



El Paso City Code Requirements For Public Hearing Notifications— Draft Amendments

**El Paso City Council, Legislative Review Committee
September 10, 2013**



Types of Notifications

- **Official City Letterhead Notification Letter and Map Prior to (CPC) within 300' Buffer**
- **Neighborhood Association Notification Letters Prior to (CPC)**
- **On Site Posting Prior (For Rezoning of <1 Acre) To CPC and CC**
- **Newspaper Notices Prior to (CC)**
- **City Clerk Notices (Postcard) Prior to (CC)**



Notification Requirement Proposed Changes



SECTION 1. That Title 20, Zoning, Chapter 20.04 Administrative Provisions, Article VII Public Hearings, Section 20.04.520 Notice, Section **A** of the El Paso City Code shall be amended as follows:

20.04.520 Notice.

Where a public hearing is required by this chapter, notice shall be given in the manner specified below:

A. Content of Notice. Required mailed notices and notices by publication shall include the date, time, and place of the hearing, a description of the subject matter of the hearing and the body holding the hearing. **The mailed notices shall be in the form of a standard letter or a postcard and shall include the information in both English and Spanish. The postcard shall be a minimum size of 5.5 inches (H) by 8.0 inches (W).** Required on site posting of notice shall be as specified in subsection (B)(2)(c) of this section.



SECTION 2. That Title 20, Zoning, Chapter 20.04 Administrative Provisions, Article VII Public Hearings, Section 20.04.520B Notice, **Section B** of the El Paso City Code shall be amended in its entirety as follows:

20.04.520 Notice.

Where a public hearing is required by this chapter, notice shall be given in the manner specified below:

Content of Notice. Required mailed notices and notices of publication shall include the date, time, and place of the hearing; a description of the subject matter of the hearing, and an identification of the body holding the hearing. Required on site posting of notice shall be as specified in subsection B.2.d of this section.



- B. Provision of Notice. Notice will be given as per Chapter 2.102 of this Code and additionally in the following manner:
1. In all cases, by mail to the applicant, or owner of the property that is subject of the application, if different;
 2. On applications for special permits, amendments to zoning conditions and amendments to the district map, additional notice shall be given as follows:
 - a. Notice of hearing before the city plan commission shall be given by mail to all owners of real property, as indicated by the most recently approved municipal tax roll within three hundred feet of the lot line of the subject property.
 - i. If multi-family dwellings are located within the 300 feet of the lot line of the subject property in addition to the notice given to the owner of the real property, notice shall be given to residents of each dwelling unit on the parcel within the identified 300 foot area.
 - ii. Notice to the residents of the multi-family dwelling units shall include any one of the following, in order of preferred option: (1) written notice to the property manager of the multi-family dwelling units, or (2) posting of the notice in a common area of the multi-family dwelling units, or (3) mailed written notice sent to each dwelling unit in the multi-family apartment complex, or (4) written notice delivered via email to the residents of the multi-family dwelling units, or (5) door hangers delivered to each dwelling unit in the multi-family apartment complex. In case that notice cannot be given by any of the above-mentioned means, the city staff shall provide a letter to the City Plan Commission and City Council detailing their notification attempts and reasons for being unable to contact residents.
 - iii. In the case of a rezoning request from any zoning district to a residential zoning district, notice shall be given to the affected school district(s) in which the parcel(s) is located.



b. Notice of hearing before the city plan commission shall be given by mail to all owners of real property, as indicated by the most recently approved municipal tax roll within **1,000 feet of the lot line of the subject property** when an application for special permits, amendments to zoning conditions, and amendments to the district map involves **Public Utility Facility or Public Utility Service**.

- i. If multi-family dwellings are within the 1000 feet of the lot line of the subject property, in addition to the notice given to the owner of the real property, notice shall be given to residents of each dwelling unit on the parcel within the identified 1,000 foot area.
- ii. Notice to the residents of the multi-family dwelling units shall include any one of the following: door hangers, written notice to property manager of the multifamily dwelling units, posting of the notice in a common area of the multifamily dwelling units, mailed noticed to each resident, or via email notification to the residents of the multi-family dwelling units, if available.
- iii. Notice to the residents of the multi-family dwelling units shall include any one of the following, in order of preferred option: (1) written notice to the property manager of the multi-family dwelling units, or (2) posting of the notice in a common area of the multi-family dwelling units, or (3) mailed written notice sent to each dwelling unit in the multi-family apartment complex, or (4) written notice delivered via email to the residents of the multi-family dwelling units, or (5) door hangers delivered to each dwelling unit in the multi-family apartment complex. In case that notice cannot be given by any of the above-mentioned means, the applicant or city staff shall provide a letter to the City Plan Commission and City Council detailing their notification attempts and reasons for being unable to contact residents.



