

Title 21 Redlines

Chapter 21.10 - GENERAL TO ALL PLANS

21.10.040 Process.

- C. Once the property is rezoned to SmartCode Zone (SCZ), the property owner is authorized to proceed under Chapters 21.30 and 21.40, whichever is applicable, and Chapter 21.50 under this title. El Paso City Council, hereby creates a Consolidated Review Committee (CRC) comprised of a designated member or designated alternate member from each city department or other agency represented by the development coordinating committee. The CRC shall be responsible for approving adjustments to new community plans as defined in Chapter 21.30 or infill community plans as defined in Chapter 21.40 of this title and approving building scale plans as defined in Chapter 21.50 of this title. Building scale plans shall not be approved unless a new community plan or an infill community plan for the property has been approved. No building scale plan shall be required where the development is for apartments or mixed-use residential development that meet all minimum requirements set forth in Chapter 21 (SmartCode) and 20.10.363. An owner may appeal a decision of the CRC to the city council.
- D. Once the property owner receives approval of a preliminary building scale plan from the CRC (see Section 21.50.010), except that no building scale plan shall be required where the development is for apartments or mixed-use residential development that meet all minimum requirements set forth in Chapter 21 (SmartCode) and 20.10.363, the property owner must comply with the provisions of Title 19 Subdivisions to receive plat approval, provided that any provisions concerning platting requirements that are specifically addressed in this title, shall take precedence over similar requirements in Title 19. Prior to the submission of any plat, the property to be developed under this title must be part of an approved preliminary building scale plan. When reviewing a plat submitted in compliance with the provisions of this title, to include approval of the building scale plan, the city plan commission shall determine whether the preliminary building scale plans were approved by the CRC and whether the plat provisions contained in Title 19 which are not addressed in this title have been complied with. The city plan commission shall have no authority over the building scale plans other than to determine whether such preliminary plans comply with both Title 21 and Title 19, provided that where Title 19 conflicts with a specific provision under this title, addressing the same issue, the standard or requirement of this title shall prevail.

Chapter 21.30 NEW COMMUNITY PLANS

21.30.090 Special requirements.

- A. A new community regulating plan may designate and upon designation shall enforce any of the following special requirements which, if approved, shall then be enforced at the building scale plan stage (except where development is for apartments or mixed-use residential development that meet all minimum requirements set forth in Chapter 21 (SmartCode) and Section 20.10.363, no building scale plan shall be required):

Chapter 21.40 INFILL COMMUNITY PLANS

21.40.010 Instructions.

- E. Upon rezoning of an area as a SmartCode Zone, all parcels within the zone shall be marked as such on the zoning map of El Paso. Within the SmartCode Zone, the approved infill regulating plan and this title shall become the exclusive and mandatory zoning regulation, and its provisions, as altered by approved warrants, variances, and adjustments, shall be applied in their entirety property owners within the plan area may submit building scale plans under Chapter 21.50 in accordance with the provisions of this title. Building scale plans requiring no variances shall be approved administratively by the CRC, except where development is for apartments or mixed-use residential development that meet all minimum requirements set forth in Chapter 21 (SmartCode) and Section 20.10.363, no building scale plan shall be required.

21.40.030 Transect zones.

- B. After approval into a SmartCode Zone by the city council, landowners in each transect zone may obtain building scale plans that include any of the elements indicated by Chapters 21.40 and 21.50, except where development is for apartments or mixed-use residential development that meet all minimum requirements set forth in Chapter 21 (SmartCode) and Section 20.10.363, no building scale plan shall be required.

21.40.070 Special requirements.

- A. An infill regulating plan may designate any of the following special requirements, which if approved shall then be enforced at the building scale plan stage, except where development is for apartments or mixed-use residential development that meet all minimum requirements set forth in Chapter 21 (SmartCode) and Section 20.10.363, shall be enforced prior to issuance of building permits:

Chapter 21.50 - BUILDING SCALE PLANS

21.50.070 Building configuration.

- B. Specific to zones T2, T3, T4, T4-O, T5, T5O, T-6, SD-1, SD-2, SD-3, SD-4, SD-5, SD-6, SD-7.

Chapter 21.70 - DEFINITIONS OF TERMS

21.70.010 Definitions.

"Apartment/Multifamily residential building" means a building or part of a building containing three or more attached or detached dwelling units, to include condominium. The term includes the use or development of a condominium. A "condominium" means a single dwelling unit in a multi-unit dwelling or structure, which is separately owned and which may be combined with an undivided interest in the common areas and facilities of the property.

"Live-work" means a mixed use unit consisting of a commercial and residential function. The commercial function may be anywhere in the unit. It is intended to be occupied by a business operator who lives in the same structure that contains the commercial activity or industry. Where the live-work development meets the definition of mixed-use residential, that shall supersede. See Work-Live. (Syn: flexhouse.)

"Mixed-use residential," when used to describe land use or development, means the use or development, as applicable, of a site consisting of residential and nonresidential uses in which the residential uses are at least 65 percent of the total square footage of the development and meets the criteria found in El Paso City Code section 20.10.363. The term includes the use or development of a condominium. A "condominium" means a single dwelling unit in a multi-unit dwelling or structure, which is separately owned and which may be combined with an undivided interest in the common areas and facilities of the property. Developments not meeting the criteria listed above shall not be considered mixed-use residential and shall be required to meet the requirements of the base zoning or use requirements.

"Rowhouse" means a single-family dwelling individually on a lot that shares a party wall with another of the same type on a separate lot and occupies the full frontage line. See Rearyard Building. (Syn: Townhouse)

"Small lot" means a residential lot that is 4,000 square feet or less and meets the criteria found in El Paso City Code section 20.10.625.