

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

CITY CLERK DEPT.  
08 MAY 15 4:10:53

**DEPARTMENT:** Development Services  
**AGENDA DATE:** Introduction: May 20, 2008  
Public Hearing: May 27, 2008  
**CONTACT PERSON/PHONE:** John Neal, 541-4193  
**DISTRICT(S) AFFECTED:** All

**SUBJECT:**

An Ordinance amending Title 18 (Building and Construction), Chapter 18.04 (Grading), Section 18.44.070 (Proposed Subdivisions), of the El Paso City Code to change the provisions for the issuance of certain permits. The penalty as in 1.08 of the El Paso City Code. (All Districts)

**BACKGROUND / DISCUSSION:**

These changes to Title 18 (Building and Construction) mirror changes recently adopted by the City Council in the subdivision ordinance rewrite. It would permit minor grading without a permit or an administratively approved one under certain conditions. It also clarifies the issuance of a final grading permit.

**PRIOR COUNCIL ACTION:**

Yes. Adoption of revised Title 19 (Subdivision Regulations) on May 6, 2008.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A \_\_\_\_\_ **FINANCE:** (if required) N/A \_\_\_\_\_

**DEPARTMENT HEAD:** Victor Q. Torres, Director \_\_\_\_\_

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), CHAPTER 18.04 (GRADING), SECTION 18.44.070 (PROPOSED SUBDIVISIONS), OF THE EL PASO CITY CODE TO CHANGE THE PROVISIONS FOR THE ISSUANCE OF CERTAIN PERMITS. THE PENALTY AS IN 1.08 OF THE EL PASO CITY CODE**

**WHEREAS**, the City is amending the Subdivision provisions contained in the El Paso City Code and such amendments require that certain provisions in Title 18 also be amended; and,

**WHEREAS**, the amendments herein are necessary to promote and protect the health, safety, and welfare of the public by creating an urban environment that is aesthetically pleasing, promotes economic development and enhanced quality of life for the citizens of El Paso.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**Section 1.** That Title 18, Building and Construction, Chapter 18.44 Grading, Section 18.44.070, Proposed Subdivisions, shall be and hereby is amended as follows:

Section 18.44.070 Proposed Subdivisions

If property is required to be subdivided pursuant to Title 19, permits shall be issued as follows:

- A. No clearing and access permit may be issued by the City Manager or designee for building services until preliminary approval on a subdivision application has been granted by the city plan commission or administratively by the subdivision coordinator as applicable, except that City Manager or designee may approve a clearing and access permit prior to the preliminary plat approval provided that grading for such access is less than 20 feet in width.
- B. No pre-final grading permit may be issued by the City Manager or designee until preliminary approval on a subdivision application has been granted by the city plan commission or administratively by the subdivision coordinator as applicable.
- C. No final grading permit may be issued by the City Manager or designee until final approval on a subdivision application has been granted by the city plan commission or administratively by the subdivision coordinator as applicable, or the Final Subdivision Improvement Plans have been approved by the City Manager or designee.
- D. A borrow or waste permit shall be issued by the City Manager or designee pursuant to the requirements of this chapter
- E. No permit is required for surveying and geotechnical work, provided that grading for such access is less than 20 feet in width.

**Section 2.** Except as herein amended, Title 18, Building and Construction, Chapter 18.44, Grading, Section 18.44.070, Proposed Subdivisions, of the El Paso City Code shall remain in full force and effect.

**SIGNATURES ON NEXT PAGE**

08 MAY 15 AM 10:53  
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Passed and approved this \_\_\_\_\_ day of May, 2008.

THE CITY OF EL PASO

\_\_\_\_\_  
John 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 & Infrastructure Services

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