



**CITY OF EL PASO, TEXAS
LEGISLATIVE REVIEW COMMITTEE – PLANNING AND DEVELOPMENT**

Date: Thursday, March 4, 2010
Time: 9:00 a.m.
Place: City Hall, Two Civic Center Plaza, 2nd Floor, City Council Chambers

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AGENDA

1. Call to order and establish quorum.
2. Discussion and action on the approval of Minutes for the Planning & Development Legislative Review Committee meeting of January 28, 2010.
3. Discussion and action on recommended changes to the bicycle parking requirements in Title 20 (Zoning) of the City Code, including but not limited to maintaining the bicycle parking requirements in instances where off-street parking reductions are granted.
[Representative Susie Byrd, (915) 541-4416]
4. Discussion and action on a progress report on the development of regulations pertaining to boarding home facilities as allowed under the 2009 Texas legislative changes.
[Development Services/Planning, Mathew McElroy, (915) 541-4056]
5. Set next meeting date and discussion item(s) for the agenda of the next meeting.
6. Adjournment.

EXECUTIVE SESSION

The Legislative Review Committee of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the Legislative Review Committee of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The Legislative Review Committee will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071 CONSULTATION WITH ATTORNEY
Section 551.072 DELIBERATION REGARDING REAL PROPERTY
Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074 PERSONNEL MATTERS
Section 551.076 DELIBERATION REGARDING SECURITY DEVICES
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

NOTICE TO THE PUBLIC: This is a meeting of a legislative review committee of the El Paso City Council. The committee ordinarily consists of four Council members for purposes of establishing a quorum and the voting membership on the committee. However, any other member of the City Council may, on an ad hoc basis, join the meeting and participate in the discussions.

Sign language interpreters will be provided for this meeting upon request. Request must be made to this department at a minimum of 24 hours prior to the date and time of the meeting.

Copies of this agenda will be provided in Braille, large print or audio tape upon request. Request must be made a minimum of 48 hours prior to the date and time of the meeting.



**LEGISLATIVE REVIEW COMMITTEE
Meeting Action Report**

Committee: Planning & Development

Members: City Representative Ann Morgan Lilly (Chair)
City Representative Susie Byrd
City Representative Beto O'Rourke
City Representative Rachel Quintana

Date of Meeting: March 4, 2010

This Meeting Action Report includes agenda items where action was taken by the Planning & Development Legislative Review Committee (LRC), and where City Council finalization of the direction received is necessary. Items postponed for future action of the LRC are not included in this Report.

I. Discussion and Action on recommended changes to the bicycle parking requirements in Title 20 (Zoning) of the City Code, including but not limited to maintaining the bicycle parking requirements in instances where off-street parking reductions are granted.

Summary:

City staff highlighted the Code requirements and standards for bicycle parking. Additionally, corrective actions taken within the Development Services Department were noted to insure that the requirements are met. These include having all site plan, special permit and building permit applications note the required bicycle parking. An audit of the requirements has also been conducted in the Department, with results as follows:

Between November 2007 through December 2009

- 26 of 93 special permit and site plan applications did not comply with bicycle parking requirements; 18 of 49 site plan and 8 of 44 special permit applications

February 2010

- 230 building permits identified for inspection
- 31 projects under construction
- 190 projects require bicycle parking, and 119 inspected
- Of 119 inspected, 82 projects missing bicycle racks (68%)
- Correction notices for non-compliance prepared and delivered

Action Taken:

The LRC voted unanimously 3-0 to recommend that Title 20 (Zoning) of the City Code be amended as follows, and subject to public input prior to scheduling for Council action:

- Clarify that 100% of the required bicycle parking shall be maintained, whether or not an off-street parking reduction is granted by City Council or under administrative approval.
- Consider opportunities for placement of bicycle parking within adjoining public right-of-way where no other location is available within a private property, and maintaining public safety in all instances.
- Change requirement so that bicycle racks are located within fifty feet of a building's main entrance.

Disposition:

This recommendation for Code development will be scheduled for City Council action on March 16, 2010.

SUBMITTED BY:



City Representative Ann Morgan Lilly, District 1
Chair, Planning & Development LRC



Patricia D. Adauto, Deputy City Manager
City Manager – Development & Infrastructure



LEGISLATIVE REVIEW COMMITTEE – PLANNING AND DEVELOPMENT

City Hall, Two Civic Center Plaza, 2nd Floor, City Council Chambers

Thursday, March 4, 2010

9:00 a.m.

MINUTES

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AGENDA

1. Call to order and establish quorum.

Meeting called to order at 9:10 a.m., committee chair Ann Lilly present and presiding and the following Committee Members were present:

City Representative Ann Lilly

City Preventative Susie Byrd

City Representative Beto O'Rourke

City Representative Rachel Quintana – Not Present

2. Discussion and action on the approval of Minutes for the Planning & Development Legislative Review Committee meeting of January 28, 2010.

MOTION MADE by City Representative Susie Byrd seconded by City Representative Beto O'Rourke and unanimously carried to approve the minutes for January 28, 2010. [Approved 3-0]

3. Discussion and action on recommended changes to the bicycle parking requirements in Title 20 (Zoning) of the City Code, including but not limited to maintaining the bicycle parking requirements in instances where off-street parking reductions are granted. [Representative Susie Byrd, (915) 541-4416]

Mr. Mathew McElroy, Development Services/Planning Department, presented a PowerPoint presentation. [Copy on file]

City Representatives Byrd, Lilly and O'Rourke, commented.

Ms. Lupe Cuellar, City Attorney, commented.

Mr. Victor Torres, Director, Development Services, commented.

No public comments made.

