



**HORIZON CITY**

Incorporated 1988

**AGENDA  
PUBLIC MEETING  
REGULAR PLANNING AND ZONING MEETING  
THE TOWN OF HORIZON CITY, TEXAS  
Monday, March 18, 2024, 6:00 PM**

Notice is hereby given that a Regular Planning and Zoning Meeting of the Town of Horizon City, Texas will be held on **Monday, March 18, 2024 at 6:00 PM** at City Council Chambers Room, 15001 Darrington Road, Horizon City, TX 79928, at which time the following will be discussed and considered:

**1. CALL TO ORDER; PLEDGE OF ALLEGIANCE; ESTABLISHMENT OF QUORUM**

**2. COMMISSION MEMBERS ATTENDANCE:**

**COMMISSIONERS EXCUSED AND UNEXCUSED:**

**3. OPEN FORUM:** NOTE: The Planning & Zoning Commission encourages public comment on all matters of **4** interest listed on this agenda. Speakers from the audience will be given an opportunity to discuss each item in the order in which it appears on the agenda, prior to the Commission discussing the item unless otherwise approved by the Chairman. A "Speaker Request" form is available for those who wish to sign up on the day of the meeting. This form is also available in advance by downloading the attached form. Please submit the "Speaker Request" form completely filled out to the Board Secretary prior to the meeting. The Commission retains the option to set reasonable limits on the number, frequency, and length of presentations. Please contact the Board Secretary at (915) 852-1046 Ext. 404 with any additional questions.

**4. PUBLIC HEARINGS**

**NOTICE TO THE PUBLIC AND APPLICANTS** The staff report for an agenda item may include conditions, exceptions or modifications. The Commission's motion to approve an item in accordance with the staff report or with all staff comments means that any modification, waivers, exceptions requested by the applicant and recommended for approval by staff and any staff recommended conditions, have been approved, without necessitating that the Commission restate the modifications, exceptions, waivers, or conditions as part of the motion to approve and that any findings required to be made by the Commission, have been made. If the Commission does not wish to approve an exception or modification, or require a condition, then the Commission's motion will state which have not been approved, otherwise, the staff report, with all modifications, exceptions and conditions, is approved and the applicant shall comply with all provisions of the staff report.

**A. DISCUSSION AND RECOMMENDATION:**

Chief Planner

On the resubmitted Replat application for **Horizon Manor, Unit Three Replat "A" (Case No. RP-002460-2020)**, legally described as a portion of Lot 19, Block 9, Horizon Manor Unit Three, Town of Horizon City, El Paso County, Texas. Containing 7.9365 ± acres. Application submitted by CAD Consulting Co. **(Postponed at the January 12, 2023, Special P&Z Meeting)**

**B. DISCUSSION AND RECOMMENDATION:**

Chief Planner

**5**

On <b>Vacation</b> application request ( <b>Case No. SDV24-0001</b> ), to vacate a 10'- foot public utility easement located at 1560 Pawling Dr, Horizon City, Texas 79928, legally described as a 10-foot water easement within Lot 2, Block 2, Horizon Manor Unit One, Town of Horizon City, El Paso County, Texas. Application submitted by Karam Development, LLC.	
<b>C. DISCUSSION AND RECOMMENDATION:</b>	<b>15</b>
Chief Planner	
On the <b>Final</b> Subdivision Plat application for <b>Rancho Desierto Bello Unit 16 (Case No. SDF24-0001)</b> , legally described as a portion of Leigh Clark Survey No. 297, Town of Horizon City, El Paso County, Texas. Containing 21.481 ± acres. Application submitted by TRE and Associates, LLC.	
<b>D. DISCUSSION AND RECOMMENDATION:</b>	<b>27</b>
Chief Planner	
On <b>Vacation</b> application request ( <b>Case No. SDV24-0002</b> ), to vacate a 10' foot public utility easement located at 14476 Desert Sage Dr, Horizon City, Texas 79928, legally described as a Portion of Lot 13, Block 32, Horizon Mesa Unit Six, Town of Horizon City, El Paso County, Texas. Application submitted by Delia Gonzalez.	
<b>E. DISCUSSION AND RECOMMENDATION:</b>	<b>36</b>
Planning Director/Chief Planner	
On An Ordinance Amending the Municipal Code of the Town of Horizon City, Texas, Chapter 10 (Subdivision Regulations), Exhibit 10A (Subdivision Ordinance), to Revise and Amend the Following: Section 2 (Minimum Standards), Subsection 2.8 (Parkland Dedication and Fees in Lieu), Subsection 2.8.3 (Calculating Acreage and Fees for Dedicated Parkland) to Add Density Calculation and Private Parkland to Satisfy Part of the Parkland Dedication Requirements, and to Add Density, Increase Reference and Requirements to Chapter 14 (Zoning), Section 405 (Bulk Regulations) and to Revise Letter Sequence A. to E. and add F. and G; Section 4 (Subdivision Application Procedure and Approval Process), Subsection 4.1 (Requirements and Approval Process) to Amend Classification of Subdivisions and Revise Platting Requirements and Add State and City Requirements; Sub Sections 4.2 (Preliminary Plat Requirements) to Add Preliminary Amending and Minor Plat requirements and 4.3 (Final Plat Requirements) to add Final Amending and Minor Plat Requirements and to Amend Subsections 4.2 to 4.3 to Follow Number Sequence Throughout this Chapter, Subsection 4.14 (Approval Authority) to Add Approval of Amending and Minor Plats and Appeal Process and to Add Appropriate Application Fees and Engineering Fees to the City's Amended Fee Schedule; Proper Notice and Hearing; and Effective Date; the Penalty Being as Provided in Section 810 of the Code of Ordinances of the Town of Horizon City, Texas, Creating a Misdemeanor Punishable by a Fine Not to Exceed \$2,000.	
<b>F. DISCUSSION AND RECOMMENDATION:</b>	<b>50</b>
Planning Director/Chief Planner	
On an Ordinance Amending the Municipal Code of the Town of Horizon City, Texas, Chapter 14 (Zoning), Exhibit a (Zoning Ordinance), to Revise and Amend the Following: Chapter 4 (Residential Districts), Section 405 (Bulk Regulations) to Add Reference to Subdivision Density Calculation Increase for Parkland Dedication and Fees Through Change of Use or Rezoning; Chapter 8 (General Provisions), Section 802 (Wall standards) to Increase Rock and Mortar Allowance and Chapter 13 (Planned Unit Development), Section 1311 (Bulk Regulations) to Add Reference to Subdivision Density Calculation Increase for Parkland Dedication and Fees Through Change of Use or Rezoning; Proper Notice; and Effective Date; the Penalty Being as Provided in Section 810 of the Zoning Ordinance (no. 0102) of the Town of Horizon City, Texas, Creating a Misdemeanor Punishable by a Fine Not to Exceed \$2,000.	
<b>5. OTHER BUSINESS</b>	
<b>A. DISCUSSION AND ACTION:</b>	<b>54</b>
On the Planning and Zoning meeting minutes for the special meeting held on Monday February 12, 2024.	
<b>6. ANNOUNCEMENTS</b>	
A. The next regular scheduled meeting: <b>Monday, April 15, 2024 at 6pm.</b>	

Adjournment:

Motion to Adjournment: \_\_\_\_\_ 2nd \_\_\_\_\_

Dated this Friday 3/15/2024

By: \_\_\_\_\_  
Elvia Schuller, City Clerk

I, the undersigned authority, hereby certify that the above notice of the Regular Planning and Zoning Meeting of the Town of Horizon City, Texas is a correct copy of this notice, and that I posted this notice at least seventy-two (72) hours preceding the scheduled meeting at the City Hall Bulletin Boards of the Town of Horizon City, Texas on this Friday 3/15/2024 by 5:00 p.m.

Agenda Removed: \_\_\_\_\_ Time \_\_\_\_\_ By \_\_\_\_\_

In compliance with the Americans with Disabilities Act, the Town of Horizon City will provide for reasonable accommodations for persons attending meetings. Requests for auxiliary aids and services must be made 48 hours prior to this meeting by calling the City Clerk at (915) 852-1046.

# SPEAKER REQUEST FORM

*(for all persons who wish to address the Board or Commission)*

Date of Meeting: \_\_\_\_\_

Your Name: \_\_\_\_\_

Residence Address: \_\_\_\_\_

City: \_\_\_\_\_ Contact Number: \_\_\_\_\_

## **IF SPEAKING FOR AN ORGANIZATION:**

Name of Organization: \_\_\_\_\_

Speaker's Official Capacity: \_\_\_\_\_

Agenda Item No.: \_\_\_\_\_ Public Hearing Agenda Item No.: \_\_\_\_\_

For (if applicable)       Against (if applicable)

## **OPEN FORUM:**

To speak on an item not listed on the agenda, known as **OPEN FORUM**, please indicate area of interest:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please remember to step to the podium as soon as you are recognized by the chair; state your name and address before beginning your presentation. If you have written notes you wish to present to the Chair and the Board/Commission, PLEASE FURNISH AN EXTRA COPY FOR THE BOARD/COMMISSION.

The Board/Commission will appreciate each speaker limiting an address on any one item to three minutes.

Thank you for your cooperation.

**PLEASE CARRY THIS FORM TO THE  
BOARD SECRETARY AT THE DESK PRIOR  
TO THE BEGINNING OF THE MEETING.**



**TOWN OF HORIZON CITY  
Planning and Zoning Commission Staff Report**

**Case No.:** SDV24-0001  
**Application Type:** Water Utility Easement Vacation  
**P&Z Hearing Date:** March 18, 2024  
**Staff Contact:** Art Rubio, Chief Planner  
 915-852-1046 ext.407; arubio@horizoncity.org  
**Address/Location:** 1560 Pawling Dr., located East of Darrington Rd. and North of Oxbow Dr.  
**Property ID No.:** 221233  
**Legal Description:** Lot 2, Block 2, Horizon Manor Unit One, Town of Horizon City, El Paso County, Texas  
**Existing Use:** Vacant  
**Owner:** Horizon Oxbow Development, LLC  
**Applicant/Rep.:** Karam Development, LLC  
**Nearest Park:** Corky Park  
**Nearest School:** Horizon Middle School

<b>SURROUNDING PROPERTIES:</b>		
	<b>Zoning</b>	<b>Land Use</b>
<b>N</b>	C-1 (General Commercial), C-2 (Heavy Commercial)	Retail, Restaurant
<b>E</b>	C-1 (General Commercial), A-1 (Apartments)	Retail, Warehousing, Multi-family Residential
<b>S</b>	C-1 (General Commercial)	ESD #1, Warehousing, Retail
<b>W</b>	C-2 (Heavy Commercial)	Retail, Restaurant
<b>LAND USE AND ZONING:</b>		
	<b>Existing</b>	<b>Proposed</b>
<b>Land Use</b>	Vacant (Demolishing existing structures)	Warehouse Flex units
<b>Zoning</b>	C-1 (General Commercial)	No proposed change

**Application Description:**

The applicant is requesting to vacate an existing 10' foot water utility easement within his property to incorporate and make use of the property for their plan to develop the entire property.

**Notice:**

In accordance with Horizon City Code of Ordinance, *Chapter 1 General Provisions, Article 1.08 Vacation of Public Easement or Right-of-Way, Section 1.08.003 Procedure; Notice of Public Hearings (b) (2) Public Easement Vacation*, notice of the planning and zoning commission and the city council hearing shall not be required personally to abutting property owners when the application is for vacation of a public easement. Any responses received by staff will be presented to the Commission at the meeting.

**Staff Recommendation:**

Staff recommends **approval** of the request to vacate the easement in question as HRMUD has no objection to the vacation of the water utility easement and no objections were received by any other utility companies in Horizon City.

**Horizon Regional Municipal Utility District**

No objections. Letter of no objection to vacation was received.

**El Paso Electric**

No objections.

**Texas Gas Service**

No objections.

**Spectrum**

No objections.

**AT&T**

AT&T has no objection nor AT&T facilities in this easement.

**Attachments:**

**Attachment 1 – Zoning Map**

**Attachment 2 – Aerial**

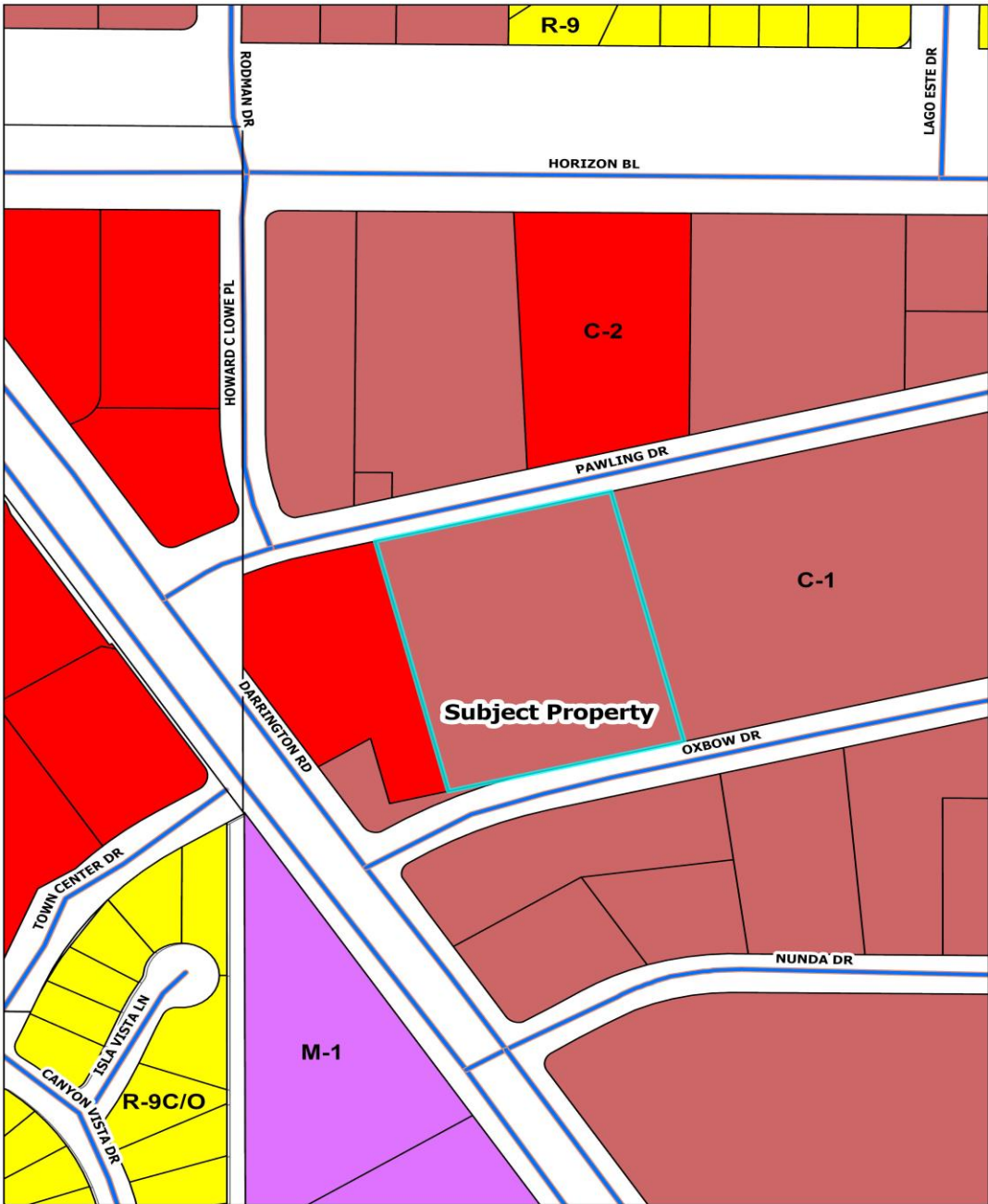
**Attachment 3 – Survey and M&B**

**Attachment 4 – Application**

**Attachment 5 – Applicant/Representative Affidavit**

**Attachment 1: Zoning Map**

**Planning & Zoning Commission  
10' Foot Water Line Easement Vacation  
1560 Pawling Dr.**

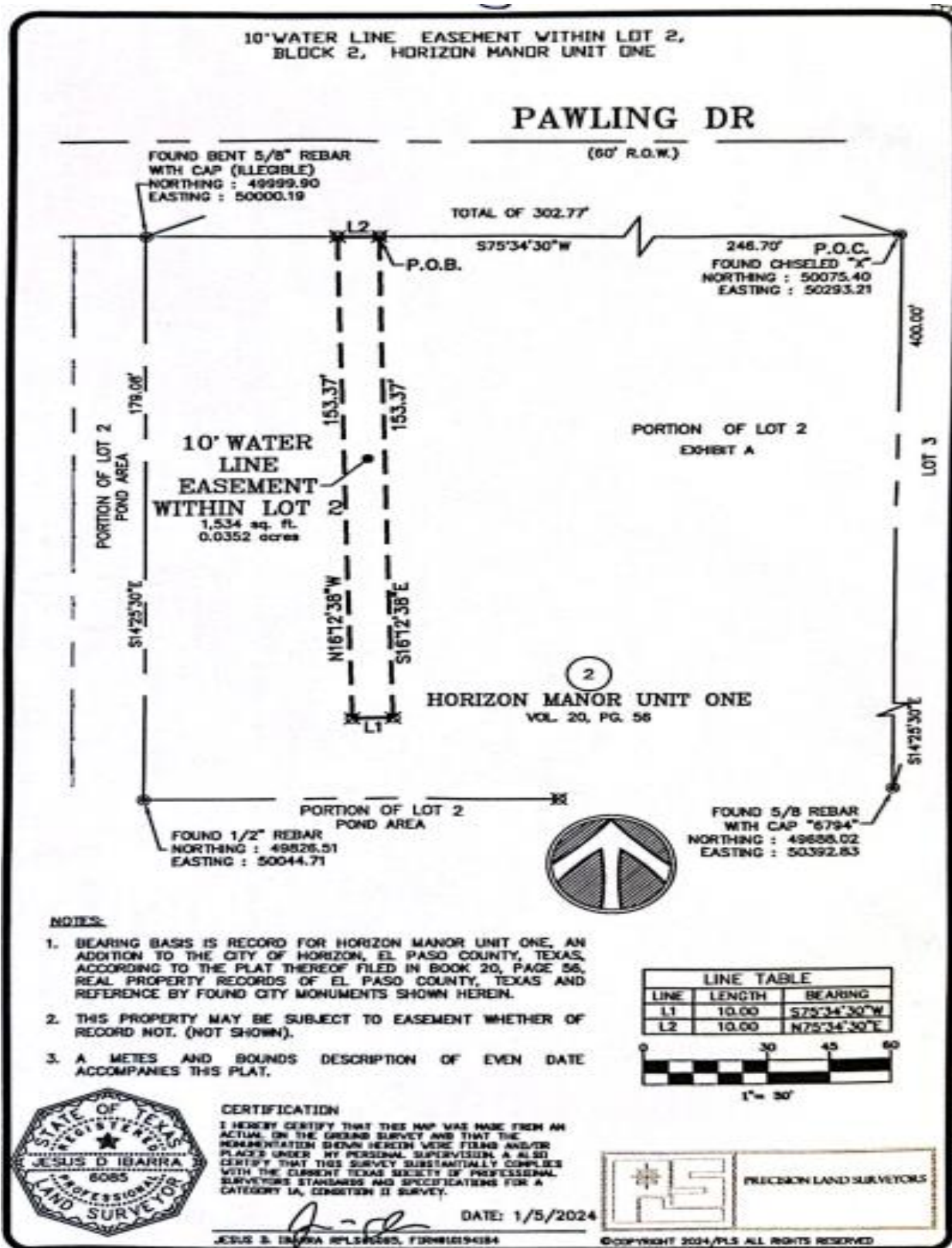


**Attachment 2: Aerial**

**Planning & Zoning Commission  
10' Foot Water Line Easement Vacation  
1560 Pawling Dr.**



Attachment 3: Survey & M&B



**Attachment 3: Survey & M&B**



**PRECISION LAND SURVEYORS**

10441 VALLE DE ORO DR.

El Paso, Texas 79927

Ph# (915) 222-5227

Being that 10' Water Line  
Easement within Lot 2, Block 2,  
Horizon Manor Unit One,  
City of Horizon,  
El Paso County, Texas,  
January 5, 2024

**METES AND BOUNDS DESCRIPTION**

Description of a parcel of land being that 10 foot water easement within Lot 2, Block 2, Horizon Manor Unit One, City of horizon, El Paso County, Texas, according to the plat thereof filed in Volume 20, Page 56, El Paso County plat records and being more particularly described by metes and bounds as follows:

Commencing for reference at a found chiseled "X" at the northerly common corner of Lots 2 and 3, Block 2, Horizon Manor Unit One and the south right of way line of Pawling Drive (60 foot R.O.W.), whence a found 5/8" rebar with cap "6794" at the southerly common corner of said Lots 2 and 3 bears, South 14°25'30" East a distance of 400.00 feet, thence along said right of way line, South 75°34'30" West a distance of 246.70 feet to the **"TRUE POINT OF BEGINNING"**.

