



ADVISORY BOARD MINUTES

REVISED

PLANNING AND INSPECTIONS DEPARTMENT

Wednesday, September 2nd, 2015, 3:00 P.M.

City 3 Building, 801 Texas Avenue

Basement, Thorman Conference Room

Members Present: 7

Chairwoman Katrina M. Martich, Richard V. Teschner, Lois Balin, Maria Teran, Jim Tolbert, Patricia E. White and Ann Morgan Lilly

Members Absent: 1

Edward Beck

Vacancies: 1

District 1

Planning & Inspections Department – Planning Division Staff:

Larry Nichols, Director; Alex Hoffman, Lead Planner; Harrison Plourde, Planner

Other City Staff Present:

Karla Nieman, Assistant City Attorney

1. Meeting Called to Order

Chairwoman Martich called the meeting to order at 3:03 p.m.

2. Call to the Public (items not listed on the agenda)

Chairwoman Martich explained the Call to the Public rules:

1. Stand up;
2. State your name for the record
(minutes are being recorded and will ultimately be posted on the OSAB web page);
3. Speak to the Board;
4. The Board can listen but cannot engage and deliberate in any discussion;
5. This is the public's opportunity to speak to the Board on matters not posted on today's agenda;
6. If you wish to speak on an item that is posted on the agenda, please wait until that item comes up for discussion; and
7. Comments by the public will be taken into consideration for future agenda items.

Mr. Hoffman requested those members of the public speaking to the Board, please sign in on the sign-in sheet provided.

The following members of the public commented:

1. Ms. Judy Ackerman requested clarification regarding lands purchased with 10% Stormwater monies. She asked Board Members *hire an engineer to determine whether or not privately held lands, from Hondo Pass south into the nose of the mountain to include Knapp owned land and other privately owned lands; are eligible for 10% Stormwater monies.* Ms. Ackerman provided Board Members copies of the list of those privately owned lands. She asked Board Members and Staff investigate whether or not those properties were eligible for purchase with 10% Stormwater monies and if so, then do it. (copy of document attached)
2. Ms. Marilyn Guida prepared a written statement with attachments and distributed copies to Board Members. In her written statement Ms. Guida requested the following:
 - a. A current updated status report on the use of the 2012 Quality of Life Bonds for open space; *(last report was given to the OSAB in January, 2015 by Marci Tuck, Parks & Recreation Department)*
 - b. When will the implementation tool **"deferral of property taxes"** be available for use?; *(last reference was in a report to the OSAB January/February, 2015, can this tool be used now; if not, when it is necessary to make use of this deferral of property taxes, deferral of property taxes also has to do with what the land is zoned)*
 - c. Does the City have a process for **"implementation of conservation easements?"** *(was posted as a implementation tool for OSAB January/February, 2015, if there is a process what is the process; if not, what process will there have to be to create it to establish conservation easements)* (copy of document attached)

After the two speakers concluded, Chairwoman Martich stated she would give the documents to staff for inclusion into the minutes.

The following staff members responded to Chairwoman Martich's comments and questions:

1. Mr. Alex Hoffman, Lead Planner
2. Mr. Larry Nichols, Director, Planning & Inspections Department
3. Ms. *(inaudible)* referred to the August 5th OSAB meeting and commented on the following:
 - a. Ms. Janaé Reneaud Field, Frontera Land Alliance, comments regarding "how to use land rates to double money that the city has for land acquisition". She wondered if staff had followed up on that and/or encouraged staff to research that.
 - b. State Representative Moody suggested Board Members meet with their City Council Representative about issues regarding open space in Northeast El Paso. She asked if Board Members had followed up on his suggestion and what the outcome of that was. If not meetings occurred, she encouraged Board Members to do so.

Chairwoman Martich and Board Members Balin, White, Teschner and Lilly commented.

Former Vice-Chairman Joseph Nester thanked Board Members for doing a great job.

Mr. Larry Nichols, Director, Planning & Inspections Department, thanked former Vice-Chairman Nester for the significant contributions he made to this Board over the years.

3. Discussion and Action:

a. Change to the Agenda.

Chairwoman Martich requested the following changes:

Move agenda item 4. **Discussion and Action:** Election of OSAB Chair and Vice-Chair for the 2015-2016 term following agenda item 7. **Discussion and Action:** Policy for placing items on the OSAB agenda.

MOTION:

Motion made by Chairwoman Martich, seconded by Ms. Lilly AND UNANIMOUSLY CARRIED TO APPROVE THE CHANGES TO THE AGENDA.

b. Approval of Minutes: August 5th, 2015

Chairwoman Martich asked if Board Members had any additions/changes/revisions.

Board Member Balin requested the following corrections:

1. Page 1, item 2b. – add "er" to "speak": " ... should a group of individuals wish one individual speaker"
2. Page 5, **MOTION** at the bottom of the page – delete "ING" from "FOLLOW": " ...AND UNANIMOUSLY CARRIED THAT CITY STAFF FOLLOWING THE DIRECTION, AS DISCUSSED IN EXECUTIVE SESSION, REGARDING THESE PROPERTIES."

Regarding ~~Commissioner~~ **Board Member** Balin's correction request on page 1, Board Member Teschner explained the sentence was grammatically correct as written.

MOTION:

Motion made by Ms. Teran, seconded by Dr. Teschner AND UNANIMOUSLY CARRIED TO ACCEPT THE AUGUST 5th, 2015 MINUTES, AS AMENDED.

This item was discussed immediately following the discussion and action on agenda item 7.

4. **Discussion and Action:** Election of OSAB Chair and Vice-Chair for the 2015-2016 term.

Contact: Katrina Martich, kmartich@stellee.com

Chairwoman Martich suggested postponing the election of OSAB Chair and Vice-Chair to the October OSAB meeting.

Mr. Charlie Wakeem, member of the public, explained the by-laws were amended (*late 2013*) to elect the OSAB Chair and Vice-Chair in September, rather than June, as previously noted. Furthermore, he noted Chairwoman Martich's term expires September 3rd.

Ms. Karla Nieman, Assistant City Attorney, read into the record the amended language regarding the election and terms of office of the OSAB Chair and Vice-Chair. She explained that Chairwoman Martich's term will expire at the end of the month; additionally, there is no Vice-Chair. Therefore, the Board will be Chair-less for the October Board meeting. As long as there is a quorum, the October Board meeting could convene.

At that October Board meeting, Chairwoman Martich added the Board Members could decide who could facilitate the meeting. Most likely, the first item on the agenda will be the election of the OSAB Chair and Vice-Chair.

MOTION:

Motion made by Ms. Teran, seconded by Mr. Tolbert AND UNANIMOUSLY CARRIED TO TABLE THE AGENDA ITEM UNTIL THE NEXT OSAB MEETING IN OCTOBER.

Chairman Martich and Board Members Balin, and White commented.

Mr. Larry Nichols, Director, Planning & Inspections, commented on the vacant Board Member position for District 2.

