



DEPARTMENT: Planning & Economic Development Department

AGENDA DATE: CCA 09/28/2010 Introduction, CCA 10/05/2010 Public Hearing

CONTACT PERSON/PHONE: Raul Garcia, 541-4935

DISTRICT(S) AFFECTED: 1

SUBJECT:

An ordinance amending Title 19 (Subdivisions), Appendix 111 (Mountain Area Defined), of the El Paso City Code to delete a portion of mountain area within the Mountain Development Area (MDA). The penalty is as provided for in Section 19.42 of the El Paso City Code.

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Unanimous Approval Recommendation
City Plan Commission (CPC) – Pending
Open Space Advisory Board (OSAB) – Unanimous Approval Recommendation

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew McElroy
Planning & Economic Development Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

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



ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS), APPENDIX 111 (MOUNTAIN AREA DEFINED), OF THE EL PASO CITY CODE TO DELETE A PORTION OF MOUNTAIN AREA WITHIN THE MOUNTAIN DEVELOPMENT AREA (MDA). 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 (the “Code”) was adopted to promote the health, safety, morals and general welfare of the community; and,

WHEREAS, the Subdivision Ordinance helps guide the physical development of the community by promoting orderly and healthful design, and particularly by providing adequate public facilities; and,

WHEREAS, Title 19 identifies the Mountain Development Area and also established standards of development for the area; and,

WHEREAS, the City has determine that it is necessary to revise the Mountain Development Area to remove land contained in the area; and,

WHEREAS, the El Paso City Council finds that the amendment to Title 19, to remove the land contained in the Mountain Development Area will further protect and provide for the public health, safety, morals and general welfare of the community, and,

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

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

SECTION 1. That Title 19, Subdivisions, Appendix 111 (Mountain Area Defined), of the El Paso City Code be amended as follows:

Portion of Mountain Area to be deleted being more fully described in the attached metes and bounds description, identified as Exhibit “A”.

SECTION 2. Except as expressly herein amended, Title 19, Subdivisions, of the El Paso City Code shall remain in full force and effect.

SIGNATURES ON NEXT PAGE

ADOPTED THIS _____ day of _____ 2010.

CITY OF EL PASO

ATTEST:

John F. Cook, Mayor

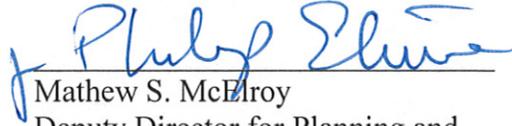
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:



Mathew S. McElroy
Deputy Director for Planning and
Economic Development - Planning

PORTION OF MOUNTAIN AREA TO BE DELETED (12-09-2009)

Being a portion of the Mountain Development Area (MDA) defined in Appendix 111 to Title 19 (Subdivisions), said Appendix 111 having been filed with the City Clerk on May 15, 2008, and made effective on June 1, 2008; being a portion of Nellie D. Mundy Survey 243 and Nellie D. Mundy Survey 239, in the City of El Paso, El Paso County, Texas, being that portion of the MDA along Transmountain Road that lies west of the west boundary line of the Nellie D. Mundy Survey No. 246, and being described further as follows:

Commencing for reference on the centerline of Transmountain Road (Loop 375) at P.I. Station 174+48.85, in accordance with Texas State Highway Department Right-of-Way Map titled "HWY.LOOP 375 FROM JCT. IH-10 NEAR CANUTILLO TO 3.786 MILE EAST" indexed as "Loop 375-C2552-1-" and shown on TXDOT scanned image "2552-01A.tif" revised 8-18-64; Thence, from said centerline PI Station 174+48.85, with the centerline of said Loop 375, North 84°27'05" West (TXDOT bearing) approximately 3313.92 feet to the common boundary line between Nellie D. Mundy Survey No. 246 and Nellie D. Mundy Survey No. 243, being approximate centerline station 141+34.93; and being the **POINT OF BEGINNING**;

Thence, with the common boundary line between said Surveys 246 and 243, South 00°02'40" East (TXDOT Bearing) 502.39 feet to a point that lies 500 feet south of the centerline of Transmountain Road (Loop 375);

Thence, northwesterly, parallel and 500 feet from the centerline of said Transmountain Road (Loop 375) to Station 134+12.33;

Thence, northwesterly, parallel and 500 feet from the centerline of said Transmountain Road (Loop 375) to Station 107+26.58;

Thence, northwesterly, parallel and 500 feet from the centerline of said Transmountain Road (Loop 375) to Station 85+97.64;

Thence, northwesterly, parallel and 500 feet from the centerline of said Transmountain Road (Loop 375) to approximate Station 68+86;

Thence, with the westerly limit of said MDA as defined on June 1, 2008, northerly at a perpendicular to Trans-Mountain Road (Loop 375), a distance of 500 feet to the centerline of same;

Thence, with the westerly limit of said MDA as defined on June 1, 2008, continuing northerly at a perpendicular to Trans-Mountain Road (Loop 375), a distance of 500 feet;

EXHIBIT A

Thence, southeasterly, parallel and 500 feet from the centerline of said Transmountain Road (Loop 375) to Station 85+97.64;

Thence, southeasterly, parallel and 500 feet from the centerline of said Transmountain Road (Loop 375) to Station 107+26.58;

Thence, southeasterly, parallel and 500 feet from the centerline of said Transmountain Road (Loop 375) to Station 134+12.33;

Thence, southeasterly, parallel and 500 feet from the centerline of said Transmountain Road (Loop 375) to the common boundary line of said Nellie D. Mundy Survey 243 and Nellie D. Mundy Survey No. 246;

Thence, with the common boundary line between said Surveys 246 and 243, South 00°02'40" East (TXDOT Bearing) 502.39 feet to the **POINT OF BEGINNING**;

This description was prepared by the undersigned with reference to the record boundary of the Mountain Development Area as defined on June 1, 2008 and with reference to the Texas State Highway Department Right-of-Way Map titled "HWY.LOOP 375 FROM JCT. IH-10 NEAR CANUTILLO TO 3.786 MILE EAST" indexed as "Loop 375-C2552-1-" and shown on TXDOT scanned image "2552-01A.tif" revised 8-18-64. This description does not represent an on-the-ground survey.

