

C I T Y O F E L P A S O

REVISIONS TO CHAPTER 20.20





STRATEGIC GOAL 3

- Promote the visual image of El Paso.



PRESENTATION OVERVIEW

- Purpose of the *meeting is to remove a portion of language from Chapter 20.20.*
- *Ordinance was approved in 1978 and amended in 2006.*

Chapter 20.20

Chronology

- Approved in 1978.
- Amended in 2006.
- Work sessions – from June 2016 to the present



Chapter 20.20

Purpose of the revisions

- Changes are to streamline the ordinance, make it more efficient, and create a shorter processing time.
- To address gaps such as expiration dates on applications, documentation submittal, and the fee for an appeal
- To address demolition by neglect
- To address violations
- To remove restrictions for properties listed on the National Register of Historic Places
- To provide clarification for property owners, architects, and contractors
- To improve efficiency so staff has better direction and property owners can get through the process faster



20.20.080 – A.1

- Remove the language from 20.20.080 – A.1 first and take to City Council for approval.

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. This language is delaying the County's survey of Downtown. The County won't continue the survey until this is removed. Option 1 is to remove this first before approving all the changes.

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;

Reasons to remove the language

- 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.
- National Register listing will not restrict the rights of private property owners in the use, development, or sale of their property, nor will it lead automatically to the creation of a regulated historic district.
- The city's code contradicts that language by requiring properties that are listed on the National Register comply with local laws although the federal government states they don't have to do that. This places an additional financial burden on the property owner by having him/her comply with the local historic preservation ordinance.
- The revision will streamline the ordinance, make it more efficient, and create a shorter processing time.
- The revision will provide clarification, improve the process for property owners, architects, and contractors, and improve efficiency so staff has better direction and property owners can get through the process faster.

Recommendation

The HLC's recommendation is to take this language first to City Council.

The HLC recommended approval on May 7, 2018.

The City Plan Commission approved the request on June 28, 2018.