5. Information and Discussion: Quarterly report on pending OSAB motions.

Contact: Alex Hoffman, hoffmanap@elpasotexas.gov

Mr. Alex Hoffman, Lead Planner, gave the quarterly report regarding closed or pending motions made by the Board from January 2015 through July 2015.

Chairwoman Martich and Board Members Teran, Tolbert, Teschner, and Balin commented.

Chairwoman Martich asked staff *not* to mark the following recommendation *closed*:

A recommendation that City Council direct staff to work with those involved with the citizen collection center proposed for city-owned land south of and adjacent to Keystone Heritage Park to find another location for the citizen collection center and to preserve the land as natural open space in perpetuity.

For future agendas, Chairwoman Martich asked staff to place both *Quarterly Report agenda items* on the same agenda.

1. *Quarterly report on pending OSAB motions; and*
2. *Quarterly Report from the Planning Division, Subdivisions Section regarding land studies and plats approved in the Mountain and Hillside Development Areas*

The following staff members commented:

1. Mr. Larry Nichols, Director, Planning & Inspections Department
2. Ms. Karla Nieman, Assistant City Attorney

The following members of the public commented:

1. Mr. Charlie Wakeem
2. Ms. Marilyn Guida
3. Mr. Joseph Nester

6. Discussion and Action: Development of a policy regarding the use of city-owned land adjacent to open space. Contact: Katrina Martich, kmartich@stellee.com

Chairwoman Martich and Board Members Teran, Tolbert, White, Balin

Mr. Hoffman, Lead Planner, suggested Board Members identify particular areas, i.e., Keystone Heritage Park, identify a specific parcel of land for preservation, and then research whether or not city-owned land is adjacent to that specific parcel of land.

Mr. Tolbert stated Open Space Advisory Board sub-committee met and comprised the following resolution language. Mr. Tolbert moved to approve the resolution then read the resolution into the record. (copy of document attached)

Whereas, the Open Space Advisory Board's overarching duty is to provide recommendations to the City Council in efforts to preserve and acquire open space as identified in the "Towards a Bright Future: Mountains to River – A Green Infrastructure Plan for El Paso, Texas," commonly referred to as the Open Space Master Plan, which was adopted as a Chapter of the Plan for El Paso on March 13, 2007; and

Whereas, the City of El Paso has since invested significant resources into acquiring open space that enhances the visual image of El Paso and into providing access to the open space to enhance the quality of life for citizens of El Paso; and

Whereas, the City of El Paso owns land adjacent to the open space;

Now, therefore, the Open Space Advisory Board recommends the City Council of El Paso direct City staff to develop a policy for development and use of the city-owned land adjacent to open space in a manner that protects and preserves the value of the open space.

MOTION:

Motion made by Mr. Tolbert, seconded by Ms. White and Ms. Teran AND UNANIMOUSLY CARRIED TO APPROVE.

7. Discussion and Action: Policy for placing items on the OSAB agenda.

Contact: Katrina Martich, kmartich@stellee.com

Chairwoman Martich and Board Members Teschner, Balin, and Teran commented on the document "Procedures for Placing Items on the Agenda for the City of El Paso Open Space Advisory Board".

The following staff members commented:

1. Ms. Karla Nieman, Assistant City Attorney, made recommendations for Board Members and staff regarding the proposed procedures for placing items on the OSAB agenda.
2. Mr. Larry Nichols, Director, Planning & Inspections, commented on past and future OSAB agendas and the posting of items on agendas. For new and existing Board Members, Mr. Nichols would like to give a refresher course regarding the duties and responsibilities of Open Space Advisory Board Members; at the same time, he would like to give a presentation on the objectives and procedures for placing items on the agenda.
3. Mr. Alex Hoffman, Lead Planner, explained the reasons staff requests Board Members submit their requests for agenda items two days after the prior meeting is to allow staff, *inside the Planning & Inspection Department and out*, ample time to research and compile information relative to the agenda item.

Mr. Charlie Wakeem, member of public, requested a copy of the proposed procedures distributed to Board Members.

MOTION:

Motion made by Ms. Teran, seconded by Ms. White TO APPROVE THESE PROCEDURES FOR PLACING ITEMS ON THE AGENDA.

Chairwoman Martich requested the following amendment language be included in the motion
MOTION:

Motion made by Chairwoman Martich, seconded by Mr. Tolbert THAT THE SCHEDULE DETAILS (DATES AND TIMES FOR ACTION BY CITY STAFF AND A PHONE CALL TO DISCUSS THE AGENDA BETWEEN THE CHAIR AND THE DIRECTOR OF PLANNING & INSPECTIONS) THAT THE CHAIR AND MR. NICHOLS AGREED TO BE ADDED TO THE PROCEDURES.

Chairwoman Martich suggested including the following language into the motion "NOT LATER THAN TUESDAY BEFORE THE POSTING THAT THE AGENDA BE PROVIDED AND THAT STAFF BE AVAILABLE FOR A PHONE CONVERSATION PRIOR TO POSTING", so that there is some procedure established for that guideline.

Chairwoman Martich restated the amending language: "THAT INSTEAD OF RESTORING THE ORIGINAL TIMES IN THE "PROCEDURES FOR PLACING ITEMS ON THE AGENDA FOR THE CITY OF EL PASO OPEN SPACE ADVISORY BOARD" THAT NO LATER THAN TUESDAY NOON BEFORE POSTING, THE AGENDA BE PROVIDED TO THE CHAIR AND VICE-CHAIR AND CITY STAFF NOTIFY THEM OF WHEN THEY WOULD BE AVAILABLE TO DISCUSS."

Mr. Nichols noted the City Council meetings begin Tuesday mornings.

Chairwoman Martich revised the amending language: "THAT INSTEAD OF RESTORING THE ORIGINAL TIMES IN THE "PROCEDURES FOR PLACING ITEMS ON THE AGENDA FOR THE CITY OF EL PASO OPEN SPACE ADVISORY BOARD" THAT NO LATER THAN CLOSE OF BUSINESS MONDAY BEFORE POSTING, CITY STAFF WILL MAKE THE AGENDA AVAILABLE TO THE CHAIR AND VICE-CHAIR AND CITY STAFF NOTIFY THEM OF WHEN THEY WOULD BE AVAILABLE TO DISCUSS."

Ms. Teran accepted the Chairwoman's amendments to her original motion.

Ms. White seconded Ms. Teran's motion to accept the Chairwoman's amended motion language.

MOTION:

Motion made by Ms. Teran, seconded by Ms. White AND UNANIMOUSLY CARRIED THAT THE SCHEDULE DETAILS (DATES AND TIMES FOR ACTION BY CITY STAFF AND A PHONE CALL TO DISCUSS THE AGENDA BETWEEN THE CHAIR AND THE DIRECTOR OF PLANNING & INSPECTIONS) THAT THE CHAIR AND MR. NICHOLS AGREED TO BE ADDED TO THE PROCEDURES.

