

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

**DEPARTMENT:** Planning and Economic Development Department

**AGENDA DATE:** Introduction: Oct. 5, 2010  
Public Hearing: Oct. 26, 2010

**CONTACT PERSON/PHONE:** David A. Coronado, (915) 541-4632

**DISTRICT(S) AFFECTED:** City-wide

**SUBJECT:**

An Ordinance to amend the City Code to reflect departmental reorganization by amending Title 21 (Smart Code), to amend various sections thereunder pertaining to the duties that had been assigned to the Development Services Department and the staff; the penalty being as provided in Sections 21.60.010 – 21.60.030 of the El Paso City Code.

**BACKGROUND / DISCUSSION:**

The ordinance will amend the authorities and titles of various City officials in accordance with departmental reorganization of the Development Services Department. No substantive changes are being made to the code in this ordinance--only the changes necessary to achieve reorganization.

**PRIOR COUNCIL ACTION:**

Adoption of the annual City budget for FY 2011 and reorganization on August 24, 2010

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

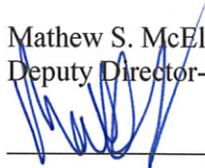
Development Coordinating Committee (DCC) – pending  
City Plan Commission (CPC) – pending

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

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** Mathew S. McElroy  
Deputy Director-Planning and Economic Development



**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

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

**AN ORDINANCE TO AMEND THE CITY CODE TO REFLECT DEPARTMENTAL REORGANIZATION BY AMENDING TITLE 21 (SMART CODE), TO AMEND VARIOUS SECTIONS THEREUNDER PERTAINING TO THE DUTIES THAT HAD BEEN ASSIGNED TO THE DEVELOPMENT SERVICES DEPARTMENT AND THE STAFF; THE PENALTY BEING AS PROVIDED IN SECTIONS 21.60.010 – 21.60.030 OF THE EL PASO CITY CODE.**

**WHEREAS**, the Planning Division is being moved to the Planning and Economic Development Department; and

**WHEREAS**, various provisions in the City Code need to be amended to reflect the change.

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

Section 1. That Title 21 (Smart Code), Section 21.30.010, Subsection E, (Instructions), of the El Paso City Code, is amended to read as follows:

**21.30.010, Subsection E, Instructions.**

E. New community plans may be prepared by an owner or by the planning division.

Section 2. That Title 21 (Smart Code), Section 21.40.010 (Instructions), of the El Paso City Code, is amended to read as follows:

**21.40.010 Instructions.**

A. Upon direction by city council, and in conformance with the comprehensive plan, the planning division may prepare, or have prepared on its behalf, infill regulating plans to guide further development. Infill regulating plans shall be prepared in a process of public consultation subject to approval by the city council.

B. Infill regulating plans shall regulate, at minimum, an area the size of the pedestrian shed commensurate with its community type as listed in Section 21.40.020. The planning division shall determine a community type based on existing conditions and intended evolution in the plan area.

C. Infill regulating plans shall consist of one or more maps showing the following:

1. The outline(s) of the pedestrian shed(s) and the boundaries of the community or communities;

2. Transect zones and civic zones within each pedestrian shed, assigned according to an analysis of existing conditions and future needs;
3. A thoroughfare network, existing or planned (Table 3A, Table 3B, Table 4A, Table 4B and Table 4C);
4. Special districts, if any (Section 21.40.050)
5. Special requirements, if any (Section 21.40.070);
6. A record of warrants or variances.

D. Within any area subject to an approved infill regulating plan, this code becomes the exclusive and mandatory regulation. Property owners within the plan area may submit building scale plans under Chapter 21.50 in accordance with the provisions of this code. Building scale plans requiring no variances shall be approved administratively by the CRC.

E. The owner of a contiguous parcel five acres or more, whether inside or outside an area already subject to an infill regulating plan, may apply to prepare a special area plan. In consultation with the planning division, a special area plan may assign new transect zones, civic zones, thoroughfares, special districts (if any) and special requirements (if any) as provided in this code, with appropriate transitions to abutting areas.

F. The owner of a contiguous parcel of thirty acres or more, whether inside or outside an area already subject to an infill regulating plan, may initiate the preparation of a new community plan. A plan under this section shall regulate, at minimum, an area the size of the pedestrian shed commensurate with its community type as listed in Section 21.40.020, even if it overlaps adjacent parcels. Both the site and plan area should connect and blend with surrounding urbanism.

Section 3. That Title 21 (Smart code), Section 21.40.050 (Special Districts), of the El Paso City Code, is amended to read as follows:

#### **21.40.050 Special districts.**

A. Areas that, by their intrinsic size, function, or configuration, cannot conform to the requirements of any transect zone or combination of zones shall be designated as special districts by the planning division in the process of preparing an infill plan.

B. Special districts that do not have provisions within this code shall be governed by the standards of the pre-existing zoning.

Section 4. That Title 21 (Smart code), Section 21.70.010 (Definitions), of the El Paso City Code, is amended to revise the definition of "consolidated review committee (CRC)" to read as follows:

"Consolidated review committee (CRC)" means an administrative committee overseen by the planning division comprised of employees from various city departments having purview over matters encompassed by a project, as designated by the city manager or designee.

Section 5. That Title 21 (Smart code), Section 21.70.010 (Definitions), of the El Paso City Code, is amended to add the following definition to be placed within the section in proper alphabetical order:

“Planning division” means the planning division of the Planning and Economic Development Department.

Section 6. Except as herein amended, Title 21 of the El Paso City Code shall remain in full force and effect

ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_ 2010.

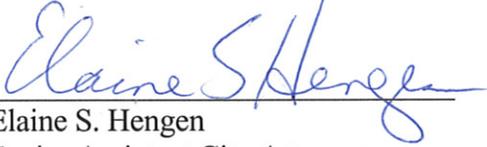
CITY OF EL PASO

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

ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Elaine S. Hengen  
Senior Assistant City Attorney

APPROVED AS TO CONTENT:

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