

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

**AGENDA DATE:** July 19, 2022  
**PUBLIC HEARING DATE:** July 19, 2022

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Joaquin Rodriguez, 915-268-5148

**DISTRICT(S) AFFECTED:** City-wide

**STRATEGIC GOAL:** Goal 1 - Cultivate an Environment Conducive to Strong, Economic Development  
**SUBGOAL:** 1.1 Stabilize and expand El Paso's tax base

**SUBJECT:**  
APPROVE a resolution to adopt the City of El Paso Infill & Redevelopment Policy.

**BACKGROUND / DISCUSSION:**  
The Infill Policies Cross Functional team was established March of 2021 to evaluate policies and ordinance changes related to infill development including land use, multi-modal transportation, and adaptive re-use of existing buildings. The team consists of City Council representatives from districts one, two, four, and eight. This proposed policy is the first deliverable from the infill policies CFT.

The policy consolidates and focuses many recommendations from existing policy documents. The intent of the policy is to provide clear direction to staff on action items related to infill development. The policy was developed by the CFT with support from staff in CID, Economic Development, Community Development, and Planning and Inspections.

The focus of the policy is implementation of recommendations to promote, encourage and facilitate infill development in targeted areas within the city through a number of strategies such as revised incentive structures, alignment of infrastructure investments, and zoning and regulatory reform. The policy includes a recommendation for phasing of these implementation strategies.

**PRIOR COUNCIL ACTION:**  
N/A

**AMOUNT AND SOURCE OF FUNDING:**  
N/A

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?**  YES  NO

**PRIMARY DEPARTMENT:** CID - Planning  
**SECONDARY DEPARTMENT:** N/A

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

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*Yvette Hernandez*  
Yvette Hernandez, P.E.

## **RESOLUTION**

**WHEREAS**, the City’s Comprehensive Plan, *Plan El Paso*, establishes an overall goal of encouraging “infill development within the existing City over peripheral expansion to conserve environmental resources, spur economic investment, repair social fabric, reduce the cost of providing infrastructure and services, and reclaim abandoned areas”; and

**WHEREAS**, Goal 1.1 of the City’s 2022 Strategic Plan calls for stabilizing and expanding El Paso’s tax base through targeted redevelopment and infill growth strategies; and

**WHEREAS**, the City’s 2019 Eastside Growth Management Plan recognizes that encouraging infill and the retrofit of existing developments in central El Paso and discouraging outward expansion is the most effective and fiscally responsible way for El Paso to manage future growth; and

**WHEREAS**, a Cross Functional Team was formed in March 2021 to develop an infill and redevelopment policy for the City through the evaluation of policies and ordinances related to infill development including land use, multi-modal transportation, and adaptive re-use of existing buildings; and

**WHEREAS**, the resulting infill and redevelopment policy prepared by the Cross Functional Team includes new policy and code language aimed at addressing the City's outward growth, incentivizing infill development, and improving the existing built environment in the City's core.

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

1. That the “City of El Paso Infill and Redevelopment Policy” as attached hereto be adopted;
2. That the City Manager be authorized to begin implementation of the Policy in a manner generally consistent with the recommended strategies and implementation steps contained within the Policy;

That adoption of the Policy shall not commit the City of El Paso to specific funding levels or implementation strategies associated with infill development.

(Signatures on the following page)

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

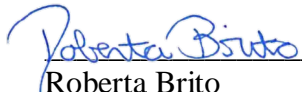
**THE CITY OF EL PASO:**

\_\_\_\_\_  
Oscar Leeser  
Mayor

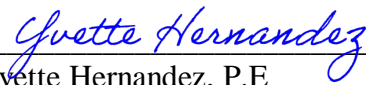
**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS FOR FORM:**

  
\_\_\_\_\_  
Roberta Brito  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Yvette Hernandez, P.E.  
City Engineer

## City of El Paso Infill & Redevelopment Policy

### I. Policy Statement & Intent

**It is the policy of the City of El Paso to promote, encourage, incentivize, and facilitate the development of vacant, blighted, or underutilized parcels of land within the City of El Paso’s urban core and within targeted areas of priority over continued outward expansion and development at the City of El Paso’s periphery.**

The City of El Paso (“City”) has adopted a Strategic Plan that includes goals and strategic objectives related to targeted redevelopment and downtown revitalization. This Infill and Redevelopment Policy (“Policy”) seeks to support those goals and strategic objectives through specific action items identified to encourage and facilitate infill development and redevelopment efforts in the city.