Chairwoman Martich and Board Members Tolbert, Teran, and Teschner commented.

The following city staff commented:

1. Mr. Larry Nichols, Director, Planning & Inspections, responded to comments made by Mr. Tolbert.
2. Ms. Karla Nieman, Assistant City Attorney, noted Chairwoman Martich amended the original motion; however, Board Members have not voted on that amended motion.

Chairwoman Martich restated the amended motion language as follows: "NO LATER THAN CLOSE OF BUSINESS ON MONDAY, BEFORE THE THURSDAY THAT THE AGENDA IS POSTED, CITY STAFF WILL SEND THE DRAFT AGENDA TO THE CHAIR AND VICE-CHAIR AND WILL PROVIDE A TIME THAT THEY ARE AVAILABLE TO DISCUSS THE AGENDA BY PHONE IF NECESSARY."

AYES: Chairwoman Martich, Dr. Teschner, Ms. Balin, Ms. Teran, Mr. Tolbert, Ms. White, and Ms. Lilly

NAYS: none

VACANCY: District 1 and District 2

Motion passed. (7-0)

Dr. Richard C. Bonart, member of the public, commented on number 3. of the "Procedures for Placing Items on the Agenda for the City of El Paso Open Space Advisory Board".

Regarding the language for number 3. within the "Procedures for ...", Ms. White suggested amending the original motion as follows: "DELETE EVERYTHING AFTER THE “, BUT”; THEREFORE, THE STATEMENT WOULD READ “ENSURE THAT DRAFTING AN AGENDA DOES NOT REQUIRE A DISPROPORTION AMOUNT OF CITY RESOURCES, INCLUDING STAFF TIME PRIOR TO THE BOARD MEETING.”

MOTION:

Motion made by Ms. White, seconded by Dr. Teschner AND UNANIMOUSLY CARRIED TO "DELETE EVERYTHING AFTER THE “, BUT”; THEREFORE, THE STATEMENT WOULD READ “ENSURE THAT DRAFTING AN AGENDA DOES NOT REQUIRE A DISPROPORTION AMOUNT OF CITY RESOURCES, INCLUDING STAFF TIME PRIOR TO THE BOARD MEETING.”

Chairwoman Martich and Ms. Lilly commented.

MOTION:

Motion made by Chairwoman Martich, seconded by Dr. Teschner AND UNANIMOUSLY CARRIED TO ADOPT THIS POLICY WITH TWO CHANGES:

1. "NOT LATER THAN DATE" WORDING ADDED; AND
2. ITEM 3. UNDER OBJECTIVES "ENSURING THAT DRAFTING AN AGENDA DOES NOT REQUIRE A DISPROPORTION AMOUNT OF CITY RESOURCES, INCLUDING STAFF TIME PRIOR TO THE MEETING."

AYES: Chairwoman Martich, Dr. Teschner, Ms. Balin, Ms. Teran, Mr. Tolbert, Ms. White, and Ms. Lilly

NAYS: none

VACANCY: District 1 and District 2

Motion passed. (7-0)

8. Information and Discussion: OSAB Development Goal

Contact: Katrina Martich, Chairwoman, kmartich@stellee.com

MOTION:

Motion made by Mr. Tolbert, seconded by Dr. Teschner AND UNANIMOUSLY CARRIED TO TABLE THE AGENDA ITEM UNTIL THE NEXT HLC MEETING IN OCTOBER.

9. **Information and Discussion:** OSAB Visibility Goal
Contact: Katrina Martich, Chairwoman, kmartich@stellee.com

MOTION:

Motion made by Mr. Tolbert, seconded by Dr. Teschner AND UNANIMOUSLY CARRIED TO TABLE THE AGENDA ITEM UNTIL THE NEXT HLC MEETING IN OCTOBER.

10. **Information:** Proposed 2016 OSAB Meeting Schedule
Contact: Alex Hoffman, hoffmanap@elpasotexas.gov

Mr. Alex Hoffman, Lead Planner, noted Staff is continuing to draft the 2016 OSAB meeting schedule. Staff is working to schedule the OSAB meetings near or as close to the CPC meeting dates as possible. Mr. Hoffman researched previous OSAB agendas and discovered that the OSAB meeting schedule was not a posted agenda item, this was the first time a meeting schedule was a posted agenda item.

Chairwoman Martich and Board Member. Balin commented.

11. **Adjournment**

MOTION:

Motion made by Dr. Teschner, and seconded by Ms. Teran AND UNANIMOUSLY CARRIED TO ADJOURN AT 4:39 P.M.

Request to OSAB 2 Sep 2015, submitted by Judy Ackerman,

Please determine if the land listed below has a stormwater function making it available for Stormwater 10% funds and if so, recommend City Council acquire the land for permanent protection as natural open space.

Al Knapp owned land from Hondo Pass to McKelligon Canyon and Knapp land along Scenic Dr., particularly the land just west of Stoney Hill Dr.

This link shows who owns what:

<https://www.dropbox.com/s/falxtpq3kh3zfiv/South%20Franklin%20Ownership.pdf?dl=0>

I include descriptions found on zoning maps available at:

<http://gis.elpasotexas.gov/planning/index.html>.

Knapp land along Scenic Dr. (in four pieces)

PID: X06499900001700

STREET NUMBER

STREET NAME

LEGAL_DESC PIERCE ALLEN SAVAGE 64 ABST 2323 (11.01 ACRES) 0.4km

PID: X06499900004900

STREET NUMBER NULL

STREET NAME ALABAMA

LEGAL_DESC PIERCE-ALLEN SAVAGE #64 ABS 2323 (3.00) 60m

PID: X06499900004500

STREET NUMBER

STREET NAME

LEGAL_DESC PIERCE-ALLEN-SAVAGE #64 ABS 2323 16.906 ACRES OUT OF 23 ACRES

PID: H45399909207200

STREET NUMBER

STREET NAME

LEGAL_DESC 92 HIGHLAND PARK 19 TO 74

Bill Walker

PID: X58199920700124

STREET NUMBER

STREET NAME

LEGAL_DESC 81 TSP 2 SEC 7 T & P SURV 1-B-14 (20.00 AC) & 1-B-29 (1.53 AC) (21.53 AC)

Northeast Rotary Foundation

PID: M80399900900100

STREET NUMBER 3100

STREET NAME SWANSON

LEGAL_DESC 9 MOUNTAIN HILLS ESTATES #4 LOT 1 (10.596 ACRES)

Stella L. Bauman Et Al

PID: X58199921500100

STREET NUMBER NULL

STREET NAME NULL

LEGAL_DESC 81 TSP 2 SEC 15 T & P SURV TR 1-A (112.6197 AC)

FP Spanish Grant Land & Cattle & 3

PID: X299999S0002100

STREET NUMBER

STREET NAME

LEGAL_DESC GEORGE STYLES SURV 299 ABST 173 (623.12 ACRES)

88 Investments

PID: X293999F00A4900

STREET NUMBER

STREET NAME

LEGAL_DESC H F FISHER SURV 293 ABST 39 TR 29-A (87.9921AC) & 30 (0.3679 AC) (88.36 AC)

Marilyn Rose Guida

To: Open Space Advisory Board and City Staff to OSAB
Call to Public Remarks from Marilyn Guida
Sept. 2, 2015

1. Will a current **updated status report on use of 2012 QOL Bond** funds for open space entitled “open space land acquisition status” be presented in an OSAB meeting soon?

