CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: **City Development Department, Planning Division**

AGENDA DATE: **Introduction:** **February 11, 2013**
Public Hearing: **March 5, 2013**

CONTACT PERSON/PHONE: **Elizabeth Gibson, (915) 541-4730, GibsonEK@elpasotexas.gov**

DISTRICT(S) AFFECTED: **All Districts**

SUBJECT:
An ordinance amending Title 21 (SmartCode), Chapter 21.30 (New Community Plans), Chapter 21.50 (Building Scale Plans), Chapter 21.70 (Definitions), and Chapter 21.80 (Tables), Section 21.80.240 (Table 16 Special District Standards) of the El Paso City Code to add the Northwest Park Special District and standards for that district, and to clarify the SmartCode provisions. The penalty is as provided in Chapter 21.60 of the El Paso City Code. (**All Districts**)

BACKGROUND / DISCUSSION:
See attached report.

PRIOR COUNCIL ACTION:
N/A

AMOUNT AND SOURCE OF FUNDING:
N/A

BOARD / COMMISSION ACTION:
City Plan Commission (CPC) – Recommendation pending

**********REQUIRED AUTHORIZATION**********

LEGAL: (if required) N/A **FINANCE:** (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Director, City Development Department

_____

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 21 (SMARTCODE), CHAPTER 21.30 (NEW COMMUNITY PLANS), CHAPTER 21.50 (BUILDING SCALE PLANS), CHAPTER 21.70 (DEFINITIONS), AND CHAPTER 21.80 (TABLES), SECTION 21.80.240 (TABLE 16 SPECIAL DISTRICT STANDARDS) OF THE EL PASO CITY CODE TO ADD THE NORTHWEST PARK SPECIAL DISTRICT AND STANDARDS FOR THAT DISTRICT, AND TO CLARIFY THE SMARTCODE PROVISIONS. THE PENALTY BEING AS PROVIDED IN SECTION 21.60 OF THE EL PASO CITY CODE.

WHEREAS, on June 29, 2008, the City Council of the City of El Paso, by Ordinance 016945, approved, adopted, and added Title 21 (SmartCode) to the El Paso City Code; and

WHEREAS, Title 21 of the El Paso City Code was adopted to promote the health, safety, morals and general welfare of the community; and

WHEREAS, the El Paso City Council, having considered the recommendations and held a public hearing at which the public was allowed to comment on the proposed ordinance amendments, finds that the amendments will further protect and provide for the public health, safety, morals and general welfare of the community, and will carry out the purpose and spirit of the policies expressed in *Plan El Paso*, the City's Comprehensive Plan; and

WHEREAS, the regulations established by this amendment have been adopted with reasonable consideration, among other things, for the character of the new district and its peculiar suitability for the particular uses; with a view of conserving property values and encouraging the most appropriate use of land in the City; and

WHEREAS, the City of El Paso's SmartCode requires calibration to the local character of the place and local conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

SECTION 1. That Title 21 (SmartCode), Chapter 21.30 (New Community Plans), Section 21.30.050 (Civic Zones), Paragraphs C and E of the El Paso City Code be amended as follows:

21.30.050 CIVIC ZONES

C. Civic Space (CS) Specific to T3-T6 Zones

1. Each pedestrian shed shall assign at least five percent of its urbanized area to Civic Space.

2. Civic Spaces shall be designed as generally described in Table 13, and distributed throughout Transect Zones as described in Table 14e.

3. Those portions of the T1 Natural Zone that occur within a development parcel shall be part of the Civic Space allocation and shall conform to the Civic Space types specified in Table 13a or 13b.

4. Each pedestrian shed shall contain at least one main Civic Space. The main Civic Space shall be within eight hundred feet of the geographic center of each pedestrian shed, unless topographic conditions, pre-existing Thoroughfare alignments or other circumstances prevent such location. A main Civic Space shall conform to one of the types specified in Table 13b, 13c, or 13d.

5. Within eight hundred feet of every lot in residential use, a Civic Space designed and equipped as a playground shall be provided. A playground shall conform to Table 13e.

6. Each Civic Space shall have a minimum of fifty percent of its perimeter enfronting a Thoroughfare, except for playgrounds.

7. Parks may be permitted in Transect Zones T4, T4-O, T5, T5O, and T6 by Warrant, provided that they meet the following criteria:

   a. That the Parks and Recreation Director approves such request; and

   b. That the edges of the park be completely bounded by building Frontages, like with squares.

E. Civic Space (CS) Specific to SD1 – SD7 Special Districts.

1. Civic Spaces shall be designed as generally described in Table 13, and distributed throughout Special Districts as described in Table 16e.

2. Civic Spaces may be permitted within Special Districts by Right, but may not exceed 50% of the Special District.

3. Playgrounds are not required in SD3-SD5 because of FAA limitations on residential.

4. AED pedestrian sheds shall assign at least two and one half percent of their urbanized area to Civic Space.

5. ARD pedestrian sheds shall assign at least five percent of their urbanized area to Civic Space. Butterfield Trail Golf Club may contribute to the Civic Space requirement in an ARD.

SECTION 2. That Title 21 (SmartCode), Chapter 21.30 (New Community Plans), Section 21.30.060 (Special Districts), Paragraph C, of the El Paso City Code be amended as follows:

21.30.060 SPECIAL DISTRICTS

C. Special Districts shall not exceed 20% of the total net site area for each community type. Airport Special Districts and the Northwest Park Special District shall be excluded from this requirement.

SECTION 3. That Title 21 (SmartCode), Chapter 21.30 (New Community Plans), Section 21.30.070 (Thoroughfare Standards), Paragraph C, of the El Paso City Code be amended as follows:

21.30.070 THOROUGHFARE STANDARDS

C. Public Frontages.

1. General to all Zones T1, T2, T3, T4, T4-O, T5, T5O, T6 and Special Districts SD1, SD2, SD3, SD4, SD5, SD6, SD7.

   a. The Public Frontage contributes to the character of the Transect Zone, and includes the types of sidewalk, curb, planter, bike lanes and street trees.

   b. Public Frontages shall be designed as shown in Table 4A and Table 4B and allocated within Transect Zones as specified in Table 14d and Special Districts as specified in Table 16d.

   c. Within the Public Frontages, the prescribed types of public planting and public lighting shall be as shown in Table 4A, Table 4B, Table 5 and Table 6. The spacing may be adjusted by Warrant to accommodate specific site conditions, if it is within a twenty percent deviation.

2. Specific to Zones T1, T2, T3.

   a. The Public Frontage shall include native trees of various species, naturalistically clustered, as well as understory.

   b. The introduced landscape shall consist primarily of native species requiring minimal irrigation, fertilization and maintenance.

3. Specific to Zones T4, T4-O, T5, T5O, T6.

   a. The introduced landscape shall consist primarily of durable species tolerant of soil compaction.

4. Specific to Zone T4.

   a. The Public Frontage shall include trees planted in a regularly-spaced Allée pattern of single or alternated species with shade canopies of a height that, at maturity, clears at least one story.

5. Specific to Zones T4-O, T5, T5O, T6.

   a. The Public Frontage shall include trees planted in a regularly-spaced Allée pattern of single species with shade canopies of a height that, at maturity, clears at least one story. At Retail Frontages, the spacing of the trees may be irregular, to avoid visually obscuring the shopfronts.

SECTION 4. That Title 21 (SmartCode), Chapter 21.30 (New Community Plans), Section 21.30.100 (Environmental Standards), Paragraph L, of the El Paso City Code be amended as follows:

21.30.100 ENVIRONMENTAL STANDARDS

L. Specific to Zones T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD7.

1. Stormwater management on Thoroughfares and lots shall be primarily through underground storm drainage channeled by raised curbs, and there shall be no retention or detention required on the individual lot.

SECTION 5. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.060 (Building Disposition), Paragraph B, of the El Paso City Code be amended as follows:

21.50.060 BUILDING DISPOSITION

B. Specific to Zones T3, T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD6, SD7.

1. Newly platted lots shall be dimensioned according to Table 14f, Table 16f and Table 15.

   a. Only one (1) building in excess of 200 feet shall be permitted in a single pedestrian shed. The width may be adjusted by Warrant up to 10%.

2. Building disposition types shall be as shown in Table 9.

3. Buildings shall be disposed in relation to the boundaries of their lots according to Table 14g, Table 16g and Table 15.

4. One principal building at the frontage, and one outbuilding to the read of the principal building, may be built on each lot as shown in Table 17c.

