

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: July 12, 2016
Public Hearing: July 26, 2016

CONTACT PERSON/PHONE: Larry Nichols, (915) 212-1550, NicholsLF@elpasotexas.gov
Raul Garcia, (915) 212-1643, GarciaR1@elpasotexas.gov

DISTRICT(S) AFFECTED: All

SUBJECT:

An Ordinance amending Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), Article VI (Changes and Amendments), Section 20.04.380 (Application Requirements) of the El Paso City Code, to allow for deferral of the requirement for a traffic impact analysis under certain circumstances. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. (All Districts)

BACKGROUND / DISCUSSION:

On May 19, 2016 The City Plan Commission recommended Approval on a 6-0 vote.

PRIOR COUNCIL ACTION:

There is no prior City Council action on this ordinance amendment.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

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

*****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: June 28, 2016

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

FROM: Raul Garcia, Lead Planner

SUBJECT: Title 20 Ordinance Amendment

The City Plan Commission (CPC), on May 19 2016 voted 6-0 to recommend **Approval** of amending Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), Article VI (Changes and Amendments), Section 20.04.380 (Application Requirements) of the El Paso City Code to allow for deferral of the requirement for a traffic impact analysis under certain circumstance.

The CPC found that the amendment is in conformance with Plan El Paso. The CPC also determined that the amendment protects the best interest, health, safety and welfare of the public in general; that the proposed amendment is compatible with adjacent land uses; and, that the amendment will have no negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

The Planning Division has not received any letters or phone calls in support or opposition of the amendment request.

Attachments:
Ordinance Amendment

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.04 (ADMINISTRATIVE PROVISIONS), ARTICLE VI (CHANGES AND AMENDMENTS), SECTION 20.04.380 (APPLICATION REQUIREMENTS) OF THE EL PASO CITY CODE, TO ALLOW FOR DEFERRAL OF THE REQUIREMENT FOR A TRAFFIC IMPACT ANALYSIS UNDER CERTAIN CIRCUMSTANCES. 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, City Council has determined that it is necessary and reasonable to consider the traffic impact a proposed development will have on the surrounding community in order to promote the health, safety, morals and general welfare of the community; and,

WHEREAS, currently the El Paso City Code requires a traffic impact analysis at rezoning if the proposed development exceeds certain thresholds regardless of whether the property has been platted; and,

WHEREAS, Council recognizes that requiring a traffic impact analysis at the time of a rezoning application on unplatted property, is not conducive to properly ensuring that new development be served and supported by an adequate network of streets and thoroughfares.

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

SECTION 1. That Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), Article VI (Changes and Amendments), Section 20.04.380 (Application Requirements), Subsection G of the El Paso City Code be amended in its entirety with the following:

20.04.380 - Application requirements.

- G. A traffic impact analysis may be required, at the rezoning stage of the development, if the property is being rezoned to a more intense use or to a use that has the potential to increase the traffic impact on the adjacent traffic infrastructure. A traffic impact analysis shall be required at the rezoning phase, if such increase in intensity of use meets the applicability standards as set forth in Section 19.18.010(B) of this Code. A traffic impact analysis may be deferred, until the subdivision stage of development, only if the property proposed for rezoning has not yet been platted.

SECTION 2. 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:



Karla M. Neuman
Assistant City Attorney

APPROVED AS TO CONTENT:



Larry F. Nichols, Director
Planning and Inspections Department