVELOPMENT) OF THE EL PASO CITY CODE BY ADDING MAXIMUM PERMITTED DENSITY STANDARDS IN THE PMD (PLANNED MOUNTAIN DEVELOPMENT) ZONING 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 City Council of the City of El Paso, by Ordinance 016653 approved on June 5, 2007, replaced Title 20 (Zoning), of the El Paso City Code in its entirety; and

WHEREAS, the effective date of the revised Title 20 (Zoning) was November 1, 2007; and

WHEREAS, standards for maximum permitted density in the PMD (Planned Mountain Development) Zoning District were inadvertently omitted; and

WHEREAS, City Council has determined that the standards for maximum permitted density in the PMD (Planned Mountain Development) Zoning District, is necessary to promote the 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 the following amendments are hereby made in Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.370 (Mountain Development); by amending the following section:

20.10.370 Mountain Development

D. Density permitted. The maximum dwelling units per gross acre shall be calculated based on the percentage average slope of the property as follows:

Percent Average Slope	Maximum Density Per Gross Acre
0 to 5	7.0
5.1 to 10	6.0
10.1 to 15	5.0
15.1 to 20	4.0
20.1 to 25	3.0
25.1 to 30	2.5
30.1 to 35	2.0
35.1 to 40	1.5

40.1 or more

1.0

E. Open Space Required. To retain the significant natural features of the mountain development area, common, public or private open space, or a combination thereof, shall be provided as part of a proposed development. The minimum amount of open space to be provided shall be based on the percent average slope of the property as shown below. The required open space within a mountain development district shall be shown on the subdivision plat and detailed site plan.

Percent Average Slope	Open Space Required/Percent of Total Gross Acreage to Remain Percent Average Slope Undisturbed
0 to 5	20
5.1 to 10	25
10.1 to 15	30
15.1 to 20	35
20.1 to 25	40
25.1 to 30	45
30.1 to 35	50
35.1 to 40	55
40.1 or more	60

F. Architectural design standards. Building and construction materials within a mountain development district shall meet the following architectural design standards:

1. Mirrored surfaces or any treatments that change ordinary glass into a mirrored surface shall be prohibited.
2. Bright untarnished copper or other metallic surfaces shall be treated to reduce reflections.
3. Materials used for exterior surfaces of all structures shall blend in color, hue, and tone with the surrounding natural desert setting to avoid high contrast.
4. Development design and construction techniques shall blend scale, form and visual character into the natural landform, and shall minimize exposed scars.
5. Exterior lighting shall be low scale and directed downward, recessed, or shielded so that the light source is not visible from the adjacent developments.
6. Reflective building materials shall be prohibited.
7. No exterior paint colors shall be used which have a light reflecting value (LRV) greater than forty percent. (The LRV of a paint is available from paint manufacturers and it measures the amount of light reflected by a certain color.)

G. Property development standards. The following property development standards shall apply to all land, buildings and structures within a mountain development district:

1. Subdivision Plat. Buildings and structures in a mountain development district shall be erected only on land where a plat or replat approved by the city plan commission, has been filed of record, and indicates compliance with the provisions of this section. Each attached or detached single-family dwelling must be platted on an individual lot prior to issuance of occupancy permits.
 2. Site Plan. A detailed site plan complying with all of the requirements of Chapter 20.04 (Administrative Review Procedures) shall be required for all property within a mountain development district, except where a development is for single-family detached dwellings meeting the minimum yard requirements of Chapter 20.12 (Density & Dimensional Regulations) and where common or public open space is provided to satisfy the open space requirements of this Section. If a development is to be undertaken in a series of phases, a development schedule indicating the proposed phasing shall accompany the required detailed site plan.
 3. Common or Public Open Space. Where required, the total amount and distribution of common or public open space shall be shown on the detailed site plan and subdivision plat and shall be expressed as the percent of the site which will remain in its natural state. Satisfactory provisions for assuring continued retention of the common or public open space shall be provided.
 4. Percent Slope. The percent slope of a proposed mountain development used to determine the common open space shall be shown on the required detailed site plan and subdivision plat.
 5. Perimeter Treatment. The perimeter treatment of the proposed mountain development shall be designed to insure compatibility with adjacent existing or potential development by provision of compatible land uses and structures. A minimum setback of ten feet of separation for each story or fraction thereof shall be maintained between any structure and the outside boundary of the proposed mountain development.
- H. Private Streets. Where authorized by the city plan commission in approving a subdivision plat, streets may be privately owned.
- I. Preservation of the Environment. In all mountain developments, existing vegetation, animal life, arroyos, flood prone areas, steep slopes, and other natural features shall be considered in the planning, design and layout of buildings, service areas and location of streets in the allocation of open spaces reserve the natural environment.
- J. Right-of-Way and Pavement Widths. The right-of-way and pavement widths for internal ways, streets and alleys within and adjacent to the proposed mountain development shall be:
1. Determined from the standards contained in the City's current subdivision regulations and any applicable ordinance governing streets,
 2. In conformity with the estimated needs of the entire mountain development and the traffic to be generated thereby,
 3. Adequate and sufficient in size, location and design to accommodate the maximum traffic, parking, loading needs and the access for firefighting equipment vehicles while preventing undue scarring and grading.

- K. Off-street Parking and Loading. The minimum requirements for off-street parking and loading shall be satisfied as set forth in Chapter 20.14 (Off-Street Parking & Loading Regulations).
- L. Utilities and Public Services. Every mountain development shall be adequately served by essential utilities and public services such as water, sanitary sewer, storm drainage, police, fire and other similar services.
- M. Property grading standards. Grading in a mountain development shall be in accordance with Chapter 18.44 (Grading) of the El Paso City Code.

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 _____, 2008.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Patricia D. Adauto

Patricia D. Adauto, Deputy City Manager
Development and Infrastructure Services

CITY CLERK DEPT.
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