

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

**DEPARTMENT:** Planning and Economic Development

**AGENDA DATE:** Introduction: October 26, 2010  
Public hearing: November 16, 2010

**CONTACT PERSON/PHONE:** Kathryn Dodson, PhD, Director 541-4670

**DISTRICT(S) AFFECTED:** ALL

**SUBJECT:**

An ordinance providing for the reduction of planning and building construction permit fees for the construction or renovation of properties meeting the requirements of the city's Infill Development Incentive Policy, through August 31, 2015 (All Districts) [Planning and Economic Development, Kathryn Dodson (915)541-4670]

**BACKGROUND/DISCUSSION:**

City Council approved the Infill Development Incentive Policy on August 24, 2010 which provides financial and other incentives to promote infill development and bring currently underutilized sites throughout the city back to productive use. The adopted policy requires that City Council approve, by ordinance, the reduction of planning and building construction permit fees associated with the construction or redevelopment of infill development properties. This ordinance allows for property owners that satisfy the general criteria qualification standards set forth in the adopted Infill Development Incentive Policy to receive a waiver or reduction of planning and building construction permit fees based on the following schedule: First Ring - not to exceed \$4,000 for single family attainable rental housing or exceed \$10,000 for commercial (including multifamily housing). Second Ring - not to exceed \$2,000 for single family attainable rental housing or exceed \$5,000 for commercial (including multifamily housing).

**PRIOR COUNCIL ACTION:**

City Council approved the Infill Development Incentive Policy, August 24, 2010.

**AMOUNT AND SOURCE OF FUNDING:**

**How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?**

N/A.

**BOARD/COMMISSION ACTION:**

N/A

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

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

**DEPARTMENT HEAD:** \_\_\_\_\_

(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:** \_\_\_\_\_

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

**AN ORDINANCE PROVIDING FOR THE REDUCTION OF PLANNING AND BUILDING CONSTRUCTION PERMIT FEES FOR THE CONSTRUCTION OR RENOVATION OF PROPERTIES MEETING THE REQUIREMENTS OF THE CITY'S INFILL DEVELOPMENT INCENTIVE POLICY, THROUGH AUGUST 31, 2015.**

**WHEREAS**, on August 24, 2010, the City Council of the City of El Paso adopted the City of El Paso Infill Development Incentive Policy to provide incentives to promote infill development; and

**WHEREAS**, the adopted policy requires that City Council approve by ordinance the reduction of planning and building construction permit fees associated with the construction or redevelopment of infill development properties; and

**WHEREAS**, the reduction of fees for infill development are authorized by and properly made in accordance with State Law; and

**WHEREAS**, the City desires to offer fee reductions for planning and building construction permit fees in order 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 finds that the fee reductions as set forth in this ordinance constitute a benefit to the City and will further encourage private investment within the applicable areas, and will result in minimal financial impact to the City.

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

Pursuant to the Infill Development Incentive Policy adopted by City Council on August 24, 2010, as amended, property owners may be eligible for a waiver or reduction in the established planning and building construction permit fees associated with the renovation or construction of qualified infill development projects.

Property owners satisfying the general criteria qualification standards set forth in the adopted Infill Development Incentive Policy, as amended, and who provide acceptable documentation to the City demonstrating that the projected total renovation or construction costs for a proposed infill development project are greater than the Central Appraisal District's appraised value of the property shall receive a waiver of 100% of the established planning and building construction permit fees, including expedited or customized plan review fees, associated with the renovation or construction of that project, up to the following amounts:

In no event shall the waiver of fees exceed \$4,000 for a single family attainable rental housing project or exceed \$10,000 for a commercial, multifamily or mixed-used project for qualified properties located in the core and first ring as those terms are defined in the adopted Infill Development Incentive Policy.

In no event shall the waiver of fees exceed \$2,000 for a single family attainable rental housing project or exceed \$5,000 for a commercial, multifamily or mixed-used project for qualified properties located in the second and outer rings as those terms are defined in the adopted Infill Development Incentive Policy.

Property owners whose total planning and building construction permit fees exceed the limits set forth above, may receive a reduction in the established planning and construction building permit fees up to the amounts set forth above.

The waiver or reduction in fees shall apply to all established fees required by the El Paso City Code associated with the planning, construction or renovation of the approved infill development, including expedited or customized plan review fees.

In the event the approved project is not completed as specified in the applicable Application for Infill Development Incentives or pursuant to the terms of the applicable Incentive Agreement approved by City Council, as amended, the amount of the waiver or reduction in fees shall become due to the City and the City shall have the right to recapture the amount of the waiver or reduction in fees, pursuant to the terms of the Infill Development Incentive Policy.

This ordinance will remain in effect until August 31, 2015.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

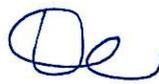
CITY OF EL PASO

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

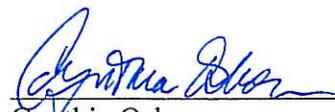
ATTEST:

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

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Kathryn B. Dodson, Director  
Planning and Economic Development

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Cynthia Osborn  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
R. Alan Shubert  
City Engineer