I think the last status report with this title was given by Marci Tuck at the January 2015 OSAB meeting. (see attached) (I have not been able to find the April 2015 OSAB minutes on the Dropbox.)

Please see attached items in Ms. Tuck’s January report: map of “East Franklin Mountains Lands” and “Property-Principles Matrix.” I think the matrix was in progress as of the January meeting and Ms. Tuck was going to bring back a final version for review.

Can the OSAB proceed with the process of considering recommendations for purchase of any of the lands listed in the matrix?

2. What is the status of the implementation tool “**deferral of property taxes**” as a tool for preservation of open space? Can this tool be used now? If not, what is necessary to make use of this tool?

Deferral of property taxes is mentioned in the “Open Space Master Plan Implementation Tools” PowerPoint within the “Acquisition and Presentations Strategy” in the staff report to OSAB at the January and February 2015 meetings (see #C-5 on page 13 of the January 2015 and on page 22 of the February 2015 PowerPoint)

Is deferral of some or all property taxes allowed by use of the City of El Paso NOS zone? Would the private property owner have to request the rezone to NOS? Could the City Council rezone private property to NOS without permission of the property owner? (I believe the revised NOS zone is still pending presentation to City Council but the existing NOS zone is still in effect.)

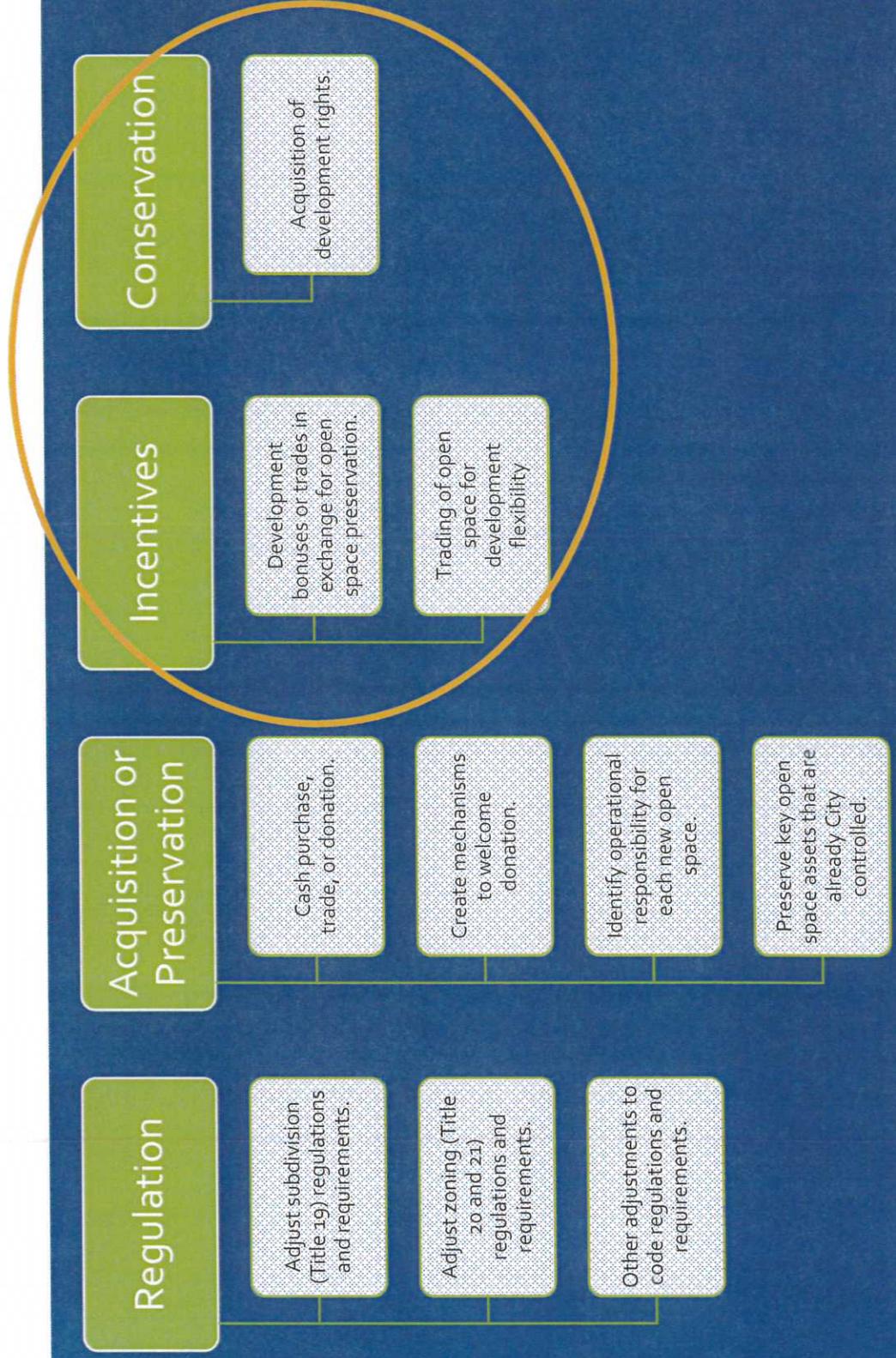
3. Does the City have a process for implementation **of conservation easements**? If so, what is this process? If not, what process would have to be created to establish conservation easements?

Conservation easements are mentioned in the “Open Space Master Plan Implementation Tools” PowerPoint within the “Acquisition and Presentations Strategy” in the staff report to OSAB at the January and February 2015 meetings (see #D-1 on page 14 of the January 2015 PowerPoint and on page 23 of the February 2015 PowerPoint).

OPEN SPACE MASTER PLAN

Implementation Tools

OVERVIEW OSMP IMPLEMENTATION RECOMMENDATIONS



REGULATION METHODS

OSMP Implementation Tools

REGULATION METHODS

A-1. Rezoning of Newly Annexed Properties

A-2. Create an Open Space Zoning Category

A-3. Extend the Mountain Development Zone to Encompass a Larger Area Adjacent to the Franklin Mountains

A-4. Make Drainage and Ponding an Integral Part of the Open Space Master Plan

A-5. Require the Preservation of at Least 75% of the Land Area of Existing Arroyos in Undeveloped Areas

A-6. Incorporate Open Space Donations as a Part of the Parkland Dedication Ordinance.

