

ORDINANCE NO. 018649

**AN ORDINANCE AMENDING TITLE 19 (SUBDIVISION AND DEVELOPMENT PLATS), ARTICLE 2. SUBDIVISION STANDARDS, CHAPTER 19.18 (TRAFFIC IMPACT ANALYSIS), SECTION 19.18.010 (PURPOSE AND APPLICABILITY) OF THE EL PASO CITY CODE, TO ALLOW FOR DEFERRAL OF A TRAFFIC IMPACT ANALYSIS TO THE PLATTING STAGE OF DEVELOPMENT UNDER CERTAIN CIRCUMSTANCES. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 19.42 OF THE EL PASO CITY CODE.**

**WHEREAS**, Title 19 (Subdivision and Development Plats) of the El Paso City Code was adopted under the authority of Texas Local Government Code, Chapter 212 to implement standards and requirements for the development of land; and

**WHEREAS**, Title 19 (Subdivision and Development Plats) provisions are intended to promote the development and the utilization of land in accordance with the comprehensive plan and the zoning regulations of the City; and

**WHEREAS**, Title 19 (Subdivision and Development Plats) provisions are intended to provide for the circulation of traffic throughout the municipality; 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 it is necessary 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**, Council also recognizes that deferring a traffic impact analysis to the platting stage of a development for property that is under a certain size and not platted does not prevent the City from ensuring the property will provide an adequate network of streets and thoroughfares; and,

**WHEREAS**, a public hearing regarding the proposed amendment was held before the City Plan Commission, and the Commission recommended approval of the amendment; and,

**WHEREAS**, the El Paso City Council has determined that 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:**

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**SECTION 1.** That Title 19 (Subdivision and Development Plats), Article 2. Subdivision Standards, Chapter 19.18 (Traffic Impact Analysis), Section 19.18.010 (Purpose and Applicability), Subsection B 4. of the El Paso City Code be amended in its entirety with the following:

4. An applicant may request to the city manager or designee that the submittal of the traffic impact analysis be deferred to the subdivision stage of the development; the request shall be approved provided that the following requirements are met:

- a) The property proposed for rezoning has not yet been platted; and
- b) The proposed development generates less than 500 peak hour trips.

**SECTION 2.** That Title 19 (Subdivision and Development Plats), Article 2. Subdivision Standards, Chapter 19.18 (Traffic Impact Analysis), Section 19.18.010 (Purpose and Applicability), Subsection B 5. of the El Paso City Code be amended in its entirety with the following:

5. Alternative method of calculating traffic impact.

a) In lieu of a traffic impact analysis, the developer or applicant may request that the city accept an alternative method of calculating the impact that the new development will have on traffic and thoroughfare rights-of-way.

b) Factors to consider in determining whether to accept an alternate method of calculating the traffic impact are:

- 1) The proposed development generates less than 500 peak hour trips; and
- 2) The existing roadway segments within ½ mile radius level of service is an A, B, C, or D, based on the latest version of the Highway Capacity Manual; and
- 3) Existing intersections within ½ mile radius level of service is an A, B, C, or D based on the latest version of the Highway Capacity Manual; and
- 4) There are no existing safety problems (sight distance, high crash incidence rate, etc.)
- 5) Whether the data used in the calculation is no older than one year.

c) Upon review and analysis of the data and information provided by the applicant or developer, the city manager or designee may accept the calculation and base any mitigation required or proportionate share or contribution on the calculations submitted by the developer.

**SECTION 3.** Except as expressly herein amended, Title 19, Zoning, of the El Paso City Code shall remain in full force and effect.

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ADOPTED this 21<sup>st</sup> day of March 2017.



CITY OF EL PASO

Oscar Leeser

Oscar Leeser  
Mayor

ATTEST:

Richarda Duffy Momsen

Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

Karla M. Nichman

Karla M. Nichman  
Assistant City Attorney

APPROVED AS TO CONTENT:

Larry F. Nichols

Larry F. Nichols, Director  
Planning and Inspections Department

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Title 19 & 20 Amendments- Traffic Impact Analysis  
KMN