5. Lot coverage by building shall not exceed that recorded in Table 14f, Table 16f and Table 15.

6. Facades shall be built parallel to a rectilinear Principal Frontage line or to the tangent of a curved Principal Frontage line, and along a minimum percentage of the frontage length at the setback, as specified on Table 14g, Table 16g and Table 15.

7. Setbacks for principal buildings shall be as shown in Table 14g, Table 16g and Table 15. In the case of an infill lot, setbacks shall match one of the existing adjacent setbacks. Setbacks may otherwise be adjusted by Warrant provided it does not exceed a ten percent deviation.

8. Rear setbacks for outbuildings shall be a minimum of twelve feet measured from the centerline of the rear alley or rear lane easement. In the absence of rear alley or rear lane, the rear setback shall be as shown in Table 14h, Table 16h and Table 15.

9. To accommodate building on slopes over ten percent, relief from front setback requirements is available by Warrant provided it does not exceed a twenty percent deviation.

SECTION 6. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.070 (Building Configuration), Paragraph A, of the El Paso City Code be amended as follows:

21.50.070 BUILDING CONFIGURATION

A. General to Zones T2, T3, T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD6, SD7.

1. The Private Frontage of buildings shall conform to and be allocated in accordance with Table 7, Table 14j and Table 16i.

2. Buildings on corner lots shall have two Private Frontages as shown in Table 17. Prescriptions for the parking layers pertain only to the Principal Frontage. Prescriptions for the first layer pertain to both frontages.

3. Building heights and Setbacks shall conform to Table 8, Table 14k, and Table 16j.

4. Stories may not exceed fourteen feet in height from finished floor to finished floor, except for a first floor commercial function, which shall be a minimum of eleven feet and may be a maximum of twenty-five feet. A single floor level exceeding fourteen feet, or twenty-five feet at ground level, shall be counted as two stories. Mezzanines extending beyond thirty-three percent of the floor area shall be counted as an additional floor.

5. In a parking structure or garage, each level counts as a single story regardless of its relationship to habitable stories.

6. Height limits do not apply to attics or raised basements, masts, belfries, clock towers, chimney flues, water tanks, or elevator bulkheads.

SECTION 7. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.080 (Building Function), Paragraph A, of the El Paso City Code be amended as follows:

21.50.080 BUILDING FUNCTION

A. General to Zones T2, T3, T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD6, SD7.

1. Buildings in each Transect Zone and Special District shall conform to the functions on Table 10, Table 12, Table 14l and Table 16k.

SECTION 8. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.100 (Parking Location Standards), Paragraph A and E, of the El Paso City Code be amended as follows:

21.50.100 PARKING LOCATION STANDARDS

A. General to zones T2, T3, T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD6, SD7.

1. Parking shall be accessed by rear alleys or rear lanes, when such are available or are indicated on the regulating plan.

2. Open parking areas shall be masked from the frontage by a building or streetscreen.

3. For buildings on B-Grids, open parking areas may be allowed unmasked on the frontage.

E. Specific to Zones T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD6, SD7.

1. All parking lots, garages, and parking structures shall be located at the second or third lot layer. (Table 17d)

2. Vehicular entrances to parking lots, garages, and parking structures shall be no wider than twenty-four feet at the frontage.

3. Pedestrian exits from all parking lots, garages, and parking structures shall be directly to a frontage line (i.e., not directly into a building) except underground garage levels which may be exited by pedestrians directly into a building.

4. Parking structures on A-Grids shall have liner buildings lining the first and second stories.

5. A minimum of one bicycle rack place shall be provided within the public or Private Frontage for every ten vehicular parking spaces

SECTION 9. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.110 (Landscape Standards), Paragraphs A, F, I, J, and K, of the El Paso City Code, be amended as follows:

21.50.110 LANDSCAPE STANDARDS

A. General to Zones T2, T3, T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD6, SD7.

1. Impermeable surface shall be confined to the ratio of lot coverage specified in Tables 14f and 16f.

F. General to Special Districts SD3, SD4, SD5, SD6, SD7.

1. Site and landscape design standards.

a. The spacing and placement of plants shall be adequate and appropriate for species size at maturity and/or for the grouping of a single plant species.

b. All proposed street trees shall be centered a minimum of five feet clear of underground utilities, utility meters, and service lines.

c. Proposed trees shall be a minimum height of ten feet.

d. Proposed street tree height and type shall be appropriate for the frontage conditions.

e. Trees with existing or potential canopy covering sidewalks, driveways, paths, plazas, alleys, lanes, parking space or street pavements shall be of a type that, at maturity or with minor pruning at installation, provide a clear height of eight feet for sidewalks and paths, twelve feet for driveways, parking spaces and streets, and fifteen feet for loading areas, exclusive of tree grates or planting areas with gravel mulch.

f. Vegetation with spines, thorns or needles that may present hazards to pedestrians, bicyclists or vehicles are prohibited in the first layer.

g. Bare and exposed ground on the site and/or in landscaped areas shall be covered with live plant materials and/or mulch, with the following exceptions:

i. Naturally occurring arroyos, rock outcroppings or similar landscape features typically lacking in vegetation.

ii. Hiking trails and/or traces in T1.

iii. Clay or sand surfaces associated with recreation fields and facilities.

h. All required landscape areas shall be irrigated by an automatic underground irrigation system, drip irrigation or soaker hose.

i. Where possible and practical, bubbler and drip irrigation systems shall be utilized.

j. Stormwater detention and retention ponds shall be integrated landscape features, rather than singlepurpose flood control and stormwater management ponds.

k. Stormwater detention and retention ponds shall be planted with appropriate trees, shrubs and grasses. Hydrophilic plants are required in basin areas prone to submersion.

l. Constructed water features such as fountains, streams and ponds that operate with water recirculation systems shall be designed to prevent seepage and leaks.

2. Landscape construction standards

a. Open Spaces and Civic Space shall be protected with a temporary construction fence during all site work and construction activities unless alterations to them are otherwise specified by landscape grading plans.

b. The soil structure of wide planting strips shall be protected from compaction with a temporary construction fence. Standards of access, excavation, movement,

storage and backfilling of soils in relation to the construction and maintenance of deep utilities and manholes shall be specified.

c. The topsoil within the construction area's limits of disturbance shall be removed, stored and amended as recommended by a landscape soils test.

d. Wind erosion shall be mitigated and controlled though dust abatement and similar practices during the period of site work and construction.

e. Landscape soils that have been compacted during construction activities shall be loosened and aerated to a depth of at least six inches before planting.

f. Plants shall have normal, well-developed branches and vigorous root systems.

g. Temporary spray irrigation systems may be used to establish seeded areas for grass and groundcover.

3. Landscape maintenance.

a. All grass and vegetation shall be lightly fertilized to avoid fertilizer pollution to groundwater, streams and ponds.

b. No disturbed ground shall be left exposed. Turfgrass and other approved and appropriate groundcovers or mulch shall cover all non-paved and non-built developed areas.

c. It shall be the responsibility of the property owner(s) or his assigned agent(s) to:

i. Maintain and keep all screening and fencing in good condition at all times; and

ii. Maintain landscaping by keeping lawns properly mowed and edged, plants properly pruned and disease-free, and planting beds mulched, groomed and weeded, except in T1, and areas of naturally occurring vegetation and undergrowth; and

iii. Replace any required planting(s) which are significantly damaged, altogether removed, infested, disease ridden, or dead within one year or the next planting season, whichever occurs first, except in T1, and areas of naturally occurring vegetation and undergrowth.

I. Specific to Northwest Park, Airport and MCA SD Parks. Parks shall be managed with appropriate low care and drought tolerant grasses cut high or uncut. Parks may be left with native vegetation only.

J. Specific to Northwest Park, Airport and MCA SD Greens. Greens shall be planted or managed with appropriate low care and drought tolerant turf grasses cut high.

K. Specific to Northwest Park, Airport and MCA SD Squares. Squares shall be carefully graded, leveled, and planted with sod.

SECTION 10. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.120 (Signage Standards), Paragraphs A, C, and E be amended as follows:

21.50.120 SIGNAGE STANDARDS

A. General to Zones T2, T3, T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD6, SD7.

1. There shall be no signage permitted additional to that specified in this section.

2. The address number, no more than six inches measured vertically, shall be attached to the building in proximity to the principal entrance or at a mailbox.

a. The address number within SD6 shall not be less than 4-1/2 inches.

C. Specific to Zones T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD6, SD7.

1. Signage shall be externally illuminated, except that signage within the Shopfront glazing may be neon lit.

E. Specific to Zones T4-O, T5, T5O, T6 and Special Districts SD4, SD5, SD6, SD7.

1. Blade signs, not to exceed six square feet for each separate business entrance, may be attached to and should be perpendicular to the Facade, and shall clear eight feet above the sidewalk.