This Policy seeks to address and counteract the negative impacts of continued outward expansion of growth on the City’s fringes and relocation of City residents to outlying and suburban communities. Additionally, this Policy proposes action items to support development and investment to activate the City’s urban core and capitalize on existing and recent investments in transit and infrastructure in areas that are currently underserved by residential and commercial markets.

While the focus of this Policy is on neighborhoods that demonstrate prewar development patterns, the City also recognizes that the strategies contained herein may also be effective in more recently developed areas of the City where existing infrastructure, development, and land use indicate a high opportunity for infill development.

### II. Justification & Benefits

This Policy recognizes the benefits of infill development and redevelopment of the City’s urban core in reducing the cost of service and infrastructure requirements associated with continued outward expansion and suburban growth patterns. The Policy seeks to reduce the tax burden on residential taxpayers by increasing the value of vacant and underutilized land within older areas of the City through increased development.

Additionally, this Policy seeks to promote and facilitate the development of expanded affordable and market rate housing options (such as townhomes, duplexes, triplexes, etc.) for citizens beyond the current offerings of the El Paso housing market. These expanded options have potential to achieve transit-supportive density to capitalize on the City’s investments in bus rapid transit and the streetcar.

The strategies of this Policy support the City’s goals of reestablishing a vibrant urban core with housing and job opportunities within high priority transit corridors. These strategies may ultimately lead to the preservation of historic structures and neighborhoods through reinvestment and adaptive reuse of existing, historic structures. Current adopted zoning and building code requirements have proven, at times, to be incompatible with development and redevelopment of such structures, market conditions and counter to the adopted goals of the City’s Comprehensive Plan and other strategic objectives. This Policy provides strategies and guidance to address those potential incompatibilities through targeted code reform. However, the Policy recognizes that any code reform should be tempered by area specific design and development standards to maintain compatibility with existing neighborhoods. These area specific standards provide opportunity for increasing density within traditional neighborhoods and spurring economic development of neighborhood-scale and neighborhood supportive commercial activity.

The benefits of infill development extend beyond the built environment. By creating a regulatory environment that is supportive of higher density development and walkable, complete neighborhoods, the City expects improved health outcomes for residents who can more easily choose walking or bicycling as their preferred mode of transportation and reduce vehicle miles traveled (“VMT”). Infill development also has potential to reduce development pressure on open space, agricultural land, and vacant land on the City’s periphery.

### **III. Guiding Strategic Principles**

In support of this Policy, any steps taken to implement the recommendations herein should be firmly grounded in, and supported by, a few guiding strategic principles at the core of infill development programming.

Above all, the City must be sensitive to issues of displacement and gentrification in stable residential areas and stable, prewar, commercial corridors and town centers. Efforts to increase density or spur redevelopment must be coupled with provisions to preserve existing, naturally-affordable housing stock and ensure that residents are not displaced from their communities as a result of regulatory or administrative changes in support of infill development.

Any regulatory or administrative changes pursued in support of this Policy should focus on addressing and mitigating the challenges commonly associated with infill development. Further, in addressing those challenges the City must commit to ensure neighborhood compatibility and context sensitivity of any new land use regulations or urban design standards.

As targeted infill priority areas are developed in support of this Policy, the City should make an effort to align public infrastructure investments with these areas. The City’s capital planning process should ensure equitable distribution of investments with regard to infill areas and growth areas.

Emphasis should be placed, and priority given to reestablishing lost or declining neighborhood corridors and town centers. These areas serve as catalysts for surrounding redevelopment, densification and business expansion.

