

**CITY OF EL PASO, TEXAS**  
**DEPARTMENT HEAD'S SUMMARY REQUEST FOR COUNCIL ACTION (RCA)**

**DEPARTMENT:** DEVELOPMENT SERVICES

**AGENDA DATE:** INTRODUCTION: JUNE 3, 2008  
PUBLIC HEARING: JUNE 10, 2008

**CONTACT PERSON/PHONE:** R. ALAN SHUBERT, CITY ENGINEER, (915) 541-4428

**DISTRICT(S) AFFECTED:** ALL

**SUBJECT:**

An ordinance amending Title 19 (Subdivisions), Article 2 (Subdivision Standards), Section 19.19 (Storm Water Management Requirements), Subsection 19.19.1 (General Provisions) and Article 6 (Definitions) of the El Paso City Code to add a paragraph on Arroyo Preservation, to designate the role of the Floodplain Administrator, to amend the definition for the Storm Water Administrator to add a definition for Flood Plan Administrator and to amend the definition of Arroyos. The penalty is as provided for in Section 19.42 of the El Paso City Code.

**BACKGROUND / DISCUSSION:**

The purpose of this ordinance to amend the Subdivision Code to insert language on Arroyo Preservation that was omitted in the original ordinance and to correct the designation of Flood Plain Administrator, Storm Water Administrator and to correct the definition of Arroyo.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

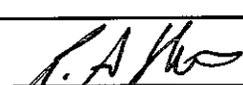
N/A

**BOARD / COMMISSION ACTION:**

N/A

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

**LEGAL:** (if required) \_\_\_\_\_ **FINANCE:** (if required) \_\_\_\_\_

**DEPARTMENT HEAD:**   
R. Alan Shubert, Engineering Services

**OTHER:** \_\_\_\_\_  
(Example: if RCA is initiated by Purchasing, client department should sign also)  
***Information copy to appropriate Deputy City Manager***

**APPROVED FOR AGENDA:**

**CITY MANAGER:**  **DATE:** 5-29-08

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

AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS), ARTICLE 2 (SUBDIVISION STANDARDS), SECTION 19.19 (STORM WATER MANAGEMENT REQUIREMENTS), SUBSECTION 19.19.1 (GENERAL PROVISIONS) AND ARTICLE 6 (DEFINITIONS) OF THE EL PASO CITY CODE TO ADD A PARAGRAPH ON ARROYO PRESERVATION, TO DESIGNATE THE ROLE OF THE FLOODPLAIN ADMINISTRATOR, TO AMEND THE DEFINITION FOR THE STORM WATER ADMINISTRATOR TO ADD A DEFINITION FOR FLOODPLAIN ADMINISTRATOR AND TO AMEND THE DEFINITION OF ARROYOS. THE PENALTY IS AS PROVIDED FOR IN SECTION 19.42 OF THE EL PASO CITY CODE.

WHEREAS, Title 19 (Subdivisions) of the El Paso City Code was adopted to promote the health, safety, morals and general welfare of the community; and

WHEREAS, on May 6, 2008, the City Council of the City of El Paso amended Title 19, Subdivisions, in it's entirety, with an effective date of June 1, 2008; and,

WHEREAS, the provisions for the preservation of arroyos was inadvertently omitted and the responsibilities for the administration of the storm water provisions of title 19 need to be revised to correctly reflect the responsible individual,

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

SECTION 1. That Title 19, Subdivisions, Article 2, Subdivision Standards, Section 19.19, Stormwater Management Requirements, Subsection 19.19.1, General Provisions, of the El Paso City Code is hereby amended by adding the following paragraph:

19.19.1

f. Preservation of Natural Arroyos. Arroyos shall be preserved in their natural state, except that an exception of such requirement may be granted by the city plan commission provided such exception both meets the requirements of Section 19.48 and is necessary to protect the public health, safety or welfare. If an exception is authorized to allow improvements, the design for such improvements shall be incorporated into the subdivision improvement plans and approved by the floodplain administrator. As part of initial review of a subdivision application prior to acceptance as complete, the floodplain administrator shall determine the area within which improvements will require an exception. The floodplain administrator's determination shall be forwarded to the applicant and city plan commission, which shall decide on any exception requested by the applicant.