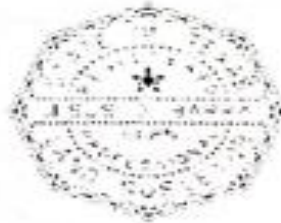
Thence leaving said right of way line, South 16°12'38" East a distance of 153.37 feet to a point,

Thence, South 75°34'30" West a distance of 10.00 feet to a point,

Thence, North 16°12'38" West a distance of 153.37 feet to a point on said right of way line,

Thence along said south right of way line, North 75°34'30" East a distance of 10.00 feet to **"TRUE POINT OF BEGINNING"** and containing in all 1,534 square feet or 0.0352 acres of land more or less.

Jesus D. Ibarra, RPLS No.6085  
January 5, 2024



**Attachment 4: Application**



Case No \_\_\_\_\_

**VACATION OF PUBLIC EASEMENTS & RIGHTS-OF-WAY APPLICATION**

Date: 2-7-2024

1. APPLICANT'S NAME KARAM Development (TJ KARAM)  
 ADDRESS 709 Cervantes Ct ZIP CODE 79922 TELEPHONE 915 204 0095
2. PROPERTY OWNER Horizon Oxbow Development, LLC  
 ADDRESS 320 TEXAS AVE FL 2 ZIP CODE 79901 TELEPHONE 915 204 0095
3. Request is hereby made to vacate the following: (check one) Street  Alley  Easement  Other   
 Street Name / Location: ~~320~~ Pawling Dr.  
 Subdivision Name: HORIZON MANOR UNIT ONE
4. Reason for vacation request: Will not be used and property will be developed.
5. Surface Improvements located in subject property to be vacated:  
 None  Paving  Curb & Gutter  Power Lines/Poles  Fences/Walls  Structures  Other
6. Underground Improvements located in the existing rights-of-way:  
 None  Telephone  Electric  Gas  Water  Sewer  Storm Drain  Other
7. Future use of the vacated right-of-way:  
 Yards  Parking  Expand Building Area  Replat with abutting Land  Other
8. Related applications which are pending (give name or file number): Zoning  Board of Adjustment   
 Subdivision  Building Permits  Other
9. Signatures: All owners of properties which abut the property to be vacated must appear below with an adequate legal description of the properties they own (use additional paper if necessary).

Signature	Legal Description	Telephone
N/A	_____	_____
_____	_____	_____
_____	_____	_____

The undersigned Owner/Applicant/Agent understands that the processing of this Application will be handled in accordance with the procedure for Requesting Vacations and that no action on processing will be taken without payment of the non-refundable processing fee. It is further understood that acceptance of this application and fee in no way obligates the Town of Horizon City to grant the Vacation.

The undersigned acknowledges that he or she is authorized to do so, and upon the Town's request will provide evidence satisfactory to the Town's confirming these representations.

The granting of a vacation request shall not be construed to be a waiver of or an approval of any violation of any of the provisions of any applicable ordinances.

OWNER / APPLICANT SIGNATURE:  REPRESENTATIVE: TJ Karam

Easement Fee: \$75  
 Right-of-Way Fee: \$150

Note: Applicant is responsible for all expenses incurred by the City in connection with this request, including but not limited to attorney's fees, engineering fees, appraisals, and publication. Charges will be invoiced separately. Applicant's initials \_\_\_\_\_

Please see reverse side for a list of items required when submitting the Vacation application.

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.

**Attachment 5: Applicant/Representative Affidavit**

**AFFIDAVIT**

(Appointment of Representative)

THE STATE OF TEXAS

COUNTY OF EL PASO

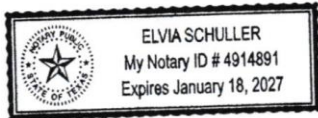
BEFORE ME, the undersigned official, on this day personally appeared GEORGE M. DIPP FOR HORIZON OXBOW LLC., who is personally know to me, and first being duly sworn according to law upon his/her oath deposed and said:

"My name is George M Dipp; I am over eighteen (18) years of age and I reside at: 912 Kelby Place El Paso TX 79922. I have the legal authority to appoint a representative and I have personal knowledge of this facts stated herein, and they are all true and correct. I own the property which is the subject of this proposed  Land Development Exemption Determination  Subdivision Application  Rezoning Application  Specific Use Permit  Variance Application  Building Permit Application  Other Application (Application name) EASEMENT VACATION. I have designated (Firm/Individual) KARAM DEVELOPMENT/TU KARAM to represent me in filing an application for a with Planning Department of the Town of Horizon City, and to appear on my behalf at all necessary meetings of the Planning and Zoning Commission and the City Council of Horizon City with respect to this application. In relation to this, it is my understanding that as owner of the aforementioned property either I or my designated representative may appear on behalf of the proposed application. It has been explained to me and I understand that a written notice must be filed with the Planning Director of the Town of Horizon City to give notice of a termination of this appointment prior to the final determination regarding my application, and I must make and file a new affidavit and appointment of representative to change or substitute the representative."

\_\_\_\_\_  
Affiant

On 3/6, 2024, personally appeared George M Dipp and having been duly sworn by me, subscribed to the foregoing affidavit and has stated that the facts therein are true and correct.

\_\_\_\_\_  
Notary Public, State of Texas

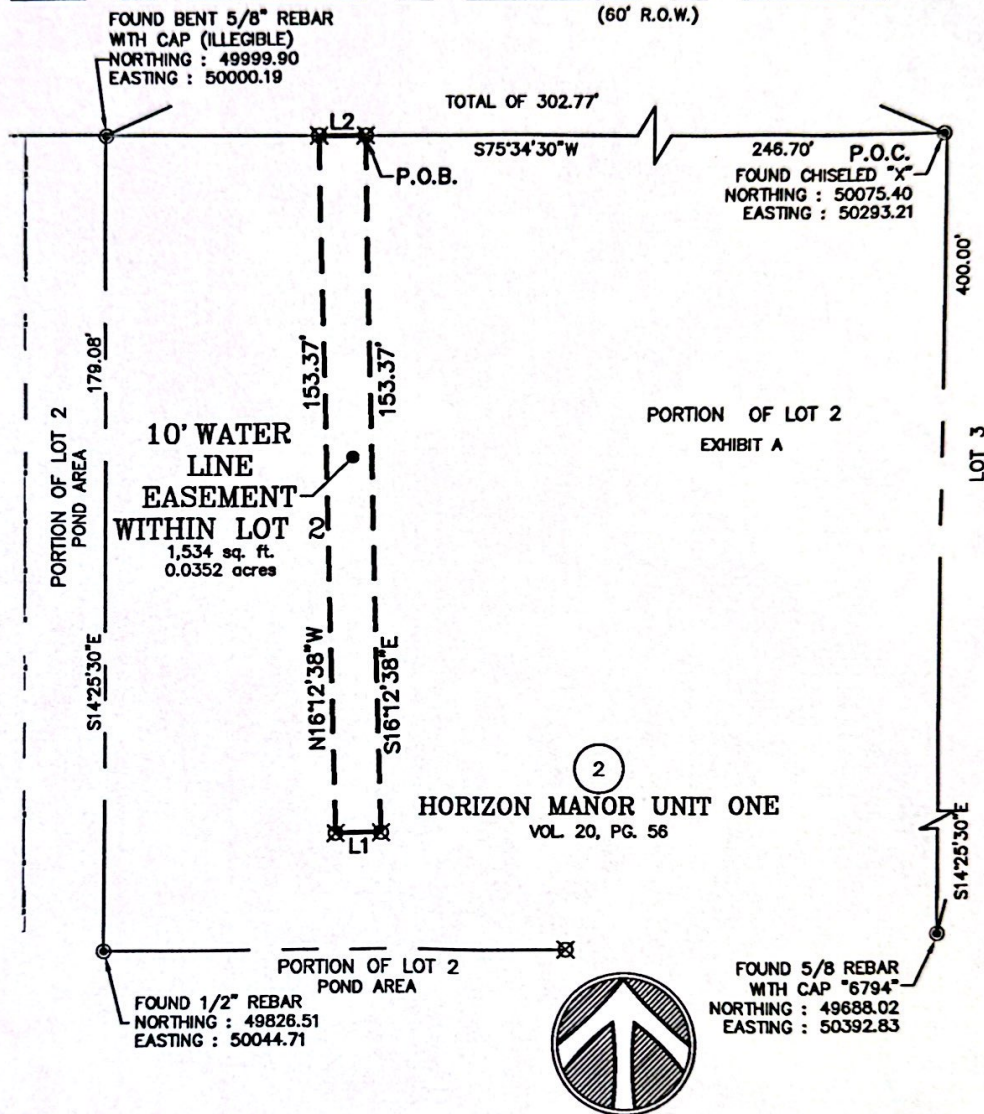


# Survey

Doc# 20240005749

10' WATER LINE EASEMENT WITHIN LOT 2,  
BLOCK 2, HORIZON MANOR UNIT ONE

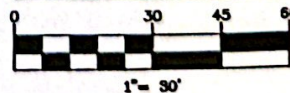
## PAWLING DR



**NOTES:**

1. BEARING BASIS IS RECORD FOR HORIZON MANOR UNIT ONE, AN ADDITION TO THE CITY OF HORIZON, EL PASO COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF FILED IN BOOK 20, PAGE 56, REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS AND REFERENCE BY FOUND CITY MONUMENTS SHOWN HEREIN.
2. THIS PROPERTY MAY BE SUBJECT TO EASEMENT WHETHER OF RECORD NOT. (NOT SHOWN).
3. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.

LINE TABLE		
LINE	LENGTH	BEARING
L1	10.00	S75°34'30"W
L2	10.00	N75°34'30"E

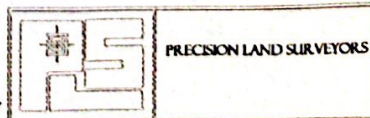


**CERTIFICATION**

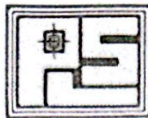
I HEREBY CERTIFY THAT THIS MAP WAS MADE FROM AN ACTUAL ON THE GROUND SURVEY AND THAT THE MONUMENTATION SHOWN HEREIN WERE FOUND AND/OR PLACED UNDER MY PERSONAL SUPERVISION. I ALSO CERTIFY THAT THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY IA, CONDITION II SURVEY.

DATE: 1/5/2024

JESUS D. IBARRA RPLS#6085, FIRM#10194184



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# PRECISION LAND SURVEYORS

10441 VALLE DE ORO DR.  
El Paso, Texas 79927  
Ph# (915) 222-5227

Being that 10' Water Line  
Easement within Lot 2, Block 2,  
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January 5, 2024

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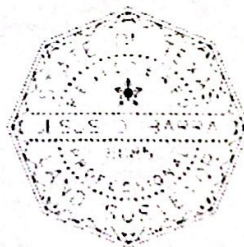
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Jesus D. Ibarra, RPLS No.6085  
January 5, 2024





**TOWN OF HORIZON CITY  
Planning and Zoning Commission Staff Report**

**Case No.:** **SD24-0001**  
*Rancho Desierto Bello Unit Sixteen (RDBU16)*

**Application Type:** **Final Plat**

**P&Z Hearing Date:** March 18, 2024

**Staff Contact:** Art Rubio, Planner  
 915-852-1046 ext. 407 arubio@horizoncity.org

**Address/Location:** The vacant parcel is located northwest of Claret Cup Road and west of Darrington Road.

**Legal Description:** A portion of Leigh Clark Survey No. 297, Town of Horizon City, El Paso County, Texas, approximately 21.481± acres

**Owner:** SDC Development, LTD.

**Applicant/Rep.:** TRE & Associates, L.L.C.

**Nearest Park:** RDB 2 Park

**Nearest School:** Ricardo Estrada Middle School

<b>SURROUNDING PROPERTIES:</b>		
	<b>Zoning</b>	<b>Land Use</b>
<b>N</b>	R-9 (Residential)	Vacant
<b>E</b>	R-2 (Residential)	Vacant
<b>S</b>	M-1 (Industrial)	Industrial
<b>W</b>	R-9 (Residential)	Vacant

<b>LAND USE AND ZONING:</b>	
	<b>Existing</b>
<b>Land Use</b>	Vacant
<b>Zoning</b>	R-9 Residential

**Application Description:**

The proposed RDB-U16 Final Plat Subdivision includes 74 lots for single-family residential development. The smallest lot measuring approximately 6,036 sq. ft. and the largest lot measuring approximately 12,733 sq. ft. in size and one 2.261-acre storm water drainage pond. The applicant proposes 52' ROW Residential sub collector Streets and a 76' ROW Minor Arterial Street to serve all the lots in the subdivision.

**Cumulative Parkland Dedication:**

The developer dedicated 5.022 acres of parkland with Unit 13 to account for the entirety of the remaining Rancho Desierto Bello development, Units 12-20. The total number of units for both phases of Unit 15 is 149 lots, putting the current cumulative lot total for Units 12-20 of Rancho Desierto Bello at 386 lots. In accordance with Section 2.8.1 of the Subdivision Ordinance, this results in 2.5 acres of required parkland and \$4,400 parkland

fees due. After Unit 14, the developer will carry 2.022 acres of parkland and fee credit that is eligible to apply to the remaining units of the development. RDB Unit 16 requires cumulative parkland of 0.5 acres for the proposed 74 lots and \$1,200 parkland fees, which they are taking as a remaining credit. After Unit 16 the developer will carry 1.522 acres of parkland credit which is no longer eligible to apply to the remaining units of the development as the remaining credits expired 9/21/2023 as not being used.

**Staff Recommendation:**

Staff recommends approval of Rancho Desierto Bello Unit Sixteen on a Final Subdivision Plat basis.

**Planning Comments:**

~~Correct gross acreage on the Final Plat application.~~

**Public Works Director Comments:**

RANCHO DESIERTO BELLO U- 16 (Final Plat)  
Review #1 3/6/2024

1. Address review/approval by the El Paso County 9-1-1 District is required.
2. Provide Temporary turnaround Instrument Number.
3. Missing Benchmark and Datum.

**Town Engineer Comments:**

- ~~1. Address review/approval by the El Paso County 9-1-1 District is required~~
- ~~2. Provide Temporary turnaround instrument number.~~
- ~~3. Missing benchmark and datum.~~

**School District Comments:**

No exceptions taken by Clint ISD.

**El Paso County 9-1-1 District:**

~~Please see the attached document for Rancho Desierto Bello Unit 16. The only recommended changes are to Block #73 as it should begin with 14344 at Lot #14 to account for the extra address space of Brozo Street as Block #49 does. This therefore would require changes to the subsequent addresses in Block #73.~~

~~In addition, we do ask to keep in mind the address range of Banana Yucca Drive so that it eventually lines up with the 14500 block of Banana Yucca Drive in Rancho Desierto Bello Unit 15.~~

**El Paso Electric:**

We have no comments for Rancho Desierto Bello Unit 16.

**Texas Gas:**

In reference to this proposed Subdivision, Rancho Desierto Bello Unit 16, Texas Gas Service does not have any objections.

**El Paso Central Appraisal District:**

We here at central appraisal have no comments for the Rancho Desierto Bello #16 Subdivision.

**Additional Requirements:**

§4.2.4 Expiration of Preliminary Plat Approval. Failure of the subdivider to submit a final plat for review and approval within six (6) months of the date of approval of the preliminary plat by the City Council will nullify the approval of the preliminary subdivision plat and obligate the subdivider to reapply for preliminary plat approval, should the subdivider wish to pursue the subdivision. No vested rights will survive if the preliminary plat approval is nullified by a failure of the subdivider to submit a final plat map within the timeframe specified in this section, nor shall the subdivider be entitled to a refund of any application fees or review fees that may have been paid.

Within twelve (12) months of the approval of the final plats by the Town Council, a recording plat application will need to be submitted for City Council approval.