Finally, the City must aggressively pursue the implementation of citizen driven planning document recommendations, many of which are the basis for the recommendations within this Policy.

### **IV. Policy Goals – Measurable**

The City will set measurable goals to continuously evaluate and assess the effectiveness of any programming developed in support of this Policy. These measurable goals should seek to monitor the following infill related trends:

- Increase in the development of vacant lots within the City’s urban core.
- Increase in the redevelopment and adaptive reuse of older, underutilized buildings.
- Increase density and housing options within existing communities where appropriate transit options exist.
- Increase in the development of middle housing options such as duplexes, triplexes, quadraplexes, or attached single family homes and mid-rise multifamily housing in targeted areas.
  - Increase in block group population in targeted areas.
  - Increase in taxable value/revenue per acre in targeted areas.
  - Increase in the number of building permits issued for duplex, triplex, quadruplex and apartments.

- Mitigate zoning and regulatory hurdles to development within existing neighborhoods.
  - Reduction in special permit and rezoning applications.
  - Reduction in applications for legal non-conforming.
  - Increase in number of permits issued in targeted areas. – Specify Types of permits, track other than new construction.

Continuous monitoring of related metrics should be made publicly available to encourage and allow members of the community and general public to monitor the progress of implementing this Policy.

## **V. Implementation**

Implementation of this Policy should focus on regulatory and administrative changes, code amendments, incentivization, and direct interventions and investments to promote infill development and redevelopment.

### **a. Identify and Prioritize Targeted Areas.**

The City’s adopted Strategic Plan calls for targeted reinvestment. Prioritization of targeted areas is vital to successful implementation of this Policy; however, a map-based prioritization may not provide the flexibility required. Targeted areas for infill should be identified based on context of the neighborhood being examined and the character of the surrounding area. For example, areas in the City’s Mission Valley or Northeast planning areas may not exhibit prewar character or strictly traditional neighborhood patterns, yet still be strong candidates for corridor revitalization or town center style redevelopment because of the City’s investment in infrastructure. Such areas should include any combination of the following:

- Areas commonly referred to and recognized as the City’s Urban Core;
- Areas identified as High Priority Corridors by the City’s High Priority Corridor Cross Functional Team;
- Priority areas identified in the City’s adopted Housing Strategy;
- Prewar town/neighborhood centers and corridors or postwar areas exhibiting similar neighborhood patterns or opportunity as identified in the City’s Comprehensive Plan;
- Traditional Neighborhoods, as identified in the City’s future land use map;
- Areas where adopted planning studies or associated efforts have identified gaps in housing and/or commercial markets.
- Existing areas and neighborhoods with a concentration of middle housing options, such as duplexes, triplexes, quadraplexes, or attached single family homes and mid-rise multifamily, where there currently exists a trend of development or redevelopment activity that supports increased density or expanding neighborhood commercial uses.
- Locations where capital investment has resulted in walkable infrastructure which can support infill development.

### **b. Take guidance from real world data & markets.**

Steps taken to implement this Policy should be informed by real world data and markets. Specifically, the City should include detailed and targeted market analyses in planning

studies and decision making as it relates to infill. These analyses should include a monitoring of growth and development trends and market demand and development standards supported by market conditions. Effective implementation of this Policy will require consideration of housing preference associated with changing demographics throughout the City.

### **c. Incentives**

This Policy recognizes that incentives to encourage infill development and redevelopment are effective and necessary tools for implementation; however, this Policy also recognizes that the current set of incentives typical of infill policies can be improved upon and expanded to better support the development community that is more likely to engage in infill development and re-development. The City should pursue an expansion or establishment of incentives generally consistent with the following forms:

