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ORDINANCE NO. 019734

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.02 (GENERAL PROVISIONS AND DEFINITIONS), CHAPTER 20.08 (APPENDIX A), TABLE OF PERMISSIBLE USES, CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), AND (APPENDIX C) TABLE OF PARKING REQUIREMENTS AND STANDARDS OF THE EL PASO CITY CODE TO SUPPORT THE GOALS AND PRIORITIES OF DOWNTOWN REDEVELOPMENT, ADD DEFINITIONS, DISALLOW INCOMPATIBLE USES WITHIN THE C-5 (COMMERCIAL) ZONING DISTRICT, AND ALLOW USES SUPPORTIVE OF HIGH-DENISTY DEVELOPMENT. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

WHEREAS, on June 23, 2023, the El Paso City Council adopted the Uptown, Downtown, and Surrounding Neighborhoods Master Plan; and

WHEREAS, in the adopting resolution, the El Paso City Council directed the City Manager to begin the implementation of the Plan; and

WHEREAS, the proposed amendments address definitions, supplemental use regulations, permitted uses, and parking requirements for properties located within the C-5 (Commercial) zoning district; 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:

SECTION 1: That Title 20, Zoning, Chapter 20.02, General Provisions and Definitions, of the El Paso City Code be amended as follows:

Add the following definitions:

20.02.273 "Corner store" means a retail, general service, arts design and creation, or eating and drinking establishment. It can include general retail, a food store, or an establishment with an art focus. Cooking on-site is not allowed for corner grocery stores.

20.02.1091 "Movie theater drive-in (outdoor)" means a place of public entertainment for the purpose of exhibition of motion picture or live performance of cultural programming. Drive-in Theater, motion picture means a theater that may or may not provide seating inside and its principal character is to provide parking spaces for motor vehicles.

SECTION 2: That Title 20, Zoning, Chapter 20.08. Permissible Uses, Section 20.08.030 C. Appendix A—Table of Permissible uses, of the El Paso City Code be amended as follows:

Amend the following sections:

2.15 Self storage warehousing shall only be permitted by right in the following districts: all of the Apartment Districts A-1, A-2, A-3, A-4, A-O A-3/O, A-M; all of the Commercial Districts C-OP, C-1, C-2, C-3, C-4, C-5; Manufacturing Districts M-1, M-2, and M-3; by Detail Site Plan in the following Special Purpose Districts S-D, P-C, P-I; by Master Zoning Plan in Special Purpose Districts G-MU, I-MU, R-MU; and prohibited in all other districts.

3.03 Child care facility, type 3 shall only be permitted by special permit in the following districts: all of the Residential Districts R-1, R-2, R-2A, R-3, R-3A, R-4, R-5, RMH, all of the Apartment Districts A-1, A-2, A-3, A-4, A-O A-3/O, A-M; all of the Commercial Districts C-OP, C-1, C-2, C-3, C-4, C-5; and in the following Special Purpose Districts S-D, U-P, P-C; by Master Zoning Plan in Special Purpose District G-MU; prohibited in all other districts.

5.28 Recycling collection facility (large) shall only be permitted by right in the following districts: Commercial District C-4; and all Manufacturing Districts Q, M-1, M-2, and M-3; by Master Zoning Plan in Special Purpose Districts G-MU and I-MU; and prohibited in all other districts.

5.29 Recycling collection facility (small) shall only be permitted as an accessory use in the following districts: Commercial Districts C-OP, C-1, C-2, C-3, C-4; all Manufacturing Districts Q, M-1, M-2, M-3; Special Purpose Districts S-D, U-P, P-C, P-I, R-MU, G-MU, I-MU; prohibited in all other districts.

7.03 Drilling gas well shall only be permitted by special permit in the following districts: all of the Residential Districts R-1, R-2, R-2A, R-3, R-3A, R-4, R-5, RMH, all of the Apartment Districts A-1, A-2, A-3, A-4, A-O A-3/O, A-M; in the Commercial Districts C-OP, C-1, C-2, C-3, C-4; Manufacturing Districts M-1, M-2, and M-3; and in the following Special Purpose Districts R-F, S-D, and P-C; prohibited in all other districts.

7.04 Drilling oil well shall only be permitted by special permit in the following districts: all of the Residential Districts R-1, R-2, R-2A, R-3, R-3A, R-4, R-5, RMH, all of the Apartment Districts A-1, A-2, A-3, A-4, A-O A-3/O, A-M; in the Commercial Districts C-OP, C-1, C-2, C-3, C-4; Manufacturing Districts M-1, M-2, and M-3; and in the following Special Purpose Districts R-F, S-D, and P-C; prohibited in all other districts.