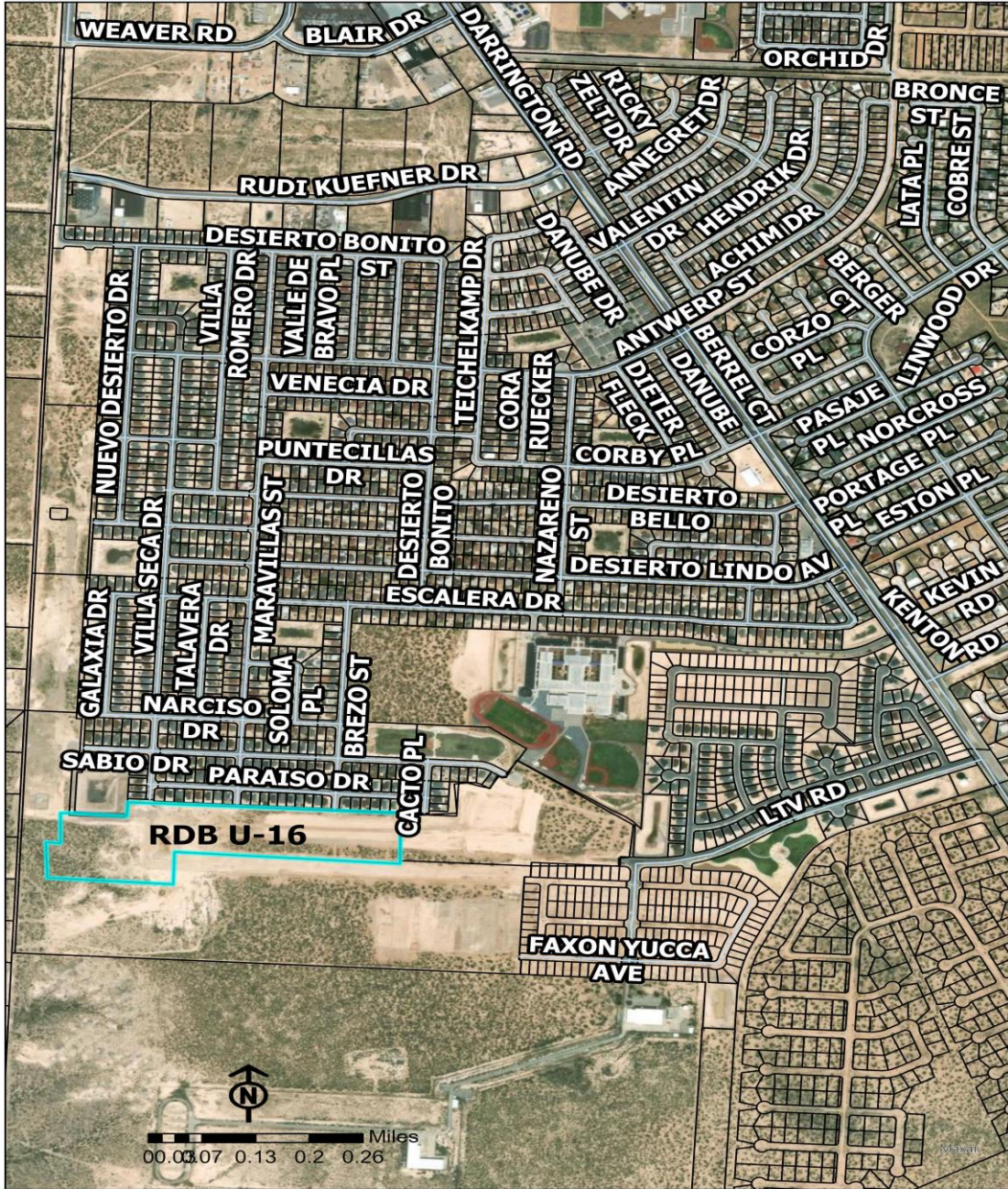
Failure of the subdivider to submit a recording plat within twelve (12) months of approval of the final plat by the City Council will nullify the approval of the final plat and obligate the subdivider to reapply for preliminary plat approval should the subdivider wish to pursue the subdivision. (§4.11.2 Subdivision Municode Chapter 10)

- Any required parks fees shall be paid prior to the recordation of the plat if applicable.

**Attachments:**

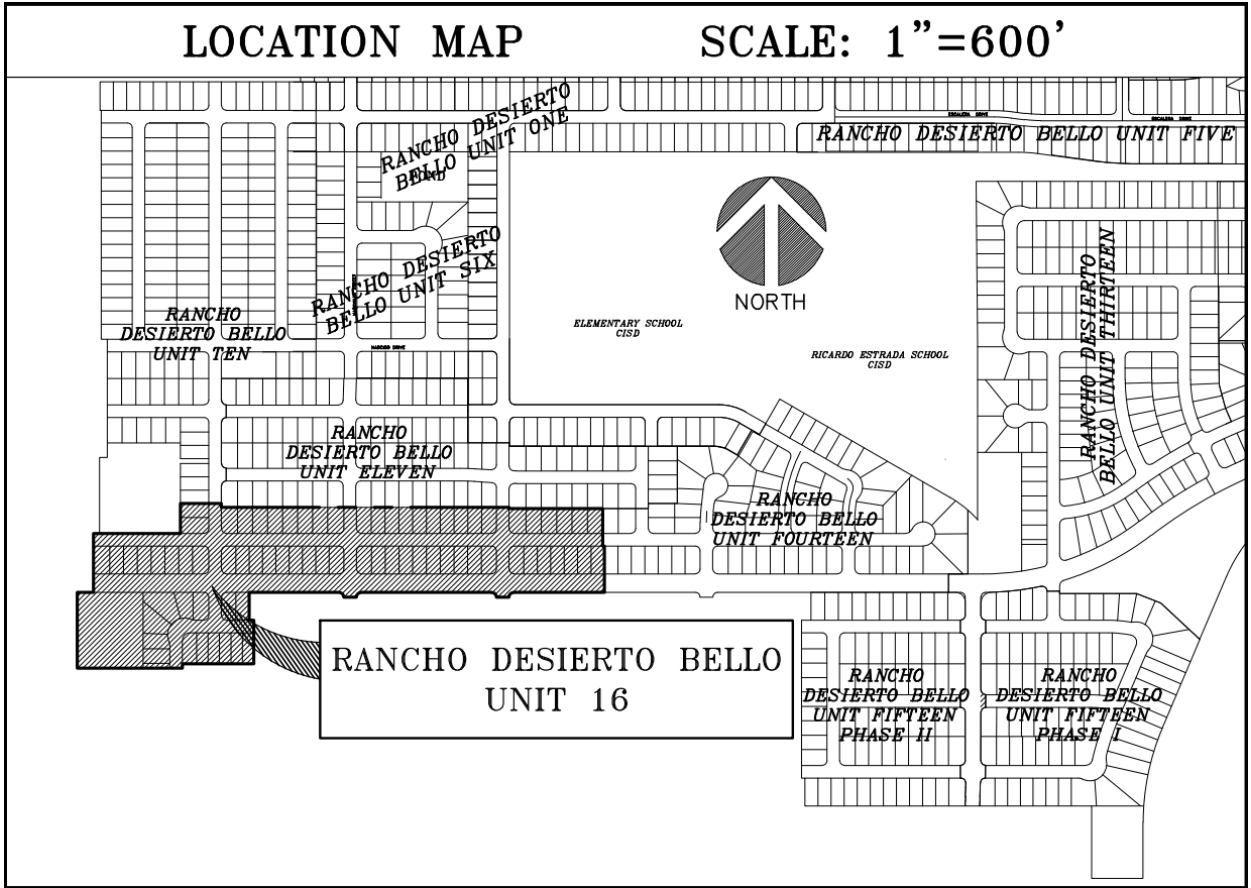
- 1 - Aerial**
- 2 - Zoning Designation Map**
- 3 - Location Map**
- 4 - Final Plat**
- 5 - Right of Way Cross Sections**
- 6 - Final Plat Application**
- 7 - Applicant/Representative Affidavit**

**Planning & Zoning Commission  
RDB U-16 Final Plat  
SDF24-0001**



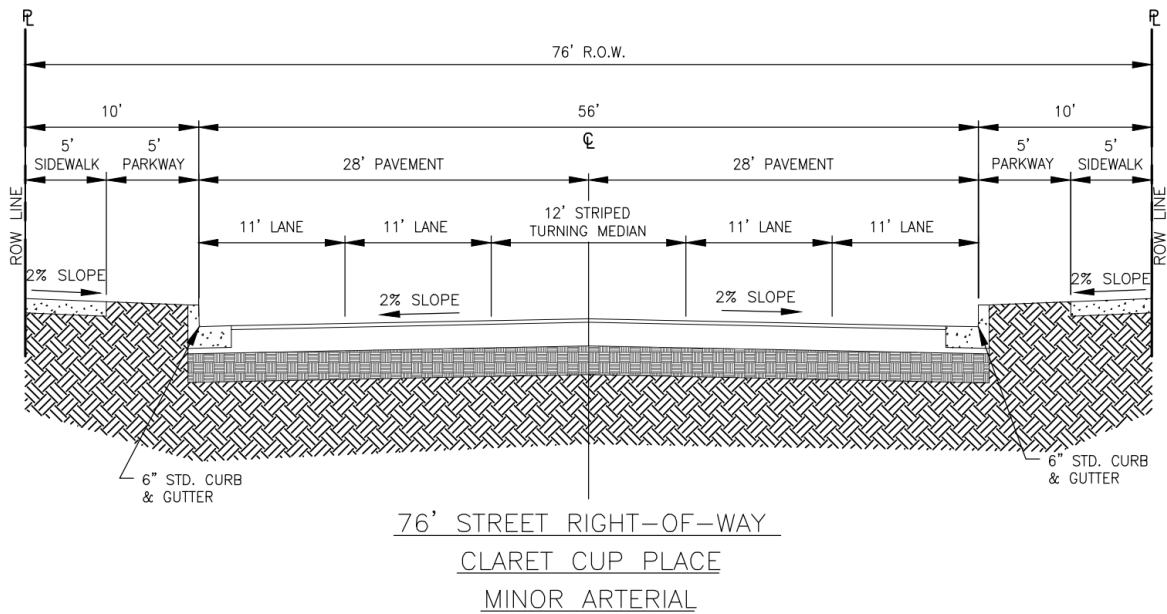
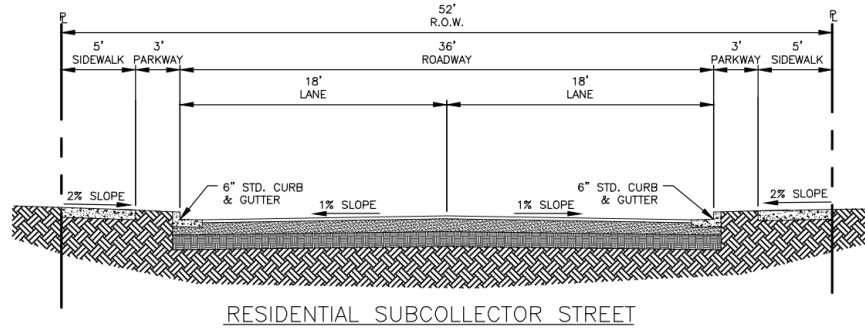


Attachment 3- Location Map





## Attachment 5 – Right of Way Cross Sections



**Attachment 6 – Final Plat Application**



**TOWN OF HORIZON CITY**  
 14999 Darrington Road  
 Horizon City, Texas 79928  
 Phone 915-852-1046 Fax 915-852-1005

**MAJOR SUBDIVISION  
 FINAL PLAT APPLICATION**

SUBDIVISION PROPOSED NAME: Rancho Desierto Bello Unit 16 SUBMITTAL DATE: February 26, 2024

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.)  
A PORTION OF LEIGH CLARK SURVEY NO. 297, TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS, CONTAINING 21.481 ACRES +/-

2. PROPERTY LAND USES:

	ACRES	SITES		ACRES	SITES
SINGLE-FAMILY	<u>11.364</u>	<u>74</u>	OFFICE	_____	_____
DUPLEX	_____	_____	STREET & ALLEY	_____	_____
APARTMENT	_____	_____	PONDING & DRAINAGE	<u>2.261</u>	<u>1</u>
MOBILE HOME	_____	_____	INSTITUTIONAL	_____	_____
P.U.D.	_____	_____	OTHER	_____	_____
PARK (Min 1 Acre)	_____	_____	R.O.W.	<u>7.856</u>	_____
SCHOOL	_____	_____		_____	_____
COMMERCIAL	_____	_____	TOTAL NO. SITES	<u>75</u>	_____
INDUSTRIAL	_____	_____	TOTAL (GROSS) ACREAGE	<u>21.481</u>	_____

3. WHAT IS THE EXISTING ZONING OF THE PROPERTY DESCRIBED ABOVE? N/A PROPOSED ZONING N/A

4. WILL THE RESIDENTIAL SITES, AS PROPOSED, PERMIT DEVELOPMENT IN FULL COMPLIANCE WITH ALL ZONING REQUIREMENTS OF THE EXISTING RESIDENTIAL ZONE(S)? YES  NO

5. WHAT TYPE OF UTILITY EASEMENTS ARE PROPOSED? UNDERGROUND  OVERHEAD  COMBINATION

6. WHAT TYPE OF DRAINAGE IS PROPOSED? (IF APPLICABLE LIST MORE THAN ONE) Underground storm sewer system to retention pond

7. IF SINGLE-FAMILY OR DUPLEX DEVELOPMENT IS PROPOSED: AVERAGE FLOOR AREA OF HOUSES N/A

8. ARE SPECIAL IMPROVEMENTS PROPOSED IN CONNECTION WITH THE DEVELOPMENT? YES  NO

9. IS A MODIFICATION OF ANY PORTION OF THE SUBDIVISION ORDINANCE PROPOSED? YES  NO   
 IF "YES", PLEASE LIST SECTION & EXPLAIN THE NATURE OF THE MODIFICATION \_\_\_\_\_

10. WHAT TYPE OF LANDSCAPING IS PROPOSED? PARKWAY  MEDIANS  OTHER  N/A

11. REMARKS AND/OR EXPLANATION OF SPECIAL CIRCUMSTANCES: \_\_\_\_\_

12. WILL PLAT BE RECORDED PRIOR TO SUBDIVISION IMPROVEMENTS BEING COMPLETED & APPROVED?  YES  NO  N/A INITIALS AA  
 IF YES, submit REQUIRED GUARANTEE (SECTION 4.10.3 & 8.1.7, Municode Chapter 10) OR Improvement Cost Estimates & Construction Agreement

13. WILL ANY RESTRICTIONS AND COVENANTS BE RECORDED WITH PLAT? YES  NO  INITIALS \_\_\_\_\_ IF YES, PLEASE SUBMIT COPY.

14. OWNER OF RECORD SDC Development, LTD, 7910 Gateway Blvd, East Ste. 102 El Paso, TX 79915 jduran@desertviewhomes.com (915) 591-5319  
 (NAME & ADDRESS) (EMAIL) (PHONE)

15. DEVELOPER SDC Development, LTD, 7910 Gateway Blvd, East Ste. 102 El Paso, TX 79915 jduran@desertviewhomes.com (915) 591-5319  
 (NAME & ADDRESS) (EMAIL) (PHONE)

16. ENGINEER TRE & Associates, LLC 110 Mesa Park Dr, Ste. 200 El Paso, TX 79912 AAAlvarez@tr-eng.com (915) 852-9093  
 (NAME & ADDRESS) (EMAIL) (PHONE)

17. APPLICANT TRE & Associates, LLC 110 Mesa Park Dr, Ste. 200 El Paso, TX 79912 AAAlvarez@tr-eng.com (915) 852-9093  
 (NAME & ADDRESS) (EMAIL) (PHONE)

18. REP/POINT OF CONTACT Alexis Alvarez - TRE & Associates, LLC 110 Mesa Park Dr, Ste. 200 El Paso, TX 79912 AAAlvarez@tr-eng.com (915) 852-9093  
 (NAME & ADDRESS) (EMAIL) (PHONE)

**NOTE:** Applicant is responsible for all expenses incurred by the City in connection with the Final plat approval request, including but not limited to attorney's fees, engineering fees and publication. Charges exceeding deposit will be invoiced separately. Initials AA  
 Applicant Signature [Signature] EMAIL AAAlvarez@tr-eng.com

**APPLICATION MUST BE COMPLETE & VALIDATED PRIOR TO SUBDIVISION PROCESSING**  
 Acceptance of fee does not grant acceptance of application.  
 Non Refundable Deposit \$500.00 | Application Fee: \$150

**Attachment 7 – Applicant/Representative Affidavit**

**AFFIDAVIT**

(Appointment of Representative)

THE STATE OF TEXAS

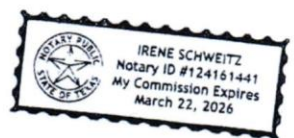
COUNTY OF EL PASO

BEFORE ME, the undersigned official, on this day personally appeared John Duran, who is personally know to me, and first being duly sworn according to law upon his/her oath deposed and said:

"My name is John Duran; I am over eighteen (18) years of age and I reside at: 7910 Gateway E, Ste 102, El Paso, TX 79915. I have the legal authority to appoint a representative and I have personal knowledge of this facts stated herein, and they are all true and correct. I own the property which is the subject of this proposed  Land Development Exemption Determination  Subdivision Application  Rezoning Application  Specific Use Permit  Variance Application  Building Permit Application  Other Application (Application name) TRE & Associates LLC. I have designated (Firm/Individual) TRE & Associates LLC to represent me in filing an application for a with Planning Department of the Town of Horizon City, and to appear on my behalf at all necessary meetings of the Planning and Zoning Commission and the City Council of Horizon City with respect to this application. In relation to this, it is my understanding that as owner of the aforementioned property either I or my designated representative may appear on behalf of the proposed application. It has been explained to me and I understand that a written notice must be filed with the Planning Director of the Town of Horizon City to give notice of a termination of this appointment prior to the final determination regarding my application, and I must make and file a new affidavit and appointment of representative to change or substitute the representative."

On June 7, 2022, personally appeared John Duran and having been duly sworn by me, subscribed to the foregoing affidavit and has stated that the facts therein are true and correct.

[Signature]  
Affiant  
[Signature]  
Notary Public, State of Texas



# RANCHO DESIERTO BELLO UNIT 16

A PORTION OF LEIGH CLARK SURVEY No. 297,  
TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS.  
CONTAINING 21.481 ACRES ±

**PROPOSED LAND USE**  
RESIDENTIAL

RESIDENTIAL LOTS = 74  
POND LOTS = 1

**SCHOOL DISTRICT**  
CLINT INDEPENDENT SCHOOL  
DISTRICT

### DEDICATION

VIVA LAND VENTURES, LP, the owner of this land, does hereby present this map and dedicate their respective portions of property to the use of the public, the streets, drives, ponding area, drainage right-of-way, and utility easements as hereon laid out and designated, including easements for overhang of service wires for pole type utilities and the right for installation of service poles alongside lot lines as may be required, easements for buried service wires, conduits and pipes for underground utilities, and the right to ingress and egress for service and construction, and the right to trim interfering trees and shrubs.

We certify that all utilities have been or will be installed in accordance to requirements by the local utility companies and the Town of Horizon City.

We attest that the matters asserted in this plat are true and complete.

