

**STATE OF TEXAS** §  
**COUNTIES OF POTTER** §  
**AND RANDALL** §  
**CITY OF AMARILLO** §

On the 21st day of November 2022, the Amarillo Planning and Zoning Commission met in a work session at 2:45 PM to review agenda items, and then convened in regular session at 3:00 PM in the City Council Chambers on the third floor of City Hall, 601 S. Buchanan, Amarillo, Texas, with the following members present:

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD	NO. MEETINGS ATTENDED
Renee Whitaker, Vice Chairwoman	Y	46	44
Royce Gooch, Chairman	Y	113	108
Jason Ault	Y	92	73
Fred Griffin	Y	46	45
Cindi Bulla	Y	22	19
Jeff Perkins	Y	22	16

**CITY STAFF:**

Cris Valverde, Director of Planning and Development Services  
Emily Koller, Assistant Director of Planning and Development Services  
Leslie Spear-Schmidt, Senior Assistant City Attorney  
Brady Kendrick, Planner II and Recording Secretary

**I. Call to order and establish a quorum is present.**

Chairman Royce Gooch opened the meeting at 3:00 PM, established a quorum and conducted the consideration of the following items in the order presented.

**II. Public Address:** Citizens who desire to address the Planning and Zoning Commission with regard to items on the agenda will be received at this time.

No comments were made.

**III. Consent Agenda:** The Commission may request a consent agenda item to be moved to the Regular Agenda for presentation and comment. Otherwise, the consent agenda will be considered in one vote. Consent agenda items are routine items recommended for approval, and which do not include requests for waivers or variances.

1. Approval of the minutes of the November 7, 2022, Planning and Zoning Commission Regular Meeting.

A motion to approve the minutes was made by Commissioner Jason Ault, seconded by Vice Chairwoman Renee Whitaker.

Motion passed unanimously.

**IV. Regular Agenda:**

**1. MISCELLANEOUS:**

**A. Planning Commissioner Training: Course 1 Introduction to Planning**

The Planning and Zoning Commission viewed the series of training videos that made up Course 1: Introduction to Planning. At the conclusion of the videos Chairman Royce Gooch asked if the Commissioners had any questions for City Staff.

Commissioner Cindi Bulla stated she had several questions. She asked that like the vacation request from last meeting and other variances/appeals in the past, those typically go to City Council but at what point would they potentially appear at the ZBA?

Director of Planning and Development Services Cris Valverde stated that the City's Municipal Code and Zoning Ordinance sets the appeal process and the power and duties of the ZBA and other boards. He also stated that the Commission needs to keep in mind that the training videos are very broad and that the rules and regulations will vary between different regions of the country. There are certain items such as setbacks that will go to ZBA. Any appeals of the Planning and Zoning Commission go to City Council since they are a recommending body to the City Council.

Commissioner Fred Griffin asked a follow up stating that even though the applicant for the alley vacation appealed, they don't have a right to go before the ZBA.

Mr. Valverde stated that is correct as it states an appeal of the Commission goes to Council.

Commissioner Griffin asked if ZBA has jurisdiction over building code variances or appeals.

Mr. Valverde stated he believes there is a separate Building and Construction advisory committee that would hear request of that nature related to Building Code. That is a board that is facilitated by Building Safety. The City Ordinances are very specific.

Commissioner Bulla asked if a citizen doesn't agree with a decision of the ZBA, the next stop is court.

Mr. Valverde stated that is correct since ZBA is a quasi-judicial court.

Commissioner Bulla stated that the video states that a volunteer planner's duty is to work with the citizens. However the video stated that they are not permitted to speak with citizens outside of public meetings. She had concern that if she takes that literally, in day to day business she is going to have conversations about zoning and other

topics involving real-estate. Early in her appointment, she stated that she was having conversations outside of the meetings about that topic. She wanted to verify they can't talk to the citizens about such topics.

Mr. Valverde stated that he took the video to mean the Commission can't have conversation with citizens about active cases or potential cases that may come before the Planning and Zoning Commission in the future. There are going to be general conversations and ones that they may be asked to bring up or recommend to the Commission, but they need to bring those to the meeting.

Commissioner Bulla stated that in that case, if citizens state they have items they want to discuss or bring up, they need to be saved for the meetings. She also stated that if citizens follow up, they need to save such conversations for the meeting?

Mr. Valverde stated that active conversations need to be heard in the meeting and should be avoided. It is a fine line between hearing someone and engaging in active conversation. If they have questions, then they should reach out to City Staff and Staff can then debrief the Commission in an appropriate manner.

Commissioner Jeff Perkins stated that regarding the vacation considered previously, one the parties involved called him to inform him of what was happening. He recommended and told him he needed to go through the proper channels to get it before the Commission for discussion.

Mr. Valverde said that was an appropriate way to handle it.

Leslie Spear-Schmidt, Senior Assistant City Attorney, also confirmed that Commissioner Perkins handled the situation correctly. You are unable to deliberate or discuss how to vote on it and keep it vanilla. You can listen, but not discuss.

Vice Chairwoman Renee Whitaker asked that if a person felt they had something important, they should be directed to come to the meeting and speak so that it is public and decide then? Side conversation is what is problematic.

Ms. Spear-Schmidt stated that is correct.

Commissioner Bulla stated that it has been her habit to reach out to her city elected officials with her views. She asked if that was inappropriate?

Chairman Gooch stated that what he believes is inappropriate is for the official to engage in discussion and discuss how they may vote. Simply listening is ok.

Commissioner Bulla stated having conversation is ok, but going further and stating an opinion or giving her view is not ok?

Ms. Spear-Schmidt said yes.

Commissioner Bulla expressed that she wanted to make sure she understood fully as she feels she may have broken a rule or two previously.

Commissioner Bulla said she has reached out to citizens to ask/express what their

concerns were to her. She understands she can't express as a Commissioner she can't express how she is leaning or may vote. She said she did not do that.

Commissioner Bulla said she wrote down six things on what the Commission should do, one being adopting a master plan. She said she understands this to be the Comp Plan and that while they play a role, the City Council is who approves it?

Mr. Valverde stated that is correct, they make a recommendation and the Council votes to adopt it or not.

Commissioner Bulla asked if the citizen group that she is a part of working on the City Plan is who makes it, not the Commission.

Mr. Valverde stated that is a steering committee, and they along with the Commission are ultimately who put it all together and make a recommendation to Council.

Commissioner Bulla asked about point 4, cost benefit. Commissioner Bulla asked that she believes they have been told not to consider cost-benefit, and if that is something unique to our City?

Mr. Valverde stated that the term cost-benefit is the Staff report/analysis that weights the factors of a case they are considering, not actual cost in a fiscal sense.

Commissioner Bulla said she had one more question and she will call Staff with the rest. She asked if there are a separate set of bylaws for the Commission or if it is just the charter and ordinance?

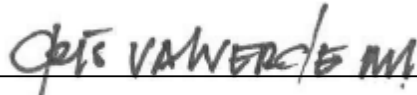
Mr. Valverde stated the ordinance states the powers and duties of the Commission.

No further comments were made.

2. Discuss Items for Future Agendas.

No items to discuss.

The meeting was adjourned at 4:04 PM.

  
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Cris Valverde  
Director of Planning and Development Services