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Chapter 2.08 CITY PLAN COMMISSION

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2.08.010 Creation—Membership.

The city plan commission shall consist of nine members who shall be resident citizens of El Paso. They shall be appointed in the manner provided by the City Charter.

(Ord. 16977 § 1, 2008; Ord. 13152 § 1, 1997; prior code § 2-5 (part))

2.08.020 Terms.

- A. The terms of office for members of the commission, other than the ex officio members, shall be two years and the first commission members' terms shall be staggered by eight-month terms according to the following schedule:
1. Three members shall be appointed for an eight-month term;
 2. Three members shall be appointed for a sixteen-month term;
 3. Three members shall be appointed for a twenty-four-month term beginning upon the first appointments after May 2, 1957.
- B. Upon the expiration of the eight-month term the members in this group will then be appointed for a full two-year term. Upon the expiration of the sixteen-month term the members in this group will then be appointed for their two-year terms, thus staggering the appointment setup so that no more than three members shall be reappointed in any one given eight-month term.

(Prior code § 2-5 (part))

2.08.030 Removal.

The members of the commission shall serve until their successors are appointed and shall be subject to removal under the terms of the City Charter concerning officers appointed by the mayor.

(Prior code § 2-5 (part))

2.08.040 Members not to hold other public offices—Exception.

No member of the city plan commission, other than the ex officio members, shall hold any other public office of honor, trust or profit in the government of the city or county during his term of office.

(Prior code § 2-5 (part))

2.08.050 Chairman and vice-chairman—Rules and regulations.

The city plan commission members shall select from among their number a chairman and a vice-chairman, and they shall adopt rules and regulations for the government of their own proceedings, and to carry out the purposes for which such commission is created, not inconsistent with the Charter and ordinances of the city.

(Prior code § 2-5 (part))

2.08.060 Duties—Generally.

It shall be the duty of the city plan commission to formulate general plans and designs to promote the welfare, beauty and comfort of the city, to improve and develop means of transportation, ornamentation, drainage, sewerage and all other means of municipal improvement, and the commission shall, from time to time, submit to the city council, reports, maps and plans for such purposes, and it shall be the special duty of the city plan commission to consider, formulate and recommend plans for the elimination, in so far as may be practicable, of all grade crossings for all railways within the city, whether by removal of tracks or by the elevation or depression thereof.

(Prior code § 2-6)

2.08.070 Submission of plans for advice and consultation—Public building erection, location and construction plans.

The city will not locate, erect or construct any building, memorial, viaduct, park or work of art of any character, until the plan or proposal therefor shall have been submitted by the city council to the city plan commission for its advice and consultation.

(Prior code § 2-7)

2.08.080 Submission of plans for advice and consultation—Street or sewer system, park or parking strip alteration plans.

Whenever it is proposed to make any general alteration in the street system of the city or any portion thereof, or to open, close, widen or extend any street in the city, or in the territory adjacent thereto, or to permit the construction of any streetcar tracks thereon, or to remove any streetcar

tracks therefrom, such proposal, before it is acted upon, shall be referred to the city plan commission for advice and consultation. In like manner, any plan for any general change or alteration relating to public parks or parking strips, and to lighting, beautification or ornamentation of any of the streets of the city, or any general plan affecting the drainage or sewer systems of the city, or general change in the grades of public streets, shall be referred to the city plan commission for advice and consultation.

(Prior code § 2-8)

2.08.090 Submission of plans for advice and consultation—Recommendations and reports to council.

Whenever any plan, proposal or ordinance relating to matters coming within the duties or jurisdiction of the city plan commission, as herein set forth or hereafter adopted, shall have been referred to the city plan commission for consultation or advice, the city plan commission shall return the same to the city council with its report and recommendation thereon in writing, within thirty days after the same shall have been referred to the city plan commission, unless the city council shall, in referring same, direct that a longer or shorter period shall be allowed for such report, but upon request or recommendation of the city plan commission, the time for the making of such report and recommendation may be extended within the discretion of the city council.

(Prior code § 2-9)

2.08.100 Submission of plans for advice and consultation—Plans referred by city council—Action thereon by city council.

When any plan, proposal or ordinance shall have been referred by the city council to the city plan commission, the city council shall not take action thereon until the expiration of the time allowed for the report and recommendation of the commission.