Witness my signature this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

Greg DiDonna, President  
VIVA LAND VENTURES, LP

### ACKNOWLEDGEMENT

STATE OF TEXAS  
COUNTY OF EL PASO

Before me, the undersigned authority, on this day personally appeared Greg DiDonna, President, VIVA LAND VENTURES, LP, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed for the purpose and consideration herein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

Notary Public in and for El Paso County, Texas

My Commission Expires \_\_\_\_\_

### TOWN OF HORIZON CITY TOWN COUNCIL

This subdivision is hereby approved as to the platting and as to the conditions of the dedication in accordance with Chapter 212 of the Local Government Code of Texas, this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

Accepted and adopted by the City Council of Town of Horizon City this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

Elvia Schuller, City Clerk

Ruben Mendoza, Mayor

Approved for filing this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

HUITT-ZOLLARS, INC. (Town Engineer)  
by Isabel Vasquez, P.E.,  
Vice President

### FILING

Filed and recorded in the office of the County Clerk of El Paso County, Texas, this \_\_\_\_\_ day of \_\_\_\_\_ 2024, in Volume \_\_\_\_\_ of the Plat Records,  
Page \_\_\_\_\_, File No. \_\_\_\_\_

County Clerk

by Deputy

Subdivision Improvement Plans  
prepared by and under the supervision  
of TRE & Associates, LLC

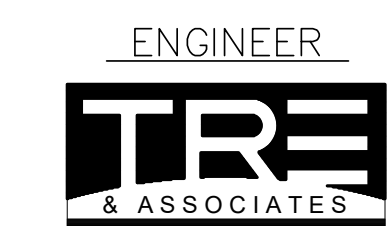
This plat represents a survey made on the  
ground by me or under my supervision  
and complies with the current Texas Board  
of Professional Land Surveying Professional  
and Technical Standards.

ROBERTO S. ROMERO, P.E.  
Licensed Professional Engineer  
Texas License No. 114517

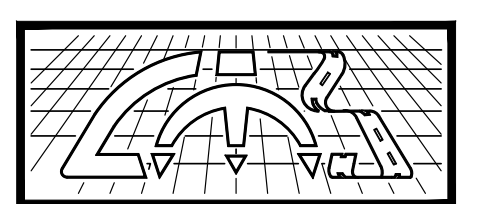
LARRY L. DREWES, R.P.L.S.  
Registered Professional Land Surveyor  
Texas License No. 4869

### OWNER

VIVA LAND VENTURES, LP,  
11427 ROJAS DRIVE  
EL PASO TEXAS 79936  
CONTACT: GREG DIDONNA



### SURVEYOR



110 Mesa Park Drive, Suite 200  
El Paso, Texas 79912  
Office: (915) 852-6003  
Fax: (915) 629-8506

6101 W. Courtyard Dr., Bldg. 1, Suite 100  
Austin, Texas 78728  
Office: (512) 358-4049  
Fax: (512) 368-6374

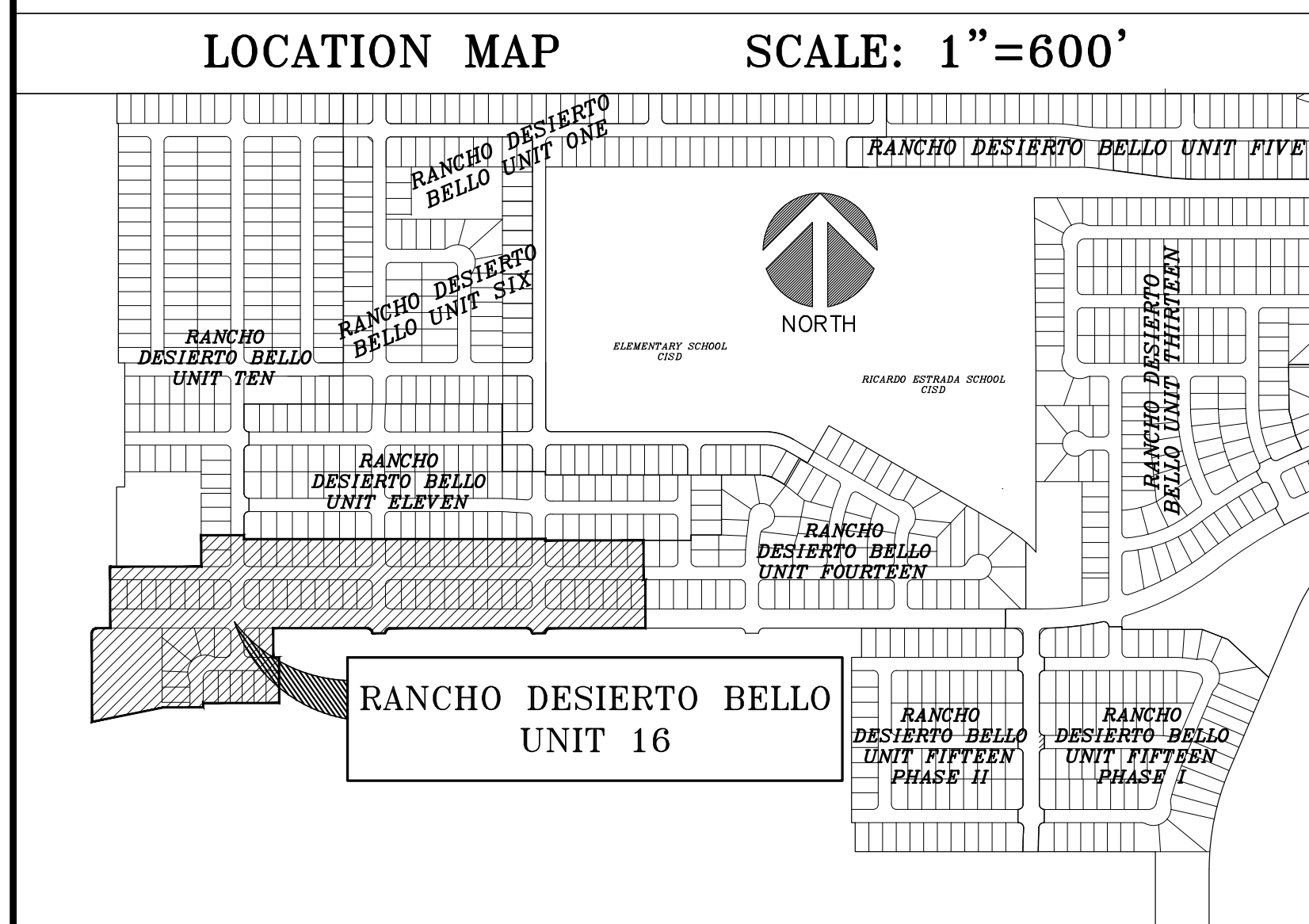
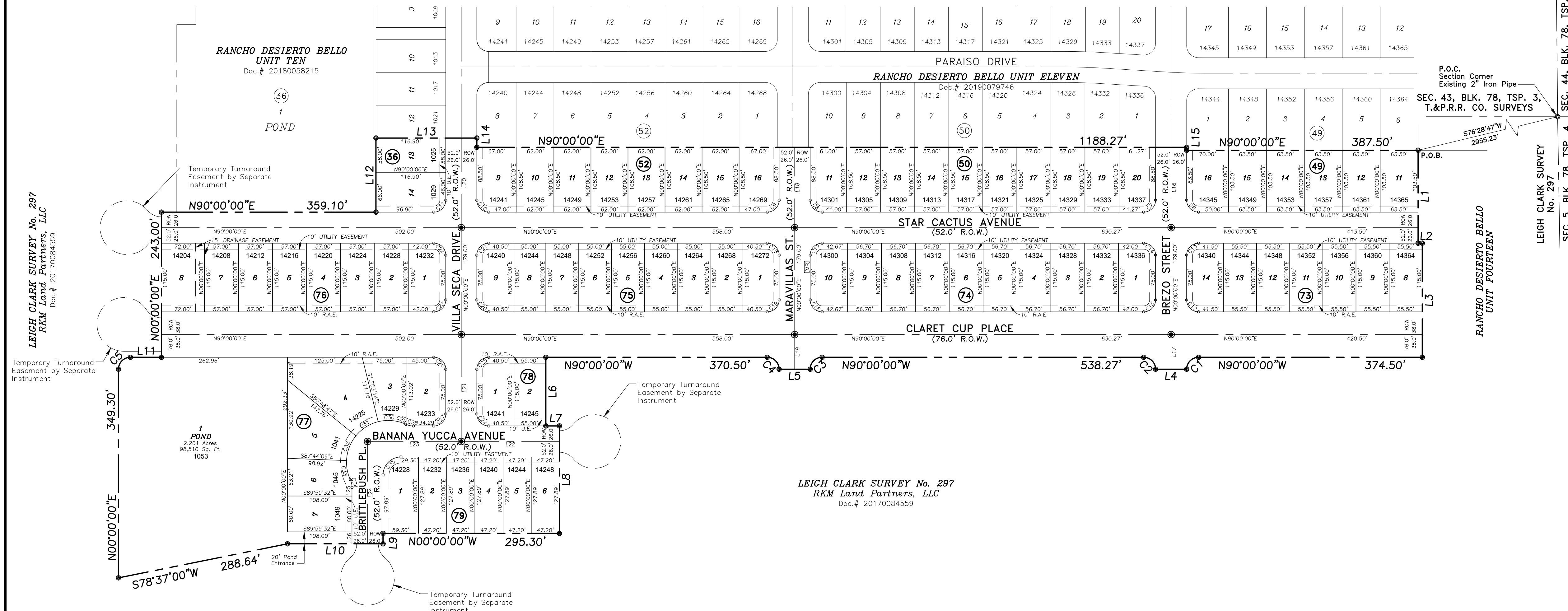
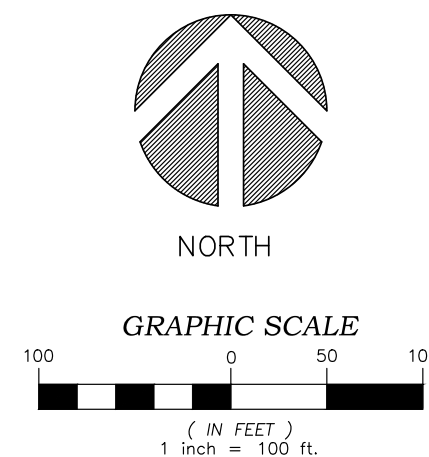
1420 Bessemer Drive, Suite 'A',  
El Paso, Texas 79905  
(915) 598-1300  
email: Larry@land-marksurvey.com

"Serving Texas, New Mexico and Arizona"

DATE OF PREPARATION: JANUARY 31, 2024  
DATE OF LAST REVISION: MARCH 15, 2024

### LEGEND

- SUBDIVISION BOUNDARY LINE
- STREET RIGHT OF WAY
- STREET CENTERLINE
- EASEMENT LINE
- U.S. POSTAL SERVICE COLLECTION BOX UNITS
- ⑦ BLOCK NUMBER
- 12 LOT NUMBER
- 14572 ADDRESS
- PROPOSED CITY MONUMENT
- RESTRICTIVE ACCESS EASEMENT
- U.E. UTILITY EASEMENT



BENCHMARK  
CITY MONUMENT AT THE CENTERLINE INTERSECTION OF  
MARAVILLAS STREET AND PARAISO DRIVE.  
ELEVATION 4011.29' (NAVD 88 DATUM)

# RANCHO DESIERTO BELLO UNIT 16

A PORTION OF LEIGH CLARK SURVEY No. 297,  
TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS.  
CONTAINING 21.481 ACRES ±

## METES & BOUNDS DESCRIPTION

COMMENCING, for reference, at an existing 2-inch iron pipe located at the common east corner of Section 43, Block 76, Township 3, Texas and Pacific Railroad Company Surveys and Leigh Clark Survey No. 297; THENCE, South 76°26'47" West, a distance of 295.23 feet to a point lying in the southerly boundary line of Rancho Desierto Bello Unit Eleven, for a corner of this parcel and the POINT OF BEGINNING of this parcel description;  
THENCE, South 00°00'00" East, departing said boundary line of Rancho Desierto Bello Unit Eleven, a distance of 155.50 feet to a point, for a corner of this parcel;  
THENCE, North 90°00'00" East, a distance of 7.00 feet to a point, for a corner of this parcel;  
THENCE, South 00°00'00" East, a distance of 191.00 feet to a point, for a corner of this parcel;  
THENCE, North 90°00'00" West, a distance of 374.50 feet to a point, for a corner of this parcel;  
THENCE, Southwesterly with the arc of a curve to the left, a distance of 31.42 feet to a point, for a corner of this parcel; said curve having a radius of 20.00 feet, a central angle of 90°00'00", and a chord which bears South 45°00'00" West, a distance of 28.28 feet;  
THENCE, North 90°00'00" West, a distance of 52.00 feet to a point, for a corner of this parcel;  
THENCE, Northwesterly with the arc of a curve to the left, a distance of 31.42 feet to a point, for a corner of this parcel; said curve having a radius of 20.00 feet, a central angle of 90°00'00", and a chord which bears North 45°00'00" West, a distance of 28.28 feet;  
THENCE, North 90°00'00" West, a distance of 538.27 feet to a point, for a corner of this parcel;  
THENCE, Southwesterly with the arc of a curve to the left, a distance of 31.42 feet to a point, for a corner of this parcel; said curve having a radius of 20.00 feet, a central angle of 90°00'00", and a chord which bears South 45°00'00" West, a distance of 28.28 feet;  
THENCE, North 90°00'00" West, a distance of 52.00 feet to a point, for a corner of this parcel;  
THENCE, Northwesterly with the arc of a curve to the left, a distance of 31.42 feet to a point, for a corner of this parcel; said curve having a radius of 20.00 feet, a central angle of 90°00'00", and a chord which bears North 45°00'00" West, a distance of 28.28 feet;  
THENCE, North 90°00'00" West, a distance of 370.50 feet to a point, for a corner of this parcel;  
THENCE, South 00°00'00" East, a distance of 115.00 feet to a point, for a corner of this parcel;  
THENCE, North 90°00'00" East, a distance of 18.80 feet to a point, for a corner of this parcel;  
THENCE, South 00°00'00" East, a distance of 179.89 feet to a point, for a corner of this parcel;  
THENCE, North 00°00'00" West, a distance of 295.30 feet to a point, for a corner of this parcel;  
THENCE, South 00°00'28" West, a distance of 17.48 feet to a point, for a corner of this parcel;  
THENCE, North 90°00'00" West, a distance of 160.00 feet to a point, for a corner of this parcel;  
THENCE, South 78°37'00" West, a distance of 288.64 feet to a point, for a corner of this parcel;  
THENCE, North 00°00'00" East, a distance of 349.30 feet to a point, for a corner of this parcel;  
THENCE, Northwesterly with the arc of a curve to the right, a distance of 31.42 feet to a point, for a corner of this parcel; said curve having a radius of 20.00 feet, a central angle of 90°00'00", and a chord which bears North 45°00'00" East, a distance of 28.28 feet;  
THENCE, North 90°00'00" East, a distance of 51.96 feet to a point, for a corner of this parcel;  
THENCE, North 00°00'00" East, a distance of 243.00 feet to a point, for a corner of this parcel;  
THENCE, North 90°00'00" East, with the southerly boundary line of Rancho Desierto Bello Unit Ten, a distance of 359.10 feet to a point, for a corner of this parcel;  
THENCE, North 00°00'00" West, continuing with said boundary line of Rancho Desierto Bello Unit Ten, a distance of 124.00 feet to a point, for a corner of this parcel;  
THENCE, North 90°00'00" East, continuing with said boundary line of Rancho Desierto Bello Unit Ten, a distance of 168.30 feet to a point in the westerly boundary line of Rancho Desierto Bello Unit Eleven, for a corner of this parcel;  
THENCE, South 00°00'00" East, with said boundary line of Rancho Desierto Bello Unit Eleven, a distance of 15.50 feet to a point of the southwesterly corner of said Rancho Desierto Bello Unit Eleven, for a corner of this parcel;  
THENCE, North 90°00'00" East, with said southerly boundary line of Rancho Desierto Bello Unit Eleven, a distance of 1188.27 feet to a point, for a corner of this parcel;  
THENCE, South 00°00'00" East, continuing with said southerly boundary line of Rancho Desierto Bello Unit Eleven, a distance of 6.00 feet to a point, for a corner of this parcel;  
THENCE, North 90°00'00" East, continuing with said southerly boundary line of Rancho Desierto Bello Unit Eleven, a distance of 387.50 feet to the POINT OF BEGINNING.  
Said parcel contains 21.481 Acres (335,730 Square feet) more or less.

## PLAT NOTES AND RESTRICTIONS

- BEARINGS ARE BASED ON UNDERLYING DEED, DOC.# 20230047278.
- = THIS SYMBOL REPRESENTS ALL PROPOSED STREET MONUMENTS LOCATIONS.
- ☐ = THIS SYMBOL REPRESENTS U.S. POSTAL SERVICE COLLECTION BOX UNITS. POSTAL SERVICE WITHIN THE SUBDIVISION WILL BE PROVIDED USING NEIGHBORHOOD DELIVERY AND COLLECTION BOX UNITS.
- ACCORDING TO THE FEDERAL EMERGENCY MAPPING AGENCY, FLOOD INSURANCE RATE MAP, PANEL NO. 480212, 0250B, DATED SEPTEMBER 4, 1991, THIS PROPERTY APPEARS TO LIE WITHIN ZONE "X" WHICH BY DEFINITIONS IS NOT A SPECIAL FLOOD HAZARD ZONE.
- ALL UTILITY EASEMENTS ARE 10 FEET WIDE UNLESS OTHERWISE SPECIFIED.
- SET 5/8" REBAR WITH CAP STAMPED "LAND-MARK TX 4869 NM11402" AT ALL EXTERIOR BOUNDARY CORNERS UNLESS OTHERWISE NOTED.
- TAX CERTIFICATE(S) FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORDS SECTION.  
INSTRUMENT NO. \_\_\_\_\_ INSTRUMENT NO. \_\_\_\_\_
- RESTRICTIVE COVENANTS FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORDS SECTION.  
INSTRUMENT NO. \_\_\_\_\_
- THIS IS TO CERTIFY THAT WATER AND SEWER SERVICES WILL BE PROVIDED TO RANCHO DESIERTO BELLO UNIT 16 BY THE HORIZON REGIONAL MUNICIPAL UTILITY DISTRICT IN ACCORDANCE WITH THEIR RULES AND REGULATIONS AND WITH SECTION 16.343 OF THE TEXAS WATER CODE. WATER AND SEWER SERVICES WILL BE EXTENDED TO THE SUBDIVISION FROM EXISTING FACILITIES AND WILL BE CONSTRUCTED TO SERVE THE SUBDIVISION WITHIN ONE YEAR OF THE DATE OF FILING THE FINAL SUBDIVISION PLAT.
- ACCESS TO LOTS 8-14, BLOCK 73, LOTS 1-10, BLOCK 74, LOTS 1-9, BLOCK 75, LOTS 1-8, BLOCK 76, LOTS 1 & 2, BLOCK 78, LOTS 2-4, BLOCK 77, ABUTTING CLARET CUP PLACE, SHALL BE FROM OTHER DEDICATED STREETS ONLY.

