

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

DEPARTMENT: Economic and International Development Department

AGENDA DATE: CCA Regular Introduction – July 24, 2018
CCA Regular Public Hearing – August 21, 2018

CONTACT PERSON/PHONE: Providencia Velázquez, (915) 212-1567, velazquezpx@elpasotexas.gov

DISTRICT(S) AFFECTED: All

SUBJECT:

An ordinance amending Title 20 (Zoning), Chapter 20.20 (Historic Landmark Preservation), Section 20.20.080 (Alterations and Changes to Landmarks and H-Overlay Properties), of the El Paso City Code to amend subsection A to delete subsection in its entirety. The penalty is as provided for in Section 20.20.140 of the El Paso City Code. (All districts)

BACKGROUND / DISCUSSION:

Amending Chapter 20.20 to remove the portion of the code that states: No person or entity shall construct, reconstruct, alter, change, remove, demolish or fail to maintain, any of the following, unless a certificate of appropriateness or a certificate of demolition has been approved by the HLC or approval granted through administrative review: 1. Any permanent feature on a property listed as a Texas Antiquities Landmark or on the National Register of Historic Places.

The language in the city's ordinance is in contradiction with the federal language stating that properties on the National Register are not subject to restrictions. National Register listing is an honorific meaning there are no restrictions placed on the property except if federal funding is being used or if the owner wants to take advantage of the tax credits. The HLC approved removing this first before submitting all the changes.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

On May 7, 2018, the Historic Landmark Commission voted unanimously to approve amending Chapter 20.20 to remove the portion of the code that states: No person or entity shall construct, reconstruct, alter, change, remove, demolish or fail to maintain, any of the following, unless a certificate of appropriateness or a certificate of demolition has been approved by the HLC or approval granted through administrative review:

1. Any permanent feature on a property listed as a Texas Antiquities Landmark or on the National Register of Historic Places.

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

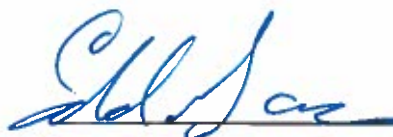
LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Fov
Jessica Herrera

Director, Economic and International Development Department



ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.20 (HISTORIC LANDMARK PRESERVATION), SECTION 20.20.080 (ALTERATIONS AND CHANGES TO LANDMARKS AND H-OVERLAY PROPERTIES), OF THE EL PASO CITY CODE TO AMEND SUBSECTION A TO DELETE SUBSUBSECTION (1) IN ITS ENTIRETY. THE PENALTY IS AS PROVIDED FOR IN SECTION 20.20.140 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 City Council after a public hearing has determined 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 20.20 (Historic Landmark Preservation), Section 20.20.080 (Alterations and changes to landmarks and H-overlay properties), Subsection A, of the El Paso City Code, which currently reads as follows:

- A. No person or entity shall construct, reconstruct, alter, change, remove, demolish or fail to maintain, any of the following, unless a certificate of appropriateness or a certificate of demolition has been approved by the HLC or approval granted through administrative review:*
 - 1. Any permanent feature on a property listed as a Texas Antiquities Landmark or on the National Register of Historic Places;*
 - 2. Any building, object, site, landscape architectural feature, or group of such designated with an H-overlay or as a historic landmark as defined by this chapter and designate by the city council.*

Be amended in its entirety to read as follows:

- A. No person or entity shall construct, reconstruct, alter, change, remove, demolish or fail to maintain, any of the following, unless a certificate of appropriateness or a certificate of demolition has been approved by the HLC or approval granted through administrative review:*
 - 1. Any building, object, site, landscape architectural feature, or group of such designated with an H-overlay or as a historic landmark as defined by this chapter and designated by the city council.*

SECTION 2. Except as herein amended Title 20 (Zoning), Chapter 20.20 (Historic Landmark Preservation), and Section 20.20.080 of the El Paso City Code shall remain in full force and effect.

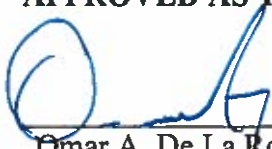
ORDINANCE NO. _____

18-1007-2189 | 787252

Title Amendment-Landmarks and H-overlay Properties

OAR

APPROVED AS TO FORM:



Omar A. De La Rosa
Assistant City Attorney

APPROVED AS TO CONTENT:

Jessica Herrera, Director
Economic & International Development

ORDINANCE NO. _____

18-1007-2189 | 787252

Title Amendment-Landmarks and H-overlay Properties
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