- Expanding City fee waivers can be an effective tool to facilitate the development process. These fee waivers should be aligned with the target areas for infill development and re-development and aligned with the type of project prioritized by this Policy. While a fee rebate may be more easily implemented operationally, a waiver provides the highest benefit to an applicant. A system of waivers should be developed specifically to target infill projects and not simply geographic regions. The distinction must be drawn between projects that support the goals established within this Policy and other adopted goals of the City and projects which do not.
- Design and planning fees and timelines can be a significant hurdle for persons interested in infill projects. The City should take steps to eliminate or mitigate these hurdles. One effective method is the adoption and implementation of pattern zones within targeted infill areas. A pattern zone program can be an effective tool to provide relief for design fees and plan review timelines for small developers. Pattern zones should be established for small planning areas within targeted infill areas. A key component of pattern zones is the development of pre-approved building plans for context sensitive and neighborhood compatible structures. Formal adoption of these plans within a pattern zone can greatly facilitate the development process as it relates to the infill development and redevelopment.
- Certain targeted areas for infill development could benefit from façade improvement grants. This tool has proven effective in adaptive reuse contexts in other parts of the City. The City should evaluate expanding such a program to targeted areas where such improvements would benefit the surrounding community and serve as a catalyst for re-development or adaptive reuse. The City should establish clear and consistent funding mechanisms to support any programs created in support of this Policy.
- Property tax incentives in the form of rebates should remain within the set of available tools to support this policy. However, in support of this Policy certain incentive structures should be realigned to support small developers and those making smaller investments within areas targeted for infill development. These incentives should be promoted aggressively and in a

direct nature to property owners within infill target areas in an effort to accelerate development of blighted, vacant, or underutilized parcels. The realignment of the incentive structure should include a lower investment threshold to support smaller projects.

- The expanded use of Tax Increment Reinvestment Zones (TIRZ) for the purposes of gap financing for housing and the implementation of capital plans by funding identified infrastructure projects.
- To further support this Policy, the City should pursue programs to support small developers engaged in the construction and development of middle housing options. One such program should be focused on training for small developers on development process and available incentives.

#### **d. Infrastructure**

The design, condition, and maintenance of infrastructure have an impact on surrounding development. This Policy recognizes that investments in infrastructure are effective tools to further encourage and incentivize infill development and redevelopment. To support this Policy, the City should focus on including consideration for targeted infill areas in the following programs:

- Implementation of complete streets infrastructure.
- Evaluation of applications for the City's neighborhood improvement program and neighborhood traffic management programs.
- The development of the City's Capital Improvement Plan.
- Development of priority project lists for future capital expenditures or debt financing initiatives.
- Investments in the expansion of transit options, availability, or frequency of service.

#### **e. Zoning and Regulatory Reform**

A critical component of implementation of this Policy is zoning and regulatory reform. This Policy recognizes that the City's adopted code of ordinances as they relate to zoning and development can at times be a significant hurdle for infill development. While the City's current adopted code does provide a variety of relief mechanisms for instances in which code requirements fail to adequately reflect existing conditions or neighborhood patterns, these relief mechanisms can introduce a level of uncertainty, or added difficulty to an already cumbersome and time-consuming process. In support of this Policy, the City should explore code changes within targeted infill areas generally consistent with the following:

- Reduce, eliminate or strongly reconsider minimum off-street parking requirements within targeted infill areas. Specifically, those where sufficient on street parking or transit access is present.
- Consider parking maximums in areas where sufficient on street parking or transit access is present and excess land area devoted to parking is not compatible with existing neighborhood patterns.



- Reduce or eliminate the need for special permits for parking reductions in areas well served by on street parking and transit and within targeted infill areas.
- Align parking requirements with the context of the surrounding community and neighborhood form. Put simply, modern day parking requirements should not apply to areas that have been targeted for infill development in which large surface parking lots have historically not been necessary or present. The process of realigning these parking requirements should involve the public and members of the surrounding community.
- Ensure that new parking standards developed in support of this policy may not be suited for auto oriented development areas and should not limit the availability of parking within areas not targeted for infill development.
- Develop pattern books for targeted infill areas with context sensitive and area specific design guidance and tie concurrence with this design guidance to expedited review processes and expanded regulatory relief from incompatible code revisions
- The City should examine its adopted building code and existing building code to align code requirements with provisions that support and specifically address the unique requirements of adaptive reuse of existing buildings within targeted in filled areas.
- Develop setback standards that are more flexible in nature and take into account existing conditions and the context of surrounding development.
- Consider replacement of density calculations from units per acre to floor area ratios (FAR).
- Expand the permitted activities of non-conforming regulations as it relates to expansions and alterations.
- Integrate elements of form-based regulations that focus on uniform development rather than the regulation of particular uses. These concepts will support mixed use and infill development, redevelopment, and transit-oriented development.