LINE	BEARING	LENGTH
L1	S00°00'00"E	155.50'
L2	N90°00'00"E	7.00'
L3	S00°00'00"E	191.00'
L4	N90°00'00"W	52.00'
L5	N90°00'00"W	52.00'
L6	S00°00'00"E	115.00'
L7	N90°00'00"E	22.80'
L8	S00°00'00"E	179.89'
L9	S00°00'00"E	17.44'
L10	N90°00'00"W	160.00'
L11	N90°00'00"E	51.96'
L12	N00°00'00"W	124.00'
L13	N90°00'00"E	168.90'
L14	S00°00'00"E	15.50'
L15	S00°00'00"E	5.00'
L16	N00°00'00"E	134.50'
L17	N00°00'00"E	58.00'
L18	N00°00'00"E	134.50'
L19	N00°00'00"E	58.00'
L20	N00°00'00"E	150.00'
L21	N00°00'00"E	179.00'
L22	N90°00'00"E	164.30'
L23	N90°00'00"E	157.00'
L24	N00°00'00"E	171.33'
L25	S00°00'00"E	14.62'
L26	S00°00'00"E	20.00'

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	20.00'	31.42'	28.28'	S45°00'00"W	90°00'00"
C2	20.00'	31.42'	28.28'	N45°00'00"W	90°00'00"
C3	20.00'	31.42'	28.28'	S45°00'00"W	90°00'00"
C4	20.00'	31.42'	28.28'	N45°00'00"W	90°00'00"
C5	20.00'	31.42'	28.28'	S45°00'00"W	90°00'00"
C6	20.00'	31.42'	28.28'	S45°00'00"E	90°00'00"
C7	20.00'	31.42'	28.28'	N45°00'00"E	90°00'00"
C8	20.00'	31.42'	28.28'	S45°00'00"E	90°00'00"
C9	20.00'	31.42'	28.28'	N45°00'00"E	90°00'00"
C10	20.00'	31.42'	28.28'	S45°00'00"E	90°00'00"
C11	20.00'	31.42'	28.28'	N45°00'00"E	90°00'00"
C12	20.00'	31.42'	28.28'	S45°00'00"E	90°00'00"
C13	20.00'	31.42'	28.28'	S45°00'00"W	90°00'00"
C14	20.00'	31.42'	28.28'	N45°00'00"W	90°00'00"
C15	20.00'	31.42'	28.28'	N45°00'00"E	90°00'00"
C16	20.00'	31.42'	28.28'	S45°00'00"E	90°00'00"
C17	20.00'	31.42'	28.28'	S45°00'00"W	90°00'00"
C18	20.00'	31.42'	28.28'	N45°00'00"W	90°00'00"
C19	20.00'	31.42'	28.28'	N45°00'00"E	90°00'00"
C20	20.00'	31.42'	28.28'	S45°00'00"E	90°00'00"
C21	20.00'	31.42'	28.28'	S45°00'00"W	90°00'00"
C22	20.00'	31.42'	28.28'	N45°00'00"W	90°00'00"
C23	20.00'	31.42'	28.28'	N45°00'00"E	90°00'00"
C24	20.00'	31.42'	28.28'	S45°00'00"E	90°00'00"
C25	20.00'	31.42'	28.28'	S45°00'00"W	90°00'00"
C26	20.00'	31.42'	28.28'	N45°00'00"W	90°00'00"
C27	20.00'	31.42'	28.28'	N45°00'00"E	90°00'00"
C28	30.00'	10.95'	10.89'	S79°32'22"E	20°55'16"
C29	30.00'	2.02'	2.02'	S67°08'44"E	3°52'00"
C30	70.00'	47.37'	46.47'	N84°35'59"W	38°46'29"
C31	70.00'	44.99'	44.22'	S57°36'00"W	36°49'33"
C32	70.00'	45.11'	44.33'	S20°43'32"W	36°55'22"
C33	70.00'	33.05'	32.74'	S11°15'42"E	27°03'06"
C34	30.00'	12.98'	12.88'	N12°23'38"W	24°47'15"
C35	30.00'	47.12'	42.43'	S45°00'00"W	90°00'00"

BLOCK & LOT #	SQ. FT.	ACRES
Block 36, Lot 13	6,780	0.156
Block 36, Lot 14	7,630	0.175
Block 49, Lot 11	6,572	0.151
Block 49, Lot 12	6,572	0.151
Block 49, Lot 13	6,572	0.151
Block 49, Lot 14	6,572	0.151
Block 49, Lot 15	6,572	0.151
Block 49, Lot 16	7,159	0.164
Block 50, Lot 11	6,533	0.150
Block 50, Lot 12	6,184	0.142
Block 50, Lot 13	6,184	0.142
Block 50, Lot 14	6,184	0.142
Block 50, Lot 15	6,185	0.142
Block 50, Lot 16	6,185	0.142
Block 50, Lot 17	6,185	0.142
Block 50, Lot 18	6,185	0.142
Block 50, Lot 19	6,184	0.142
Block 50, Lot 20	6,562	0.151
Block 52, Lot 09	7,184	0.165
Block 52, Lot 10	6,727	0.154
Block 52, Lot 11	6,727	0.154
Block 52, Lot 12	6,727	0.154
Block 52, Lot 13	6,727	0.154
Block 52, Lot 14	6,727	0.154
Block 52, Lot 15	6,727	0.154
Block 52, Lot 16	7,184	0.165
Block 73, Lot 08	6,383	0.147
Block 73, Lot 09	6,383	0.147
Block 73, Lot 10	6,383	0.147
Block 73, Lot 11	6,383	0.147
Block 73, Lot 12	6,383	0.147
Block 73, Lot 13	6,383	0.147
Block 73, Lot 14	6,901	0.158
Block 74, Lot 01	6,958	0.160
Block 74, Lot 02	6,521	0.150
Block 74, Lot 03	6,521	0.150
Block 74, Lot 04	6,521	0.150
Block 74, Lot 05	6,521	0.150

BLOCK & LOT #	SQ. FT.	ACRES
Block 74, Lot 06	6,521	0.150
Block 74, Lot 07	6,521	0.150
Block 74, Lot 08	6,521	0.150
Block 74, Lot 09	6,521	0.150
Block 74, Lot 10	7,035	0.162
Block 75, Lot 01	6,786	0.156
Block 75, Lot 02	6,325	0.145
Block 75, Lot 03	6,325	0.145
Block 75, Lot 04	6,325	0.145
Block 75, Lot 05	6,325	0.145
Block 75, Lot 06	6,325	0.145
Block 75, Lot 07	6,325	0.145
Block 75, Lot 08	6,325	0.145
Block 75, Lot 09	6,786	0.156
Block 76, Lot 01	6,958	0.160
Block 76, Lot 02	6,555	0.150
Block 76, Lot 03	6,555	0.150
Block 76, Lot 04	6,555	0.150
Block 76, Lot 05	6,555	0.150
Block 76, Lot 06	6,555	0.150
Block 76, Lot 07	6,555	0.150
Block 76, Lot 08	8,280	0.190
Block 77, Lot 01 (Pond)	98,510	2.261
Block 77, Lot 02	7,296	0.168
Block 77, Lot 03	6,627	0.152
Block 77, Lot 04	12,635	0.290
Block 77, Lot 05	9,470	0.217
Block 77, Lot 06	6,354	0.146
Block 77, Lot 07	6,479	0.149
Block 78, Lot 01	6,786	0.156
Block 78, Lot 02	6,325	0.145
Block 79, Lot 01	7,389	0.170
Block 79, Lot 02	6,035	0.139
Block 79, Lot 03	6,035	0.139
Block 79, Lot 04	6,036	0.139
Block 79, Lot 05	6,036	0.139
Block 79, Lot 06	6,036	0.139

DESCRIPTION	ACRES	SQ. FT.
RESIDENTIAL	11.364	495,035
RIGHT-OF-WAY	7.856	342,185
POND	2.261	98,510
TOTAL	21.481	935,729

NORTH - SOUTH	STREET	LENGTH	EAST - WEST	LENGTH
VILLA SECA DRIVE		508.00'	CLARET CUP PLACE	2110.77'
MARAVILLAS STREET		371.50'	STAR CACTUS AVENUE	2103.77'
BREZO STREET		371.50'	BANANA YUCCA AVENUE	321.30'
BRITTLEBUSH PLACE		171.33'		

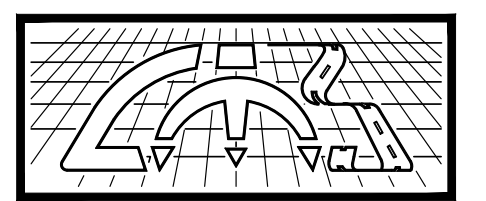
ENGINEER



110 Mesa Park Drive, Suite 200  
El Paso, Texas 79912  
Office: (915) 852-6003  
Fax: (915) 629-8506

6101 W. Courtyard Dr., Bldg. 1, Suite 100  
Austin, Texas 78728  
Office: (512) 358-4049  
Fax: (512) 368-6374

SURVEYOR



Land-Mark Professional Surveying, Inc.  
1420 Bessemer Drive, Suite 'A',  
El Paso, Texas 79935  
(915) 598-1300  
email: Larry@land-marksurvey.com  
"Serving Texas, New Mexico and Arizona"

OWNER  
VIVA LAND VENTURES, LP.  
11427 ROJAS DRIVE  
EL PASO TEXAS 79936  
CONTACT: GREG DIDONNA



**TOWN OF HORIZON CITY  
Planning and Zoning Commission Staff Report**

**Case No.:** SDV24-0002  
**Application Type:** Utility Easement Vacation  
**P&Z Hearing Date:** March 18, 2024  
**Staff Contact:** Art Rubio, Chief Planner  
 915-852-1046 ext.407; arubio@horizoncity.org  
**Address/Location:** 14476 Desert Sage Dr., located North of Eastlake Blvd. and East of Horizon Mesa Blvd.  
**Property ID No.:** 610908  
**Legal Description:** A Portion of Lot 13, Block 32, Horizon Mesa Unit 6, Town of Horizon City, El Paso County, Texas  
**Existing Use:** Single-Family Dwelling  
**Owner:** Delia & Jacob Gonzalez & 1  
**Applicant:** Delia Gonzalez  
**Nearest Park:** Horizon Mesa Park  
**Nearest School:** Horizon Heights Elementary School

<b>SURROUNDING PROPERTIES:</b>		
	<b>Zoning</b>	<b>Land Use</b>
<b>N</b>	R-9 (Single-Family Dwelling)	Residential
<b>E</b>	R-3 (Single-Family Dwelling)	Vacant
<b>S</b>	R-3 (Single-Family Dwelling)	Vacant
<b>W</b>	R-9 (Single-Family Dwelling)	Residential
<b>LAND USE AND ZONING:</b>		
	<b>Existing</b>	<b>Proposed</b>
<b>Land Use</b>	Residential	No Change Proposed
<b>Zoning</b>	R-9 (Single-Family Dwelling)	No Change Proposed

**Application Description:**

The applicant is requesting to vacate a 10' foot utility easement due to an accessory open porch encroachment over the easement.

**Notice:**

In accordance with Horizon City Code of Ordinance, Chapter 1 General Provisions, Article 1.08 Vacation of Public Easement or Right-of-Way, Section 1.08.003 Procedure; Notice of Public Hearings (b) (2) Public Easement Vacation, notice of the planning and zoning commission and the city council hearing shall not be required personally to abutting property owners when the application is for vacation of a public easement. Any responses received by staff will be presented to the Commission at the meeting.

**Staff Recommendation:**

Staff recommend **approval** based on not receiving any objections from any of the reviewing utility companies in the area.

**Horizon Regional Municipal Utility District**

No objections

**El Paso Electric**

Thank you for the clarification, we can accept the vacation of the easement shown on the survey.

