CITY PLAN COMMISSION HEARING
ANNUAL BUSINESS MEETING AGENDA
JANUARY 14, 2016
1:00 P.M.

The City Plan Commission met at the above place and date.

The meeting was called to order at 1:12 p.m. Commissioner Loweree present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:
Commissioner Brannon
Commissioner Bustamante
Commissioner Loweree
Commissioner Ardovino
Commissioner Landeros
Commissioner Perez
Commissioner Madrid

MINUTES

I. CALL TO THE PUBLIC – PUBLIC COMMENT

THERE WERE NO PUBLIC COMMENTS.

. . . . . .

Mr. Larry Nichols, Director for Planning & Inspections, addressed the commission and extended his appreciation for all the work they review and take forward to City Council and for their participation in this commission.

II. ANNUAL BUSINESS MEETING AGENDA - DISCUSSION AND ACTION:

1. CPC Business Items:
   a. Election of Officers (Chair, First Chair, Second Chair)

ACTION: Motion made by Commissioner Perez to nominated Commissioner Ardovino for chair. Commissioner Ardovino declined his nomination.

ACTION: Motion made by Commissioner Ardovino, seconded by Commissioner Brannon, and unanimously carried to appoint Commissioner Madrid for chair.

Motion passed.

ACTION: Motion made by Commissioner Bustamante, seconded by Commissioner Ardovino, and unanimously carried to appoint Commissioner Landeros for 1st chair.

Motion passed.

ACTION: Motion made by Commissioner Perez, seconded by Commissioner Brannon, and unanimously carried to appoint Commissioner Ardovino as 2nd chair.

Motion passed.

Commissioner Madrid chaired the meeting at this time.

Carlos Gallinar, Deputy Director for Planning & Inspections, thanked Commissioner Loweree for the time and effort he put into serving this commission as chair.

. . . . . .

b. Changes to Bylaws

Kimberly Forsyth, Program Manager for Planning & Inspections, noted that staff has a change on Page 6, under Article VIII, Administrative Staff, sub-section 1. The Deputy Director of City Development should be changed to Deputy Director of **Planning & Inspections**. Staff had no further changes to the by-laws.

Commissioner Madrid suggested changing the language to ARTICLE II, sub-sections 7 and 8, since this has not been the practice of the commission.

Commissioner Landeros suggested changing the language to ARTICLE III, sub-section 8 concerning the Roberts' Rules of Order.

Staff agreed to place a discussion and action item at the next City Plan Commission meeting with a red lined copy of the By-laws.

. . . . . .

2. Discussion and action on the duties and responsibilities of the CPC.
This item was heard after item 6.

Carlos Gallinar, Deputy Director for Planning & Inspections, gave an overview of Section 2.08 of the Municipal Code. He noted that the powers of the City Plan Commission come from the State. He stated that Section 2.11 is for zoning and Section 2.12 is for subdivisions. Duties and responsibilities of the City Plan Commission are under the Municipal Code, Section 2.08. He read the general duties of the City Plan Commission under the Municipal Code, Section 2.08.060. He read and explained the different sections of Chapter 2.08. Staff will present for the commission's review, some degree of the street car plan. This will be placed at a future agenda so that the commission can get a presentation from the RMA.

Staff agreed to provide the commission an amended Section 2.08 of the Municipal Code.

. . . . . .

3. Discussion and action on CPC subcommittees.

Carlos Gallinar suggested that the commission look at those sub-committees that they want to establish and look at memberships among themselves and note which subcommittee interests them and which subcommittee they want to work on. This will have to be above and beyond the time and dedication that the commission is already providing to the City Plan Commission.

He noted that the commission currently has two vacancies and possibly three. He recommended that the commission wait until there is a full membership commission and then amend the subcommittees.

Mr. Gallinar suggested to leave the Zoning and Subdivisions committees since staff is constantly working on amending the codes.

Staff agreed to provide the commission with a list of Plan El Paso items so they can begin working on their subcommittees.