2. A single external permanent sign band may be applied to the Facade of each building, providing that such sign not exceed three feet in height by any length.

3. Monument signs, not to exceed 6 ft. in height and 4 ft. in width shall be permitted for each Mixed-use Frontage. Such signs may contain the names of all tenant(s) or occupant(s) of the building and there shall be a maximum of one (1) monument sign per Frontage.

a. Monument signs may also be used for wayfinding. These shall be located at vehicular decision point junctures, and placed perpendicular to the Thoroughfare. Maximum size shall be 3'-9" wide by 5'-3" high.

SECTION 11. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.130 (Natural Drainage Standards), Paragraphs A and D, of the El Paso City Code be amended as follows:

21.50.130 NATURAL DRAINAGE STANDARDS

A. General to Zones T3, T4, T4-O, T5, T5O, T6, SD6, SD7.

1. Buildings should be equipped with roofs of shallow four-inch soils and drought-tolerant plants. Buildings approved for intensive green roofs may hold soils deeper than four inches and larger plants and trees.

2. Balconies should be equipped with planter boxes designed to capture runoff from the balcony.

3. Green walls, if provided, shall be restricted to non-invasive species.

4. Cisterns may be used to capture and recirculate stormwater from buildings.

D. Specific to Zones T4, T4-O, T5, T5O, T6, SD6, SD7.

1. The landscape installed shall consist primarily of durable species tolerant of soil compaction.

2. Planter boxes should be bottomless, flow-through boxes with native plants, placed next to buildings and designed to capture building runoff. They may be placed in courtyards or adjacent sidewalks with runoff sent to them via French drains or hidden pipes.

SECTION 12. That Title 21 (SmartCode), Chapter 21.70 (Definitions) of the El Paso City Code be amended to redefine the term "Greenway" as follows:

"Greenway" means an Open Space corridor in largely natural conditions which may include trails for bicycles and pedestrians. The trajectory of a Greenway should lead through natural as well as urban areas, connecting residential areas to the bikeway and pedestrian network and with community areas such as schools and Parks. Recreational opportunities and the landscaping pattern along Greenways should be appropriate to its location: naturalistic within natural and rural zones, and formal within neighborhoods. A Greenway may be independent of Building Frontages and may occur outside of an Adjusted Pedestrian Shed.

SECTION 13. That Title 21 (SmartCode), Chapter 21.80 (Tables), of the El Paso City Code be amended to replace Section 21.80.220, Table 16: Special District Standards in its entirety with **Exhibit "A"**.

SECTION 14. Except as herein enumerated, Title 21 (SmartCode) of the El Paso City Code shall remain in full force and effect.

(SIGNATURES ON FOLLOWING PAGE)

PASSED AND APPROVED this _____ day of _____, 2013

THE CITY OF EL PASO

_____
John F. Cook, Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

_____
Karla Niemann
Assistant City Attorney

APPROVED AS TO CONTENT:

_____
Mathew S. McElroy, Director
City Development Department

EXHIBIT A

TABLE 16: SPECIAL DISTRICT STANDARDS

The metrics for each column of this table (SD1, SD2, etc.) are to be filled in for each Special District as they currently exist, or as they are permitted. More pages can be added. Special Districts that do not have provisions within this Code shall be governed by the standards of the pre-existing zoning.

	SD1 UTEP	SD2 Hospital	SD3 Airport T5.1	SD4 Airport T5.2	SD5 Airport ST	SD6 MCA	SD7 NW Park
a. ALLOCATION OF ZONES							
CLD	NA	NA	NA	NA	NA	NA	NA
TND	NA	NA	NA	NA	NA	NA	NA
TOD	NA	NA	NA	NA	NA	NA	NA
ARD	NA	NA	80% max.	50% max.	NA	NA	NA
AED	NA	NA	NA	50% max.	80% max.	NA	NA
b. BASE RESIDENTIAL DENSITY							
By Right	24	24	NA	NA	NA	48	24
Other Functions	50 - 70%	50 - 70%	NA	NA	NA	NA	50 - 100%
c. *BLOCK* SIZE							
Block Perimeter	3000 ft.. max. *	3000 ft. max. *	2400 ft. max. *	3000 ft. max. *	4000 ft. max. *	2000 ft. max. *	3000 ft. max.
d. THOROUGHFARES							
HW	not permitted	not permitted	not permitted	not permitted	not permitted	not permitted	not permitted
BV	permitted	not permitted	permitted	permitted	permitted	permitted	not permitted
AV	permitted	permitted	permitted	permitted	permitted	permitted	not permitted
CS	permitted	permitted	permitted	permitted	permitted	permitted	permitted
DR	permitted	permitted	permitted	permitted	permitted	permitted	permitted
ST	permitted	permitted	permitted	permitted	permitted	permitted	permitted
RD	not permitted	not permitted	not permitted	not permitted	not permitted	not permitted	not permitted
Rear Lane	not permitted	not permitted	not permitted	not permitted	not permitted	not permitted	permitted
Rear Alley	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Path	permitted	permitted	not permitted	not permitted	not permitted	permitted	permitted
Passage	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Bicycle Trail	permitted	not permitted	not permitted	not permitted	not permitted	not permitted	permitted
Bicycle Lane	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Bicycle Route	permitted	permitted	permitted	permitted	permitted	permitted	permitted
e. CIVIC SPACES							
Park	permitted	permitted	permitted	permitted	permitted	not permitted	permitted
Green	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Square	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Plaza	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Playground	permitted	permitted	NA	NA	NA	permitted	permitted
f. LOT OCCUPATION							
Lot Width	NA	NA	NA	NA	NA	18 ft. min. 700 ft. max.	NA
Lot Coverage	NA	NA	90% max.	90% max.	90% max.	100% max.	NA
g. SETBACKS - PRINCIPAL BUILDING							
Front Setback	0 ft. min., 30 ft. max.	0 ft. min., 30 ft. max.	0 ft. min., 12 ft. max.	0 ft. min., 12 ft. max.	8 ft. max. or 25 ft. max.**	0 ft. min., 8 ft. max.	0 ft. min., 20 ft. max.
Side Setback	0 ft. min.	0 ft. min.	0 ft. min., 24 ft. max.	0 ft. min., 24 ft. max.	8 ft. max. or 15 ft. max.**	0 ft. min.	0 ft. min.
Rear Setback	3 ft. min.	3 ft. min.	3 ft. min.	3 ft. min.	3 ft. min. or 20 ft. min.**	3 ft. min.	0 ft. min.
h. BUILDING DISPOSITION							
Edgeyard	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Sideyard	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Rearyard	permitted	permitted	permitted	permitted	permitted	permitted	permitted
i. PRIVATE FRONTAGES							
Common Yard	permitted	not permitted	permitted	not permitted	permitted	permitted	permitted
Porch & Fence	not permitted	not permitted	permitted	not permitted	not permitted	not permitted	permitted
Terrace or L.C.	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Forecourt	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Stoop	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Shopfront	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Gallery	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Arcade	permitted	permitted	permitted	permitted	not permitted	permitted	permitted
Parking Lot	permitted	permitted	not permitted	not permitted	permitted	not permitted	permitted
j. BUILDING CONFIGURATION							
Principal Building	6 Stories, max.	8 Stories, max.	6 Stories, max. **	6 Stories, max. **	3 Stories, max. **	NA	6 Stories, max.
Outbuilding	NA	NA	3 Stories, max. **	3 Stories, max. **	2 Stories, max. **	NA	NA
k. BUILDING FUNCTION							
Residential	open use	open use	not applicable	not applicable	not applicable	open use	not applicable
Lodging	open use	open use	open use ****	not applicable	not applicable	open use	open use
Office	open use	open use	open use	open use	open use	open use	open use
Retail	open use	open use	open use	open use	open use	open use	open use
Industrial	not applicable	not applicable	not applicable	open use	open use		not applicable

DISPOSITION

CONFIGURATION

FUNCTION

* a Path or Passage may be used to determine Block size

** The 8 ft. and 3 ft. setbacks are for A Streets and the larger setbacks are for B Streets.

***Building heights shall be limited to the height requirements established in Federal Aviation Regulations Part 77 or successor regulations for the Airport. Exclusions to this rule may be permitted by the Department of Aviation. SD5 shall be limited to 70 ft.