**Texas Gas Service**

No objections

**AT&T**

No objections

**Spectrum**

No objections

**Attachments:**

**Attachment 1 – Zoning Map**

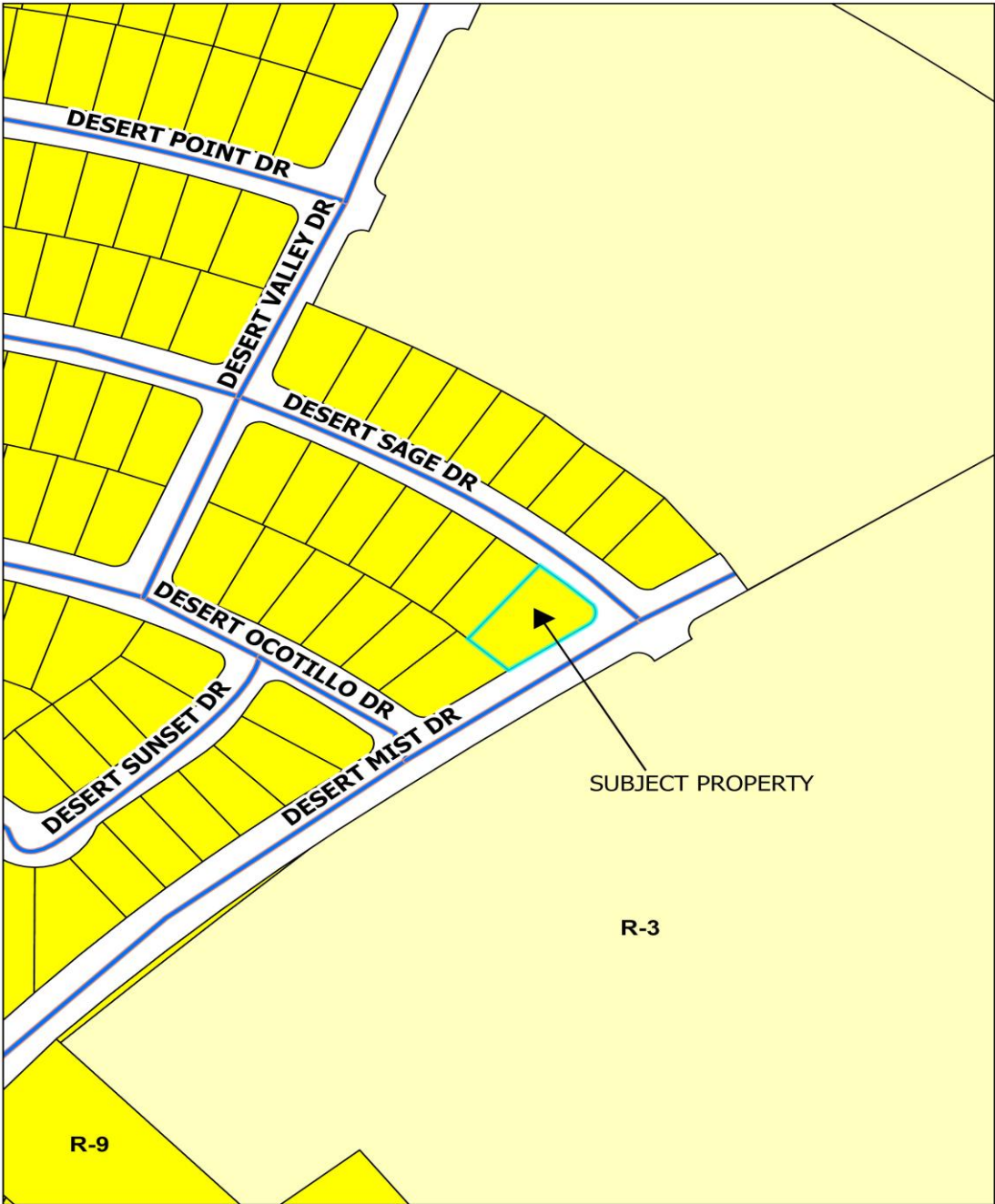
**Attachment 2 – Aerial**

**Attachment 3 – Survey**

**Attachment 4 – Application**

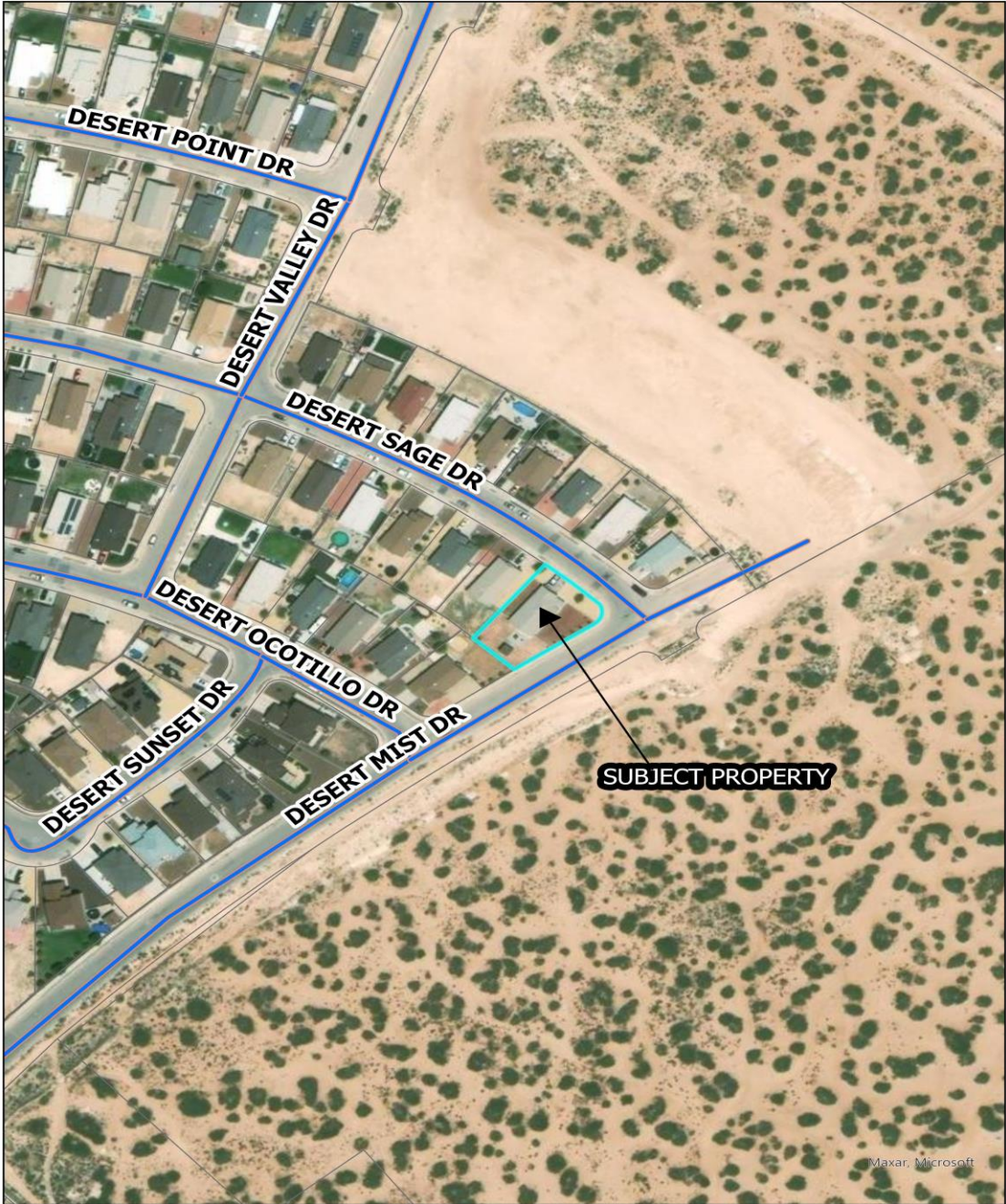
**Attachment 1: Zoning Map**

**Planning & Zoning Commission  
10' Foot Easement Vacation  
14476 Desert Sage Dr.**

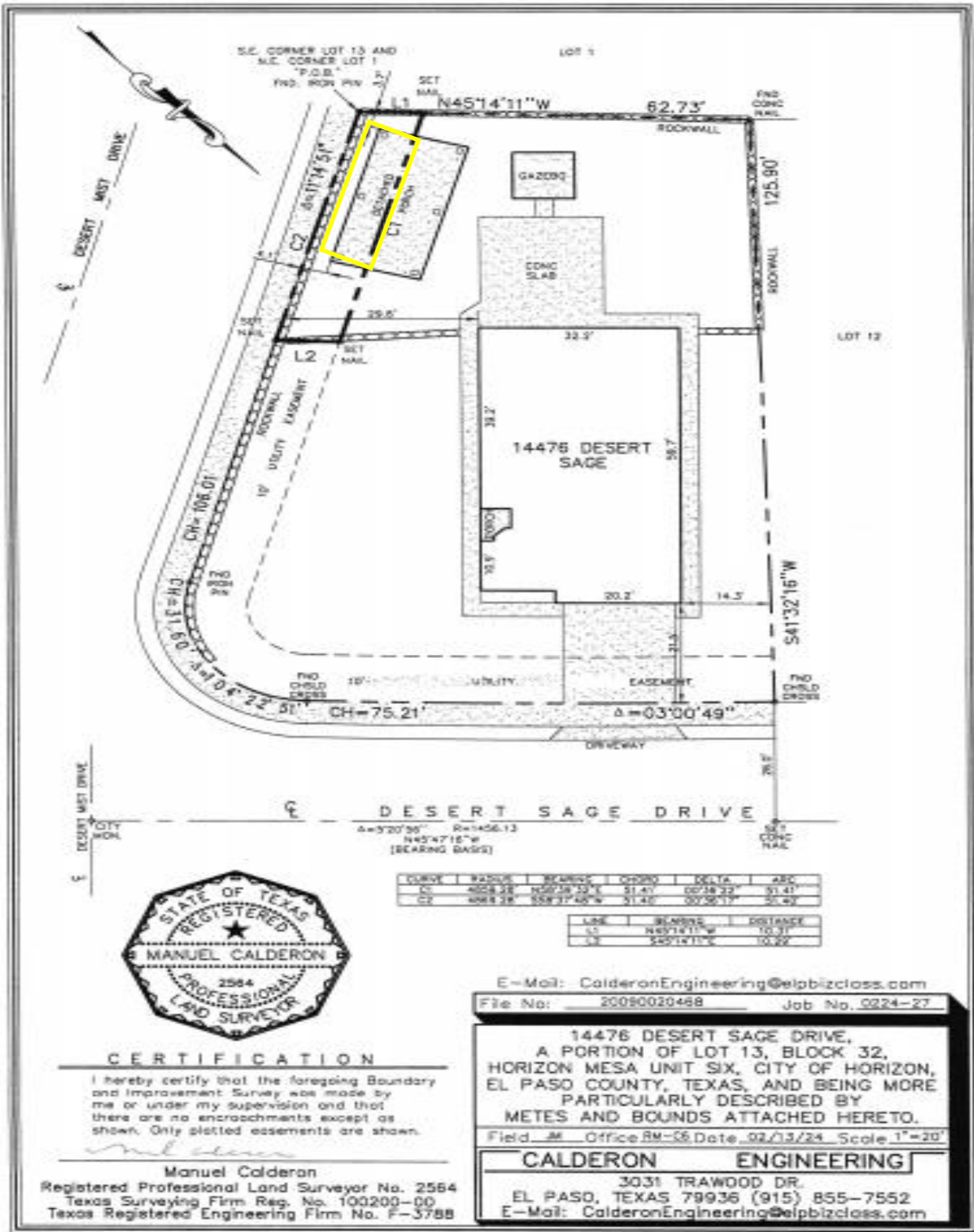


Attachment 2: Aerial

**Planning & Zoning Commission  
10' Foot Easement Vacation  
14476 Desert Sage Dr.**



**Attachment 3: Survey and M&B**



**Attachment 3: Survey and M&B**

**Calderon Engineering**

3031 Trawood Drive  
El Paso, Texas 79936  
(915) 855-7552  
Fax: 855-8350  
calderonengineering@elpbizclass.com

February 13, 2024

**14476 Desert Sage Drive  
METES & BOUNDS DESCRIPTION**

Description of a parcel of land being a portion of Lot 13, Block 32, Horizon Mesa Unit Six, City of Horizon, El Paso County, Texas, as filed and recorded in File No. 20090020468, Deed Records of El Paso County, Texas; and being more particularly described by metes and bounds as follows;

Beginning at a found iron pin marking the Southeast corner of Lot 13 and the Northeast corner of Lot 1 on the West R.O.W. line of Desert Mist Drive, all in Block 32, Horizon Mesa Unit Six, City of Horizon, El Paso County, Texas;


Thence North 45°14'11" West along the common Lot line between Lots 1 and 13 a distance of 10.31 feet to a set nail;

Thence 51.41 feet along arc of a curve to the right, whose interior angle is 00°36'22", whose radius is 4859.28 feet and whose chord bears North 58°39'32" East a distance of 51.41 feet to a set nail;

Thence South 45°14'11" East a distance of 10.29 feet to a set nail;

Thence 51.40 feet along arc of a curve to the left and along the West R.O.W. line of Desert Mist Drive, whose interior angle is 00°36'17", whose radius is 4869.28 feet and whose chord bears South 58°37'48" West a distance of 51.40 feet to the "Point of Beginning" and containing in all 514.00 square feet or 0.011 acres of land more or less. A plat of survey dated February 13, 2024 is a part of this description and is attached hereto.



  
Manuel Calderon  
Calderon Engineering  
Registered Professional Land Surveyor No. 2564  
Registered Professional Engineer No. 42333  
Texas Registered Engineering Firm No. F-3788  
Texas Licensed Surveying Firm No. 100200-00

VP-C1  
Desert Sage

**Attachment 3: Application**



Case No. \_\_\_\_\_

### VACATION OF PUBLIC EASEMENTS & RIGHTS-OF-WAY APPLICATION

Date: 2/21/2024

- APPLICANT'S NAME: Delia Gonzalez  
ADDRESS: 14476 Desert Sage ZIP CODE: 79928 TELEPHONE: 915 1329-2741 / 915 215-0649
- PROPERTY OWNER: Delia Gonzalez  
ADDRESS: 14476 Desert Sage ZIP CODE: 79928 TELEPHONE: \_\_\_\_\_
- Request is hereby made to vacate the following: (check one) Street  Alley  Easement  Other   
Street Name / Location: Same as owner - Above  
Subdivision Name: \_\_\_\_\_
- Reason for vacation request: building porch structure on top of easement
- Surface Improvements located in subject property to be vacated:  
None  Paving  Curb & Gutter  Power Lines/Poles  Fences/Walls  Structures  Other
- Underground Improvements located in the existing rights-of-way:  
None  Telephone  Electric  Gas  Water  Sewer  Storm Drain  Other
- Future use of the vacated right-of-way: N/A  
Yards  Parking  Expand Building Area  Replat with abutting Land  Other
- Related applications which are pending (give name or file number): Zoning  Board of Adjustment   
Subdivision  Building Permits  Other
- Signatures: All owners of properties which abut the property to be vacated must appear below with an adequate legal description of the properties they own (use additional paper if necessary): N/A

Signature	Legal Description	Telephone
_____	_____	_____
_____	_____	_____

The undersigned Owner/Applicant/Agent understands that the processing of this Application will be handled in accordance with the procedure for Requesting Vacations and that no action on processing will be taken without payment of the non-refundable processing fee. It is further understood that acceptance of this application and fee in no way obligates the Town of Horizon City to grant the Vacation.

The undersigned acknowledges that he or she is authorized to do so, and upon the Town's request will provide evidence satisfactory to the Town's confirming these representations.

The granting of a vacation request shall not be construed to be a waiver of or an approval of any violation of any of the provisions of any applicable ordinances.

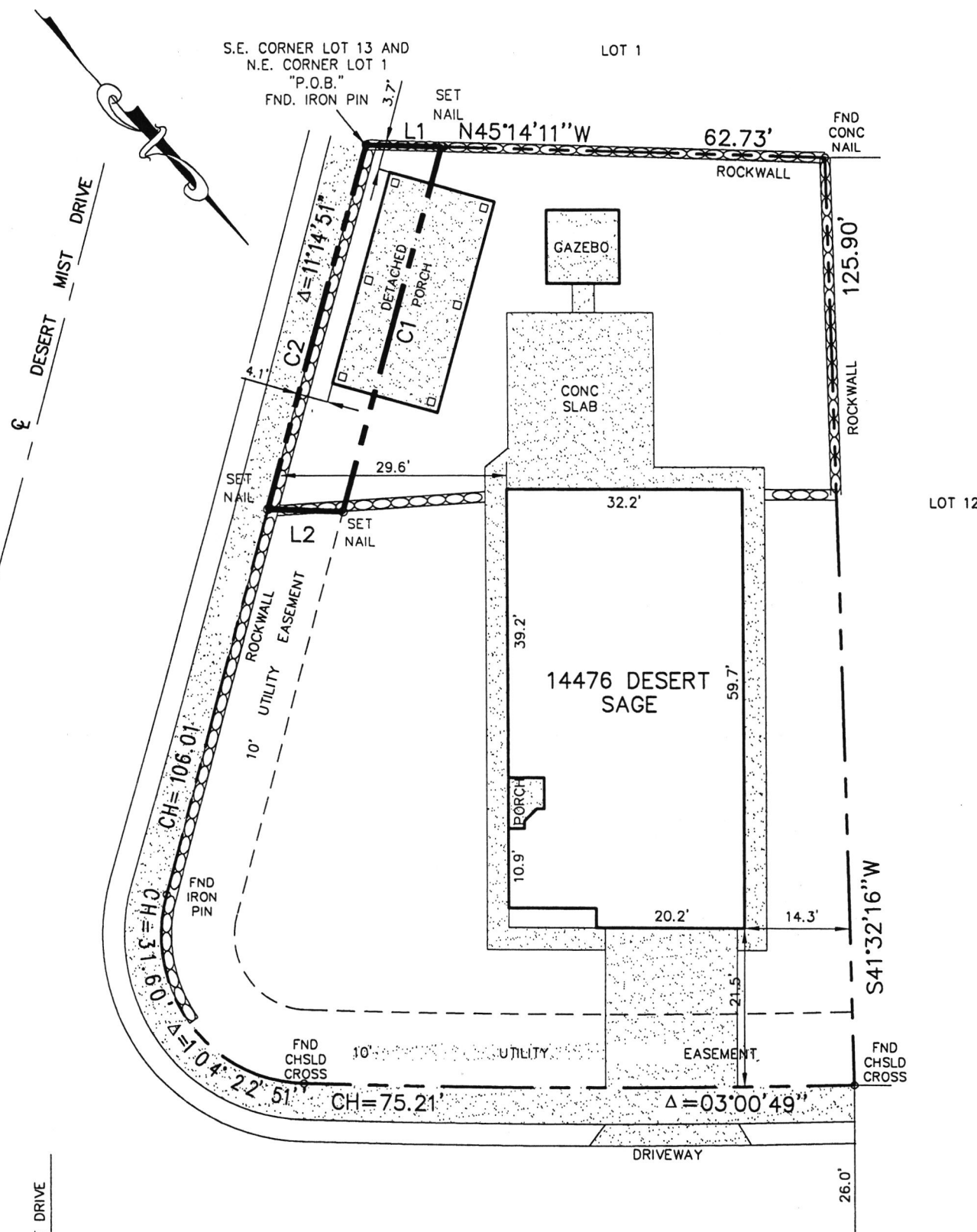
OWNER / APPLICANT SIGNATURE: [Signature] REPRESENTATIVE: Same as owner

Easement Fee: \$75  
Right-of-Way Fee: \$150

Note: Applicant is responsible for all expenses incurred by the City in connection with this request, including but not limited to attorney's fees, engineering fees, appraisals, and publication. Charges will be invoiced separately. Applicant's initials: N/A

**Please see reverse side for a list of items required when submitting the Vacation application.**

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.



DESERT MIST DRIVE  
CITY MON.

DESERT SAGE DRIVE  
 $\Delta = 5^{\circ}20'56''$  R=1456.13  
 N45°47'16"W  
 (BEARING BASIS)

CURVE	RADIUS	BEARING	CHORD	DELTA	ARC
C1	4859.28'	N58°39'32"E	51.41'	00°36'22"	51.41'
C2	4869.28'	S58°37'48"W	51.40'	00°36'17"	51.40'

LINE	BEARING	DISTANCE
L1	N45°14'11"W	10.31'
L2	S45°14'11"E	10.29'



**CERTIFICATION**

I hereby certify that the foregoing Boundary and Improvement Survey was made by me or under my supervision and that there are no encroachments except as shown. Only platted easements are shown.

*Manuel Calderon*

Manuel Calderon  
 Registered Professional Land Surveyor No. 2564  
 Texas Surveying Firm Reg. No. 100200-00  
 Texas Registered Engineering Firm No. F-3788

E-Mail: CalderonEngineering@elpbizclass.com

File No: 20090020468 Job No. 0224-27

14476 DESERT SAGE DRIVE,  
 A PORTION OF LOT 13, BLOCK 32,  
 HORIZON MESA UNIT SIX, CITY OF HORIZON,  
 EL PASO COUNTY, TEXAS, AND BEING MORE  
 PARTICULARLY DESCRIBED BY  
 METES AND BOUNDS ATTACHED HERETO.

Field JM Office RM-C6 Date 02/13/24 Scale 1"=20'

**CALDERON ENGINEERING**  
 3031 TRAWOOD DR.  
 EL PASO, TEXAS 79936 (915) 855-7552  
 E-Mail: CalderonEngineering@elpbizclass.com

# Calderon Engineering

3031 Trawood Drive  
El Paso, Texas 79936  
(915) 855-7552  
Fax: 855-8350

calderonengineering@elpbizclass.com

February 13, 2024

## 14476 Desert Sage Drive METES & BOUNDS DESCRIPTION

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Thence 51.41 feet along arc of a curve to the right, whose interior angle is  $00^{\circ}36'22''$ , whose radius is 4859.28 feet and whose chord bears North  $58^{\circ}39'32''$  East a distance of 51.41 feet to a set nail;

Thence South  $45^{\circ}14'11''$  East a distance of 10.29 feet to a set nail;

Thence 51.40 feet along arc of a curve to the left and along the West R.O.W. line of Desert Mist Drive, whose interior angle is  $00^{\circ}36'17''$ , whose radius is 4869.28 feet and whose chord bears South  $58^{\circ}37'48''$  West a distance of 51.40 feet to the "Point of Beginning" and containing in all 514.00 square feet or 0.011 acres of land more or less. A plat of survey dated February 13, 2024 is a part of this description and is attached hereto.



  
Manuel Calderon  
Calderon Engineering  
Registered Professional Land Surveyor No. 2564  
Registered Professional Engineer No. 42333  
Texas Registered Engineering Firm No. F-3788  
Texas Licensed Surveying Firm No. 100200-00

TOWN OF HORIZON CITY

ORDINANCE NO. 035, AMENDMENT NO.

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE TOWN OF HORIZON CITY, TEXAS, CHAPTER 10 (SUBDIVISION REGULATIONS), EXHIBIT 10A (SUBDIVISION ORDINANCE), TO REVISE AND AMEND THE FOLLOWING: SECTION 2 (MINIMUM STANDARDS), SUBSECTION 2.8 (PARKLAND DEDICATION AND FEES IN LIEU), SUBSECTION 2.8.3 (CALCULATING ACREAGE AND FEES FOR DEDICATED PARKLAND) TO ADD DENSITY CALCULATION AND PRIVATE PARKLAND TO SATISFY PART OF THE PARKLAND DEDICATION REQUIREMENTS, AND TO ADD DENSITY, INCREASE REFERENCE AND REQUIREMENTS TO CHAPTER 14 (ZONING), SECTION 405 (BULK REGULATIONS) AND TO REVISE LETTER SEQUENCE A. TO E. AND ADD F. AND G; SECTION 4 (SUBDIVISION APPLICATION PROCEDURE AND APPROVAL PROCESS), SUBSECTION 4.1 (REQUIREMENTS AND APPROVAL PROCESS) TO AMEND CLASSIFICATION OF SUBDIVISIONS AND REVISE PLATTING REQUIREMENTS AND ADD STATE AND CITY REQUIREMENTS; SUB SECTIONS 4.2 (PRELIMINARY PLAT REQUIREMENTS) TO ADD PRELIMINARY AMENDING AND MINOR PLAT REQUIREMENTS AND 4.3 (FINAL PLAT REQUIREMENTS) TO ADD FINAL AMENDING AND MINOR PLAT REQUIREMENTS AND TO AMEND SUBSECTIONS 4.2 TO 4.3 TO FOLLOW NUMBER SEQUENCE THROUGHOUT THIS CHAPTER, SUBSECTION 4.14 (APPROVAL AUTHORITY) TO ADD APPROVAL OF AMENDING AND MINOR PLATS AND APPEAL PROCESS AND TO ADD APPROPRIATE APPLICATION FEES AND ENGINEERING FEES TO THE CITY'S AMENDED FEE SCHEDULE; PROPER NOTICE AND HEARING; AND EFFECTIVE DATE; THE PENALTY BEING AS PROVIDED IN SECTION 810 OF THE CODE OF ORDINANCES OF THE TOWN OF HORIZON CITY, TEXAS, CREATING A MISDEMEANOR PUNISHABLE BY A FINE NOT TO EXCEED \$2,000.