- c. Notice of hearing before the city council shall be given as follows:
- i. On first reading--by publication in a newspaper of general circulation in the city not less than fifteen days prior to the day of the public hearing and posted in accordance with provisions of Chapter 551 of the Texas Government Code (the Texas Open Meetings Act).
 - ii. The published notice shall contain the name of the property owner(s) and legal description of the property as well as the address assigned to the property; if no address has been assigned, the notice shall contain the name and block number of the street(s), if any, abutting the property, **and an electronic link to the City's website containing the City Council agenda.**



d. On site posting of notice by an applicant is required for parcels of one acre or more. Such on site posting of notice shall comply with the following:

i. Location. On site posting of notice shall be at locations at the proposed site that face and are clearly visible and legible from each right-of-way abutting the property subject to signage requirements listed herein. **The sign(s) shall be placed perpendicular to the street frontage and be double sided.** One sign per right-of-way shall be required. However, application areas separated by a right-of-way shall require posting on each side of the right-of-way and otherwise comply with location requirements herein. Required signage shall be made of plywood, metal material, or other material as approved by the planning official. Such signage shall be properly anchored to one of the following: to the ground with at least two posts, a building, a fence, or a wall. The top of the text portion of such signage shall be a minimum of five feet above ground. Approval of proposed sign location(s) by the zoning administrator shall be deemed conclusive as to location requirements.



ii. Duration of Posting. Posting shall be continuous, as defined below, until final city council action and shall commence at least fifteen days prior to the date of the first public hearing at the city plan commission, at which time, the applicant shall provide a digital or printed picture to the planning division showing that all required signage has been properly placed on the property. Failure to provide such picture proving compliance with signage requirements shall result in postponement of the application until such time as an acceptable picture is received. The applicant shall promptly replace any sign required by this section, which becomes lost, stolen, or vandalized, within five (5) business days following the date of receipt of actual knowledge of same by any employee of the planning division. For purposes of this subsection, an applicant also has actual knowledge that a sign is lost, stolen, or vandalized three days following the date of mailing of a letter addressed and properly mailed to the applicant at the address provided on the application or one day following the date of successful transmission of a facsimile report to a telephone number provided on the application. Any sign required by this provision shall be removed no later than ten days after final action on the application. Posting is continuous so long as lost, stolen, or vandalized signage is replaced within five business days following the date of receipt of actual knowledge. Posting is deemed continuous when lost, stolen, or vandalized signage has been replaced two times.



iii. Size and Content. A sign area with a minimum width of ~~three~~ eight feet (W) and a minimum height of ~~two~~ four feet (H) shall be required. The sign shall provide a caption stating ["Location of Proposed Rezoning (or other type of application); **an explanation of the requested rezoning (or other type of application), i.e. change to zoning map from one district to another, special permit application; Public Hearings Are Scheduled; and a telephone number for additional information** (telephone number to be provided by the planning official)"]. **The caption shall also be provided in Spanish.** The caption shall be in black ~~two~~ **four**-inch bolded block lettering and appear on **a light green** background.

iv. Zoning Validity. Any otherwise properly enacted zoning regulation shall not be invalidated by failure to comply with subsection (B)(2)(de) of this section.



4 FEET HEIGHT



REZONING

ENGLISH
TEXT

SPANISH
TEXT

8 FEET WIDE



City Plan Commission Public Notification Letters City Code-Bilingual

Dedicated to Outstanding Customer Service for a Better Community

SERVICE SOLUTIONS SUCCESS

DATE:

Dear Resident of El Paso:

The City Plan Commission (CPC) will consider **PLACE CASE INFORMATION HERE**, for example: a special permit and detailed site development plan review request or a rezoning from R3 to C1 by **APPLICATION NUMBER HERE**. The subject property is legally described as a portion of Block 7, Celina Plaza, City of El Paso, El Paso County, Texas. The property is 0.856-acre in size. **NEXT SENTENCE: EXPLAIN IN LAYMEN TERMS THE APPLICATION REQUEST** EXAMPLE: The applicant is requesting a special permit in order to expand their current facility located at 1165 Summit Drive.

