

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

DEPARTMENT: Planning & Inspections, Planning Division

AGENDA DATE: August 31, 2021

PUBLIC HEARING DATE: September 28, 2021

CONTACT PERSON NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Karina Brasgalla, (915) 212-1604

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL: #3 Promote the Visual Image of El Paso

SUBGOAL: 3.1 Provide business friendly permitting and inspection processes
3.2 Improve the visual impression of the community

SUBJECT:

An Ordinance amending Title 21 (SmartCode), Chapter 20.50 (Building Scale Plans), Section 20.50.060 (Building Disposition), to calibrate the SmartCode to the local character of the place and local conditions. The penalty being as provided in Section 21.60 of the El Paso City Code.

BACKGROUND / DISCUSSION:

The proposed amendments modify language regulating building disposition – see attached City Plan Commission Staff Report for a detailed explanation of the amendments.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

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

DEPARTMENT HEAD:

Philip Etiwe

Philip F. Etiwe – Planning and Inspections Director

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 21 (SMARTCODE), CHAPTER 20.50 (BUILDING SCALE PLANS), SECTION 20.50.060 (BUILDING DISPOSITION), TO CALIBRATE THE SMARTCODE TO THE LOCAL CHARACTER OF THE PLACE AND LOCAL CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 21.60 OF THE EL PASO CITY CODE.

WHEREAS, the City Council of the City of El Paso, by Ordinance 016945 approved on June 29, 2008, adopted Title 21 (SmartCode), and added Title 21 to the El Paso City Code; and

WHEREAS, Title 21 of the El Paso City Code was adopted to promote the health, safety, and general welfare of the community; and

WHEREAS, the El Paso City Council, having considered the recommendations and held a public hearing at which the public was allowed to comment on the proposed ordinance amendments, finds that the amendments will further protect and provide for the public health, safety, and general welfare of the community, and will carry out the purpose and spirit of the policies express in Plan El Paso; and

WHEREAS, the El Paso City Council finds that the regulations established by this amendment have been adopted with reasonable consideration, among other things, for the character of each district and its peculiar suitability for the particular uses; with a view of conserving property values and encouraging the most appropriate use of land in the City; and

WHEREAS, the City of El Paso’s SmartCode requires calibration to the local character of the place and local conditions;

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

SECTION 1. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.060 (Building Disposition), is amended in its entirety and replaced by the following section:

- 21.50.060 – Building disposition.
 - A. Specific to zones T3 and T4.
 - 1. One principle building at the frontage, and one outbuilding to the rear of the principle building, may be built on each lot as shown in Table 17c.
 - B. Specific to zones T3, T4, T4-O, T5, T5-O, T6 and special districts SD3, SD4, SD5, SD6, and SD7.
 - 1. Newly platted lots shall be dimensioned according to Table 14f, Table 16f

and Table 15.

2. Building disposition types shall be as shown in Table 9.
3. Buildings shall be disposed in relation to the boundaries of their lots according to Table 14g, Table 16g and Table 15.
4. Reserved.
5. Lot coverage by building shall not exceed that recorded in Table 14f, Table 16f and Table 15.
6. Façades shall be built parallel to a rectilinear principal frontage line or to the tangent of a curved principal frontage line, and along a minimum percentage of the frontage length at the setback, as specified on Table 14g, Table 16g and Table 15.
7. Setback for principal buildings shall be as shown in Table 14g, Table 16g and Table 15. In the case of an infill lot, setbacks shall match one of the existing adjacent setbacks. Setbacks may otherwise be adjusted by Warrant provided it does not exceed a ten percent deviation.
8. Rear setbacks for outbuildings shall be a minimum of twelve feet measured from the centerline of the rear alley or rear lane easement. In the absence of rear ally or rear lane, the rear setback shall be as shown in Table 14h, Table 16h and Table 15.9.
9. To accommodate building on slopes over ten percent, relief from front setback requirements is available by warrant provided it does not exceed a twenty percent deviation.

C. Specific to zones T5, T5-O, T6 and special districts SD3 and SD4.

1. The principal entrance shall be on a frontage line.

SECTION 2. Except as herein amended, Title 21 of the El Paso City Code shall remain in full force and effect.

ADOPTED this _____ day of _____, 2021.

THE CITY OF EL PASO:

Oscar Leeser, Mayor

ATTEST:

Laura D. Prine, City Clerk


ORDINANCE NO. _____

19-1007-2467 | 1038931

Title 21 Amendment-Building

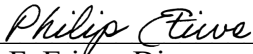
OAR

APPROVED AS TO FORM:



Omar A. De La Rosa
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department

ORDINANCE NO. _____
19-1007-2467 | 1038931
Title 21 Amendment-Building
OAR



City of El Paso – City Plan Commission Staff Report

Title 21 (SmartCode) Amendments

Planning staff is proposing to make two amendments to Chapter 21.50.060, which includes language regulating building disposition:

Amendment #1: Remove requirement that “only one building in excess of 200 feet” in width be permitted in a single pedestrian shed. Removal of this regulation will permit additional flexibility for development, specifically in the T4-O and T-6 transect zones, where lots up to 450 feet and 700 feet in width (respectively) are permitted. Other existing regulations, including setback and minimum buildout requirements, will ensure that future development meets the design intent of the SmartCode.

Amendment #2: Allow multiple structures on a single lot in higher intensity transect zones (T4-O through T6). This regulation currently applies to all transect zones, and enforcement of this regulation on commercial or mixed-use projects can lead to increased time and cost for the developer with no substantive improvement to the design of the development.

Attachments:

Title 21 Amendment Redlines

Title 21 - SMART CODE

21.50.060 – Building disposition.

A. ~~Reserved.~~Specific to zones T3 and T4.

1. ~~One principle building at the frontage, and one outbuilding to the rear of the principle building, may be built on each lot as shown in Table 17c.~~

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B. Specific to zones T3, T4, T4-O, T5, T5-O, T6 and special districts SD3, SD4, SD5, SD6, and SD7.

1. Newly platted lots shall be dimensioned according to Table 14f, Table 16f and Table 15.
 - a. ~~Only one building in excess of two hundred feet shall be permitted in a single pedestrian shed. The width may be adjusted by Warrant up to ten percent.~~
2. Building disposition types shall be as shown in Table 9.
3. Buildings shall be disposed in relation to the boundaries of their lots according to Table 14g, Table 16g and Table 15.
4. ~~One principle building at the frontage, and one outbuilding to the rear of the principle building, may be built on each lot as shown in Table 17c.~~Reserved.
5. Lot coverage by building shall not exceed that recorded in Table 14f, Table 16f and Table 15.
6. Façades shall be built parallel to a rectilinear principal frontage line or to the tangent of a curved principal frontage line, and along a minimum percentage of the frontage length at the setback, as specified on Table 14g, Table 16g and Table 15.
7. Setback for principal buildings shall be as shown in Table 14g, Table 16g and Table 15. In the case of an infill lot, setbacks shall match one of the existing adjacent setbacks. Setbacks may otherwise be adjusted by Warrant provided it does not exceed a ten percent deviation.
8. Rear setbacks for outbuildings shall be a minimum of twelve feet measure from the centerline of the rear alley or rear lane easement. In the absence of rear alley or rear lane, the rear setback shall be as shown in Table 14h, Table 16h and Table 15.9. To accommodate building on slopes over ten percent, relief from front setback requirements is available by warrant provided it does not exceed a twenty percent deviation.

C. Specific to zones T5, T5-O, T6 and special districts SD3, and SD4.

1. The principle entrance shall be on a frontage line.