

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.14 (OFF-STREET PARKING, LOADING AND STORAGE STANDARDS), ARTICLE I (VEHICULAR PARKING), SECTION 20.14.070 (PARKING REDUCTIONS) TO ALLOW ADMINISTRATIVE APPROVAL OF UP TO A TEN PERCENT PARKING REDUCTION. 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 was adopted to promote the health, safety, morals and general welfare of the community; and

WHEREAS, Title 20 establishes the required number of parking spaces necessary to adequately serve certain buildings and uses within those buildings; and,

WHEREAS, City Council has determined that under certain circumstances, the minimum number of parking spaces required under the code may be too excessive and may be detrimental to the development of new businesses in existing built up areas; and,

WHEREAS, City Council has determined that provided that certain conditions have been satisfied, allowing administrative approval of up to a ten percent parking reduction would not be detrimental to the health, safety, morals, and general welfare of the public,

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

SECTION 1. That the following amendment is hereby made to Title 20 (Zoning), Chapter 20.14 (Off-Street Parking, Loading and Storage Standards), Article I (Vehicular Parking), Section 20.14.070 (Parking Reductions) by adding the following subparagraph:

D. Administrative parking reductions.

1. The Zoning Administrator may approve up to a ten percent parking reduction for a use involving an existing building(s) or structure(s) for applicants meeting the requirements specified in this section. The Zoning Administrator must be satisfied that the approval of a reduction will substantially serve the public convenience and welfare and will not substantially injure the neighboring property.

2. An applicant requesting a reduction under this section must submit a written application and shall satisfactorily demonstrate compliance with all of the following conditions:

- a. That the required number of off-street parking spaces cannot be reasonably accommodated on the property involved; and,
- b. That the request for the reduction is due to a change in use; and,

c. That the reduction of the required parking spaces is for an existing building(s) or structure(s); and,

d. That the reduction of the required parking spaces is not for a new structure(s) or building(s) or due to the expansion of an existing structure(s) or building(s); and,

e. That the applicant provides letters from the abutting property owners stating that the abutting property owners do not object to the parking reduction;

3. As part of the review process, the city traffic engineer shall review the request to determine the impact on the surrounding properties and shall recommend approval or denial of the request. The city traffic engineer may request a parking study in order to determine the impact on the surrounding properties. If the city traffic engineer recommends denial, the applicant shall be provided with the reasons for denial.

4. Upon a recommendation for approval from the city traffic engineer, the Zoning Administrator shall determine if all other provisions of this section have been satisfied and approve or deny the request for a parking reduction. If necessary to reduce the impact to neighboring property, the Zoning Administrator may impose additional requirements, such as landscaping or screening, as a condition of approval.

5. If the Zoning Administrator denies the request, the property owner may appeal the decision to the Zoning Board of Adjustment.

SECTION 2. Except as herein amended Title 20 (Zoning) of the El Paso City Code shall remain in full force and effect.

PASSED and APPROVED this _____ day of _____, 2009.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

Mathew McElroy, Deputy Director
Development Services Department