**WHEREAS**, a proposal was brought forward by City Council and considered by the Town of Horizon City Planning and Zoning Commission to amend portions of Subdivision Ordinance No. 035 relating to adding Minor and Amending Plat Procedure, Requirements, Approval and Appeal Process, Density Calculation, Density Increase Reference to Chapter 10 Zoning Ordinance and Private Parkland ; and

**WHEREAS**, the Planning and Zoning Commission considered City Council's proposals at its regular meetings and voted to recommend approval of the change to the ordinance; and

**WHEREAS**, the City Council of the Town of Horizon City ("Town Council") seeks to promote safe, orderly and consistent subdivision and development of real property;

**WHEREAS**, public hearings have been held by the Town Council as required by law; and

**WHEREAS**, all written and oral protests (if any) submitted against the proposed ordinance change have been reviewed and considered; and

**WHEREAS**, pursuant to Texas Local Government Code section 51.001, the town has general authority to adopt an ordinance that is for the good government, peace or order of the Town and is necessary or proper for carrying out a power granted by law to the Town; and

**WHEREAS**, the City Council finds that it is necessary and proper for the good government, peace, and order and that our physical environment has a direct impact on the chances for happy, prosperous lives for the residents of the Town of Horizon City to adopt this Ordinance and technical code; and

**WHEREAS**, the Texas Local Government Code Section 212.002 allows for the governing body of a municipality to adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality; and

**WHEREAS**, the intent of the amendment is to provide an expeditious means of making minor revisions to a recorded plat and simplify divisions of land under certain conditions outlined and consistent with provisions of state law and City Municipal Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS:**

**I. ENACTMENT OF AMENDMENTS**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code, the City Council of the Town of Horizon City hereby enacts and adopts this amendment **no.** to Ordinance no. **035**, which regulates subdivisions within the territorial limits of the Town of Horizon City and related matters, to amend Chapter 10 Subdivision Regulations, Sections 2 and 4 as follows:

**Section 2 Minimum Standards**

**Subsection 2.8 Parkland Dedication and Fees in Lieu**

**Subsection 2.8.3 Calculating Acreage and Fees for Dedicated Parkland.**

**Add Density Calculation and Private Parkland to Satisfy Part of the Parkland Dedication Requirements.**

**2.8.3 Calculating Acreage, Density and Fees for Dedicated and Private Parkland.**

A. When the subdivision application requires dedication of parkland and/or fees, the subdivider may use private parkland to satisfy half of the required parkland dedication, or the City has approved the payment of cash in lieu of the dedication of parkland, such payment shall be calculated in the following manner, which may be amended by the Council from time to time:

Single-Family and Mobile Homes in Single Subdivision:	
1–149 Units	\$400.00 per unit
150–224 units	1 acre plus \$400.00 per unit over 150 units
225–299 units	1-1/2 acres plus \$400.00 per unit over 225
300 units and up	2 acres plus \$400.00 per unit over 300 unit
Multifamily in Single Subdivision:	
1–249 units	\$240.00 per unit
*For 250 units and up, 1 acre plus \$240.00 per unit over 250 units, plus an additional 1/2 acre for each additional 75 unit plus \$240.00 per unit above the 75-unit increment will be required.	
<u>*For private parkland ½ acre credit will be applied for each acre of required parkland dedication requirement, this does not apply to park fees.</u>	

**Section 2 Minimum Standards**

**Subsection 2.8 Parkland Dedication and Fees in Lieu**

**Subsection 2.8.3 Calculating Acreage Density and Fees for Dedicated Parkland**

**To Add C. Density Calculation and Requirements and**

**To Add Density, Increase Reference to Chapter 14 Zoning , Section 405 (Bulk Regulations)**

**C. Density Calculation and Requirements.** Density for single-family, multi-family and mixed-use subdivisions shall be calculated at the maximum density allowed unless otherwise specified by the subdivider through covenants restricting density to less than maximum density.

Maximum density is the gross number of units calculated based on the maximum number of lots permitted by the zoning district pursuant to the zone district bulk standards less parkland, storm water drainage ponding and right-of-way required. Applicants shall provide covenants restricting the subdivision to the maximum density or less than maximum density calculated if so desired.

Should the property owner increase density through a rezoning as referenced in Chapter 14 Zoning, Section 405 (Bulk Regulations), Subsection 405.6 (Density Increase Through Change of Use or Rezoning) other proposed increase in density, replat or vacation of a right-of-way or other means, the applicant shall submit a request for covenant amendment to Horizon City for review and final action. Property owners may not increase density unless they have an approved

increase in density through amended covenants and have provided the appropriate parkland fees and dedication when applicable. After parkland fees have been calculated, a subdivision, not otherwise classified as a residential subdivision, that changes the use to include dwelling units or increases the density of dwelling units within the subdivision, shall trigger a recalculation of parkland fees or parkland dedication under Chapter 10 Subdivision Regulations. If additional fees are due or if the recalculation requires parkland to be dedicated, then such fees shall be paid, or dedication provided, prior to the issuance of any building permit.

## **Section 2 Minimum Standards**

### **Subsection 2.8 Parkland Dedication and Fees in Lieu**

#### **2.8.5 Fees, Land, Private Parkland or Improvements In Lieu of Dedication of Parkland**

##### **To Add Private Parkland and Requirements to Satisfy Part of the Parkland Dedication Requirements**

**E. Private Park facilities to satisfy required parkland dedication.** Single-family, duplex, or multi-family development where parkland dedication is required may be satisfied using private parkland by following the requirements below:

1. Park facilities shall be owned and maintained by residents of the dwelling units or by the owner of the rental facility.
2. The private ownership and required maintenance of such park facilities shall be memorialized through recorded agreement, conveyance, or deed restrictions.
3. Private parkland facility use shall be restricted strictly for park and recreational use by recorded covenant running with the land favoring future owners of such property and cannot be amended or removed without review and approval by the city council.
4. Private parkland facilities seeking credit shall receive credit only if such facilities meet all minimum parkland dedication and standards.
5. No credit shall be given for recreational facilities other than the land upon which those facilities are located.
6. A minimum of 1 acre of Functional Park Area. Functional Park Area may include parks, child play areas, multi-purpose courts, and similar facilities. Swimming pools, community, recreational or exercise buildings, and similar facilities shall not be eligible for credit.

##### **F. Private Parkland Credit Calculation.**

1. One acre of private parkland shall count as credit for one-half acre of the required parkland dedication. The parkland requirement may be satisfied in its entirety by

providing private parkland which meets the criteria in this section.

2. If the required parkland dedication cannot be completely satisfied by providing private parkland, any remaining requirement can be satisfied as follows:

- a. Through the dedication of public parkland.
- b. Review and approval by City Council: Through improvements to existing parkland located in the same area, provided that a developer participation agreement is entered into and complies with the provisions of the state statute that governs developer participation agreements.
- c. Review and approval by City Council: Payment of fees.

3. See Section 2.8.3 Calculating Acreage, Density and Fees for Dedicated and Private Parkland.

**E. G.**

## **Section 4 Subdivision Application Procedure and Approval Process**

### **Subsection 4.1 Classification of Subdivisions**

**To revise the classification of subdivisions as follows:**

Whenever any subdivision of land classified as (Amending, Minor, Preliminary, Final, Combination Preliminary & Final, Replat (Resubdivision) or Vacating Subdivision) is proposed or determined to be required, and before any contract is made for the sale or development of any part thereof; and prior to the issuance of any no building or grading permits shall be issued until the subdivider ~~shall apply~~ applies for and secures approval of such proposed or required subdivision consistent with the provisions of state law and the following procedure, except where a Land Development Exemption Determination is granted.

### **Subsection 4.2 Amending Plat Requirements**

**To add Amending Plat and requirements:**

#### **Subsection 4.2.1 Amending Plat Standards in ETJ**

**To add Amending Plat Standards in ETJ**

Standards for preparation of amending plats submitted to the City Engineer for proposed subdivisions located within Horizon City's extraterritorial jurisdiction (ETJ) of the City of five (5) miles or other cities ETJ's shall be to standards proposed in that municipality's subdivision ordinance. Where no conflicts exist with these standards, the plat standards proposed below will be required as a minimum.

#### **Subsection 4.2.2 Amending Plat Standards**

**To add Amending Plat Standards**

- a. **Purpose of Amending Plat** - applies to changes of a previously recorded plats except for recorded covenants, the creation of new lots, dissolving of existing lots or the dedication of any required improvements or vacation, relocation or addition of easements. Amending plat allows for corrections to errors in bearings and distance, real property descriptions, clerical or scrivener errors, removal of restrictions, lot line adjustments so long as all affected property owners are part of the application, changes do not affect zoning and other state or municipal regulations. Final action on amending plats shall be the responsibility of the Planning Director or designee.
- b. **General Requirements** for preparation of preliminary amending plats for existing subdivision within the City Municipal limits or within the five (5) mile ETJ of the City shall be drawn to a scale of one hundred feet to one inch (100' = 1"); except that a scale of two hundred feet to one inch (200' = 1") may be used if the preliminary is over one hundred acres by express permission of the City Engineer. The maximum sheet size accepted shall be 24" x 36" (Note: the maximum final amending plat size for recording is 24" x 36" and the minimum final plat size for recording shall be 18" x 24"). The following are additional requirements for preliminary plats located in the ETJ:
1. A digital copy of the amending plat shall be uploaded through the customer portal if using the online submission application or submit a PDF format on CD or flash drive for an in-person application.
  2. The date, scale and north point, a key plan showing the location of the subdivision, the name and address of the owner, and the name of the engineer and/or surveyor.
  3. Add amending to the existing subdivision name and call out existing and proposed changes.
  4. The legal description of the property proposed to be amended including name of the County, survey and together with reference to the nearest section corner or an original corner of the original survey of which it is a part and/or survey tie at the nearest right-of-way or existing monument. The total acreage of the subdivision shall be placed at the bottom of the legal description in a proper manner.
  5. Location of existing boundary lines and width and location of platted streets, alleys within or adjacent to the subject property, including location of watercourses, ravines, existing bridges, culverts, present structures and other features pertinent to subdivision, and location of any existing utilities with the size of sewer or water mains if they exist within the area. The total acreage of each lot is to be indicated below the lot number.
  6. Current topographic information approximately equivalent to two (2) feet contours on land less than 5% gradient and five (5) feet contours on land more

than 5% gradient. Local U.S.G.S. datum shall be referenced. Topography shall be based on aerial photogrammetry, on field surveys conducted by the surveyor or engineer or on reliable existing topography. If the latter, the date [data] source shall be noted on the plan. Such topographical information, location and dimensions shall be of sufficient accuracy as to permit the planning of drainage facilities, streets and other proposed improvements. Developed stormwater shall be addressed in the drainage study.

7. Include the names, locations, width and dimensions of existing streets, roads, lots, alleys and of drainage and public utility easements, parks or other public spaces, sites for all public uses and other features, and their relation to streets in adjacent subdivisions, including lot lines on the plat. A location map of a smaller scale as requested by the City Engineer shall be placed on the preliminary plat showing the outline and identification of the adjacent properties, location of subdivisions and how the streets or highways in the subdivision offered for record may connect with those in the nearest subdivision or other roads in the area. The location map should be oriented with the drawing and in the same direction as the detail subdivision drawing.
8. The location of the boundaries of the Flood Hazard Area for the regulatory (100-Year) flood for all waterways in accordance with the requirements of El Paso County Floodplain Regulations (See El Paso County Manual “Guidelines and Procedures for Development Permits”) and the drainage requirements of this specification. Clarification of these boundaries (if any) by a professional engineer or registered surveyor is required.
9. Certification from utility and/or service agencies indicating their confirmation of the location and extent of existing utility easements. Said certification will also state whether services will be available sufficient to serve the subdivision. If certifications are not submitted with the amending plats showing all proposed easements, the City may forward plats and a comment sheet to these agencies requesting utility service information and easement location comments and will charge a fee to cover the cost.
10. A general summary description of any deed restrictions proposed indicating the lots so restricted and all pertinent documents pertaining to the creation of a property owners’ association responsible for maintenance obligations, if such private ownership is to be established.
11. Include all existing street names and proposed street name change if applicable.

### **c. General Requirements for Final Amending Plat**

1. The date, subdivision title, scale, location map and north point.

2. The name of the subdivision and adjoining subdivisions, the name of the streets (to conform wherever possible to existing street names whenever extending streets, but not to create new streets with duplicated names), numbers on each lots and blocks, and street addresses (provided by the City Engineer).
3. The lines and names of all proposed streets or other ways or such easements, including a statement of the purpose for which such easements are dedicated. The lines and names of other open spaces to be dedicated for public use or granted for use by the inhabitants of the subdivision. Show all natural drains and watercourses as they exist, or as adjusted, with an easement of width as required hereafter in these specifications. All easements of record shall be shown, or if incapable of being definitely located on the ground, a statement of such easements must appear on the plat.
4. Sufficient data to determine readily and reproduce on the ground the location, true bearing and length of every street line, lot line, block line, whether curved or straight and include the true north point. This shall include the complete curve data for property lines, centerlines of the rights-of-way and returns.
5. The location of all permanent monuments and control points. The monuments and pins shall be delineated in a standard manner with:
  - (a) found or set monuments shown as a solid circle;
  - (b) to-be-set monuments as an open circle with a solid small circle in the center;
  - (c) to-be-set pins as an open circle to indicate return radii, change of bearing and block corners;
  - (d) square footage of each lot to be placed under lot number.
6. Dimensions shall be shown in feet and hundredths of a foot, and angles in degrees, minutes and seconds. All lines and ties to primary control points and existing monuments, survey corners, etc., shall be shown.
7. The location of the boundaries of the Flood Zone Area for the regulatory flood (100-Year Flood) for all waterways in accordance with the requirements of the El Paso County Floodplain Regulations and drainage requirements of these Regulations. These boundaries shall be established by a professional engineer or registered surveyor of the State of Texas, whose seal and signature shall appear on the plan. (Should the subdivider elect to contain the Flood Hazard Area within a drainage easement, the actual boundaries of the Flood Hazard Area, need not be shown provided that the Engineer certifies that the actual Flood Hazard Area boundaries are contained within the drainage easement.)
8. If finished floor elevations for buildings in the lots, a portion or all of which lots lie in Flood Hazard Areas, are noted on the plat within the boundaries of the lot or tract to which they apply, then minimum development permit fees are applicable for buildings constructed on these lots. Elevation verification will still

be required. The floor elevations shall be determined by the engineer or surveyor and shall comply with the requirements of the El Paso County Floodplain Regulations and the drainage requirements of these Regulations.

9. One or more benchmarks shall be monumented in subdivisions which contain or bound flood hazard areas. The distance between benchmarks in a subdivision shall not exceed 2500 feet.

### **Subsection 4.3 Minor Plat Requirements**

**To add Minor Plat and requirements:**

#### **Subsection 4.3.1 Minor Plat Standards in ETJ**

Standards for preparation of minor plats submitted to the City Engineer for proposed subdivisions located within Horizon City's extraterritorial jurisdiction (ETJ) of the City of five (5) miles or other cities ETJ's shall be to standards proposed in that municipality's subdivision ordinance. Where no conflicts exist with these standards, the plat standards proposed below will be required as a minimum.

- a. **Purpose of Minor Plat** - applies to minor or replats involving four or fewer lots fronting on an existing street and not requiring the creation or dedication of any new street or the extension or dedication of municipal facilities and parks. Final approval of minor plats is the responsibility of the Planning Director or Designee.
- b. General Requirements for preparation of preliminary minor plats within the City Municipal limits or within the five (5) mile ETJ of the City shall be drawn to a scale of one hundred feet to one inch (100' = 1"); except that a scale of two hundred feet to one inch (200' = 1") may be used if the preliminary is over one hundred acres by express permission of the City Engineer. The maximum sheet size accepted shall be 24" x 36" (Note: the maximum final amending plat size for recording is 24" x 36" and the minimum final plat size for recording shall be 18" x 24"). The following are additional requirements for preliminary plats located in the ETJ:
  1. A digital copy of the amending plat shall be uploaded through the customer portal if using the online submission application or submit a PDF format on CD or flash drive for an in-person application.
  2. The date, scale and north point, a key plan showing the location of the subdivision, the name and address of the owner, and the name of the engineer and/or surveyor.
  3. Add amending to the existing subdivision name and call out existing and proposed changes.

4. The legal description of the property proposed to be amended including name of the County, survey and together with reference to the nearest section corner or an original corner of the original survey of which it is a part and/or survey tie at the nearest right-of-way or existing monument. The total acreage of the subdivision shall be placed at the bottom of the legal description in a proper manner.
5. Location of existing boundary lines and width and location of platted streets, alleys within or adjacent to the subject property, including location of watercourses, ravines, existing bridges, culverts, present structures and other features pertinent to subdivision, and location of any existing utilities with the size of sewer or water mains if they exist within the area. The total acreage of each lot is to be indicated below the lot number.
6. Current topographic information approximately equivalent to two (2) feet contours on land less than 5% gradient and five (5) feet contours on land more than 5% gradient. Local U.S.G.S. datum shall be referenced. Topography shall be based on aerial photogrammetry, on field surveys conducted by the surveyor or engineer or on reliable existing topography. If the latter, the date [data] source shall be noted on the plan. Such topographical information, location and dimensions shall be of sufficient accuracy as to permit the planning of drainage facilities, streets and other proposed improvements. Developed stormwater shall be addressed in the drainage study.
7. Include the names, locations, width and dimensions of existing streets, roads, lots, alleys and of drainage and public utility easements, parks or other public spaces, sites for all public uses and other features, and their relation to streets in adjacent subdivisions, including lot lines on the plat. A location map of a smaller scale as requested by the City Engineer shall be placed on the preliminary plat showing the outline and identification of the adjacent properties, location of subdivisions and how the streets or highways in the subdivision offered for record may connect with those in the nearest subdivision or other roads in the area. The location map should be oriented with the drawing and in the same direction as the detail subdivision drawing.
8. The location of the boundaries of the Flood Hazard Area for the regulatory (100-Year) flood for all waterways in accordance with the requirements of El Paso County Floodplain Regulations (See El Paso County Manual "Guidelines and Procedures for Development Permits") and the drainage requirements of this specification. Clarification  
  
of these boundaries (if any) by a professional engineer or registered surveyor is required.
9. Certification from utility and/or service agencies indicating their confirmation of the location and extent of existing utility easements. Said certification will also

state whether services will be available sufficient to serve the subdivision. If certifications are not submitted with the amending plats showing all proposed easements, the City may forward plats and a comment sheet to these agencies requesting utility service information and easement location comments and will charge a fee to cover the cost.

10. A general summary description of any deed restrictions proposed indicating the lots so restricted and all pertinent documents pertaining to the creation of a property owners' association responsible for maintenance obligations, if such private ownership is to be established.

11. Include all existing street names.

**c. General Requirements for Final Minor Plat**

1. The date, subdivision title, scale, location map and north point.
2. The name of the subdivision and adjoining subdivisions, the name of the streets (to conform wherever possible to existing street names whenever extending streets, but not to create new streets with duplicated names), numbers on each lots and blocks, and street addresses (provided by the City Engineer).
3. The lines and names of all proposed streets or other ways or such easements, including a statement of the purpose for which such easements are dedicated. The lines and names of other open spaces to be dedicated for public use or granted for use by the inhabitants of the subdivision. Show all natural drains and watercourses as they exist, or as adjusted, with an easement of width as required hereafter in these specifications. All easements of record shall be shown, or if incapable of being definitely located on the ground, a statement of such easements must appear on the plat.
4. Sufficient data to determine readily and reproduce on the ground the location, true bearing and length of every street line, lot line, block line, whether curved or straight and include the true north point. This shall include the complete curve data for property lines, centerlines of the rights-of-way and returns.
5. The location of all permanent monuments and control points. The monuments and pins shall be delineated in a standard manner with:
  - (a) found or set monuments shown as a solid circle;
  - (b) to-be-set monuments as an open circle with a solid small circle in the center;
  - (c) to-be-set pins as an open circle to indicate return radii, change of bearing and block corners;
  - (d) square footage of each lot to be placed under lot number.

6. Dimensions shall be shown in feet and hundredths of a foot, and angles in degrees, minutes and seconds. All lines and ties to primary control points and existing monuments, survey corners, etc., shall be shown.