A-7. Modify Subdivision Regulations to Require Preservation of Views and Access to Open Spaces when Adjacent Areas are Developed

INCENTIVES TO PRESERVE OPEN SPACE

C-1. Allow trading of density for preservation of open space

C-2. Allow cluster development to preserve open space

C-3. Allow private open space in select cases where development bonuses are granted

C-4. Allow the waiving of development fees

C-5. Deferral of property taxes

CONSERVATION EASEMENTS

D-1. Acquire development rights to key properties

A-1. REZONING OF NEWLY ANNEXED PROPERTIES

OSMP Recommendations

- Rezone of all undeveloped lands that do not have approved master plans or land studies to the Rural Farm (RF) zoning category should occur immediately.
- Mandate that newly annexed areas, unless part of a major master planning effort, be brought into the City at the lowest possible zoning category.

Tools to Implement Recommendations

- Rezoning process for parcels/tracts deemed appropriate for downzoning.
- Lowest impact zoning categories available for use: Natural Open Space, Urban Reserve District, Ranch-Farm.

Progress Update

- 03/13/07 – The Ranch-Farm zoning district is established as the default zoning category for newly annexed properties that are not a part of a master plan.
- 02/09/09 – City Council provides direction that staff should not proceed with the downzoning of PSB-managed properties to the R-F district.
- 04/06/10 – The Natural Open Space Zoning District is created which may be used as an alternative to the Rural-Farm default where preservation is a key concern.
- 05/03/11 – The Urban Reserve District following Council direction to create a reserve primarily for City-owned property until it is need for development, at which time it will be rezoned to either SmartCode or a mixed-use district.
- The SmartCode zoned Northwest property was first zoned to the Urban Reserve District to ensure it was protected until it could be master planned in a way that would preserve significant open space features.
- OSAB has begun making recommendations to Council regarding potential rezoning areas.

A-2. CREATE AN OPEN SPACE ZONING CATEGORY

OSMP Recommendations

- Create an "open space" zoning category for newly annexed lands.
- The designation should include stringent performance standards to develop and should focus on maintaining the quality of the open spaces.

Tools to Implement Recommendations

- Rezoning process for parcels/tracts deemed appropriate for zoning to Natural Open Space.
- If the areas have an ecologically sensitive aspect (i.e. Keystone), a Wildlife Sanctuary designation may provide additional protection.
- Title 20 and 21 zoning code changes to increase effectiveness of a natural open space zoning district.
- Incentives may be useful to encourage private property owners to use NOS.

Progress Update

- 04/26/10 – The Natural Open Space Zoning District is created which may be used as an alternative to the Rural-Farm default where preservation is a key concern.
- 04/26/10 – A Wildlife Sanctuary designation was established to identify ecologically sensitive areas such as the Keystone Heritage Park or the Burrowing Owl Habitat.
- The NOS zoning district is currently being amended to disallow uses incompatible with the intent of the zone.
- OSAB has begun making recommendations to rezone smaller parcels of land to the Natural Open Space district to ensure the land is preserved rather than developed.

A-3. EXTEND THE MOUNTAIN DEVELOPMENT ZONE TO ENCOMPASS A LARGER AREA ADJACENT TO THE FRANKLIN MOUNTAINS

OSMP Recommendations

- Extend the Mountain Development District to extend to a lower level north of Transmountain in the northwest.
- Extend the Mountain Development District to extend to Highway 54 on the northeast.

Tools to Implement Recommendations

- OSAB reviews and provides comment on all rezoning cases in MDA and HDA.
- OSAB reviews a quarterly report on subdivisions approved in the MDA and HDA.
- Both reviews provide OSAB an understanding of how development affects MDA and HDA – the Board can then use this understanding to make recommendations re changes to Titles 18, 19, 20 and 21 to better preserve natural open space.

Progress Update

- 05/27/08 – The Mountain Development Area (MDA) is established to preserve the scenic quality of the Franklin Mountains, while still allowing for reasonable development compatible with the characteristics of area.
- 07/13/10 – The Hillside Development Area (HDA) is established and serves as an extension of the MDA generally bounded by I-10, Paisano Drive, Executive Blvd, Mesa, Schuster Ave, Murchison, Arizona, Alabama, Magnetic, Hondo Pass, Highway 54 and MLK Jr Blvd.
- 04/17/2012 – OSAB duties are revised to require staff submittal of rezoning cases in the MDA and HDA for review and comment by the OSAB prior to the CPC hearing.
- 04/17/12 – OSAB duties are revised to require staff submittal of a quarterly report on approved subdivision in the MDA and HAD.

A-4. MAKING DRAINAGE AND PONDING AN INTEGRAL PART OF THE OPEN SPACE PLAN

OSMP Recommendations

- Through code changes, require that drainage and pond areas have a more natural appearance.
- Make them an integral part of the neighborhood, rather than hide them away as unusable space.

Tools to Implement Recommendations

- Drainage Design Manual
- Subdivision Code Changes (e.g. require a certain percentage of open space frontage about a public row)

Progress Update

- 06/2008 – The Drainage Design Manual is adopted and incorporated into the Subdivision code.
- Vested developments may choose to adopt new standards as they see fit.
- Council has determined that the ten percent stormwater fund may be used to fund dual use park/ponds which do not necessarily meet the natural open space intent of this tool.
- The Northwest SmartCode plan calls for the use of low impact design standards.

A-5. REQUIRE THE PRESERVATION OF AT LEAST 75% OF THE LAND AREA OF EXISTING ARROYOS IN UNDEVELOPED AREAS

OSMP Recommendations

- Amend Title 19 (Subdivisions) of the El Paso City Code to require that a minimum of 75% of the rim to rim area of existing arroyos or drainage washes in undeveloped lands be preserved.
- Recommendation that these areas, if left in their natural state, be preserved as open space parks

Tools to Implement Recommendations

- OSAB reviews a quarterly report on subdivisions approved in the MDA and HDA
- This review provides OSAB an understanding of how development affects MDA and HDA – the Board can then use this understanding to make recommendations re changes to Title 19 to better preserve natural open space.

Progress Update

- Title 19 (Subdivisions) Section 19.19.010.F. Preservation of Natural Arroyos
- Title 19 (Subdivisions) Section 19.20.030.B.4. Open Space Lands and Arroyos

A-6. INCORPORATE OPEN SPACE DONATIONS AS A PART OF THE PARKLAND DEDICATION ORDINANCE

OSMP Recommendations

- Permit open space as an acceptable donation option to meet the parkland dedication requirements
- Allow for arroyos left in their natural state to count as parkland
- Permit the trading of open space land in exchange for required park improvements
- Allow for park fees to be used to acquire either parkland or open space areas
- Require that arroyos be left in their natural state and function as drainage facilities rather than permitting channelization

Tools to Implement Recommendations

- OSAB reviews a quarterly report on subdivisions approved in the MDA and HAD
- This review provides OSAB an understanding of how development affects MDA and HDA – the Board can then use this understanding to make recommendations re changes to Title 19 to better preserve natural open space.