## **f. Housing**

The availability of housing plays a critical role in redevelopment efforts. This Policy recognizes the need for a variety of housing types within healthy neighborhoods. Any strategies developed in support of this policy should specifically address expanding housing options and choice for residents within infill target areas. Strategies to support this Policy with regard to housing should include:

- Development of a housing trust fund to offer loans or grants to first time homeowners purchasing and occupying homes within infill target areas. Availability of funds for such a program should be leveraged to encourage homebuyers to settle in infill target areas as opposed to suburban growth areas.
- Development of a land bank study and plan in accordance with the applicable provisions of the Texas Local Government code. Land banking in Texas has proven to be an effective tool to manage delinquent or abandoned properties within established and developed neighborhoods. The primary goal of establishing a land bank should be returning underperforming parcels to the

tax rolls in a productive manner while ensuring that future development of any properties disposed of by the land bank does not directly contribute to gentrification or displacement of existing residents.

- Establishment of a surplus real estate policy guide to direct the management of surplus City of El Paso real estate. A surplus real estate policy guide should include prioritization of available property for housing development where appropriate. The policy should also include guidance on the use of deed restrictions and preemptive zoning changes to ensure responsible and contextually sensitive development of any surplus parcels of land.

### **g. Outreach & Coordination**

Successful implementation of this policy will rely heavily on outreach and coordination to promote any strategies developed or implemented for infill target areas. This Policy recognizes that these strategies must be aggressive and direct. The City should develop a program of outreach and coordination including the following elements:

- A single point of contact for any development activity within targeted areas to ensure complete and proper information is available to all interested parties. This point of contact may be a department or person within the department; however, the City must ensure that any person or persons identified as a point of contact for infill development activity within targeted areas is properly trained in all the available resources.
- The department or employee assigned as a point of contact should conduct regular trainings with other employees who may be involved in development review or consultation with members of the public wishing to develop or re-develop projects within infill target areas. Additionally, this point of contact should be responsible for leading an effort to educate the public and property owners about the available resources associated with this Policy.
- The implementation of this Policy will rely heavily on the Planning and Inspections Department. As such, there is an expectation that the Planning and Inspections Department be the face of this Policy. The front desk functions of the One Stop Shop should be fully equipped, staffed, and provisioned to effectively administer any strategies or programs developed in association with this Policy.

### **h. Timeline**

While this Policy does not include a specific timeline for the development of any strategies, regulatory changes or program development in support of infill development and redevelopment, the City should prioritize and expedite the development of strategies and other recommendations included in this Policy. The Policy recognizes that an effective infill development and redevelopment strategy is a process that takes time. In order to effectively implement this Policy, City staff should develop a phased approach based on departmental input from the various departments responsible for implementation. While not prescriptive, the recommended phases should be as follows:

- Phase 1 should comprise of straightforward regulatory changes and an outreach campaign to make the community aware of the proposed changes. This initial

phase of regulatory changes should include reform of parking requirements within infill target areas.

- Phase 2 should consist of expanded ordinance amendments in support of the Policy which may be more involved than those included in Phase 1. This may include the implementation of transit oriented development overlays and pattern zoning overlays. Phase 2 may also include any necessary station area plans or small area planning efforts associated with proposed zoning reform.
- Phase 3 should include strategies and recommendations from this Policy that would require extensive program development. Elements of Phase 3 may include recommendations like the development of the housing trust fund or the initiation of a land bank study or plan. Additionally, Phase 3 should create capacity for implementing this Policy in instances where funding is required.