

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

DEPARTMENT: Planning and Economic Development Department, Planning Division

AGENDA DATE: Introduction: July 26, 2011
Public Hearing: August 16, 2011

CONTACT PERSON/PHONE: Arturo Rubio, (915) 541-4633, rubioax@elpasotexas.gov

DISTRICT(S) AFFECTED: All Districts

SUBJECT:

An Ordinance amending Title 20 (Zoning), Appendix B (Table of Density and Dimensional Standards), Subpart B (Lot and Dwelling size), of the El Paso City Code to revise the density regulations for apartments in the C-5 (Central Business District). The penalty is as provided for in Chapter 20.24 of The El Paso City Code.

BACKGROUND / DISCUSSION:

The regulation of minimum apartment dwelling unit size, as opposed to the current minimum lot area per unit, within the C-5 (Central Business District) does not promote density and vertical development needed for a vibrant downtown. The proposed amendment to Title 20 (Zoning) further incentivizes density and vertical development which use less land. The City Plan Commission voted unanimously to support the amendments to adopt a minimum apartment dwelling unit size as opposed to the current minimum lot area per unit.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Reviewed
City Plan Commission (CPC) – Approval Recommendation 5-0

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Deputy Director, Planning and Economic Development Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), APPENDIX B (TABLE OF DENSITY & DIMENSIONAL STANDARDS), SUBPART B (LOT AND DWELLING SIZE), OF THE EL PASO CITY CODE TO REVISE THE DENSITY REGULATIONS FOR APARTMENTS IN THE C-5 (CENTRAL BUSINESS DISTRICT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Title 20 (Zoning) of the El Paso City Code currently requires a minimum lot area per dwelling unit for apartments in the C-5 (Central Business District); and,

WHEREAS, this requirement discourages residential density that is needed for a vibrant downtown area; and does not provide any incentive for vertical development that utilizes less land; and,

WHEREAS, a public hearing regarding the proposed amendment was held before the City Plan Commission, and the Commission recommended approval of the amendment; and,

WHEREAS, the El Paso City Council has determined that the regulation of minimum apartment dwelling unit size, instead of minimum lot area per unit, within the C-5 (Central Business District) of the City of El Paso is in the best interest of the public and will promote the public health, safety and welfare of the City.

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

SECTION 1. That Title 20, Zoning, Appendix B (Table of Density & Dimensional Standards), SUBPART B (Lot & Dwelling Size), under column titled "Other Standards," Line X (C-5), shall be amended as follows:

"each apartment dwelling unit shall have a minimum of 400 square feet"

SECTION 2. Except as herein amended Title 20 (Zoning) 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

SIGNATURES CONTINUE ON FOLLOWING PAGE

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

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

MEMORANDUM

DATE: July 18, 2011

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

FROM: Arturo Rubio, Senior Planner

SUBJECT: **Title 20 (Zoning) Amendment**

The City Plan Commission (CPC), July 14, 2011, voted 5-0 to recommend **Approval** of proposed Title 20 (Zoning), Appendix B (Table of density & Dimensional Standards), subpart B (Lot and Dwelling size) of The El Paso City Code. The regulation of minimum apartment dwelling unit size, as opposed to the current minimum lot area per unit, within the C-5 (Central Business District) does not promote density and vertical development needed for a vibrant downtown. The proposed amendment to Title 20 (Zoning) further incentivizes density and vertical development which use less land. The City Plan Commission voted unanimously to support the amendments to adopt a minimum apartment dwelling unit size as opposed to the current minimum lot area per unit.

The CPC determined that the Title 20 (Zoning) Amendment protects the best interest, health, safety and welfare of the public in general; and that the amendment will have no negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was no **OPPOSITION** to this request.

Attachment: Ordinance