7. The location of the boundaries of the Flood Zone Area for the regulatory flood (100-Year Flood) for all waterways in accordance with the requirements of the El Paso County Floodplain Regulations and drainage requirements of these Regulations. These boundaries shall be established by a professional engineer or registered surveyor of the State of Texas, whose seal and signature shall appear on the plan. (Should the subdivider elect to contain the Flood Hazard Area within a drainage easement, the actual boundaries of the Flood Hazard Area, need not be shown provided that the Engineer certifies that the actual Flood Hazard Area boundaries are contained within the drainage easement.)

8. If finished floor elevations for buildings in the lots, a portion or all of which lots lie in Flood Hazard Areas, are noted on the plat within the boundaries of the lot or tract to which they apply, then minimum development permit fees are applicable for buildings constructed on these lots. Elevation verification will still be required. The floor elevations shall be determined by the engineer or surveyor and shall comply with the requirements of the El Paso County Floodplain Regulations and the drainage requirements of these Regulations.

9. One or more benchmarks shall be monumented in subdivisions which contain or bound flood hazard areas. The distance between benchmarks in a subdivision shall not exceed 2500 feet.

#### **Section 4 (Subdivision Application Procedure and Approval Process)**

##### **Sub Section 4.14 Approval Authority**

**To add the Planning Director or designee as the administrative approver of Amending and Minor Plats and add appeal process.**

4.14.4 The Planning Director shall administratively approve amending and minor plats which have met all requirements of these regulations and shall have the authority to sign recording amending and minor plats, pursuant to Texas Local Government Code §212.0065 Delegation of Approval Responsibility.

4.14.5 Within ten business days of denial of an amending or minor plat, the Planning Director or designee, shall prepare an action letter indicating the reasons for the denial and shall provide a copy to the applicant. The Planning Director or designee's decision is final unless within ten calendar days from the date of receiving such action letter, the applicant submits an appeal application to the Board of Adjustment specifying reasons for the appeal. Said appeal shall also include a written rebuttal to the Board of Adjustment.

**To add appropriate Minor and Amending Plat application and Engineering Review Fees to the City Fee Schedule.**

1. Application fee \$150.00
2. Non-Refundable Engineering Review Deposit \$500.00.
3. Follow up Engineering reviews past deposit fees not covered by deposit as applicable.
4. Newspaper Advertisement publishing fees if applicable

**II. FINDINGS OF FACT**

That this ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below; and further that the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

**III. REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the effect of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**IV. 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.

**V. PROPER NOTICE AND MEETING**

It is 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, Texas Local Government Code and the Charter of the Town of Horizon City, Texas.

**PASSED AND APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2024, by a vote of \_\_\_\_ (eyes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) of the City Council of Horizon City, Texas.

**Town of Horizon City**

By: \_\_\_\_\_  
Adres Renteria, Mayor

**ATTEST:**

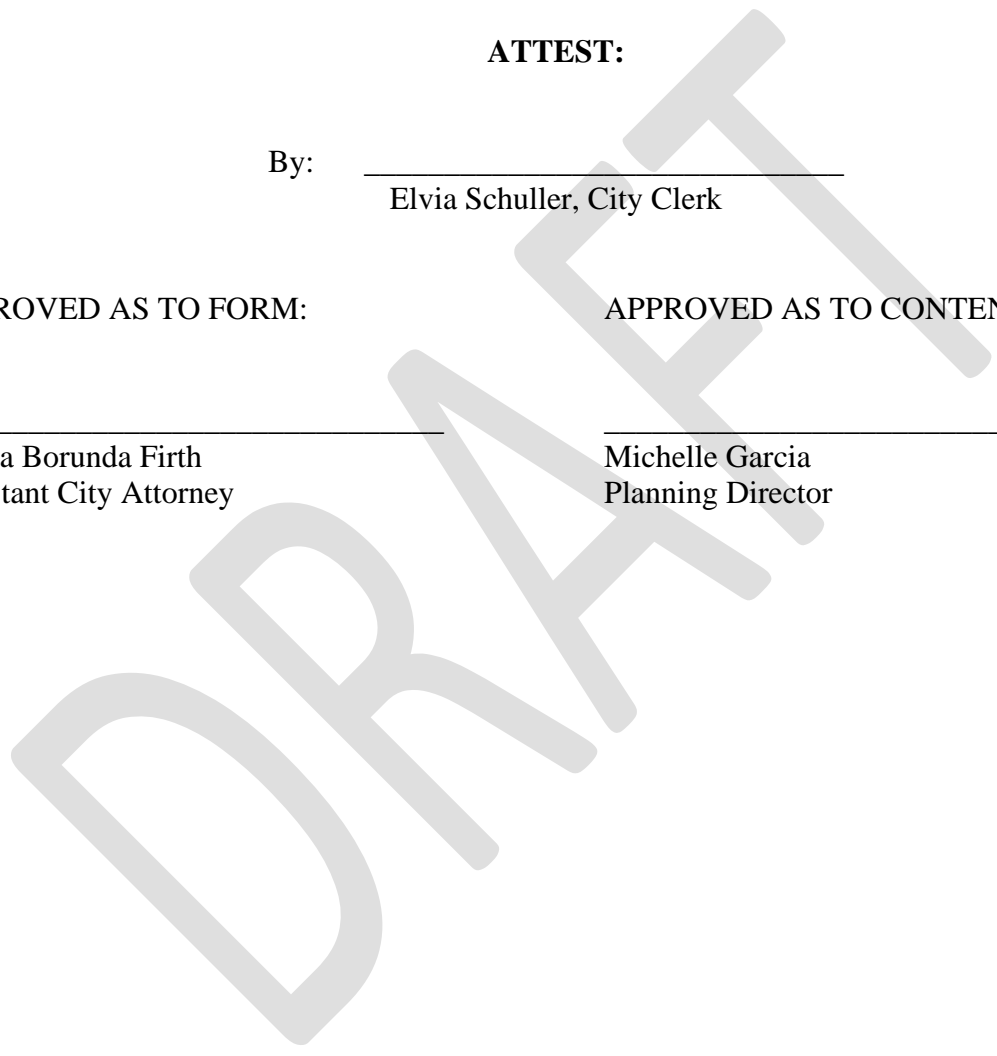
By: \_\_\_\_\_  
Elvia Schuller, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Sylvia Borunda Firth  
Assistant City Attorney

\_\_\_\_\_  
Michelle Garcia  
Planning Director



TOWN OF HORIZON CITY

**ORDINANCE NO. 0102, AMENDMENT NO.**

**AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE TOWN OF HORIZON CITY, TEXAS, CHAPTER 14 (ZONING), EXHIBIT A (ZONING ORDINANCE), TO REVISE AND AMEND THE FOLLOWING: CHAPTER 4 (RESIDENTIAL DISTRICTS), SECTION 405 (BULK REGULATIONS) TO ADD REFERENCE TO SUBDIVISION DENSITY CALCULATION INCREASE FOR PARKLAND DEDICATION AND FEES THROUGH CHANGE OF USE OR REZONING; CHAPTER 8 (GENERAL PROVISIONS), SECTION 802 (WALL STANDARDS) TO INCREASE ROCK AND MORTAR ALLOWANCE AND CHAPTER 13 (PLANNED UNIT DEVELOPMENT), SECTION 1311 (BULK REGULATIONS) TO ADD REFERENCE TO SUBDIVISION DENSITY CALCULATION INCREASE FOR PARKLAND DEDICATION AND FEES THROUGH CHANGE OF USE OR REZONING; PROPER NOTICE; AND EFFECTIVE DATE; THE PENALTY BEING AS PROVIDED IN SECTION 810 OF THE ZONING ORDINANCE (NO. 0102) OF THE TOWN OF HORIZON CITY, TEXAS, CREATING A MISDEMEANOR PUNISHABLE BY A FINE NOT TO EXCEED \$2,000.**

**WHEREAS,** a proposal was brought forward by staff to and considered by the Town of Horizon City Planning and Zoning Commission to amend portions of Ordinance No. 0102 relating to density increase through rezoning and golf course rear wall standards; and

**WHEREAS,** the Planning and Zoning Commission considered the staff's proposals at its March 13, 2024, regular meetings and voted to recommend approval of the change to the ordinance; and

**WHEREAS,** public hearings have been held by the Town Council as required by law; and

**WHEREAS,** all written and oral protests (if any) submitted against the proposed ordinance change have been reviewed and considered; and

**WHEREAS,** pursuant to Texas Local Government Code section 51.001, the town has general authority to adopt an ordinance that is for the good government, peace or order of the Town and is necessary or proper for carrying out a power granted by law to the Town; and

**WHEREAS,** the City Council finds that it is necessary and proper for the good government, peace, and order and that our physical environment has a direct impact on the

chances for happy, prosperous lives for the residents of the Town of Horizon City to adopt this Ordinance and technical code; and

**WHEREAS**, the Texas Local Government Code Section 211.005(b) requires “that zoning regulations be uniform for each class or kind of building in a district”, furthermore, “regulations shall be adopted with reasonable consideration, among other things, for the character of each district and its particular suitability for particular uses, with a view of conserving the value of buildings, maximizing the best use of property, and encouraging the most appropriate use of land in the municipality”.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS:**

**I. ENACTMENT OF AMENDMENTS**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code, the City Council of the Town of Horizon City hereby enacts and adopts this amendment **no.** to Ordinance no.0102, which regulates zoning within the territorial limits of the Town of Horizon City and related matters, to amend Chapter 4, Section 405, Chapter 8, Section 802 and Chapter 13, Section 1311:

**Section 405 (Bulk Regulations)**

**To Add Subsection 405.6 Referencing Subdivision Maximum Density Calculation for Parkland Dedication and Fees for Density Increase Through Change of Use or Rezoning.**

**Section 405.6 Density Increase Through Change of Use or Rezoning.** After parkland fees have been calculated, a subdivision, not otherwise classified as a residential subdivision, that changes the use or zoning district to include dwelling units or increases the density of dwelling units within the subdivision, shall trigger a recalculation of parkland fees or parkland dedication under Chapter 10 Subdivision Regulations. If additional fees are due or if the recalculation requires parkland to be dedicated, then such fees shall be paid, or dedication provided, prior to the issuance of any building permit, pursuant to Chapter 10 Subdivision Regulations, Subsection 2.8.3 Calculating Acreage Density and Fees for Dedicated Parkland, C. Density Calculation and Requirements.

**Section 802 (Wall Standards)**

**Subsection 802.2.3 Rear walls on golf course lots**

To Increase the Rock and Mortar Allowance From Two to Three Feet.

Ord. 0102, Chapters 4, 13-Density Increase Through Rezoning, Chapter 8 Golf Course Wall Requirements

**802.2.3** Rear walls on golf course lots shall be of rock and mortar ~~two feet (2')~~ three feet (3') high with one foot (1') square rock pillars constructed on the wall every ten feet (10') with rails of wrought iron set between the pillars. The maximum height of the wrought iron sections shall be six feet (6') in height from finished grade. The height of the rock pillars may match the height of the wrought iron. The rear wall height shall comply with Subsection 807.1.O when applicable. The Building Official may allow the location of one or more pillars to be adjusted for the wall to correctly fit the property dimensions.

## **Chapter 13 (Planned Unit Development)**

### **Section 1311 (Bulk Regulations)**

#### **To Add Subsection 1311.5 Referencing Subdivision Maximum Density Calculation for Parkland Dedication and Fees for Density Increase Through Change of Use or Rezoning.**

**Section 1311.5 Density Increase Through Change of Use or Rezoning.** After parkland fees have been calculated, a subdivision, not otherwise classified as a residential subdivision, that changes the use or zoning district to include dwelling units or increases the density of dwelling units within the subdivision, shall trigger a recalculation of parkland fees or parkland dedication under Chapter 10 Subdivision Regulations. If additional fees are due or if the recalculation requires parkland to be dedicated, then such fees shall be paid, or dedication provided, prior to the issuance of any building permit, pursuant to Chapter 10 Subdivision Regulations, Subsection 2.8.3 Calculating Acreage Density and Fees for Dedicated Parkland, C. Density Calculation and Requirements.

## **II. FINDINGS OF FACT**

That this ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below; and further that the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

## **III. REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the effect of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

## **IV. 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.

**V. PROPER NOTICE AND MEETING**

It is 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, Texas Local Government Code and the Charter of the Town of Horizon City, Texas.

**PASSED AND APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2024, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) of the City Council of Horizon City, Texas.

**Town of Horizon City**

By: \_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Elvia Schuller, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Sylvia Borunda Firth  
City Attorney

\_\_\_\_\_  
Michelle Padilla  
Planning Director



**1. CALL MEETING TO ORDER & DETERMINATION OF QUORUM-PLEDGE OF ALLIGIANCE**

Quorum established and meeting called to order at 6:00 pm.

**2. COMMISSION MEMBERS ATTENDANCE:  
COMMISSIONERS EXCUSED AND UNEXCUSED:**

**ACTION:** Motion made by **CORRAL** , 2<sup>nd</sup> by **GARDEA** to excuse absent Planning & Zoning Commission members.  
**AYES:** **AVILA, FLORES, CORRAL, BERRY, GARDEA, DURAN, RODRIGUEZ AND JOLLEY**  
**ABSTAIN:**  
**MOTION CARRIED**

**3. OPEN FORUM:** NOTE: The Planning & Zoning Commission encourages public comment on all matters of interest listed on this agenda. Speakers from the audience will be given an opportunity to discuss each item in the order in which it appears on the agenda, prior to the Commission discussing the item unless otherwise approved by the Chairman. A "Speaker Request" form is available for those who wish to sign up on the day of the meeting. This form is also available in advance by downloading the attached form. Please submit the "Speaker Request" form completely filled out to the Board Secretary prior to the meeting. The Commission retains the option to set reasonable limits on the number, frequency, and length of presentations. Please contact the Board Secretary at (915) 852-1046 Ext. 404 with any additional questions.

Nonone signed up to speak.

**4. PUBLIC HEARINGS**

NOTICE TO THE PUBLIC AND APPLICANTS The staff report for an agenda item may include conditions, exceptions or modifications. The Commission's motion to approve an item in accordance with the staff report or with all staff comments means that any modification, waivers, exceptions requested by the applicant and recommended for approval by staff and any staff recommended conditions, have been approved, without necessitating that the Commission restate the modifications, exceptions, waivers, or conditions as part of the motion to approve and that any findings required to be made by the Commission, have been made. If the Commission does not wish to approve an exception or modification, or require a condition, then the Commission's motion will state which have not been approved, otherwise, the staff report, with all modifications, exceptions and conditions, is approved and the applicant shall comply with all provisions of the staff report.

**4A. DISCUSSION AND RECOMMENDATION:**

Planner

On the **resubmitted Replat** application for **Horizon Manor Unit Three Replat "A" (Case No. RP-002460-2020)**, legally described as a portion of Lot 19, Block 9, Horizon Manor Unit Three, Town of Horizon City, El Paso County, Texas. Containing 7.9365 ± acres. Application submitted by CAD Consulting Co.

Planner

**ACTION:** Motion made by **GARDEA** , 2<sup>nd</sup> by **RODRIGUEZ** to postpone Replat request to March 18, 2024 Planning and Zoning Meeting.

**AYES:** **AVILA, FLORES, CORRAL, BERRY, GARDEA, DURAN, RODRIGUEZ AND JOLLEY.**  
**ABSTAIN:**  
**MOTION CARRIED**



**4B. DISCUSSION AND RECOMMENDATION:**

Chief Planner

On a **Rezoning** application request (**Case No. ZRZ23-0001**) to approve a change in zone for one parcel of land from C-1 (General Commercial) to C-2 (Heavy Commercial) zoning district for commercial development. This parcel is located at 460 Kenazo Dr. and is legally described as Lot 1, Block 3, Kenazo Estates Unit 2, Town of Horizon City, County of El Paso, Texas. Containing 6.634 ± acres. Application submitted by Conde Inc. (**Postponed from January 15, 2024 P&Z Meeting**)

**ACTION:** Motion to made by **CORRAL** , 2<sup>nd</sup> by **RODRIGUEZ** to recommend approval of the zone change from C-1 (General Commercial) to C-2 (Heavy Commercial).

**AYES: AVILA, FLORES, CORRAL, BERRY, GARDEA, DURAN, RODRIGUEZ AND JOLLEY.**

**ABSTAIN**

**MOTION CARRIED**

**4C. DISCUSSION AND RECOMMENDATION:**

Chief Planner

On a **Specific Use Permit** application (**Case No. ZSP24-0001**) for Retail use on a property located at 3150 Darrington Rd., legally described as A Portion of Lot 3, Block 2, Horizon Industrial Park Subdivision, Town of Horizon City, El Paso County, Texas. Containing 1-acre +/- . Application submitted by Jerry Nava.

**ACTION:** Motion made for approval by **GARDEA**, 2<sup>nd</sup> by **CORRAL** to recommend approval of Specific Use Permit to allow retail store use in an M-1 zone and accept the address number correction on a floor amendment made by Mr. Rubio from 3150 Darrington Rd. to 351 Darrington Rd. Mr. Rubio stated that all public notices and newspaper postings were made to the correct address.

**AYES: AVILA, FLORES, CORRAL, BERRY, GARDEA, DURAN, RODRIGUEZ AND JOLLEY.**

**ABSTAIN**

**MOTION CARRIED**

**5. OTHER BUSINESS**

**5A. DISCUSSION AND ACTION:**

On the Planning and Zoning meeting minutes for the meeting held on Monday, December 18, 2023.

**ACTION:** Motion made by **CORRAL** , 2<sup>nd</sup> by **RODRIGUEZ** to approve meeting minutes.

**AYES: AVILA, FLORES, CORRAL, BERRY, DURAN, RODRIGUEZ AND JOLLEY.**

**ABSTAIN: GARDEA**

**MOTION CARRIED**

**6. ANNOUNCEMENTS**

6A. The next regular scheduled meeting: **Monday, March 18, 2024 at 6pm.**



**EXECUTIVE SESSION**

The Planning and Zoning Commission of the Town of Horizon City may recess into Executive Session pursuant to the Texas Government Code, Chapter 551, Subchapter D, under Article 551.071 – Consultation with Attorney; 551.072 – Deliberation regarding Real Property; and 551.087 – Deliberation regarding Economic Development Negotiations.

**ADJOURNMENT:** The meeting adjourned at 6:39 pm.

**ACTION: ADJOURNMENT**

**AYES: AVILA, FLORES, CORRAL, BERRY, GARDEA, DURAN, RODRIGUEZ AND JOLLEY.  
MOTION CARRIED**

\_\_\_\_\_  
Roberto Avila – Chair

\_\_\_\_\_  
(Date)

**ATTEST:**

\_\_\_\_\_  
Arturo Rubio, AICP, CNU-A  
Chief Planner

**DISTRIBUTION OF MINUTES:**

- Original: Horizon City Administrative File
- Copy: Planning and Zoning Commission
- Posted: Internet Website: [www.horizoncity.org](http://www.horizoncity.org)