**** Lodging in SD Airport T5.1 shall be limited to areas indicated on the Airport Master Plan.

CITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

M E M O R A N D U M

DATE: **February 4, 2013**

TO: The Honorable Mayor and City Council
Joyce Wilson, City Manager

FROM: Elizabeth Gibson, Senior Planner

SUBJECT: **TITLE 21 (SMARTCODE) AMENDMENT**

The City Plan Commission (CPC) meeting is scheduled for February 7, 2013. Recommendation is pending.

Attachment: Staff Report

City of El Paso – City Plan Commission Staff Report

Amendment to Title 21 (SmartCode)

To add a Special District to the SmartCode, including standards for SD7, the Northwest Park, and to clarify provisions of the SmartCode.

- Add SD7 to a number of provisions in Chapter 21.30 (New Community Plans) and Chapter 21.50 (Building Scale Plans).
- Clarify the definition of "Greenway".
- Revise Table 16: Special District Standards to add SD7 and its standards/regulations.

Attachments:
Attachment 1: Proposed Ordinance
Attachment 2: Redlined Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 21 (SMARTCODE), CHAPTER 21.30 (NEW COMMUNITY PLANS), CHAPTER 21.50 (BUILDING SCALE PLANS), CHAPTER 21.70 (DEFINITIONS), AND CHAPTER 21.80 (TABLES), SECTION 21.80.240 (TABLE 16 SPECIAL DISTRICT STANDARDS) OF THE EL PASO CITY CODE TO ADD THE NORTHWEST PARK SPECIAL DISTRICT AND STANDARDS FOR THAT DISTRICT, AND TO CLARIFY THE SMARTCODE PROVISIONS. THE PENALTY BEING AS PROVIDED IN SECTION 21.60 OF THE EL PASO CITY CODE.

WHEREAS, on June 29, 2008, the City Council of the City of El Paso, by Ordinance 016945, approved, adopted, and added Title 21 (SmartCode) to the El Paso City Code; and

WHEREAS, Title 21 of the El Paso City Code was adopted to promote the health, safety, morals and general welfare of the community; and

WHEREAS, the El Paso City Council, having considered the recommendations and held a public hearing at which the public was allowed to comment on the proposed ordinance amendments, finds that the amendments will further protect and provide for the public health, safety, morals and general welfare of the community, and will carry out the purpose and spirit of the policies expressed in *Plan El Paso*, the City's Comprehensive Plan; and

WHEREAS, the regulations established by this amendment have been adopted with reasonable consideration, among other things, for the character of the new district and its peculiar suitability for the particular uses; with a view of conserving property values and encouraging the most appropriate use of land in the City; and

WHEREAS, the City of El Paso's SmartCode requires calibration to the local character of the place and local conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

SECTION 1. That Title 21 (SmartCode), Chapter 21.30 (New Community Plans), Section 21.30.050 (Civic Zones), Paragraphs C and E of the El Paso City Code be amended as follows:

21.30.050 CIVIC ZONES

C. Civic Space (CS) Specific to T3-T6 Zones

1. Each pedestrian shed shall assign at least five percent of its urbanized area to Civic Space.

2. Civic Spaces shall be designed as generally described in Table 13, and distributed throughout Transect Zones as described in Table 14e.

3. Those portions of the T1 Natural Zone that occur within a development parcel shall be part of the Civic Space allocation and shall conform to the Civic Space types specified in Table 13a or 13b.

4. Each pedestrian shed shall contain at least one main Civic Space. The main Civic Space shall be within eight hundred feet of the geographic center of each pedestrian shed, unless topographic conditions, pre-existing Thoroughfare alignments or other circumstances prevent such location. A main Civic Space shall conform to one of the types specified in Table 13b, 13c, or 13d.

5. Within eight hundred feet of every lot in residential use, a Civic Space designed and equipped as a playground shall be provided. A playground shall conform to Table 13e.

6. Each Civic Space shall have a minimum of fifty percent of its perimeter enfronting a Thoroughfare, except for playgrounds.

7. Parks may be permitted in Transect Zones T4, T4-O, T5, T5O, and T6 by Warrant, provided that they meet the following criteria:

   a. That the Parks and Recreation Director approves such request; and

   b. That the edges of the park be completely bounded by building Frontages, like with squares.

E. Civic Space (CS) Specific to SD1 – SD7 Special Districts.

1. Civic Spaces shall be designed as generally described in Table 13, and distributed throughout Special Districts as described in Table 16e.

2. Civic Spaces may be permitted within Special Districts by Right, but may not exceed 50% of the Special District.

3. Playgrounds are not required in SD3-SD5 because of FAA limitations on residential.

4. AED pedestrian sheds shall assign at least two and one half percent of their urbanized area to Civic Space.

5. ARD pedestrian sheds shall assign at least five percent of their urbanized area to Civic Space. Butterfield Trail Golf Club may contribute to the Civic Space requirement in an ARD.

SECTION 2. That Title 21 (SmartCode), Chapter 21.30 (New Community Plans), Section 21.30.060 (Special Districts), Paragraph C, of the El Paso City Code be amended as follows:

21.30.060 SPECIAL DISTRICTS

C. Special Districts shall not exceed 20% of the total net site area for each community type. Airport Special Districts and the Northwest Park Special District shall be excluded from this requirement.

SECTION 3. That Title 21 (SmartCode), Chapter 21.30 (New Community Plans), Section 21.30.070 (Thoroughfare Standards), Paragraph C, of the El Paso City Code be amended as follows:

21.30.070 THOROUGHFARE STANDARDS

C. Public Frontages.

1. General to all Zones T1, T2, T3, T4, T4-O, T5, T5O, T6 and Special Districts SD1, SD2, SD3, SD4, SD5, SD6, SD7.

   a. The Public Frontage contributes to the character of the Transect Zone, and includes the types of sidewalk, curb, planter, bike lanes and street trees.

   b. Public Frontages shall be designed as shown in Table 4A and Table 4B and allocated within Transect Zones as specified in Table 14d and Special Districts as specified in Table 16d.

   c. Within the Public Frontages, the prescribed types of public planting and public lighting shall be as shown in Table 4A, Table 4B, Table 5 and Table 6. The spacing may be adjusted by Warrant to accommodate specific site conditions, if it is within a twenty percent deviation.

2. Specific to Zones T1, T2, T3.

   a. The Public Frontage shall include native trees of various species, naturalistically clustered, as well as understory.

   b. The introduced landscape shall consist primarily of native species requiring minimal irrigation, fertilization and maintenance.

3. Specific to Zones T4, T4-O, T5, T5O, T6.

   a. The introduced landscape shall consist primarily of durable species tolerant of soil compaction.

4. Specific to Zone T4.

   a. The Public Frontage shall include trees planted in a regularly-spaced Allée pattern of single or alternated species with shade canopies of a height that, at maturity, clears at least one story.

5. Specific to Zones T4-O, T5, T5O, T6.

   a. The Public Frontage shall include trees planted in a regularly-spaced Allée pattern of single species with shade canopies of a height that, at maturity, clears at least one story. At Retail Frontages, the spacing of the trees may be irregular, to avoid visually obscuring the shopfronts.

SECTION 4. That Title 21 (SmartCode), Chapter 21.30 (New Community Plans), Section 21.30.100 (Environmental Standards), Paragraph L, of the El Paso City Code be amended as follows:

21.30.100 ENVIRONMENTAL STANDARDS

L. Specific to Zones T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD7.

1. Stormwater management on Thoroughfares and lots shall be primarily through underground storm drainage channeled by raised curbs, and there shall be no retention or detention required on the individual lot.

SECTION 5. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.060 (Building Disposition), Paragraph B, of the El Paso City Code be amended as follows:

21.50.060 BUILDING DISPOSITION

B. Specific to Zones T3, T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD6, SD7.

1. Newly platted lots shall be dimensioned according to Table 14f, Table 16f and Table 15.

   a. Only one (1) building in excess of 200 feet shall be permitted in a single pedestrian shed. The width may be adjusted by Warrant up to 10%.

2. Building disposition types shall be as shown in Table 9.

3. Buildings shall be disposed in relation to the boundaries of their lots according to Table 14g, Table 16g and Table 15.

4. One principal building at the frontage, and one outbuilding to the read of the principal building, may be built on each lot as shown in Table 17c.

5. Lot coverage by building shall not exceed that recorded in Table 14f, Table 16f and Table 15.

6. Facades shall be built parallel to a rectilinear Principal Frontage line or to the tangent of a curved Principal Frontage line, and along a minimum percentage of the frontage length at the setback, as specified on Table 14g, Table 16g and Table 15.

7. Setbacks for principal buildings shall be as shown in Table 14g, Table 16g and Table 15. In the case of an infill lot, setbacks shall match one of the existing adjacent setbacks. Setbacks may otherwise be adjusted by Warrant provided it does not exceed a ten percent deviation.