If you have questions or to voice your concern, you may attend the CPC meeting, address a letter to the CPC (c/o Planning Division, 222 S. Campbell Street, El Paso, TX 79901-1196) or send a fax to (915) 541-4725. The letter or fax must state the case number, your name and address, and your position, and/or questions.

Estimado Residente de El Paso:

Esta carta es para notificarle que la Comisión de Planeación Urbana de la Ciudad de El Paso considera una solicitud de parte de Ciudadela Hidalgo la zonificación de la propiedad ubicada en la Calle Stiles #7121 A y B. La descripción legal de la propiedad en consideración es Porciones del Lote 48, Cuadra 4, Jardines Stiles, Ciudad de El Paso, Condado de El Paso, Tejas. El tamaño de la propiedad es de 0.433 acres. La solicitud de el cambio de zonificación es de R-3 (Residencial) a S-D (Desarrollo Especial) para permitir un complejo de apartamentos.

Si tiene alguna duda ó para hacer preguntas, usted puede asistir a la reunión, escribir una carta a la Comisión de Planeación Urbana de la Ciudad (c/o City Development Department, Planning Division, PO Box 1890, El Paso, TX 79950-1890), o mande un fax al (915) 541-4725. La carta o el fax debe de incluir el número de caso, su nombre y dirección, y su opinión acerca del caso. Para mas información, puede visitar las oficinas del Departamento o puede llamar al (915) 541-4238.

CASE NO / NUMERO DE CASO: PZST12-00026
DATE / FECHA: July 30, 2013 / 13 de Julio de 2013
TIME / HORA: 8:30 a.m.
PLACE / LUGAR: City Council Chamber, 1st Floor, City Hall, 300 N. Campbell Street, El Paso, Texas

Cordially / Cordialmente,

Andrew Salloum, Planner
 CITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

City Development Department
 222 S. Campbell | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 541-4638

Mayor
Oscar Leeser

City Council

District 1
Ann Morgan Lilly

District 2
Larry Romero

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michael R. Noe

District 6
Eddie Holguin Jr.

District 7
Lilia B. Limon

District 8
Courtney C. Niland

City Manager
Joyce A. Wilson

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PUBLIC NOTICE: Sign Language Interpreters will be provided for this hearing upon request. Requests must be made to the City Development Department, Planning Division, a minimum of 24 hours prior to the date and time of this hearing. Copies of this agenda will be provided in Braille, large print or audio tape upon request. Requests must be made a minimum of 48 hours prior to the date and time of this hearing to the following number (915) 541-4056.

ANUNCIO AL PUBLICO: Intérpretes de lengua de señas pueden estar disponibles si se hace una solicitud. Para solicitar que un intérprete este presente en esta audiencia publica favor de contactar la División de Planeación Urbana del Departamento de Desarrollo Urbano con un mínimo de 24 horas de anticipación de la fecha y hora de esta audiencia. Copias de la agenda de esta audiencia publica pueden ser proveídas en braille si se hace una solicitud con el mismo Departamento. Solicitudes para copias de la agenda en braille deben de ser hechas con un mínimo de 48 horas antes de la fecha y hora de esta audiencia al (915) 541-4056.

PZST12-00026

City Development Department
 222 S. Campbell | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 541-4638

Mayor
Oscar Leeser

City Council

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Courtney C. Niland

City Manager
Joyce A. Wilson

1. Case Number & Information
2. Date, Time, & Location of Public Hearing
3. Information for How to Voice Concern/Input
4. Map of Location of Property



CPC Suggestions—August 22

- Use Social Media To Augment Notifications
- Community Information Page In Each Representatives' Homepage
- Require That Text Be On Both Sides
- Include Postcard In EPWU Bill To Notify Residents Of Changes



Questions and Suggestions?



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