ACTION: Motion made by Commissioner Landeros, seconded by Commissioner Brannon, and unanimously carried **TO CONSOLIDATE AND RENAME THE THOROUGHFARE PLANNING, NEIGHBORHOOD PLANNING, AND ANNEXATION/GROWTH STRATEGIES COMMITTEES TO LONG RANGE PLANNING.**

Motion passed.

. . . . . .

4. Park Fees Special Fund Report, Parks and Recreation Department
   a. Paula Powell, Asst. Director of Parks and Recreation Department, (915) 212-1709, powellpj@elpasotexas.gov

Paula Powell, Assistant Director for Parks and Recreation, presented a copy of the expenditure report which is detailed project by project. She also included a memo with an overview of last year's parkland dedication along with the amenities added. They added almost 22 acres of parks in 2015. She mentioned some of the future parks sites/amenities.

NO ACTION WAS TAKEN.

. . . . . .

5. Capital Improvements Department, Bike Plan update
   a. Justin Bass, Lead Planner, (915) 212-1875, bassjd@elpasotexas.gov

Justin Bass, Lead Planner with the Capital Improvements Department, gave a presentation and a quick briefing progress on the City of El Paso Bike Plan. He gave an overview of the scope of work in developing and implementing a new bicycle plan and program. He noted that they had an open house on December 2, 2015, and had almost 100 members of the community attend. They have 5 community meetings scheduled for 2016. Mr. Bass answered questions from the commission.

NO ACTION WAS TAKEN.

. . . . . .

6. Planning & Inspections Department Reports
   a. Zoning Section, Art Rubio, Lead Planner, (915) 212-1613, rubioax@elpasotexas.gov

Kimberly Forsyth, Program Manager for Planning & Inspections, mentioned that there are two presentations under the Zoning and Subdivision reports. The first one will address the City Plan Commission authority for those particular applications. The second one will be a presentation on a particular aspect within zoning.

Art Rubio, Lead Planner, gave a presentation and mentioned the CPC's authority in regards to zoning applications. He noted that the authority derives from the Local Government Code and Title 20, under Section 20.04.040.

Mr. Rubio's presentation on PWSF regulations will be heard with Item #9.

NO ACTION WAS TAKEN.

. . . . . .

   b. Subdivision Section, Kimberly Forsyth, Program Manager, (915) 212-1563, forsythkl@elpasotexas.gov

Raul Garcia, Lead Planner, gave a presentation and mentioned the CPC authority in regards to sub-division applications. He mentioned that the authority derives from the Local Government Code under Section 212.006. He noted that the City Plan Commission is the final authority on subdivisions and the only entity that can approve any modifications or exceptions. The City Plan Commission makes a recommendation and the City

Council is the final authority for dedications, vacations, street name change, and annexations. He responded to questions from the commission.

NO ACTION WAS TAKEN.

. . . . . .

Note: Commissioner Madrid left the meeting during the break.

RECESS:

THE CITY PLAN COMMISSION TOOK A 5 MINUTE BREAK AT 2:38PM.

RECONVENE:

THE CITY PLAN COMMISSION MEETING WAS RECONVENED AT 2:53PM.

. . . . . .

Kimberly Forsyth, Program Manager for Planning & Inspections, gave an overview of vested rights and mentioned that often staff notes that certain set of subdivisions are vested under a prior set of codes. The Vested Rights Statute is out of the Texas Local Government Code Chapter 245 and much of that code is copied directly into our City Code in Section 1.04.070. Typical approvals that can be used to establish vested rights are land studies, development plans, subdivisions, and detailed site plans. She mentioned dormant permits and projects. She responded to questions from the commission.

NO ACTION WAS TAKEN.

. . . . . .

c. Long Range Section, Alex Hoffman, Lead Planner, (915) 212-1566, hoffmanap@elpasotexas.gov

Alex Hoffman, Lead Planner, gave a presentation and noted that Long Range is responsible for a variety of activities mostly the administration of Title 21 – Smart Code. Under Project Compliance with Smart Code, staff looks at the following four activities: Regulating plans, preliminary building scale plan, final building scale plan, and project management. Long Range is also responsible for project compliance with Smart Code and GIS Projects. Downtown data and billboard locations restrictions are some of the major projects they have worked on. Staff worked with Economic Development to come up with a map showing where different incentives are available throughout the city. Long Range manages the Open Space Advisory Board, the City Review Committee, and other special projects. Mr. Hoffman responded to questions from the commission.