8. Rear setbacks for outbuildings shall be a minimum of twelve feet measured from the centerline of the rear alley or rear lane easement. In the absence of rear alley or rear lane, the rear setback shall be as shown in Table 14h, Table 16h and Table 15.

9. To accommodate building on slopes over ten percent, relief from front setback requirements is available by Warrant provided it does not exceed a twenty percent deviation.

SECTION 6. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.070 (Building Configuration), Paragraph A, of the El Paso City Code be amended as follows:

21.50.070 BUILDING CONFIGURATION

A. General to Zones T2, T3, T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD6, SD7.

1. The Private Frontage of buildings shall conform to and be allocated in accordance with Table 7, Table 14j and Table 16i.

2. Buildings on corner lots shall have two Private Frontages as shown in Table 17. Prescriptions for the parking layers pertain only to the Principal Frontage. Prescriptions for the first layer pertain to both frontages.

3. Building heights and Setbacks shall conform to Table 8, Table 14k, and Table 16j.

4. Stories may not exceed fourteen feet in height from finished floor to finished floor, except for a first floor commercial function, which shall be a minimum of eleven feet and may be a maximum of twenty-five feet. A single floor level exceeding fourteen feet, or twenty-five feet at ground level, shall be counted as two stories. Mezzanines extending beyond thirty-three percent of the floor area shall be counted as an additional floor.

5. In a parking structure or garage, each level counts as a single story regardless of its relationship to habitable stories.

6. Height limits do not apply to attics or raised basements, masts, belfries, clock towers, chimney flues, water tanks, or elevator bulkheads.

SECTION 7. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.080 (Building Function), Paragraph A, of the El Paso City Code be amended as follows:

21.50.080 BUILDING FUNCTION

A. General to Zones T2, T3, T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD6, SD7.

1. Buildings in each Transect Zone and Special District shall conform to the functions on Table 10, Table 12, Table 14l and Table 16k.

SECTION 8. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.100 (Parking Location Standards), Paragraph A and E, of the El Paso City Code be amended as follows:

21.50.100 PARKING LOCATION STANDARDS

A. General to zones T2, T3, T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD6, SD7.

1. Parking shall be accessed by rear alleys or rear lanes, when such are available or are indicated on the regulating plan.

2. Open parking areas shall be masked from the frontage by a building or streetscreen.

3. For buildings on B-Grids, open parking areas may be allowed unmasked on the frontage.

E. Specific to Zones T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD6, SD7.

1. All parking lots, garages, and parking structures shall be located at the second or third lot layer. (Table 17d)

2. Vehicular entrances to parking lots, garages, and parking structures shall be no wider than twenty-four feet at the frontage.

3. Pedestrian exits from all parking lots, garages, and parking structures shall be directly to a frontage line (i.e., not directly into a building) except underground garage levels which may be exited by pedestrians directly into a building.

4. Parking structures on A-Grids shall have liner buildings lining the first and second stories.

5. A minimum of one bicycle rack place shall be provided within the public or Private Frontage for every ten vehicular parking spaces

SECTION 9. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.110 (Landscape Standards), Paragraphs A, F, I, J, and K, of the El Paso City Code, be amended as follows:

21.50.110 LANDSCAPE STANDARDS

A. General to Zones T2, T3, T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD6, SD7.

1. Impermeable surface shall be confined to the ratio of lot coverage specified in Tables 14f and 16f.

F. General to Special Districts SD3, SD4, SD5, SD6, SD7.

1. Site and landscape design standards.

a. The spacing and placement of plants shall be adequate and appropriate for species size at maturity and/or for the grouping of a single plant species.

b. All proposed street trees shall be centered a minimum of five feet clear of underground utilities, utility meters, and service lines.

c. Proposed trees shall be a minimum height of ten feet.

d. Proposed street tree height and type shall be appropriate for the frontage conditions.

e. Trees with existing or potential canopy covering sidewalks, driveways, paths, plazas, alleys, lanes, parking space or street pavements shall be of a type that, at maturity or with minor pruning at installation, provide a clear height of eight feet for sidewalks and paths, twelve feet for driveways, parking spaces and streets, and fifteen feet for loading areas, exclusive of tree grates or planting areas with gravel mulch.

f. Vegetation with spines, thorns or needles that may present hazards to pedestrians, bicyclists or vehicles are prohibited in the first layer.

g. Bare and exposed ground on the site and/or in landscaped areas shall be covered with live plant materials and/or mulch, with the following exceptions:

i. Naturally occurring arroyos, rock outcroppings or similar landscape features typically lacking in vegetation.

ii. Hiking trails and/or traces in T1.

iii. Clay or sand surfaces associated with recreation fields and facilities.

h. All required landscape areas shall be irrigated by an automatic underground irrigation system, drip irrigation or soaker hose.

i. Where possible and practical, bubbler and drip irrigation systems shall be utilized.

j. Stormwater detention and retention ponds shall be integrated landscape features, rather than singlepurpose flood control and stormwater management ponds.

k. Stormwater detention and retention ponds shall be planted with appropriate trees, shrubs and grasses. Hydrophilic plants are required in basin areas prone to submersion.

l. Constructed water features such as fountains, streams and ponds that operate with water recirculation systems shall be designed to prevent seepage and leaks.

2. Landscape construction standards

a. Open Spaces and Civic Space shall be protected with a temporary construction fence during all site work and construction activities unless alterations to them are otherwise specified by landscape grading plans.

b. The soil structure of wide planting strips shall be protected from compaction with a temporary construction fence. Standards of access, excavation, movement,

storage and backfilling of soils in relation to the construction and maintenance of deep utilities and manholes shall be specified.

c. The topsoil within the construction area's limits of disturbance shall be removed, stored and amended as recommended by a landscape soils test.

d. Wind erosion shall be mitigated and controlled though dust abatement and similar practices during the period of site work and construction.

e. Landscape soils that have been compacted during construction activities shall be loosened and aerated to a depth of at least six inches before planting.

f. Plants shall have normal, well-developed branches and vigorous root systems.

g. Temporary spray irrigation systems may be used to establish seeded areas for grass and groundcover.

3. Landscape maintenance.

a. All grass and vegetation shall be lightly fertilized to avoid fertilizer pollution to groundwater, streams and ponds.

b. No disturbed ground shall be left exposed. Turfgrass and other approved and appropriate groundcovers or mulch shall cover all non-paved and non-built developed areas.

c. It shall be the responsibility of the property owner(s) or his assigned agent(s) to:

i. Maintain and keep all screening and fencing in good condition at all times; and

ii. Maintain landscaping by keeping lawns properly mowed and edged, plants properly pruned and disease-free, and planting beds mulched, groomed and weeded, except in T1, and areas of naturally occurring vegetation and undergrowth; and

iii. Replace any required planting(s) which are significantly damaged, altogether removed, infested, disease ridden, or dead within one year or the next planting season, whichever occurs first, except in T1, and areas of naturally occurring vegetation and undergrowth.

I. Specific to Northwest Park, Airport and MCA SD Parks. Parks shall be managed with appropriate low care and drought tolerant grasses cut high or uncut. Parks may be left with native vegetation only.

J. Specific to Northwest Park, Airport and MCA SD Greens. Greens shall be planted or managed with appropriate low care and drought tolerant turf grasses cut high.

K. Specific to Northwest Park, Airport and MCA SD Squares. Squares shall be carefully graded, leveled, and planted with sod.

SECTION 10. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.120 (Signage Standards), Paragraphs A, C, and E be amended as follows:

21.50.120 SIGNAGE STANDARDS

A. General to Zones T2, T3, T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD6, SD7.

1. There shall be no signage permitted additional to that specified in this section.

2. The address number, no more than six inches measured vertically, shall be attached to the building in proximity to the principal entrance or at a mailbox.

a. The address number within SD6 shall not be less than 4-1/2 inches.

C. Specific to Zones T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD6, SD7.

1. Signage shall be externally illuminated, except that signage within the Shopfront glazing may be neon lit.

E. Specific to Zones T4-O, T5, T5O, T6 and Special Districts SD4, SD5, SD6, SD7.

1. Blade signs, not to exceed six square feet for each separate business entrance, may be attached to and should be perpendicular to the Facade, and shall clear eight feet above the sidewalk.

2. A single external permanent sign band may be applied to the Facade of each building, providing that such sign not exceed three feet in height by any length.