Progress Update

- Title 19 (Subdivisions) Section 19.20 Parks and Open Space
- Title 19 (Subdivisions) Section 19.20.030.B.4. Open Space Lands and Arroyos
- The Northwest SmartCode plan calls for the use of low impact design standards and for the preservation of the existing arroyo network within its boundaries.

A-7. MODIFY SUBDIVISION REGULATIONS TO REQUIRE PRESERVATION OF VIEWS AND ACCESS TO OPEN SPACES WHEN ADJACENT AREAS ARE DEVELOPED

OSMP Recommendations

- In areas where arroyos are a unique feature of the development, modify Title 19 to require that better access and views to open space

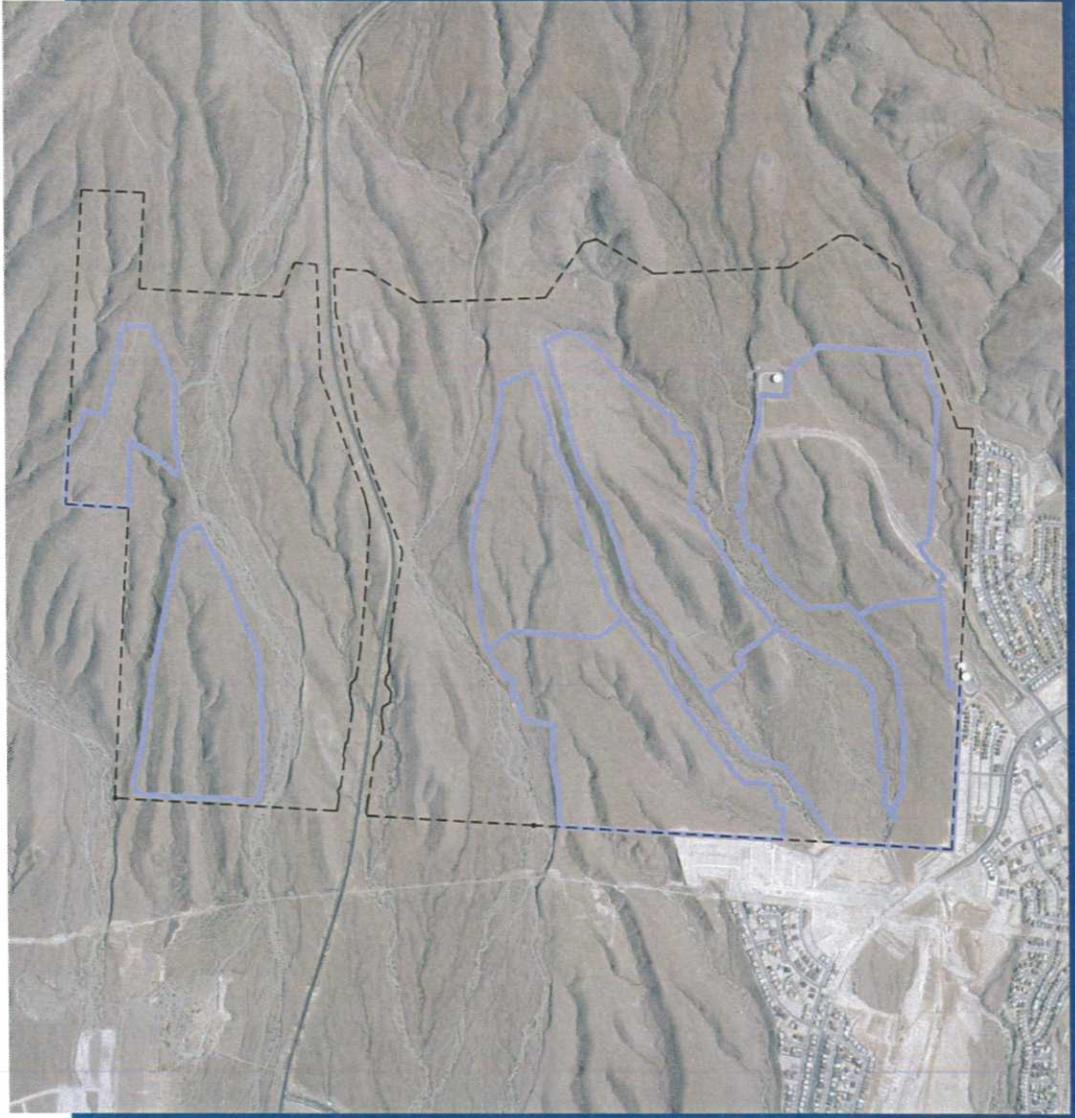
Tools to Implement Recommendations

- OSAB reviews a quarterly report on subdivisions approved in the MDA and HDA.
- This review provides OSAB an understanding of how development affects MDA and HDA – the Board can then use this understanding to make recommendations re changes to Title 19 to better preserve natural open space.

Progress Update

- Title 19 (Subdivisions) Section 19.20.050.A.4. Standards for Deeded Parkland
- Title 19 (Subdivisions) Section 19.20 Parks and Open Space (recent code amendment)
- The Northwest SmartCode plan incorporates a different block structure and thoroughfare network that allows for better integration of arroyos and parks as part of the neighborhood.

