

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS) OF THE EL PASO CITY CODE TO AMEND THE PROCEDURAL REQUIREMENTS OF CHAPTER 19.24 (MOUNTAIN DEVELOPMENT AREA (MDA) STANDARDS) AND TO ADD CHAPTER 19.27 (HILLSIDE DEVELOPMENT AREA) WHICH ESTABLISHES THE HILLSIDE DEVELOPMENT AREA AND THE PROCEDURAL REQUIREMENTS FOR THE AREA. 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 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, Title 19 (Subdivisions) establishes reasonable standards of design and procedures for subdivision and resubdivision of land in order to further the orderly layout and use of land assuring the adequacy of drainage facilities; safeguard the water table; proper and safe circulation of traffic throughout the city; and to encourage the use and management of natural resources throughout the city in order to preserve the integrity, stability and beauty of the city; and,

WHEREAS, the Plan for El Paso encourages development patterns that retain the natural terrain features and preserve the valuable natural resources of the area in an effort to minimize significant risks to public safety, reduce potential damage to public facilities and private development, and decrease extraordinary public service costs; and,

WHEREAS, the Plan for El Paso establishes and defines areas considered to be in the mountain development area and the hillside development area and encourages development within those areas that retain the natural terrain features, preserve the valuable natural resources of the area in an effort to minimize significant risks to public safety, reduce potential damage to public facilities and private development, and decrease extraordinary public service costs; and,

WHEREAS, the Open Space Advisory Board was established to provide advice to City Council on the preservation of open space to include areas in the Mountain Development Area and the Hillside Development Area; and,

WHEREAS, the Open Space Advisory Board review of subdivision plats in the Mountain Development Area and the Hillside Development Area would be of benefit to the City; 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

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

SECTION 1. That Title 19 (Subdivisions), Chapter 19.24 (Mountain Development Area (MDA) Standards), Section 19.24.020 (Procedure and Requirements) of the El Paso City Code be amended as follows:

Section 19.24.020 Procedure and Requirements

A filed subdivision application or any portion thereof, for property within the mountain development area shall follow the general procedural requirements for plat review and approval as provided in Chapter 19.37 of this title. The city manager, or designee, shall make a report of the staff's written comments and recommendations in writing to the city plan commission, or city manager, or designee where administrative approval is authorized, prior to any action on the subdivision application. However, prior to City Plan Commission action, all subdivision applications within the Mountain Development Area shall be presented to the Open Space Advisory Board for advice and comments, provided, however, that failure of the Open Space Advisory Board to provide comments to the City Plan Commission prior to the City Plan Commission meeting in which the plat will be considered, shall not prevent the City Plan Commission from taking action on the plat and shall not be a basis for denial of the plat if the plat conforms all other provisions of Title 19

SECTION 2. That Title 19 (Subdivisions), of the El Paso City Code is amended to add the following Chapter:

Chapter 19.27 HILLSIDE DEVELOPMENT AREA

A. Establishment of Hillside Development Area. The Hillside Development Area is established and consists of the area bound by the Mountain Development Area (MDA) and the Texas-New Mexico State boundary line, Interstate Highway 10, Paisano Drive, Executive Center Boulevard, Mesa Street, Schuster Avenue, Murchison Drive, Arizona Avenue, Alabama Street, Magnetic Drive, Hondo Pass Avenue, U.S. Highway 54 and Martin Luther King, Jr. Boulevard and as more particularly described in the boundary map at Appendix 112.

B. A filed subdivision application or any portion thereof, for property within the Hillside Development Area shall follow the general procedural requirements for plat review and approval as provided in Chapter 19.37 of this title. The city manager, or designee, shall make a report of the staff's written comments and recommendations in writing to the city plan commission, or city manager, or designee where administrative approval is authorized, prior to any action on the subdivision application. However, prior to City Plan Commission action, all subdivision applications within the Hillside Development Area shall be presented to the

Open Space Advisory Board for advice and comments, provided, however, that failure of the Open Space Advisory Board to provide comments to the City Plan Commission prior to the City Plan Commission meeting in which the plat will be considered, shall not prevent the City Plan Commission from taking action on the plat and shall not be a basis for denial of the plat if the plat conforms all other provisions of Title 19.

SECTION 3. 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 _____ 2010.