3. Monument signs, not to exceed 6 ft. in height and 4 ft. in width shall be permitted for each Mixed-use Frontage. Such signs may contain the names of all tenant(s) or occupant(s) of the building and there shall be a maximum of one (1) monument sign per Frontage.

a. Monument signs may also be used for wayfinding. These shall be located at vehicular decision point junctures, and placed perpendicular to the Thoroughfare. Maximum size shall be 3’-9” wide by 5’-3” high.

SECTION 11. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.130 (Natural Drainage Standards), Paragraphs A and D, of the El Paso City Code be amended as follows:

21.50.130 NATURAL DRAINAGE STANDARDS

A. General to Zones T3, T4, T4-O, T5, T5O, T6, SD6, SD7.

1. Buildings should be equipped with roofs of shallow four-inch soils and drought-tolerant plants. Buildings approved for intensive green roofs may hold soils deeper than four inches and larger plants and trees.

2. Balconies should be equipped with planter boxes designed to capture runoff from the balcony.

3. Green walls, if provided, shall be restricted to non-invasive species.

4. Cisterns may be used to capture and recirculate stormwater from buildings.

D. Specific to Zones T4, T4-O, T5, T5O, T6, SD6, SD7.

1. The landscape installed shall consist primarily of durable species tolerant of soil compaction.

2. Planter boxes should be bottomless, flow-through boxes with native plants, placed next to buildings and designed to capture building runoff. They may be placed in courtyards or adjacent sidewalks with runoff sent to them via French drains or hidden pipes.

SECTION 12. That Title 21 (SmartCode), Chapter 21.70 (Definitions) of the El Paso City Code be amended to redefine the term "Greenway" as follows:

"Greenway" means an Open Space corridor in largely natural conditions which may include trails for bicycles and pedestrians. The trajectory of a Greenway should lead through natural as well as urban areas, connecting residential areas to the bikeway and pedestrian network and with community areas such as schools and Parks. Recreational opportunities and the landscaping pattern along Greenways should be appropriate to its location: naturalistic within natural and rural zones, and formal within neighborhoods. A Greenway may be independent of Building Frontages and may occur outside of an Adjusted Pedestrian Shed.

SECTION 13. That Title 21 (SmartCode), Chapter 21.80 (Tables), of the El Paso City Code be amended to replace Section 21.80.220, Table 16: Special District Standards in its entirety with **Exhibit "A"**.

SECTION 14. Except as herein enumerated, Title 21 (SmartCode) of the El Paso City Code shall remain in full force and effect.

(SIGNATURES ON FOLLOWING PAGE)

PASSED AND APPROVED this _____ day of _____, 2013

THE CITY OF EL PASO

_____
John F. Cook, Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

_____
Karla Nieman
Assistant City Attorney

APPROVED AS TO CONTENT:

_____
Mathew S. McElroy, Director
City Development Department

EXHIBIT A

TABLE 16: SPECIAL DISTRICT STANDARDS

The metrics for each column of this table (SD1, SD2, etc.) are to be filled in for each Special District as they currently exist, or as they are permitted. More pages can be added. Special Districts that do not have provisions within this Code shall be governed by the standards of the pre-existing zoning.

	SD1 UTEP	SD2 Hospital	SD3 Airport T5.1	SD4 Airport T5.2	SD5 Airport ST	SD6 MCA	SD7 NW Park
a. ALLOCATION OF ZONES							
CLD	NA	NA	NA	NA	NA	NA	NA
TND	NA	NA	NA	NA	NA	NA	NA
TOD	NA	NA	NA	NA	NA	NA	NA
ARD	NA	NA	80% max.	50% max.	NA	NA	NA
AED	NA	NA	NA	50% max.	80% max.	NA	NA
b. BASE RESIDENTIAL DENSITY							
By Right	24	24	NA	NA	NA	48	24
Other Functions	50 - 70%	50 - 70%	NA	NA	NA	NA	50 - 100%
c. *BLOCK* SIZE							
***Block* Perimeter**	3000 ft.. max. *	3000 ft. max. *	2400 ft. max. *	3000 ft. max. *	4000 ft. max. *	2000 ft. max. *	3000 ft. max.
d. THOROUGHFARES							
HW	not permitted	not permitted	not permitted	not permitted	not permitted	not permitted	not permitted
BV	permitted	not permitted	permitted	permitted	permitted	permitted	not permitted
AV	permitted	permitted	permitted	permitted	permitted	permitted	not permitted
CS	permitted	permitted	permitted	permitted	permitted	permitted	permitted
DR	permitted	permitted	permitted	permitted	permitted	permitted	permitted
ST	permitted	permitted	permitted	permitted	permitted	permitted	permitted
RD	not permitted	not permitted	not permitted	not permitted	not permitted	not permitted	not permitted
Rear Lane	not permitted	not permitted	not permitted	not permitted	not permitted	not permitted	permitted
Rear Alley	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Path	permitted	permitted	not permitted	not permitted	not permitted	permitted	permitted
Passage	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Bicycle Trail	permitted	not permitted	not permitted	not permitted	not permitted	not permitted	permitted
Bicycle Lane	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Bicycle Route	permitted	permitted	permitted	permitted	permitted	permitted	permitted
e. CIVIC SPACES							
Park	permitted	permitted	permitted	permitted	permitted	not permitted	permitted
Green	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Square	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Plaza	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Playground	permitted	permitted	NA	NA	NA	permitted	permitted
f. LOT OCCUPATION							
Lot Width	NA	NA	NA	NA	NA	18 ft. min. 700 ft. max.	NA
Lot Coverage	NA	NA	90% max.	90% max.	90% max.	100% max.	NA
g. SETBACKS - PRINCIPAL BUILDING							
Front Setback	0 ft. min., 30 ft. max.	0 ft. min., 30 ft. max.	0 ft. min., 12 ft. max.	0 ft. min., 12 ft. max.	8 ft. max. or 25 ft. max.**	0 ft. min., 8 ft. max.	0 ft. min., 20 ft. max.
Side Setback	0 ft. min.	0 ft. min.	0 ft. min., 24 ft. max.	0 ft. min., 24 ft. max.	8 ft. max. or 15 ft. max.**	0 ft. min.	0 ft. min.
Rear Setback	3 ft. min.	3 ft. min.	3 ft. min.	3 ft. min.	3 ft. min. or 20 ft. min.**	3 ft. min.	0 ft. min.
h. BUILDING DISPOSITION							
Edgeyard	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Sideyard	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Rearyard	permitted	permitted	permitted	permitted	permitted	permitted	permitted
i. PRIVATE FRONTAGES							
Common Yard	permitted	not permitted	permitted	not permitted	permitted	permitted	permitted
Porch & Fence	not permitted	not permitted	permitted	not permitted	not permitted	not permitted	permitted
Terrace or L.C.	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Forecourt	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Stoop	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Shopfront	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Gallery	permitted	permitted	permitted	permitted	permitted	permitted	permitted
Arcade	permitted	permitted	permitted	permitted	not permitted	permitted	permitted
Parking Lot	permitted	permitted	not permitted	not permitted	permitted	not permitted	permitted
j. BUILDING CONFIGURATION							
Principal Building	6 Stories, max.	8 Stories, max.	6 Stories, max. **	6 Stories, max. **	3 Stories, max. **	NA	6 Stories, max.
Outbuilding	NA	NA	3 Stories, max. **	3 Stories, max. **	2 Stories, max. **	NA	NA
k. BUILDING FUNCTION							
Residential	open use	open use	not applicable	not applicable	not applicable	open use	not applicable
Lodging	open use	open use	open use ****	not applicable	not applicable	open use	open use
Office	open use	open use	open use	open use	open use	open use	open use
Retail	open use	open use	open use	open use	open use	open use	open use
Industrial	not applicable	not applicable	not applicable	open use	open use		not applicable

DISPOSITION

CONFIGURATION

FUNCTION

* a Path or Passage may be used to determine Block size

** The 8 ft. and 3 ft. setbacks are for A Streets and the larger setbacks are for B Streets.

***Building heights shall be limited to the height requirements established in Federal Aviation Regulations Part 77 or successor regulations for the Airport. Exclusions to this rule may be permitted by the Department of Aviation. SD5 shall be limited to 70 ft.

**** Lodging in SD Airport T5.1 shall be limited to areas indicated on the Airport Master Plan.

REDLINE

ORDINANCE NO. _____

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WHEREAS, the regulations established by this amendment have been adopted with reasonable consideration, among other things, for the character of the new district and its peculiar suitability for the particular uses; with a view of conserving property values and encouraging the most appropriate use of land in the City; and

WHEREAS, the City of El Paso's SmartCode requires calibration to the local character of the place and local conditions;

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2. Civic Spaces shall be designed as generally described in Table 13, and distributed throughout Transect Zones as described in Table 14e.