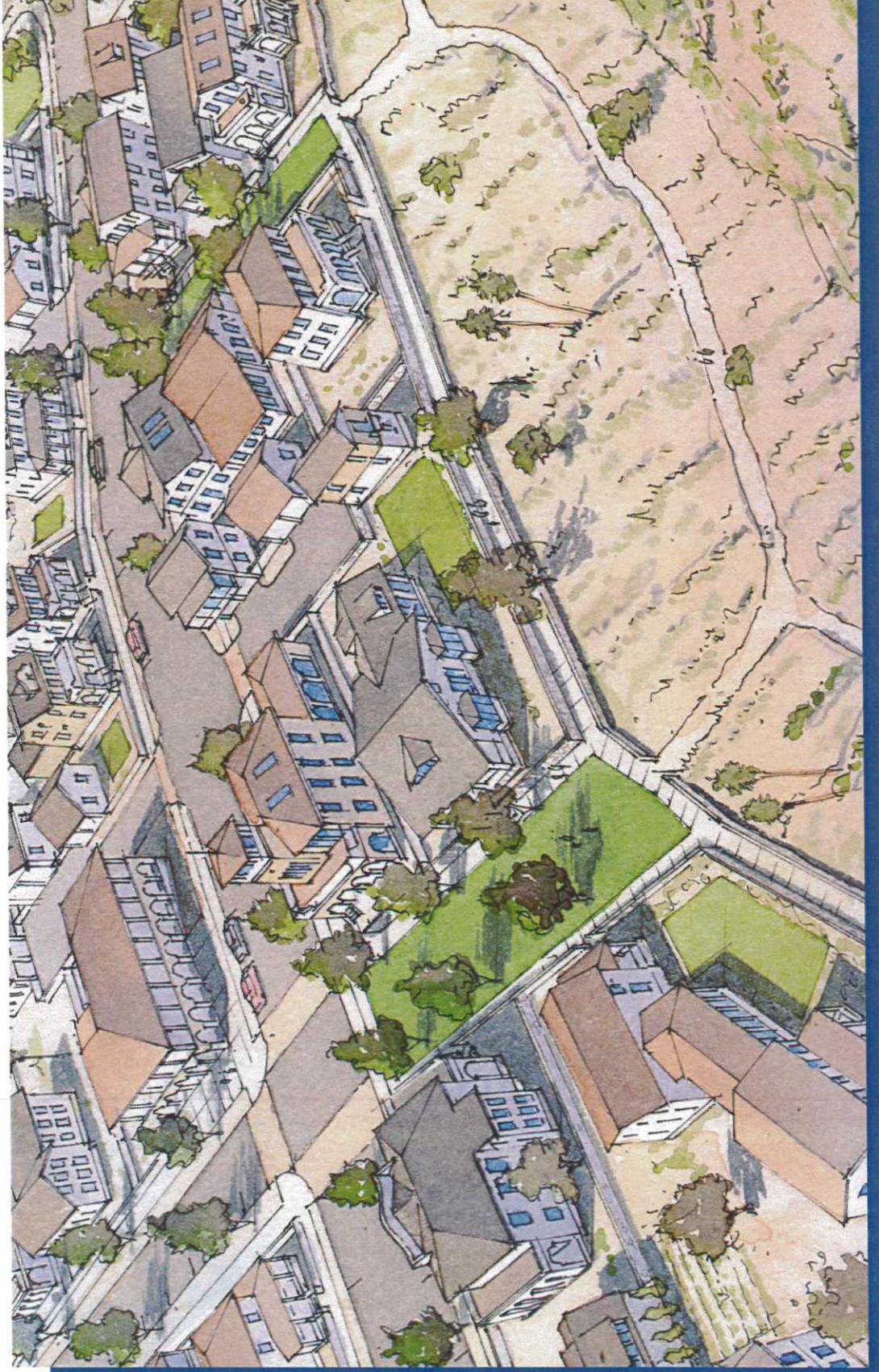
NORTHWEST MASTER PLAN



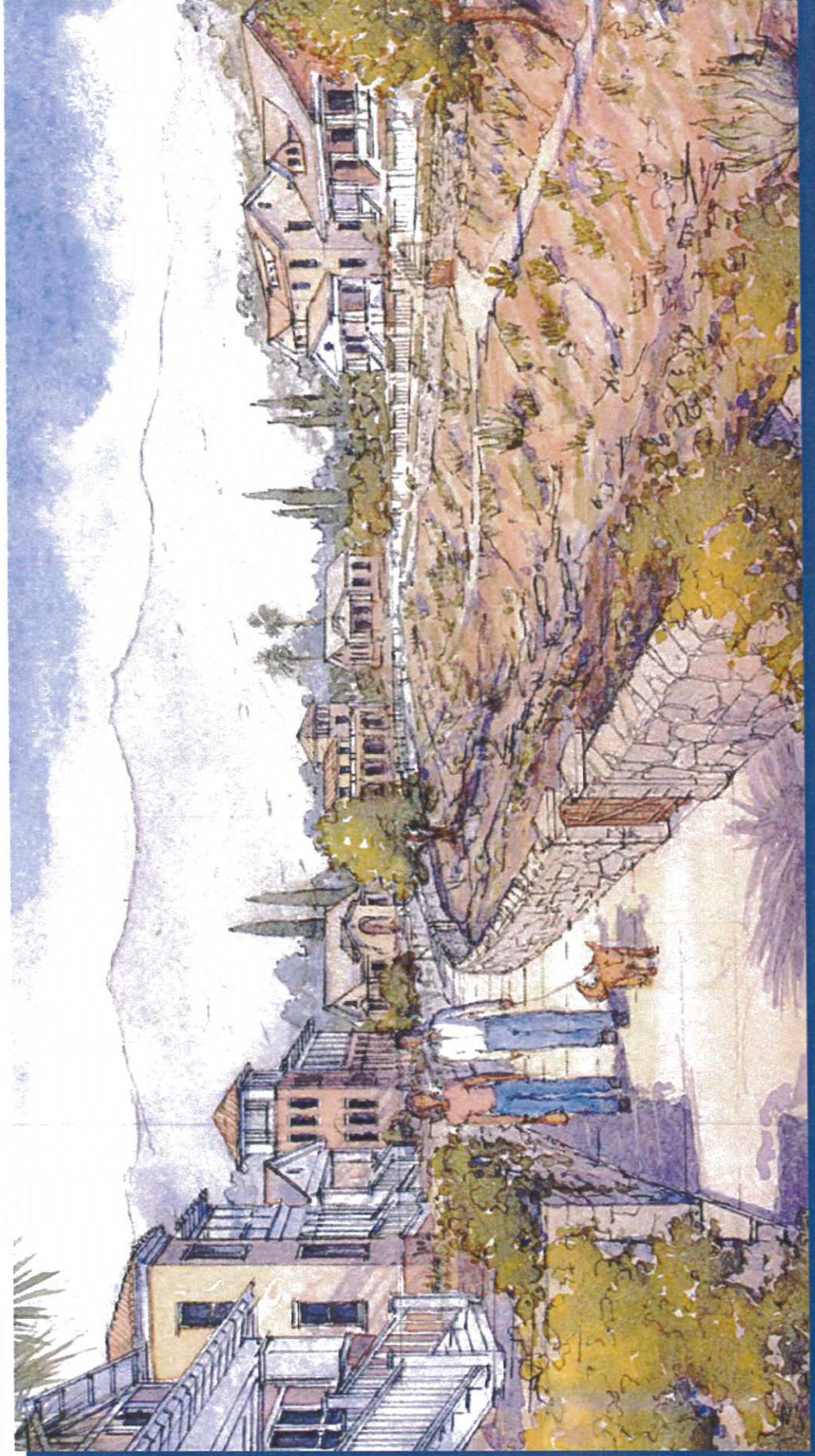
NORTHWEST MASTER PLAN



NORTHWEST MASTER PLAN RENDERINGS



NORTHWEST MASTER PLAN RENDERINGS



C-1. ALLOW TRADING OF DENSITY FOR PRESERVATION OF OPEN SPACE

OSMP Recommendations

- Permit higher densities through ordinances in exchange for the preservation of open spaces over and above what is already required

Tools to Implement Recommendations

- OSAB reviews and provides comment on all rezoning cases in MDA and HDA.
- OSAB reviews a quarterly report on subdivisions approved in the MDA and HDA.
- Both reviews provide OSAB an understanding of how development affects MDA and HDA – the Board can then use this understanding to make recommendations re changes to Titles 19, 20 and 21 to better preserve natural open space.