CITY OF EL PASO

ATTEST:

John F. Cook, Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

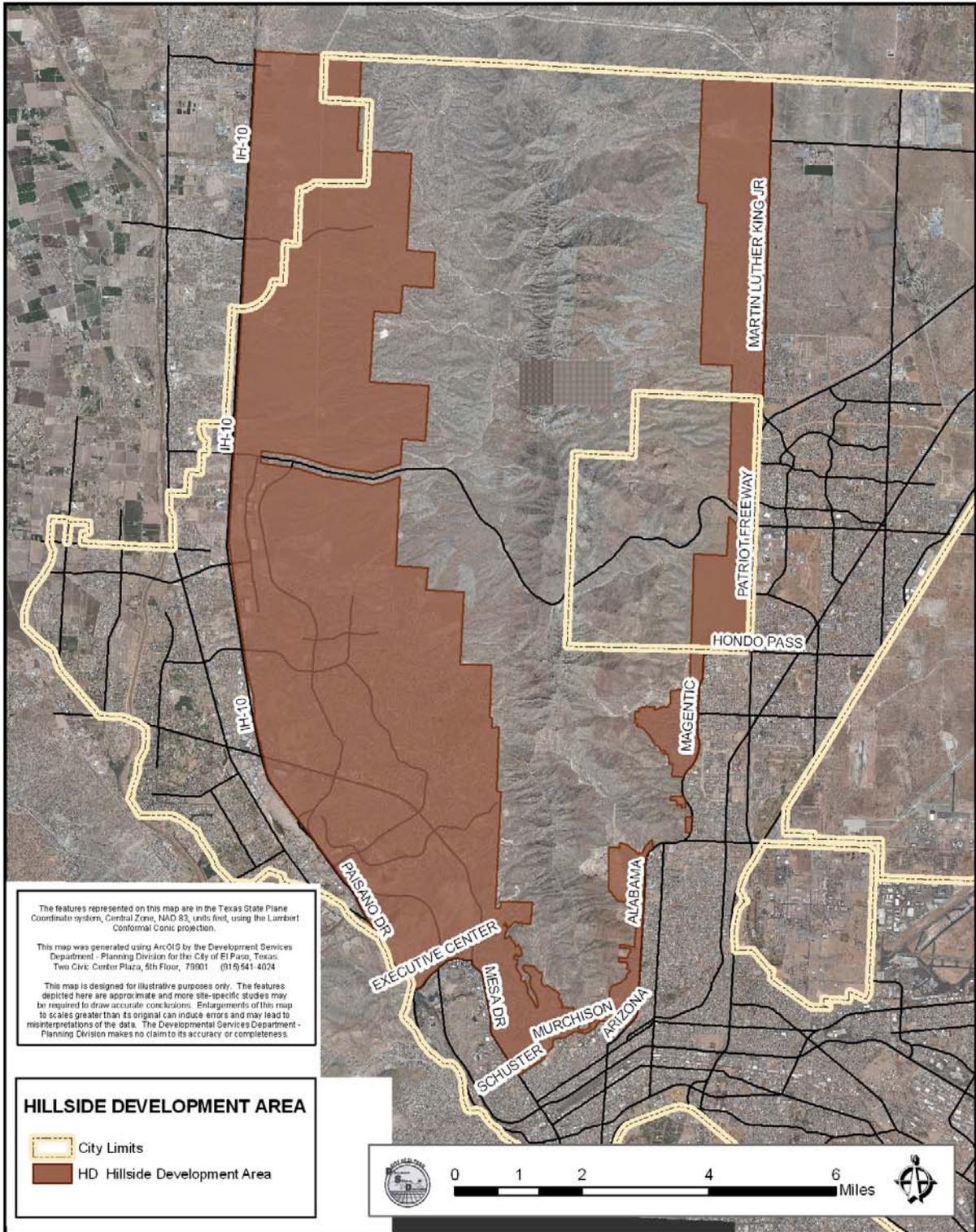
APPROVED AS TO CONTENT:

Lupe Cuellar, Assistant City Attorney

Mathew S. McElroy, Deputy Director –
Planning Development Services Department

ORDINANCE NO. _____

APPENDIX 112 HILLSIDE DEVELOPMENT AREA BOUNDARY



Dedicated to Outstanding Customer Service for a Better Community

S E R V I C E S O L U T I O N S S U C C E S S

**DEVELOPMENT SERVICES
PLANNING DIVISION**

MEMORANDUM

DATE: June 28, 2010

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

FROM: Michelle Padilla, Planner

SUBJECT: Title 19 Amendments

The proposed Title 19 amendments are pending City Plan Commission (CPC) action.



Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie 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

Development Services Department

Victor Q. Torres – Director

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