



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

DEPARTMENT: Development Services Department

AGENDA DATE: **Introduction: October 13, 2009**
 Public Hearing: November 3, 2009

CONTACT PERSON/PHONE: Tony De La Cruz, (915) 541-4329, delacruzja@elpasotexas.gov

DISTRICT(S) AFFECTED: All Districts

SUBJECT:

An Ordinance amending Title 20 (Zoning), Chapter 20.20 (Historic Landmark Preservation), Section 20.20.080, to clarify the process by which historically significant properties in areas of potential effect obtain a tax exemption through preservation of the property. Applicant: City of El Paso. (**All Districts**)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (6-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DIRECTOR: Victor Q. Torres _____
 Director, Development Services 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
Melina Castro

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 20 (ZONING), CHAPTER 20.20 (HISTORIC LANDMARK PRESERVATION), TO AMEND SECTION 20.20.080, TO CLARIFY THE PROCESS BY WHICH HISTORIC PROPERTIES IN AREAS OF POTENTIAL EFFECT OBTAIN A TAX EXEMPTION THROUGH PRESERVATION OF THE PROPERTY.

WHEREAS, the City Council has created several areas of potential effect in order to include those historically significant sites in need of tax relief to encourage their preservation that do not fall within the boundaries of a currently designated historic district; and

WHEREAS, the Council desires to clarify and simplify the administrative processing of applications seeking a tax exemption for historically significant sites in need of tax relief to encourage their preservation in order to preserve the City's historic properties.

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

Section 1. That Title 20 (Zoning), Chapter 20.20 (Historic Landmark Preservation), Section 20.20.080 C (Alterations and changes to landmarks and H-overlay properties), be amended to add a new subsection 4 as follows:

20.20.080 C (Alterations and changes to landmarks and H-overlay properties)

4. The guidelines and use thereof by the HPO for use in granting an administratively issued certificate of appropriateness for a site located in an area of potential effect shall be as provided by the resolution of the City Council adopting such guidelines.

Section 2. That Title 20 (Zoning), Chapter 20.20 (Historic Landmark Preservation), Section 20.20.080 H (Alterations and changes to landmarks and H-overlay properties) be amended to read as follows:

20.20.080 H (Alterations and changes to landmarks and H-overlay properties)

20.20.080 H. Area of Potential Effect. A certificate of appropriateness may also be issued administratively by the HPO using the same criteria and standards as the HLC under subsection G of this section, or administrative approval may be granted under this chapter for the construction, reconstruction, alteration or changes proposed to be made to a site located in an area of potential effect as designated by the city council, upon the request of a person or entity intending to make application for the ad valorem tax incentive program provided in Section 3.04.035 of this Code. In making a decision to administratively issue a certificate of appropriateness under this section, the

HPO shall perform every duty and undertake every obligation imposed on the HLC in this section for the situations when the HLC is authorized to issue a certificate of appropriateness.

Section 3. Except as expressly herein amended, Title 20 (Zoning), Chapter 20.20 (Historic Landmark Preservation), of the El Paso City Code shall remain in full force and effect.

PASSED AND APPROVED this _____ day of _____, 2009.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Elaine S. Hengen
Senior Assistant City Attorney

Victor Q. Torres, Director
Development Services Department



City of El Paso – Staff Report

Application Type: Amendment to Title 20, Chapter 20.20, Section 20.20.080
CPC Hearing Date: September 24, 2009
Staff Planner: Tony De La Cruz, 915-541-4329, delacruzja@elpasotexas.gov

Applicant: City of El Paso

APPLICATION DESCRIPTION

The City of El Paso is proposing to amend Title 20 (Zoning), Chapter 20.20 (Historic Landmark Preservation), Section 20.20.080 (Alterations and changes to Landmarks and H-overlay properties), to clarify the process by which Historic properties in areas of potential effect obtain a tax exemption through preservation of the property.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

The DCC recommends **APPROVAL** of the request to amend Title 20 to clarify the process by which Historic properties in areas of potential effect obtain a tax exemption through preservation of the property.

DEVELOPMENT SERVICES DEPARTMENT – HISTORIC PRESERVATION DIVISION RECOMMENDATION

The Historic Preservation Division recommends **APPROVAL** of the request.

ECONOMIC DEVELOPMENT DEPARTMENT

The Economic Development Department recommends **APPROVAL** of the request.

Attachments

Attachment 1: Proposed Ordinance

ATTACHMENT 1: PROPOSED ORDINANCE

ORDINANCE NO. _____

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