3. Those portions of the T1 Natural Zone that occur within a development parcel shall be part of the Civic Space allocation and shall conform to the Civic Space types specified in Table 13a or 13b.

4. Each pedestrian shed shall contain at least one main Civic Space. The main Civic Space shall be within eight hundred feet of the geographic center of each pedestrian shed, unless topographic conditions, pre-existing Thoroughfare alignments or other circumstances prevent such location. A main Civic Space shall conform to one of the types specified in Table 13b, 13c, or 13d.

5. Within eight hundred feet of every lot in residential use, a Civic Space designed and equipped as a playground shall be provided. A playground shall conform to Table 13e.

6. Each Civic Space shall have a minimum of fifty percent of its perimeter enfronting a Thoroughfare, except for playgrounds.

~~7. Civic Spaces may be permitted within Special Districts by Warrant, but may not exceed fifty percent of the Special District.~~

~~8.~~ 7. Parks may be permitted in Transect Zones T4, T4-O, T5, T5O, and T6 by Warrant, provided that they meet the following criteria:

a. That the Parks and Recreation Director approves such request; and

b. That the edges of the park be completely bounded by building Frontages, like with squares.

E. Civic Space (CS) Specific to ~~SD3-SD5~~ SD1 – SD7 Special Districts.

1. Civic Spaces shall be designed as generally described in Table 13, and distributed throughout Special Districts as described in Table 16e.

2. Civic Spaces may be permitted within Special Districts by Right, but may not exceed 50% of the Special District ~~Airport Community Type~~.

3. Playgrounds are not required in SD3-SD5 because of FAA limitations on residential.

4. AED pedestrian sheds shall assign at least two and one half percent of their urbanized area to Civic Space.

5. ARD pedestrian sheds shall assign at least five percent of their urbanized area to Civic Space. Butterfield Trail Golf Club may contribute to the Civic Space requirement in an ARD.

SECTION 2. That Title 21 (SmartCode), Chapter 21.30 (New Community Plans), Section 21.30.060 (Special Districts), Paragraph C, of the El Paso City Code be amended as follows:

21.30.060 SPECIAL DISTRICTS

C. Special Districts shall not exceed 20% of the total net site area for each community type. Airport Special Districts and the Northwest Park Special District shall be excluded from this requirement.

SECTION 3. That Title 21 (SmartCode), Chapter 21.30 (New Community Plans), Section 21.30.070 (Thoroughfare Standards), Paragraph C, of the El Paso City Code be amended as follows:

21.30.070 THOROUGHFARE STANDARDS

C. Public Frontages.

1. General to all Zones T1, T2, T3, T4, T4-O, T5, T5O, T6 and Special Districts SD1, SD2, SD3, SD4, SD5, SD6, SD7.

   a. The Public Frontage contributes to the character of the Transect Zone, and includes the types of sidewalk, curb, planter, bike lanes and street trees.

   b. Public Frontages shall be designed as shown in Table 4A and Table 4B and allocated within Transect Zones as specified in Table 14d and Special Districts as specified in Table 16d.

   c. Within the Public Frontages, the prescribed types of public planting and public lighting shall be as shown in Table 4A, Table 4B, Table 5 and Table 6. The spacing may be adjusted by Warrant to accommodate specific site conditions, if it is within a twenty percent deviation.

2. Specific to Zones T1, T2, T3.

   a. The Public Frontage shall include native trees of various species, naturalistically clustered, as well as understory.

   b. The introduced landscape shall consist primarily of native species requiring minimal irrigation, fertilization and maintenance.

3. Specific to Zones T4, T4-O, T5, T5O, T6.

   a. The introduced landscape shall consist primarily of durable species tolerant of soil compaction.

4. Specific to Zone T4.

   a. The Public Frontage shall include trees planted in a regularly-spaced Allée pattern of single or alternated species with shade canopies of a height that, at maturity, clears at least one story.

5. Specific to Zones T4-O, T5, T5O, T6.

   a. The Public Frontage shall include trees planted in a regularly-spaced Allée pattern of single species with shade canopies of a height that, at maturity, clears

at least one story. At Retail Frontages, the spacing of the trees may be irregular, to avoid visually obscuring the shopfronts.

SECTION 4. That Title 21 (SmartCode), Chapter 21.30 (New Community Plans), Section 21.30.100 (Environmental Standards), Paragraph L, of the El Paso City Code be amended as follows:

21.30.100 ENVIRONMENTAL STANDARDS

L. Specific to Zones T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD7.

1. Stormwater management on Thoroughfares and lots shall be primarily through underground storm drainage channeled by raised curbs, and there shall be no retention or detention required on the individual lot.

SECTION 5. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.060 (Building Disposition), Paragraph B, of the El Paso City Code be amended as follows:

21.50.060 BUILDING DISPOSITION

B. Specific to Zones T3, T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD6, SD7.

1. Newly platted lots shall be dimensioned according to Table 14f, Table 16f and Table 15.

   a. Only one (1) building in excess of 200 feet shall be permitted in a single pedestrian shed. The width may be adjusted by Warrant up to 10%.

2. Building disposition types shall be as shown in Table 9.

3. Buildings shall be disposed in relation to the boundaries of their lots according to Table 14g, Table 16g and Table 15.

4. One principal building at the frontage, and one outbuilding to the read of the principal building, may be built on each lot as shown in Table 17c.

5. Lot coverage by building shall not exceed that recorded in Table 14f, Table 16f and Table 15.

6. Facades shall be built parallel to a rectilinear Principal Frontage line or to the tangent of a curved Principal Frontage line, and along a minimum percentage of the frontage length at the setback, as specified on Table 14g, Table 16g and Table 15.

7. Setbacks for principal buildings shall be as shown in Table 14g, Table 16g and Table 15. In the case of an infill lot, setbacks shall match one of the existing adjacent setbacks. Setbacks may otherwise be adjusted by Warrant provided it does not exceed a ten percent deviation.

8. Rear setbacks for outbuildings shall be a minimum of twelve feet measured from the centerline of the rear alley or rear lane easement. In the absence of rear alley or rear lane, the rear setback shall be as shown in Table 14h, Table 16h and Table 15.

9. To accommodate building on slopes over ten percent, relief from front setback requirements is available by Warrant provided it does not exceed a twenty percent deviation.

SECTION 6. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.070 (Building Configuration), Paragraph A, of the El Paso City Code be amended as follows:

21.50.070 BUILDING CONFIGURATION

A. General to Zones T2, T3, T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD6, SD7.

1. The Private Frontage of buildings shall conform to and be allocated in accordance with Table 7, Table 14j and Table 16i.

2. Buildings on corner lots shall have two Private Frontages as shown in Table 17. Prescriptions for the parking layers pertain only to the Principal Frontage. Prescriptions for the first layer pertain to both frontages.

3. Building heights and Setbacks shall conform to Table 8, Table 14k, and Table 16j.

4. Stories may not exceed fourteen feet in height from finished floor to finished floor, except for a first floor commercial function, which shall be a minimum of eleven feet and may be a maximum of twenty-five feet. A single floor level exceeding fourteen feet, or twenty-five feet at ground level, shall be counted as two stories. Mezzanines extending beyond thirty-three percent of the floor area shall be counted as an additional floor.

5. In a parking structure or garage, each level counts as a single story regardless of its relationship to habitable stories.

6. Height limits do not apply to attics or raised basements, masts, belfries, clock towers, chimney flues, water tanks, or elevator bulkheads.

SECTION 7. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.080 (Building Function), Paragraph A, of the El Paso City Code be amended as follows:

21.50.080 BUILDING FUNCTION

A. General to Zones T2, T3, T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD6, SD7.

1. Buildings in each Transect Zone and Special District shall conform to the functions on Table 10, Table 12, Table 14l and Table 16k.

REDLINE

SECTION 8. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.100 (Parking Location Standards), Paragraph A and E, of the El Paso City Code be amended as follows:

21.50.100 PARKING LOCATION STANDARDS

A. General to zones T2, T3, T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD6, SD7.

1. Parking shall be accessed by rear alleys or rear lanes, when such are available or are indicated on the regulating plan.

2. Open parking areas shall be masked from the frontage by a building or streetscreen.

3. For buildings on B-Grids, open parking areas may be allowed unmasked on the frontage.

E. Specific to Zones T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD6, SD7.

1. All parking lots, garages, and parking structures shall be located at the second or third lot layer. (Table 17d)

2. Vehicular entrances to parking lots, garages, and parking structures shall be no wider than twenty-four feet at the frontage.