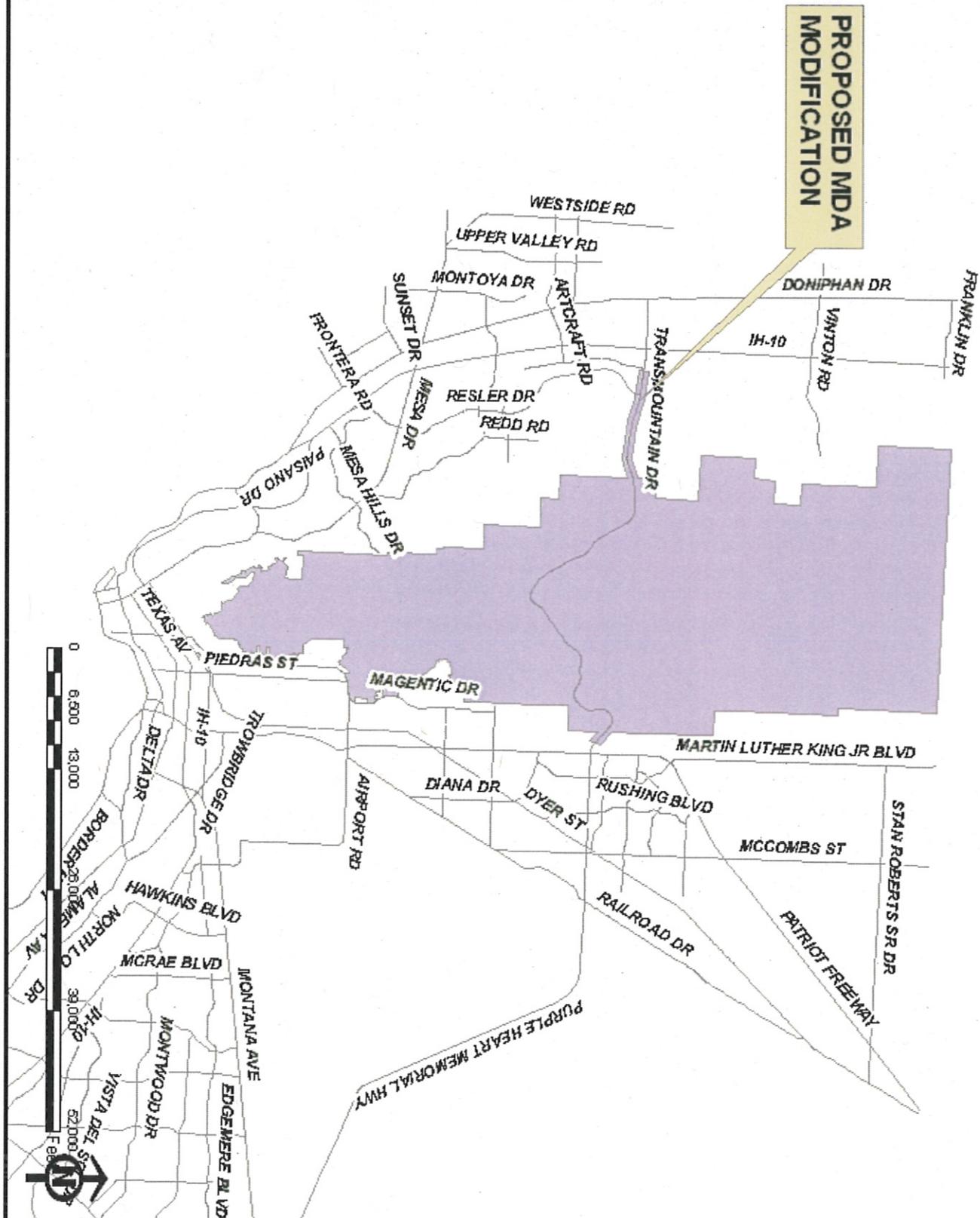


Stephen Earl Cobb
Texas RPLS 4297
Huitt-Zollars, Inc.; El Paso Office
5822 Cromo Drive, Suite 210
El Paso, Texas, 79912-5502
915-587-4339 Phone

Date: December 9, 2009



AMENDMENT TO APPENDIX 111 MDA BOUNDARY



AMENDMENT TO APPENDIX 111 MDA BOUNDARY



AMENDMENT TO APPENDIX 111 MDA BOUNDARY





MEMORANDUM

DATE: September 20, 2010

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

FROM: Raul Garcia, Planner

SUBJECT: Title 19 Amendment

The City Plan Commission's (CPC) recommendation is pending. The amendment is scheduled to be heard by the CPC on September 23, 2010.

The CPC will determine if the Title 19 amendment protects the best interest, health, safety and welfare of the public in general; and the proposed use is compatible with adjacent land uses; and if the amendment will have no negative effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

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