(Prior code § 2-10)

2.08.110 City planning—Duty to keep informed on, study and recommend improvements.

It shall be the duty of the city plan commission to keep itself informed as to the progress of city planning in this and other countries, and to make studies and recommendations for the improvement of the sanitation, recreation and general welfare of the public, and to improve traffic, transportation and the general convenience of the public, and the economic development of the city, and it shall submit to the city council, from time to time, plans, reports and recommendations concerning the development of facilities for public recreation, the development and improvement of public parks, boulevards, highways and other grounds, the improvement of the river front and the extension and opening of streets and highways.

(Prior code § 2-11)

2.08.120 Zoning plan formulation and submission.

It shall be the duty of the city plan commission to formulate and submit to the city council, plans for zoning and for regulating the location of business houses, industrial plants and residential sections.

(Prior code § 2-12)

2.08.130 Housing condition reports and recommendations.

It shall be the duty of the city plan commission to formulate and submit to the city council, reports, plans and recommendations to regulate the height, design and location as to property lines, within the city or adjacent thereto, and to formulate and submit to the city council recommendations to prevent or abolish unsanitary, unhealthful or unwholesome housing conditions.

(Prior code § 2-13)

2.08.140 Water supply study, investigation and reports.

The city plan commission shall study, investigate and report upon plans for the extension of the water supply for the city, and upon new sources of supply.

(Prior code § 2-14)

2.08.150 Annual reports to council.

On or before August fifteenth of each year, the city plan commission shall make a written report to the mayor and city council of the work of the commission during the preceding year. Such reports shall summarize all recommendations made by the commission to the city council during the year, and all reference by the city council to the commission of matters for investigation, report or advice, together with the action of the city council, if any, taken thereon. Such report shall contain the general program of improvements for the city as shall be recommended by the commission, and may contain estimates of cost and recommendations as to the means of defraying the same.

(Prior code § 2-15)

LOCAL GOVERNMENT CODE

TITLE 7. REGULATION OF LAND USE, STRUCTURES, BUSINESSES, AND RELATED ACTIVITIES

SUBTITLE A. MUNICIPAL REGULATORY AUTHORITY

CHAPTER 211. MUNICIPAL ZONING AUTHORITY

Sec. 211.007. ZONING COMMISSION. (a) To exercise the powers authorized by this subchapter, the governing body of a home-rule municipality shall, and the governing body of a general-law municipality may, appoint a zoning commission. The commission shall recommend boundaries for the original zoning districts and appropriate zoning regulations for each district. If the municipality has a municipal planning commission at the time of implementation of this subchapter, the governing body may appoint that commission to serve as the zoning commission.

(b) The zoning commission shall make a preliminary report and hold public hearings on that report before submitting a final report to the governing body. The governing body may not hold a public hearing until it receives the final report of the zoning commission unless the governing body by ordinance provides that a public hearing is to be held, after the notice required by Section 211.006(a), jointly with a public hearing required to be held by the zoning commission. In either case, the governing body may not take action on the matter until it receives the final report of the zoning commission.

(c) Before the 10th day before the hearing date, written notice of each public hearing before the zoning commission on a proposed change in a zoning classification shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the property on which the change in classification is proposed. The notice may be served by its deposit in the municipality, properly addressed with postage paid, in the United States mail. If the property within 200 feet of the property on which the change is proposed is located in territory annexed to the municipality and is not included on the most recently approved municipal tax roll, the

notice shall be given in the manner provided by Section 211.006(a).

(c-1) Before the 10th day before the hearing date, written notice of each public hearing before the zoning commission on a proposed change in a zoning classification affecting residential or multifamily zoning shall be sent to each school district in which the property for which the change in classification is proposed is located. The notice may be served by its deposit in the municipality, properly addressed with postage paid, in the United States mail.

(c-2) Subsection (c-1) does not apply to a municipality the majority of which is located in a county with a population of 100,000 or less, except that such a municipality must give notice under Subsection (c-1) to a school district that has territory in the municipality and requests the notice. For purposes of this subsection, if a school district makes a request for notice under Subsection (c-1), the municipality must give notice of each public hearing held following the request unless the school district requests that no further notices under Subsection (c-1) be given to the school district.

(d) The governing body of a home-rule municipality may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of a public hearing held jointly by the governing body and the zoning commission. If notice requirements are prescribed under this subsection, the notice requirements prescribed by Subsections (b) and (c) and by Section 211.006(a) do not apply.

(e) If a general-law municipality exercises zoning authority without the appointment of a zoning commission, any reference in a law to a municipal zoning commission or planning commission means the governing body of the municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 640 (H.B. 674), Sec. 1, eff. September 1, 2013.