

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), CHAPTER 18.46 (LANDSCAPE) OF THE EL PASO CITY CODE, TO MODIFY THE DEFINITION OF LANDSCAPABLE AREA, INCLUDE THE FRONTAGE LANDSCAPE BUFFER AS PART OF THE LANDSCAPABLE AREA, REDUCE THE REQUIRED NUMBER OF ONE GALLON PLANT MATERIALS, MODIFY THE CALCULATION FOR PLANT UNITS TO REMOVE THE FRONTAGE LANDSCAPE BUFFER, REDUCE THE FRONTAGE LANDSCAPE BUFFER FOR SHOPPING CENTERS WITH A LOT DEPTH OF LESS THAN TWO HUNDRED FEET, AND REDUCE THE LANDSCAPABLE AREA FOR PROPERTIES WITHIN THE DESIGNATED LANDSCAPE INFILL DEVELOPMENT AREA. THE PENALTY BEING AS PROVIDED IN SECTION 18.46.180 (VIOLATIONS – PENALTY) OF THE EL PASO CITY CODE.

WHEREAS, by Ordinance No. 012399 enacted on May 23, 1995, the City Council of the City of El Paso, Texas, adopted the Landscape Ordinance of the City of El Paso to be effective September 1, 1995; and,

WHEREAS, by Ordinance No. 017515 enacted June 7, 2011, the City Council of the City of El Paso, Texas, approved modifications to the Landscape Ordinance which is effective October 1, 2011; and,

WHEREAS, the City Council of the City of El Paso has determined that quality of life, increased property values and aesthetics are important issues and concerns affecting El Paso; and,

WHEREAS, proper landscaping and irrigation will augment those qualities while helping to improve air purification, storm water run-off, noise reduction and heat abatement while conserving energy, water and other natural resources; and,

WHEREAS, landscape standards can enhance the quality of life and enhance the general welfare and beauty of El Paso by creating and maintaining visual environmental amenities; and,

WHEREAS, the City Council adopted a Resolution on January 6, 2011 detailing the relationship between the built environment and obesity and directed the City Manager to recommend code changes to increase opportunities for physical activity; and,

WHEREAS, the amendments herein are necessary to promote and protect the health, safety, and welfare of the public by creating an urban environment that is aesthetically pleasing, promotes economic development and enhanced quality of life for the citizens of El Paso.

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

SECTION 1. That Section 18.46.050 of the El Paso City Code, be amended as follows:

"Landscapable area" means that area of the lot that is required by this Chapter to be landscaped. It does not include the parkway, ~~the frontage landscape buffer~~, or the parking lot trees.

SECTION 2. That Section 18.46.060, Subsection A, Paragraph 6, Subparagraph b of the El Paso City Code, be amended as follows:

b. The frontage landscape buffer shall contain the required plant units based on Section 18.46.090 and the required frontage trees as required by Section 18.46.200. Ground treatment shall include decomposed granite, or other permeable surfacing, not to include raw soil. Landscaping of the frontage landscape buffer, ~~including any parkways,~~ shall ~~not~~ count towards the required landscapable area.

SECTION 3. That Section 18.46.090, Subsection A, Paragraph 1, Subparagraph c of the El Paso City Code, be amended as follows:

c. A minimum of ~~twenty~~ten plant material of one-gallon size;

SECTION 4. That Section 18.46.090, Subsection A, Paragraph 1, Subparagraph c of the El Paso City Code, be amended as follows:

d. For shopping centers on properties with a lot depth of less than 200 feet, the frontage buffer area may be reduced to seven feet on an arterial street. This provision does not apply to platted lots that are further divided by metes and bounds.

SECTION 5. That Section 18.46.090, Subsection A, Paragraph 1 of the El Paso City Code, be amended to add the following:

g. The square footage for this section shall be calculated based on the landscapable area, excluding the area within the frontage landscape buffer as defined by this chapter. Any area adjacent to, connected to, or outside of the frontage buffer area shall be utilized in the square footage calculation. Plant materials shall be placed within the frontage buffer area.

SECTION 6. That Section 18.46.090, Subsection A of the El Paso City Code, be amended to add the following:

4. Designated landscape infill development area.

a. For a property within the designated landscape infill development area, the required landscapable area may be reduced up to 30 percent.

b. The property shall comply with all other provisions of the chapter.

c. The designated landscape infill development area is shown as Exhibit A of this ordinance.

SECTION 7. Except as herein amended, Title 18 (Building and Construction) of the El Paso City Code shall remain in full force and effect.

SECTION 8. Effective date. This Ordinance shall be effective October 3, 2011.

PASSED AND APPROVED this _____ day of _____, 2011.

SIGNATURES ON THE FOLLOWING PAGE

THE CITY OF EL PASO

John Cook, Mayor

ATTEST:

Richarda Momsen, City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

R. Alan Shubert, P.E.
City Engineer

