



Antonio Araujo
Mayor

Leticia Miranda
Aldersperson Place 1

David Cantu
Aldersperson Place 2

Lorenzo E. Leyva Sr.
Aldersperson Place 3

Irene D. Jaquez
Aldersperson Place 4

George Almanzar
Aldersperson Place 5

ORDINANCE NO. 2115.24

AN ORDINANCE OF THE CITY OF SAN ELIZARIO, TEXAS AMENDING THE ZONING ORDINANCE, ADOPTED ON MAY 24, 2016, TO PROVIDE FOR DECREASED SIDE YARD REQUIREMENTS IN THE HISTORIC OVERLAY DISTRICT – EL PASO MISSION TRAIL HISTORIC DISTRICT; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, ENACTMENT, REPEALER, SEVERABILITY; EFFECTIVE DATE AND PROPER NOTICE AND MEETING.

WHEREAS the City Council of the City of San Elizario adopted an ordinance on May 24, 2016, to establish the San Elizario Zoning Ordinance, based on the City’s authority under the law as stated in that Ordinance;

WHEREAS the San Elizario Zoning Ordinance references and includes the El Paso Mission Trail Historic Area Zoning Regulations “Mission Trail Regulations” adopted by El Paso County pursuant to Chapter 231, Texas Local Government Code, Subchapter I, Zoning and other Regulation if the El Paso Mission Trail Historical Area;

WHEREAS, in September 2017, the Commissioner’s Court of El Paso County (“County”) entered into an Interlocal Agreement with the City of San Elizario (“City”) Contract No. 2017-0384, whereby the County delegated the authority; and the City accepted the authority to regulate the land use and buildings within the El Paso Mission Trail Historic Area located within the City limits through April 29, 2020;

WHEREAS, on April 20, 2020, the County entered into a Second Interlocal Agreement with the City - Contract No.2020--0313, whereby the County extended the delegation of authority; and the City accepted the authority to regulate the land use and buildings within the El Paso Mission Trail Historic Area located within the City limits through December 31, 2020 and renewing automatically on a calendar year basis;

WHEREAS, the City and the San Elizario Historic Landmark Commission have determined that side yard designations in the Mission Trail Regulations that were adopted by the County and later the City by reference are impeding the development in the El Paso Mission Trail Historic Area located within the City limits;

WHEREAS, the City would like to amend the City of San Elizario Zoning Ordinance to reduce the side yard requirements;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of San Elizario:

ARTICLE I. FINDINGS OF FACT

The foregoing recitals are adopted as facts and are incorporated fully herein.

ARTICLE II. ADOPTION AND ENACTMENT

The City Council of the City of San Elizario hereby adopts and enacts the amendment to the San Elizario Zoning Ordinance, contained in *Attachment A*, amending Section 2-10 (f), as attached hereto, and incorporated fully herein. Except as herein amended, all other provisions of Zoning Ordinance, shall remain in full force and effect.

ARTICLE III. REPEALER AND SEVERABILITY

REPEALER: All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein; and further that to the extent that the provisions in this Ordinance, as amended, conflict with any of the provisions, of the El Paso Mission Trail Historic Area Zoning Regulations “Mission Trail Regulations” the provisions of this Ordinance shall control.

SEVERABILITY: Should any of the clauses, sentences, paragraphs, sections, or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

ARTICLE IV. EFFECTIVE DATE

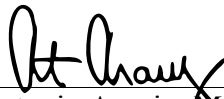
This Ordinance shall be effective immediately upon passage.

SECTION V. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

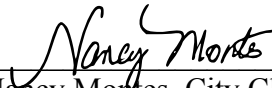
PASSED AND APPROVED this, the 10th day of August, 2021, by a vote of 4 (*ayes*) to 0 (*nays*) to 0 (*abstentions*) of the City Council of San Elizario, Texas.

CITY OF SAN ELIZARIO, TEXAS



Antonio Araujo, Mayor

ATTEST:



Nancy Montes, City Clerk

(f). The Mission Trail Regulations have been amended by the San Elizario City Council and have been repealed and replaced the side yard requirements contained in the Mission Trail Regulations.

The side yard requirements in the HD District are 10 feet.

To the extent the remaining general regulations below do not conflict with those contained in the Mission Trail Regulations, the general regulations of the HD District are:

HD DISTRICT

Minimum lot size (area)	None
Minimum lot width	None
Minimum lot depth	None
Minimum front yard	None
Minimum rear yard	-
Maximum lot coverage	80 percent (80)%
Maximum structure height	35 feet