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

DEPARTMENT: **Development Services / Planning Division**

AGENDA DATE: **Introduction: February 26, 2008**
Public Hearing: March 18, 2008

CONTACT PERSON/PHONE: **Christina Valles, Lead Planner – 541-4930**

DISTRICT(S) AFFECTED: **All Districts**

SUBJECT:

An Ordinance amending Title 20 (Zoning) Chapter 20.04 (Administrative Review Procedures) Section 20.04.380 (Application Requirements) of the El Paso City Code to remove the requirement for a site plan, 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:
See attached report.

PRIOR COUNCIL ACTION:
N/A

AMOUNT AND SOURCE OF FUNDING:
N/A

BOARD / COMMISSION ACTION:
Development Coordinating Committee: Approval Recommendation
City Plan Commission: Approval Recommendation

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Patricia D. Adauto, Deputy City Manager,
Development & Infrastructure Services

APPROVED FOR AGENDA:

CITY CLERK DEPT.
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ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING) CHAPTER 20.04 (ADMINISTRATIVE REVIEW PROCEDURES) SECTION 20.04.380 (APPLICATION REQUIREMENTS) OF THE EL PASO CITY CODE TO REMOVE THE REQUIREMENT FOR A SITE PLAN, THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That Title 20 (Zoning), Chapter 20.04 (Administrative Review Procedures), Section 20.04.380 (Application Requirements), of the El Paso City Code shall be amended as follows:

20.04.380 Application requirements.

The application shall at a minimum contain the following: Proof of notice of proposed application to any recognized neighborhood association required to receive notice pursuant to Chapter 2.102 of this code.

2. Except as expressly herein amended, Title 20 (Zoning), Chapter 20.04 (Administrative Review Procedures), Section 20.04.380 (Application Requirements), of the El Paso City Code shall remain in full force and effect.

APPROVED this _____ day of _____, 2008.

THE CITY OF EL PASO, TEXAS

_____
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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Application Type: Amendment to the Text of Section 20.04.380 (Application Requirements)
Representative District: All

General Information:

The purpose of the amendment is to remove the requirement on zoning applications for the applicant to submit a conceptual site plan.

The CPC has discussed on numerous occasions the challenges associated with conceptual site plans. The CPC and the public tend to assume and act as if the rezoning case is (1) first of all to a specific use when, in fact, it is to all the uses listed in a category and 2) that the conceptual site is what is actually going to get built.

This request to amend the code removes the misleading requirement for a conceptual site plan to be submitted at the time of a zoning application. It does not address or change in any way the requirements in other sections of the zoning code or in existing special contracts for the submittal and approval of a detailed site plan.

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL of** this request for the amendment to the text of Title 20 (Zoning) Chapter 20.04 (Administrative Review Procedures) Section 20.04.380 (Application Requirements) to remove the requirement for a conceptual site plan.

ATTACHMENT 1: Proposed Changes

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Attachment 1

The Section currently reads as follows:

20.04.380 Application requirements.

The application shall at a minimum contain the following:
A. A site plan drawn to scale in black and white, and not less than eight and one-half inches by eleven inches and not more than twenty-four inches by thirty-six inches, showing the boundaries of the property proposed for rezoning, names of streets immediately adjacent to the property proposed for rezoning, the north point, the legal description of the property proposed for rezoning and the amount of land included. When over eight and one-half inches by eleven inches the drawing shall be on paper suitability for reproduction.
B. One copy of the zoning map, outlining in red the area proposed for change of zoning.
C. Where land proposed for rezoning is vacant or unused land, a generalized site plan showing the general features or concept of development.
D. Where land proposed for rezoning is occupied by a building(s), or use(s), a detailed site development plan shall be required in accordance with Section 20.04.160(B).
E. The lettering shall be so placed on the plans so as to be read from the bottom or from the right-hand side of the sheet, and the north point shall be directed away from the reader.
F. Proof of notice of proposed application to any recognized neighborhood association required to receive notice pursuant to Chapter 2.102 of this code. (Ord. 16653 § 2 (part), 2007)

The proposed Section reads as follows:

The application shall at a minimum contain the following:
A. Proof of notice of proposed application to any recognized neighborhood association required to receive notice pursuant to Chapter 2.102 of this code. (Ord. 16653 § 2 (part), 2007)

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