

ORDINANCE NO. 018652

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.04 (ADMINISTRATIVE PROVISIONS), ARTICLE VI (CHANGES AND AMENDMENTS), SECTION 20.04.380 (APPLICATION REQUIREMENTS) OF THE EL PASO CITY CODE, TO REVISE THE REQUIREMENTS FOR A TRAFFIC IMPACT ANALYSIS UNDER CERTAIN CIRCUMSTANCES. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, the Texas Local Government Code Section 211.001 grants municipalities zoning authority for the purpose of promoting the public health, safety, morals, or general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance; and

WHEREAS, the Texas Local Government Code Section 211.004 requires that a municipality adopt zoning regulations in accordance with the comprehensive plan and must be designed to lessen congestion in the streets, prevent overcrowding of land; avoid undue concentration of population, or facilitate the adequate provision of transportation; and

WHEREAS, Title 20 (Zoning) of the El Paso City Code was adopted from the authority granted pursuant to Section 211 to promote the health, safety, morals and general welfare of the community; and

WHEREAS, in accordance with the powers granted to it by the State, the City Council has determined that in order to properly evaluate zoning requests it is necessary and reasonable to require traffic impact analyses be submitted if the property has the potential to increase traffic on the adjacent traffic infrastructure; and

WHEREAS, a traffic impact analysis permits City Council to consider whether a proposed zoning application will lessen congestion in the streets, prevent overcrowding, and to facilitate the adequate provision of transportation; 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 certain properties due to their size and proposed zoning request should be permitted to defer the requirement of a traffic impact analysis to the platting phase of the development; 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,

ORDINANCE NO. 018652

16-1007-1660 / 518362\_4

Title 20 Amendment- Traffic Impact Analysis

KMN

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:

**SECTION 1.** That Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), Article VI (Changes and Amendments), Section 20.04.380 (Application Requirements), Subsection G of the El Paso City Code be amended in its entirety with the following:

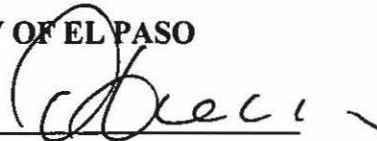
**20.04.380 - Application requirements.**

G. A traffic impact analysis may be required, at the rezoning stage of the development, if the property is being rezoned to a more intense use or to a use that has the potential to increase the traffic impact on the adjacent traffic infrastructure. A traffic impact analysis shall be required at the rezoning phase, if such increase in intensity of use meets the applicability standards as set forth in Section 19.18.010(B) of this Code.

**SECTION 2.** Except as expressly herein amended, Title 20, Zoning, of the El Paso City Code shall remain in full force and effect.

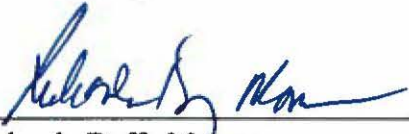
ADOPTED this 21<sup>st</sup> day of March 2017.

CITY OF EL PASO



Oscar Leeser  
Mayor

ATTEST:



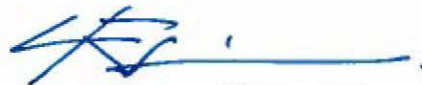
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:



Karla M. Niehan  
Assistant City Attorney

APPROVED AS TO CONTENT:



Larry F. Nichols, Director  
Planning and Inspections Department

ORDINANCE NO. 018652