



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

DEPARTMENT: Planning & Economic Development / Planning Division

AGENDA DATE: Introduction 05/31/2011: Public Hearing 06/07/2011

CONTACT PERSON/PHONE: Mathew McElroy – 541-4193

DISTRICT(S) AFFECTED: All Districts

SUBJECT:

An ordinance amending Title 19 (Subdivisions), Chapter 19.20 (Parks and Open Space), Section 19.20.060 (Exclusions from dedication requirement) and Chapter 19.26 (Alternative Subdivision/Smart Code Designs), Section 19.26.020 (Infill Development) of the El Paso City Code to allow for certain exclusions from the parkland dedication requirements for certain replats meeting specific criteria and to allow for the reduction of park fees on certain infill developments and adding an appendix to designate the reduction of such fees. The penalty is as provided for in Section 19.42 of the El Paso City Code. **(ALL DISTRICTS)**

BACKGROUND / DISCUSSION:

Per the Legislative Review Committee, staff has amended the code to allow certain replats and amending to be exempt from parkland dedication fees. Staff has also been tasked with creating a mechanism to incentivize development within the city core by reducing parkland dedication fees. This ordinance will reduce said fees for property owners who receive an infill designation within the Downtown or Traditional Neighborhood development areas as designated on the proposed map.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

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

LEGAL: N/A

FINANCE: N/A

DEPARTMENT HEAD:

Mathew McElroy, Deputy Director - Planning



Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susannah M. Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson

APPROVED FOR AGENDA:

CITY MANAGER:

DATE: _____



ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS), CHAPTER 19.20 (PARKS AND OPEN SPACE), SECTION 19.20.060 (EXCLUSIONS FROM DEDICATION REQUIREMENT) AND CHAPTER 19.26 (ALTERNATIVE SUBDIVISION/SMART CODE DESIGNS), SECTION 19.26.020 (INFILL DEVELOPMENT) OF THE EL PASO CITY CODE TO ALLOW FOR CERTAIN EXCLUSIONS FROM THE PARKLAND DEDICATION REQUIREMENTS FOR CERTAIN REPLATS MEETING SPECIFIC CRITERIA AND TO ALLOW FOR THE REDUCTION OF PARK FEES ON CERTAIN INFILL DEVELOPMENTS AND ADDING AN APPENDIX TO DESIGNATE THE REDUCTION OF SUCH FEES. THE PENALTY IS AS PROVIDED FOR IN SECTION 19.42 OF THE EL PASO CITY CODE.

WHEREAS, Chapter 212 of the Texas Local Government Code allows the City to adopt rules governing plats and subdivisions of land in order to promote the health safety moral or general welfare of the city and for the safe orderly and healthful development of the City; and,

WHEREAS, Title 19 (Subdivisions) of the El Paso City Code (the “Code”) was adopted to promote the health, safety, morals and general welfare of the community by guiding the future growth and development of the city in accordance with The Plan for El Paso and by encouraging the orderly and beneficial development of the city through appropriate growth management techniques and by establishing reasonable standards of design and procedures for subdivisions and resubdivision of land in order to further the orderly layout and use of land; and,

WHEREAS, the Subdivision Ordinance helps guide the physical development of the community by promoting orderly and healthful design, and particularly by ensuring adequate public facilities and services are available to new development, to include transportation, water, sewerage, schools, parks and other public improvements are available concurrent with development and will have a sufficient capacity to serve the subdivision and to ensure the subdivider provides for the required public improvements attributable to the development; and,

WHEREAS, the City wishes to encourage investment in the construction and renovation of properties meeting the City’s definition of infill development, thereby reducing sprawl, increasing the availability of attainable housing, increasing the economic activity and vitality throughout the City, and enhancing the quality of life for the benefit of the residents of El Paso; and

WHEREAS, the City Council has determined that the reduction of park fees for infill development will encourage the investment in infill development; and,

WHEREAS, the City Plan Commission (CPC) has reviewed and recommends the adoption of the amendments as herein enumerated; and,

WHEREAS, the El Paso City Council finds that the adoption of these amendments will further protect and provide for the public health, safety, morals and general welfare of the community, and

WHEREAS, the regulations established by this Ordinance are in furtherance of the public interest, peace, order, trade and commerce of the City and necessary and proper for carrying out the power granted by law to the City;

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

SECTION 1. That Title 19, Subdivisions, Chapter 19.20, Parks and Open Space, Section 19.20.060, Exclusion from dedication requirement, Subparagraph B, of the El Paso City Code be amended as follows:

B. A replat or an amendment to a subdivision plat where the only change to the original subdivision plat is that easements or rights-of-way are eliminated, added or changed and there is no increase in density.

SECTION 2. That Title 19, Subdivisions, Chapter 19.26, Alternative Subdivision/Smart Code Designs, Section 19.26.020, Infill Development, Paragraph E, of the El Paso City Code is amended to add the following subparagraph:

6. Park fees for residential infill development occurring within the area identified in Appendix 112 shall be reduced by the reduction identified in Appendix 112.