NO ACTION WAS TAKEN.

. . . . . .

d. Landscape Ordinance, David Kania, Landscape Plans Examiner, (915) 212-1599, kaniadj@elpasotexas.gov

Tony De La Cruz, Interim Chief Plans Examiner, gave a presentation and noted that this ordinance has not changed much in the last 4 years. He presented an overview of the existing Landscape Ordinance. He noted that the current ordinance requires street trees placed at every 30 feet in center along with a frontage along any city right-of-way. That frontage can vary from 10' in depth in smaller streets to 15' in depth for the major arterials. He mentioned some of the proposed changes to the ordinance. He responded to questions from the commission.

Although the commission does not have purview over Title 18, Mr. De La Cruz agreed to provide the commission with the proposed changes.

NO ACTION WAS TAKEN.

. . . . . .

7. 2015 Activity Report, Planning Division
   a. Kimberly Forsyth, Program Manager, (915) 212-1563, forsythkl@elpasotexas.gov

Kimberly Forsyth, Program Manager, gave a presentation and a report of the activities that took place in the Planning Department during the past year. There was a reduction of zoning applications in 2015 but there was a significant increase in the number of zoning verification letters and in the building plans reviewed. Activities in the zoning section increased in the past year. There was a reduction in subdivision applications in 2015. Vacations, dedications, improvement extensions, and recording extensions were constant and platting determinations increased. The Special Privilege function was moved from the subdivision section to the One Stop Shop. Activity levels in the Long Range section are not the same as the zoning and subdivisions but they do a number of special projects, many of which the City Plan Commission doesn't see but are very important to the function of our department. Long Range looks at study area design guidelines, comprehensive plan amendments, smart code rezoning, review building scale plans, and regulate plan adjustments. Ms. Forsyth reviewed a list of the special projects they worked on during the year.

She mentioned that this report will go to City Council.

ACTION: Motion made by Commissioner Loweree, seconded by Commissioner Ardovino, and carried to **APPROVE THE 2015 ACTIVITY REPORT.**

AYES: Commissioner Perez, Brannon, Bustamante, Landeros, Ardovino, and Loweree
NAYS: N/A
ABSTAIN: N/A
ABSENT: N/A
NOT PRESENT FOR THE VOTE: Commissioner Madrid

Motion passed.

. . . . . .

8. City Attorney's Office – Review of City's Ethics Ordinance and the Texas Statute on Conflicts of Interest
   a. Brie Franco, Assistant City Attorney, (915) 212-1115

Brie Franco, Assistant City Attorney, noted that the Ethics Training can be done online. Legal will provide the commission with training dates for thisTraining.

. . . . . .

9. Discussion and action on Personal Wireless Service Facility (PWSF) regulations

ACTION: Motion made by Commissioner Ardovino, seconded by Commissioner Brannon, and carried to **POSTPONE THE DISCUSSION AND ACTION ON PERSONAL WIRELESS SERVICE FACILITY (PWSF) REGULATION FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF JANUARY 28, 2016.**

AYES: Commissioner Perez, Brannon, Bustamante, Landeros, Ardovino, and Loweree
NAYS: N/A
ABSTAIN: N/A
ABSENT: N/A
NOT PRESENT FOR THE VOTE: Commissioner Madrid

Motion passed.

. . . . . .

10. Public Comments

THERE WERE NO PUBLIC COMMENTS.

. . . . . .

ADJOURNMENT:

11. Adjournment of the Annual City Plan Commission Business Meeting

WITHOUT OBJECTION THE CITY PLAN COMMISSION MEETING WAS ADJOURNED AT 4:37 P.M.

Approved as to form:

Carlos Gallinar, City Plan Commission Executive Secretary