3. Pedestrian exits from all parking lots, garages, and parking structures shall be directly to a frontage line (i.e., not directly into a building) except underground garage levels which may be exited by pedestrians directly into a building.

4. Parking structures on A-Grids shall have liner buildings lining the first and second stories.

5. A minimum of one bicycle rack place shall be provided within the public or Private Frontage for every ten vehicular parking spaces

SECTION 9. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.110 (Landscape Standards), Paragraphs A, F, I, J, and K, of the El Paso City Code, be amended as follows:

21.50.110 LANDSCAPE STANDARDS

A. General to Zones T2, T3, T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD6, SD7.

1. Impermeable surface shall be confined to the ratio of lot coverage specified in Tables 14f and 16f.

F. General to Special Districts SD3, SD4, SD5, SD6, SD7.

1. Site and landscape design standards.

a. The spacing and placement of plants shall be adequate and appropriate for species size at maturity and/or for the grouping of a single plant species.

b. All proposed street trees shall be centered a minimum of five feet clear of underground utilities, utility meters, and service lines.

c. Proposed trees shall be a minimum height of ten feet.

d. Proposed street tree height and type shall be appropriate for the frontage conditions.

e. Trees with existing or potential canopy covering sidewalks, driveways, paths, plazas, alleys, lanes, parking space or street pavements shall be of a type that, at maturity or with minor pruning at installation, provide a clear height of eight feet for sidewalks and paths, twelve feet for driveways, parking spaces and streets, and fifteen feet for loading areas, exclusive of tree grates or planting areas with gravel mulch.

f. Vegetation with spines, thorns or needles that may present hazards to pedestrians, bicyclists or vehicles are prohibited in the first layer.

g. Bare and exposed ground on the site and/or in landscaped areas shall be covered with live plant materials and/or mulch, with the following exceptions:

i. Naturally occurring arroyos, rock outcroppings or similar landscape features typically lacking in vegetation.

ii. Hiking trails and/or traces in T1.

iii. Clay or sand surfaces associated with recreation fields and facilities.

h. All required landscape areas shall be irrigated by an automatic underground irrigation system, drip irrigation or soaker hose.

i. Where possible and practical, bubbler and drip irrigation systems shall be utilized.

j. Stormwater detention and retention ponds shall be integrated landscape features, rather than singlepurpose flood control and stormwater management ponds.

k. Stormwater detention and retention ponds shall be planted with appropriate trees, shrubs and grasses. Hydrophilic plants are required in basin areas prone to submersion.

l. Constructed water features such as fountains, streams and ponds that operate with water recirculation systems shall be designed to prevent seepage and leaks.

2. Landscape construction standards

a. Open Spaces and Civic Space shall be protected with a temporary construction fence during all site work and construction activities unless alterations to them are otherwise specified by landscape grading plans.

b. The soil structure of wide planting strips shall be protected from compaction with a temporary construction fence. Standards of access, excavation, movement, storage and backfilling of soils in relation to the construction and maintenance of deep utilities and manholes shall be specified.

c. The topsoil within the construction area's limits of disturbance shall be removed, stored and amended as recommended by a landscape soils test.

d. Wind erosion shall be mitigated and controlled though dust abatement and similar practices during the period of site work and construction.

e. Landscape soils that have been compacted during construction activities shall be loosened and aerated to a depth of at least six inches before planting.

f. Plants shall have normal, well-developed branches and vigorous root systems.

g. Temporary spray irrigation systems may be used to establish seeded areas for grass and groundcover.

3. Landscape maintenance.

a. All grass and vegetation shall be lightly fertilized to avoid fertilizer pollution to groundwater, streams and ponds.

b. No disturbed ground shall be left exposed. Turfgrass and other approved and appropriate groundcovers or mulch shall cover all non-paved and non-built developed areas.

c. It shall be the responsibility of the property owner(s) or his assigned agent(s) to:

i. Maintain and keep all screening and fencing in good condition at all times; and

ii. Maintain landscaping by keeping lawns properly mowed and edged, plants properly pruned and disease-free, and planting beds mulched, groomed and weeded, except in T1, and areas of naturally occurring vegetation and undergrowth; and

iii. Replace any required planting(s) which are significantly damaged, altogether removed, infested, disease ridden, or dead within one year or the next planting season, whichever occurs first, except in T1, and areas of naturally occurring vegetation and undergrowth.

I. Specific to Northwest Park, Airport and MCA SD Parks. Parks shall be managed with appropriate low care and drought tolerant grasses cut high or uncut. Parks may be left with native vegetation only.

J. Specific to Northwest Park, Airport and MCA SD Greens. Greens shall be planted or managed with appropriate low care and drought tolerant turf grasses cut high.

K. Specific to Northwest Park, Airport and MCA SD Squares. Squares shall be carefully graded, leveled, and planted with sod.

SECTION 10. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.120 (Signage Standards), Paragraphs A, C, and E be amended as follows:

21.50.120 SIGNAGE STANDARDS

A. General to Zones T2, T3, T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD6, SD7.

1. There shall be no signage permitted additional to that specified in this section.

2. The address number, no more than six inches measured vertically, shall be attached to the building in proximity to the principal entrance or at a mailbox.

a. The address number within SD6 shall not be less than 4-1/2 inches.

C. Specific to Zones T4, T4-O, T5, T5O, T6 and Special Districts SD3, SD4, SD5, SD6, SD7.

1. Signage shall be externally illuminated, except that signage within the Shopfront glazing may be neon lit.

E. Specific to Zones T4-O, T5, T5O, T6 and Special Districts SD4, SD5, SD6, SD7.

1. Blade signs, not to exceed six square feet for each separate business entrance, may be attached to and should be perpendicular to the Facade, and shall clear eight feet above the sidewalk.

2. A single external permanent sign band may be applied to the Facade of each building, providing that such sign not exceed three feet in height by any length.

3. Monument signs, not to exceed 6 ft. in height and 4 ft. in width shall be permitted for each Mixed-use Frontage. Such signs may contain the names of all tenant(s) or occupant(s) of the building and there shall be a maximum of one (1) monument sign per Frontage.

a. Monument signs may also be used for wayfinding. These shall be located at vehicular decision point junctures, and placed perpendicular to the Thoroughfare. Maximum size shall be 3’-9” wide by 5’-3” high.

SECTION 11. That Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), Section 21.50.130 (Natural Drainage Standards), Paragraphs A and D, of the El Paso City Code be amended as follows:

21.50.130 NATURAL DRAINAGE STANDARDS

A. General to Zones T3, T4, T4-O, T5, T5O, T6, SD6, SD7.

1. Buildings should be equipped with roofs of shallow four-inch soils and drought-tolerant plants. Buildings approved for intensive green roofs may hold soils deeper than four inches and larger plants and trees.

2. Balconies should be equipped with planter boxes designed to capture runoff from the balcony.

3. Green walls, if provided, shall be restricted to non-invasive species.

4. Cisterns may be used to capture and recirculate stormwater from buildings.

D. Specific to Zones T4, T4-O, T5, T5O, T6, SD6, SD7.

1. The landscape installed shall consist primarily of durable species tolerant of soil compaction.

2. Planter boxes should be bottomless, flow-through boxes with native plants, placed next to buildings and designed to capture building runoff. They may be placed in courtyards or adjacent sidewalks with runoff sent to them via French drains or hidden pipes.

SECTION 12. That Title 21 (SmartCode), Chapter 21.70 (Definitions) of the El Paso City Code be amended to redefine the term "Greenway" as follows:

"Greenway" means an Open Space corridor in largely natural conditions which may include trails for bicycles and pedestrians. The trajectory of a Greenway should lead through natural as well as urban areas, connecting residential areas to the bikeway and pedestrian network and with community areas such as schools and Parks. Recreational opportunities and the landscaping pattern along Greenways should be appropriate to its location: naturalistic within natural and rural zones, and formal within neighborhoods. A Greenway may be independent of Building Frontages and may occur outside of an Adjusted Pedestrian Shed.

SECTION 13. That Title 21 (SmartCode), Chapter 21.80 (Tables), of the El Paso City Code be amended to replace Section 21.80.220, Table 16: Special District Standards in its entirety with **Exhibit "A"**.

SECTION 14. Except as herein enumerated, Title 21 (SmartCode) of the El Paso City Code shall remain in full force and effect.

(SIGNATURES ON FOLLOWING PAGE)

REDLINE

PASSED AND APPROVED this _____ day of _____, 2013

THE CITY OF EL PASO

_____
John F. Cook, Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

_____
Karla Nieman
Assistant City Attorney

APPROVED AS TO CONTENT:

_____
Mathew S. McElroy, Director
City Development Department