

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: December 22, 2015
Public Hearing: January 12, 2016

CONTACT PERSON/PHONE: Larry F. Nichols, (915) 212-1550, nicholslf@elpasotexas.gov
Arturo Rubio, (915) 212-1613, rubioax@elpasotexas.gov

DISTRICT(S) AFFECTED: All Districts

SUBJECT:

An Ordinance amending Title 20 (Zoning), Chapter 20.12 (Density and Dimensional Standards), Section 20.12.020 (Table of Density and Dimensional Standards), Appendix B, Subpart C (Building Setbacks) to revise the minimum front yard setback for the A-O (Apartment-Office) zoning district and the minimum rear yard setback for the C-2 (Commercial) zone districts for "Other Permitted Uses". The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)**

BACKGROUND / DISCUSSION:

On December 3, 2015 the CPC recommended approval of the proposed Title 20 Zoning Code Amendment unanimously on a 6-0 vote.

PRIOR COUNCIL ACTION:

No prior City Council action

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) –CPC Recommended Approval on a 6-0 vote.

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Larry F. Nichols
Director, Planning and Inspections Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

MEMORANDUM

DATE: December 14, 2015

TO: The Honorable Mayor and City Council
Tommy Gonzalez, City Manager

FROM: Arturo Rubio, Lead Planner, Planning and Inspections

SUBJECT: Title 20 (Zoning) Amendment

On December 3, 2015 the CPC recommended approval of the proposed Title 20 Zoning Code Amendment unanimously on a 6-0 vote.

No communication in support or opposition has been received.

Attachments: Proposed Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.12 (DENSITY AND DIMENSIONAL STANDARDS) SECTION 20.12.020 (TABLE OF DENSITY AND DIMENSIONAL STANDARDS), APPENDIX B, SUBPART C (BUILDING SETBACKS) TO REVISE THE MINIMUM FRONT YARD SETBACK FOR THE A-O (APARTMENT-OFFICE) ZONING DISTRICT AND THE MINIMUM REAR YARD SETBACK FOR THE C-2 (COMMERCIAL) ZONE DISTRICTS FOR “OTHER PERMITTED USES.” 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, the current minimum front yard setback for the A-O (Apartment-Office) Zoning District for “Other Permitted Uses” is greater than the minimum front yard setbacks in the Apartment Zoning Districts for “Other Permitted Uses;” and

WHEREAS, the current minimum rear yard setback for C-2 (Commercial) Zoning District for “Other Permitted Uses” is greater than the minimum rear yard setbacks for all the other Commercial Zoning Districts for “Other Permitted Uses;” and,

WHEREAS, the Texas Local Government Code Section 211.005(b) requires “that zoning regulations be uniform for each class or kind of building in a district...the regulations shall be adopted with reasonable consideration, among other things, for the character of each district and its peculiar suitability for particular uses, with a view of conserving the value of buildings and encouraging the most appropriate use of land in the municipality;” and,

WHEREAS, a public hearing regarding the proposed amendment was held before the City Plan Commission, and the Commission recommended approval of the amendment; and,

WHEREAS, the El Paso City Council has determined that this amendment is in the best interest of the public and will promote the public health, safety and welfare of the City.

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

SECTION 1.: That Title 20 Zoning, Chapter 20.12 (Density and Dimensional Standards), Section 20.12.020 (Table of Density and Dimensional Standards), Appendix B, row P.3 A-O Zoning District for “Other Permitted Uses,” of the El Paso City Code be amended as follows:

Subpart C, Building Setbacks, Minimum Front Yard (in feet): 0

ORDINANCE NO. _____

SECTION 2.: That Title 20 Zoning, Chapter 20.12 (Density and Dimensional Standards), Section 20.12.020 (Table of Density and Dimensional Standards), Appendix B, row U.2 C-2 Zoning District for "Other Permitted Uses," of the El Paso City Code be amended as follows:

Subpart C, Building Setbacks, Minimum Rear Yard (in feet): 10

SECTION 3.: Except as expressly herein amended, Title 20, Zoning, of the El Paso City Code shall remain in full force and effect.

ADOPTED this _____ day of _____ 2016.

CITY OF EL PASO:

ATTEST:

Oscar Leeser
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Brie L. Franco
Assistant City Attorney

Larry F. Nichols, Director
Planning & Inspections Department

ORDINANCE NO. _____



Title 20 Zoning Code Amendment

- **Appendix B Table of Density and Dimensional Standards C-2 (Commercial) and A-O (Apartment Office) (Draft Ordinance Prepared)**
- **The CPC recommended unanimous approval 6-0.**
- **There was no communication from the public in support or opposition to the proposed amendment.**

Strategic Goal #3 Promote the Visual Image of El Paso

3.1 Provide Business Friendly Permitting and Inspection Processes

3.2 Improve the Visual Impression of the Community



C-2 (Commercial) and A-O (Apartment Office) Front and rear setbacks

| Current C-2 (Commercial) Zone District Rear Setback | Proposed C-2 (Commercial) Zone District Rear Setback |
|--|---|
| 20' Feet | 10' Feet |
| C-1, C-3 and C-4 (Commercial) | 10' Feet |

| Current A-O (Apartment- Office Zone District Front Setback | Proposed A-O (Apartment- Office Zone District Front Setback |
|---|--|
| 20' Feet | 0 Feet |
| A-1, A-2, A-3, A-4 (Apartment) | 0 Feet |



Amendment Objective (Clean Up)

- The current front setbacks on the A-O (Apartment Office) zone districts are not consistent with other Apartment zone districts which all have a 0 ft. front setback.
- A-O Zoning District for “Other permitted uses,” : Building Setbacks, Minimum Front Yard from the current required ~~20~~ ft. to **0 ft.**
- The current rear setbacks on the C-2 (Commercial) district are not consistent with other Commercial zone districts, which all have a 10 ft. rear setback.
- C-2 Zoning District for “Other permitted uses,” : Building Setbacks, Minimum Rear Yard from the current required ~~20~~ ft. to **10 ft.**