7.08 Shaft mining shall only be permitted by special permit in the following districts: all of the Manufacturing Districts Q, M-1, M-2, and M-3.

10.11 Laundromat, laundry (>5,000 square feet) shall only be permitted by special permit in the following districts: Apartment Districts A-3, A-4, A-O, A-3/O; Commercial Districts C-OP; and Special Use District SRR; by right in the following districts: Commercial Districts C-1, C-2, C-3, C-4; by Detail Site Plan in the following districts: Special Purpose Districts S-D, U-P, P-C; by Master Zoning Plan in Special Purpose Districts R-MU and G-MU; and prohibited in all other districts.

11.41 Shooting range, archery or gun (outdoor) shall only be permitted by right in the following districts: Commercial Districts C-2, C-3, C-4, Manufacturing Districts M-1, M-2, M-3, by Master Zoning Plan in Special Purpose District I-MU; and prohibited in all other districts.

14.091 Corner Store shall only be permitted by right in the following districts: Apartment Districts A-O and A-O-3; Commercial Districts C-OP, C-1, C-2, C-3, C-4, and C-5; Special Purpose Districts U-P and SRR; by Detail Site Plan in the following Special Purpose Districts S-D, P-RI, P-RII, P-C, P-I; by Master Zoning Plan in Special Purpose Districts R-MU, G-MU, I-MU; and prohibited in all other districts.

14.43 Warehouse club shall only be permitted by right in the following districts: in the Commercial Districts C-3, C-4; Manufacturing Districts M-1; and prohibited in all other districts.

SECTION 3: That Title 20, Zoning, Chapter 20.10, Supplemental Use Regulations, of the El Paso City Code be amended as follows:

Delete:

20.10.100 Bakeries (Reserve Section)
20.10.170 Custom Shops (Reserve Section)
20.10.190 Dry Cleaning – line 1
20.10.300 Laundromats (20.10.300)
20.10.380 Multi-family Dwellings (Reserve Section)
20.10.390 - Neighborhood commercial uses (SRR District) (Reserve Section)

Add the following Section:

20.10.185 Drive-thru Facilities

A principal use shall not be permitted to have a drive-thru facility under the following conditions:

A. The property is located within the C-5 (Commercial) zoning district.

Amend the following Sections:

20.10.610 Self-storage Warehousing

In A-1, A-2 and A-3 (Apartment), A-M (Apartment-Manufactured home), A-O (Apartment/Office), A/3-O (Apartment/Office High Density), RMU (Residential Mixed Use), GMU (General Mixed Use), C-1 and C-2 (Commercial) Districts the following conditions apply:

A. A minimum site area of two acres shall be required, unless adjacent to and abutting a minimum of four acres zoned C-1, C-2, C-3 or C-4, then the minimum site area shall be one acre with an average lot width of not less than two hundred feet and an average lot depth of not less than two hundred feet.

B. Individual storage spaces shall not exceed four hundred square feet in area and fourteen feet in height, except in the case of storage spaces for RVs and motor homes, which shall not exceed

twenty feet in width and sixty feet in length.

C. A six foot high screening wall shall be required along all property lines abutting residential or apartment uses or districts.

Additionally, the following conditions shall apply in the C-5 (Commercial) Districts:

A. A self-storage warehouse shall not occupy the first floor of a building. Permitted activities for the first floor shall be limited to the retail portion of the operation where customer transactions occur and/or in combination with another permitted use in the zoning district.

B. The portion of the building containing the self-storage warehouse shall be limited to no more than 80% of the total gross floor area.

C. Self-storage warehouses shall only be permitted in existing structures. If no structure exists, then self-storage warehouses shall conform with the design requirements of Section 20.10.280.C – Infill Development.

SECTION 4: That Title 20, Appendix C, Table of Parking Requirements and Standards, shall be amended as follows:

Add the following sections:

Section	Use	Minimum	Maximum	Bicycle	Heavy Truck Trailer	Gravel Screen Parking Required	Notes
14.095	Corner Store	1/500 sf GFA	1/350 sf GFA	NOTE 3	None	Allowed	2C

SECTION 5: Except as herein amended, Title 20, Zoning, of the El Paso City Code shall remain in full force and effect.

ADOPTED THIS 28th day of May 2025.

CITY OF EL PASO

Renard U. Johnson, Mayor

ATTEST:

Laura D. Prine

Laura Prine
City Clerk

APPROVED AS TO FORM:

Russell T. Abeln

Russell T. Ablen
Assistant City Attorney

APPROVED AS TO CONTENT:

Philip Etiwe

Philip Etiwe, Director
Planning and Inspections