SECTION 3. That Appendix 112 be added as an Appendix to Title 19, Subdivisions, of the El Paso City Code.

SECTION 4. Except as expressly herein amended, Title 19, Subdivisions, 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

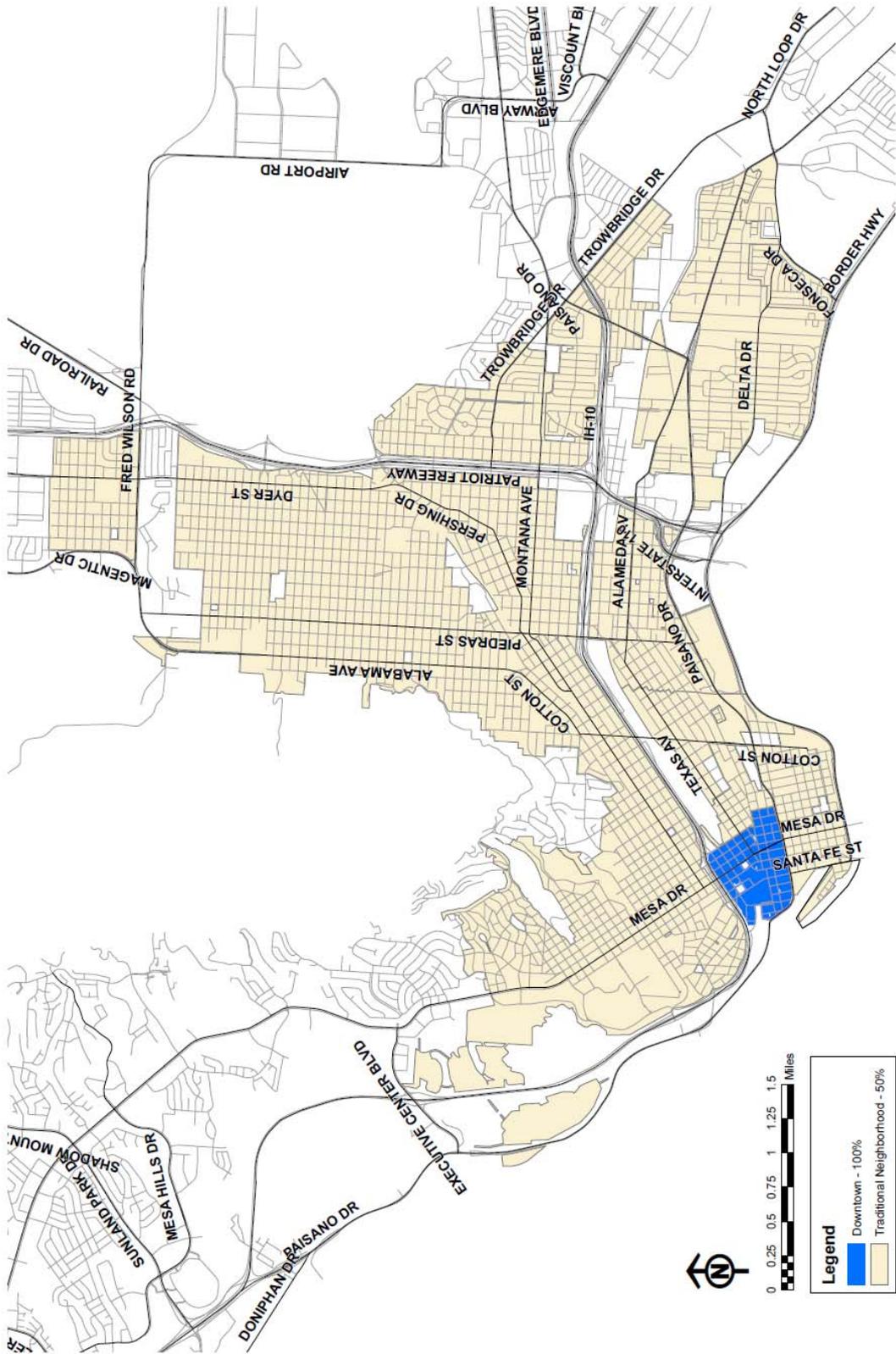
APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

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

APPENDIX 112 Infill Development Map





**PLANNING AND ECONOMIC DEVELOPMENT
PLANNING DIVISION**

MEMORANDUM

DATE: June 7, 2011

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Mathew McElroy, Deputy Director of Planning

SUBJECT: **Amendments to Title 19 Regarding the Excluding Parkland Dedications Fee for Replats and Amending Plats and the Reduction of Parkland Dedication Fees for Infill Development in the Core of the City**

The City Plan Commission (CPC), on May 19, 2011, **voted 5-0** to recommend **approval** of the respective Title 19 amendments, with the added recommendation that other funding sources be found to aid in the development of parkland in the affected areas.

The Legislative Review Committee also recommended approval of this item at the December 16, 2011, meeting.

Mayor
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City Council

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