SECTION 2. That Title 19 (Subdivisions), Article 2, Subdivision Standards, Section 19.19, Stormwater Management Requirements, Subsection 19.19.1, General Provisions, Paragraph d, of the El Paso City Code is hereby amended as follows:

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(d) **Designation and Role of FloodPlain Administrator.** The City Manager or designee who is a Professional Engineer licensed in the State of Texas, is hereby authorized and appointed to administer and implement the provisions of this section and related Sections of this ordinance, as may be applicable.

**SECTION 3.** That Title 19 (Subdivisions), Article 6, Definitions, Section 19.50.3 of the El Paso City Code, is amended as follows:

Subparagraph 15 is amended to read:

15. **ARROYO.** An Arroyo, also called a wash or draw, is a natural creek bed or gulch that temporarily fills with water after a stormwater runoff event (see Stormwater), or seasonally as such, the term is similar to the word “wadi”. The term usually applies to a mountainous desert environment.

Subparagraph 223(e) is amended as follows:

e. **Floodplain Administrator:** The Texas licensed professional engineer designated by the City Manager as the responsible Official and Initial Decision-Maker to administer and implement the provisions of 18.60 and other appropriate sections of 44 CFR (National flood Insurance Program regulations) pertaining to floodplain management; in addition to applications pertaining to grading and drainage plans and other drainage decisions as may be required in Title 18 Building and Construction and Section 19.19 Stormwater Management Requirements.

Subparagraph 223(o) is amended as follows:

o. **Stormwater Administrator:** The Texas licensed professional engineer designated by the City Manager as the responsible Official and Initial Decision-Maker to administer and implement the provisions of Chapter 15.20 Stormwater Management.

**SECTION 4.** Except as herein provided, Title 19 (Subdivisions) of the El Paso City Code, shall remain in full force and effect.

**ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2008.**

CITY OF EL PASO

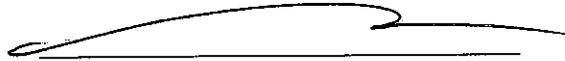
\_\_\_\_\_  
John F. Cook  
Mayor

ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

***SIGNATURES CONTINUE ON FOLLOWING PAGE***

**APPROVED AS TO FORM:**



Lupe Cuellar  
Assistant City Attorney

**APPROVED AS TO CONTENT:**



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

# **Title 19 (Subdivisions) Amendments**



**Engineering Department**

**June 2008**

# Arroyo Preservation

- **Arroyo preservation rule 19.19.1**
  - **Arroyos shall be preserved in natural state**
    - **Exception required by CPC**
    - **Determination by Floodplain Administrator**
  - **Identical to existing code**

# Proposed Arroyo Definition

**“An arroyo, also called a wash or draw, is a natural creek bed or gulch that temporarily fills with water after a stormwater runoff event (see Stormwater), or seasonally as such, the term is similar to the word “wadi”. The term usually applies to a mountainous desert environment.”**

# Alternate Arroyo Definition

## Natural Resources Conservation Service (NRCS)

Arroyo - (colloquial: southwest U.S.A.) The channel of a flat-floored, ephemeral stream, commonly with very steep to vertical banks cut in unconsolidated material; sometimes called a wash. It is usually dry but can be transformed into a temporary watercourse or short-lived torrent after heavy rain within the watershed. Where arroyos intersect zones of ground-water discharge, they are more properly classed as Intermittent stream channels.

# Alternate Arroyo Definition

United States Bureau of Reclamation USBR

Arroyo- A gully or channel cut by an Intermittent stream. A water-carved channel or gully in an arid area, usually rather small in cross section with steep banks, dry much of the time due to infrequent rainfall and the depth of the cut which does not penetrate below the level of permanent ground water.

The background of the slide features several faint, concentric circular ripples in shades of blue, resembling water droplets or ripples on a pond, positioned in the lower right and bottom center areas.

# Floodplain Administrator/ Stormwater Administrator

- Properly identified areas of responsibility
  - Same as existing



# **Title 19 (Subdivisions) Amendments**



**Engineering Department**

**June 2008**