MOTION MADE by City Representative Susie Byrd seconded by City Representative Ann Lilly and unanimously carried to recommend that Title 20 (Zoning) of the City Code be amended as follows: [Approved 3-0]

- Clarify that 100% of the required bicycle parking shall be maintained, whether or not an off-street parking reduction is granted by City Council or under administrative approval.
- Consider opportunities for placement of bicycle parking within adjoining public right-of-way where no other location is available within a private property, and maintaining public safety in all instances.
- Change requirement so that bicycle racks are located within fifty feet of a building's main entrance.

City staff will meet with the development community about the proposed amendments prior to taking the item to City Council.

4. Discussion and action on a progress report on the development of regulations pertaining to boarding home facilities as allowed under the 2009 Texas legislative changes. [Development Services/Planning, Mathew McElroy, (915) 541-4056]

Mr. Mathew McElroy, Development Services/Planning, presented a PowerPoint presentation. [Copy on file]

City Representatives Byrd, Lilly and O'Rourke, commented.

Ms. Lupe Cuellar, City Attorney, commented.

No public comments made.

Topics of discussion:

- **Summary of the current code for Personal Care Facilities**
- **Definitions of Personal care facility (residential or commercial) and Personal care services**
- **The proposed Texas Boarding Home Model Standards.**
- **The proposed changes to the El Paso Zoning Code, pending State action on Model Standards**

NO ACTION REQUIRED.

- 5.** Set next meeting date and discussion item(s) for the agenda of the next meeting.

No future meeting set.

- 6.** Adjournment.

**Motion made by City Representative Lilly to adjourn. Motion carried unanimously
The meeting adjourned at 9:55 a.m.**

APPROVED AS TO CONTENT: _____
Department Head



BICYCLE PARKING

- **Requirements Overview**
- **Standards Overview**
- **Audit Results (Detailed Site Development Plans)**
- **Audit Results (Building Permits Issued)**
- **Corrective Actions (DSDP, BP&I)**
- **Implementation Recommendations**



Bicycle Parking Required

- Bicycle parking facilities shall be provided for new buildings or facilities, additions to or enlargement of existing buildings, or for changes in the use of buildings or facilities that result in the need for additional auto parking facilities in accordance with the parking requirements in Article I of this chapter and where required in table, Section 20.14.050(C). The development services director is authorized to approve modifications to these standards when the applicant successfully demonstrates that the proposed alternative layout, location, design or type of racking meets the intent of these standards.



Bicycle Parking Standards

Individual Bicycle Parking Spaces

Minimum of 75” (inches) long by 24” (inches) wide for each space except that where double-sided multi-racks are used resulting in overlapping spaces, the minimum space for two bicycles shall be 100” inches long by 36” inches wide.

Bicycle Parking Racks

Shall be located in areas visible from public ROW and shall be provided with adequate lighting if intended for use after dark and lighting shall comply with Title 18. Bicycle parking racks shall support the bicycles and at least one wheel, allowing the the frame and one wheel to be locked to the rack, regardless of whether the front wheel is removed or not. Racks shall be securely anchored and accommodate a wide variety of size and types of bicycles. Racks shall be permanently mounted/installed on solid surfaces and shall not encroach on pedestrian access ways, accessible routes or passing space areas. Access shall be provided to each space and minimum of 15’ feet to the front, rear or side of bicycle parking spaces. Racks shall be placed a minimum of 24” inches away from walls and other elements that may create an obstacle to accessing the bike parking spaces.



Corrective Action

- Effective January 2010 the Planning Division has revised detailed site development plan and special permit applications to include the bicycle parking requirements. All approved detailed site development plans and special permit applications include an entry in the Tide Mark system to reflect the bicycle parking requirement.
- Effective January 2010 the Building Permits & Inspections Division has revised building permit applications to include the bicycle parking requirement. Inspections on identified building permits not meeting bicycle parking requirements are in process. Also a notification letter for those in non compliance has been drafted to include contact information for advisement on how to comply.



Audit Results

From November 1, 2007 to December 31, 2009 the Planning Division conducted an audit to verify the implementation of bicycle parking requirements on detailed site development plan applications and special permit applications. The audit results are as follows:

- Total site plans and detailed site development plans approved from Nov. 1, 2007 to Dec. 31, 2009 was 93 and 26 did not comply with bicycle parking requirements.
- Out of 49 approved detailed site development plans, 18 did not comply with the bicycle parking requirement, 37 percent are not in compliance .
- Out of 44 approved special permits, 8 did not comply with the bicycle parking requirement, 18 percent are not in compliance.
- Special Permits and Detailed Site Development Plans not requiring bicycle parking include residential use and Ranch and Farm zoning district.



Audit Results

For the past five months the Building Permits & Inspections Divisions has been conducting an audit to verify the compliance of bicycle parking spaces required in building permits. The results of the audit are as follows:

- A total of 230 building permits were inspected. On permits that include multiple buildings, the inspection was conducted utilizing the master unit.
- Out of 230 building permits, 31 are still under construction and bicycle spaces were not required in 9.
 - Projects requiring bicycle parking total 190 and 119 have been inspected as of February 26.
 - Out of 119 inspected 82 spaces were missing and 111 are still under inspection.
 - Finally out of the 119 permits inspected 68 percent did not comply with required bicycle parking.



Recommendation

Planning

Option 1: Don't provide a mechanism for reducing bicycle parking required and instead amend Title 20 to include language not allowing the reduction of bicycle parking spaces as part of a parking reduction and as part of an administrative parking reduction.

Option 2: Provide a mechanism for allowing bicycle parking reductions by amending Title 20 and including the provision. Provide a separate application for the bicycle reduction process.

BP&I

Allow for the inclusion of bicycle parking on monument signs, example Montana has several that are lighted and have additional space that is not utilized.