Progress Update

- Title 20 (Zoning) Section 20.10.695 Transfer of Development Rights

C-2. ALLOW CLUSTER DEVELOPMENT TO PRESERVE OPEN SPACE

OSMP Recommendations

- Permit development to be clustered at higher densities so as to preserve open space in other parts of the development

Tools to Implement Recommendations

- OSAB reviews and provides comment on all rezoning cases in MDA and HDA.
- OSAB reviews a quarterly report on subdivisions approved in the MDA and HDA.
- Both reviews provide OSAB an understanding of how development affects MDA and HDA – the Board can then use this understanding to make recommendations re changes to Titles 19, 20 and 21 to better preserve natural open space.

Progress Update

- Title 21 (SmartCode) Section 21.30.030 Clustered Land Development (CLD)

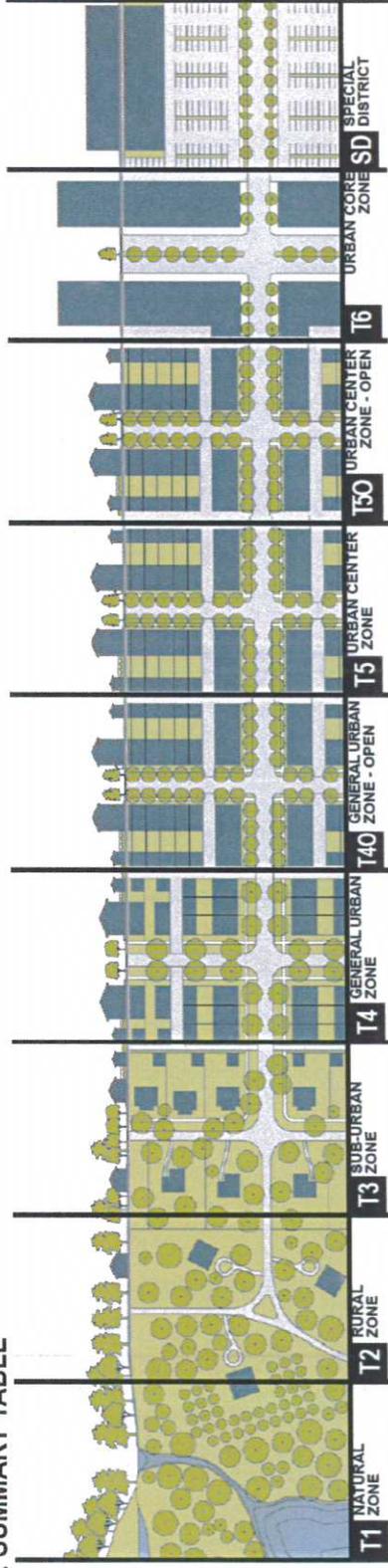
C-2. ALLOW CLUSTER DEVELOPMENT TO PRESERVE OPEN SPACE

CHAPTER 21.80 TABLES

SMARTCODE

El Paso, Texas

TABLE 14: SUMMARY TABLE



	T1 NATURAL ZONE	T2 RURAL ZONE	T3 SUB-URBAN ZONE	T4 GENERAL URBAN ZONE	T40 GENERAL URBAN ZONE - OPEN	T5 URBAN CENTER ZONE	T50 URBAN CENTER ZONE - OPEN	T6 URBAN CORE ZONE	SD SPECIAL DISTRICT
a. ALLOCATION OF ZONES per Pedestrian Shed (applicable to Article 3 only)									
CLD requires	no minimum	50% min	20 - 40%	10 - 30%	20% max.	not permitted	not permitted	not permitted	not permitted
TND requires	no minimum	no minimum	10 - 30%	30 - 60 %	40% max.	10 - 30%	30% max.	not permitted	not permitted
RCD requires	no minimum	no minimum	not permitted	10 - 30%	40% max.	10 - 30%	30% max.	40 - 80%	
b. BASE RESIDENTIAL DENSITY (see Section 3.4)									
Reserved									
By Right	by Variance	by Variance	6 units / ac. gross	15 units / ac. gross	20 units / ac. gross	24 units / ac. gross	26 units / ac. gross		
Other Functions	by Variance	by Variance	5 - 15% min	10 - 25% min	30 - 60% min	30 - 60% min	30 - 60% min		

(see Table 16)

C-2. ALLOW CLUSTER DEVELOPMENT TO PRESERVE OPEN SPACE



C-3. ALLOW PRIVATE OPEN SPACE IN SELECT CASES WHERE DEVELOPMENT BONUSES ARE GRANTED

OSMP Recommendations

- Permit the permanent preservation of private open space for use of area residents

Tools to Implement Recommendations

- OSAB reviews and provides comment on all rezoning cases in MDA and HDA.
- OSAB reviews a quarterly report on subdivisions approved in the MDA and HDA.
- Both reviews provide OSAB an understanding of how development affects MDA and HDA – the Board can then use this understanding to make recommendations re changes to Titles 19, 20 and 21 to better preserve natural open space.

Progress Update

- Title 19 (Subdivisions): Private & Common Open Space

C-4. ALLOW THE WAIVING OF DEVELOPMENT FEES

OSMP Recommendations

- Permit the waiving of development fees in exchange for open space

Tools to Implement Recommendations

- OSAB reviews and provides comment on all rezoning cases in MDA and HDA.
- OSAB reviews a quarterly report on subdivisions approved in the MDA and HDA.
- Both reviews provide OSAB an understanding of how development affects MDA and HDA – the Board can then use this understanding to make recommendations re changes to Titles 19, 20 and 21 to better preserve natural open space.
- OSAB's role as an advisory board to the City Council in efforts to preserve and acquire open space as identified in the OSMP

Progress Update

- Title 21 (SmartCode) Section 21.10.060 Incentives

C-5. DEFERRAL OF PROPERTY TAXES

OSMP Recommendations

- Permit the deferral of property taxes in exchange for open space

Tools to Implement Recommendations

- OSAB's role as an advisory board to the City Council in efforts to preserve and acquire open space as identified in the OSMP

D-1. ACQUIRE DEVELOPMENT RIGHTS TO KEY PROPERTIES

OSMP Recommendations

- Preservation of properties by acquiring development rights
- Conservation easements as the primary tool for preservation

Tools to Implement Recommendations

- OSAB's role as an advisory board to the City Council in efforts to preserve and acquire open space as identified in the OSMP

6

Whereas, the open space advisory board's overarching duty is to provide recommendations to the city council in efforts to preserve and acquire open space as identified in the "*Towards a Bright Future: Mountains to River - A Green Infrastructure Plan for El Paso, Texas*," commonly referred to as the open space master plan, which was adopted as a chapter of the Plan for El Paso on March 13, 2007; and

Whereas, the City of El Paso has since invested significant resources into acquiring open space that enhances the visual image of El Paso and into providing access to the open space to enhance the quality of life for citizens of El Paso; and

Whereas, the City of El Paso owns land adjacent to the open space;

Now, therefore, the open space advisory board recommends the City Council of El Paso direct City staff to develop a policy for development and use of the city-owned land adjacent to open space in a manner that protects and preserves the value of the open space.