

PLANNING AND ZONING COMMISSION RULES OF PROCEDURE

I. Organization and Officers

101. Organization

The Planning and Zoning Commission shall consist of seven (7) regular members and shall be organized and shall exercise such powers as prescribed by the Ordinance of the City.

102. Officers

A Chairman and Vice-Chairman shall be elected annually among the Commissions' membership at the regular meeting in May and at such other times as these offices may become vacant. In the absence of both the Chairman and Vice-Chairman, the Commission shall elect an Acting Chairman. A Secretary shall be appointed from the members of the Commission or from staff personnel assigned by the City's chief executive officer to serve the Commission, or appointed by the City Council.

103. Duties

- A. The Commission shall advise the City Council on those matters falling within its charged responsibilities in a manner reflecting concern for the overall development and environment of the City as a setting for human activities.
- B. The Chairman, or in his absence, the Vice Chairman, shall preside at all meetings, shall decide all points of order or procedure. All letters of transmittal from the Commission to the City Council shall be over the signature of the Chairman.
- C. The Secretary shall be custodian of the Minutes and other official records, shall attend to the correspondence of the Commission, and shall cause to be given such notices as are required and in the manner prescribed by law.

104. Rules of Order

Roberts Rules of Order, latest revision, shall be the Commission's final authority on all questions of procedure and parliamentary law not covered by these Rules of Procedure.

105. Suspension of Rules

Any provisions of these rules not governed by City Ordinance may be temporarily suspended by a favorable two-thirds vote of all members of the Commission, which vote shall be entered upon the Minutes.

II. Meetings

201. Quorum

A quorum shall consist of four (4) members.

202. Meetings To Be Public

All meetings of the Commission shall be held in public as prescribed by Article 6252-17, the Open Meetings Act of the State of Texas; and held in full compliance with the provisions of state law, ordinances of the City, and these Rules of Procedure. Any party in interest may appear in his own behalf or be represented by counsel or agent.

203. Meeting Notice and Agenda

The Chairman shall cause to be prepared a meeting notice and agenda for each meeting of the Commission and a copy of same shall be posted at the City Hall in a place readily accessible to the general public at all times for at least seventy-two (72) hours preceding the schedule time of the meeting.

The Chairman shall also cause each member of the Commission to be notified of this meeting at least seventy-two (72) hours preceding the scheduled time of the meeting. Such notice may be given by deposit in the mail of a copy of the meeting notice and agenda to each Commission Member at least seventy-two (72) hours preceding the scheduled meeting time.

204. Regular Meetings (as revised 11/24/03)

One annual regular meeting shall be held on the fourth (4th) Monday in June at 7:30 p.m. in the Council Chambers of the City Hall, Special Meetings will be held as provided in paragraph 205.

205. Special Meetings

Special meetings for any purpose may be held: (1) On the call of the Chairman, or (2) On the request of two (2) or more members. The time and place of the special meeting shall be determined by the convening authority.

III. Official Records

301. Definition – Official Records

The official records shall be these rules and regulations and the Minutes of the Commission together with all findings, decisions and other official records of the Commission.

302. Recording of Vote

The Minutes of the Commission's proceeding shall show the vote of each member, or if absent or failing to vote shall indicate that fact.

303. Files – Retention

All matters coming before the Commission shall be filed in the City's records. Original papers of all requests and proposals shall be retained as a part of the permanent record.

304. Public Record

The official records and citizen requests filed for Commission action in regular or special meetings shall be on file in the City Hall, and shall be open to public inspection during customary working hours.

IV. Application Procedures

401. Written Request Required

Every proposal submitted for Commission action shall be made in writing. Where appropriate application forms are provided by the City, the proposal shall be filed on said forms, shall be accompanied by all prescribed fees, and shall be complete in all respects before being accepted for filing.

402. Schedules and Instructions

Every proposal or request for Commission action or recommendation shall be filed, processed and considered in accordance with specific schedules and instructions adopted as Appendices to these Rules of Procedure.

403. Withdrawal of Proposal

When any applicant desires to withdraw his proposal, he may do so by filing a written request to that effect with the Secretary. Such request shall be effective upon the date of its official receipt, provided, however, that no such request shall be valid after notices have been mailed, except on action of the Commission. Withdrawal of a proposal at any stage of its processing shall terminate all consideration of it by the City, and the case file thereon shall be closed.

V. Hearings and Decisions

501. Order of Business

The Chairman shall call the Commission to order, and the members present and absent shall be recorded. The Minutes of any preceding meeting shall be submitted for approval. The public shall be advised of the procedures to be followed in the meeting. The Executive Secretary shall publicly advise the Commission of any communications received pertaining to any matter before the Commission.

The Commission shall then hear and act upon those proposals scheduled for consideration or public hearing together with such other matters of business and reports as the Commission or Executive Secretary finds to require Commission consideration.

502. Presentation or Hearing of Proposals

- A. The Commission shall call, or cause to be called by the Executive Secretary, each proposal in such order as to be in accord with the hearing time specified in the notice of public hearing.
- B. The Chairman shall next call on any Commission Member who may have a factual summary or presentation relative to the proposal.
- C. The Chairman shall then call on persons present who wish to speak to the proposal and shall direct that they speak in the following order:
 - 1. The applicant or his representative.
 - 2. Those in support.
 - 3. Those persons in opposition

Whenever necessary, the Chairman shall direct that all remarks shall be germane to the proposal. No rebuttal shall be permitted by either side, but the Commission may direct questions to any speaker in order to clarify statements and facts presented.

- D. The Chairman shall then declare the public presentation or hearing closed, as to that proposal.

503. Motions

- A. A motion may be made by any member other than the presiding officer.
- B. A motion to approve any matter before the Commission or to recommend approval of any request requiring Council action shall require four (4) favorable votes of the members present. When fewer than all the members are present for the voting and when all motions to recommend on a given application fail to carry by four (4) votes, consideration of the application shall be continued to the next regular meeting upon motion carried by a majority of those present. Provided further, that no request or application shall be continued under this rule beyond the next regular meeting; failure of the Commission to secure four (4) concurring votes to approve or recommend approval at said next regular meeting shall be recorded in the Minutes as a denial of the proposal under this rule.

504. Disqualification from Voting

- A. A member shall disqualify himself from voting whenever he finds that he has a personal or monetary interest in the property under appeal, or he will be directly affected by the decision of the Commission.
- B. A member may disqualify himself from voting whenever any applicant, or his agent, has sought to influence the vote of the member on his application, other than in the public hearing.

VI. **Certification and Amendments**

601. **Certified Copy**

A certified copy of these Rules of Procedure and of any amendments thereto shall be filed in the Office of the City Secretary within ten (10) days following their date of adoption.

602. **Repealing Clause**

All previously adopted Rules of Procedure of the Commission shall be and the same are hereby repealed.

603. **Amendments**

Amendments to these Rules of Procedure may be adopted by the Commission at any meeting, upon the affirmative vote of a majority of the entire membership provided such amendment is proposed at a preceding meeting and spread on the Minutes of such meeting. By unanimous vote of the entire Commission, membership amendments may be adopted at the meeting at which introduced, but shall not become effective until the next regular meeting.

ADOPTED THIS THE 13 TH DAY OF MAY, 1980.

(Original Signature on File)

Chairman, Planning and Zoning Commission

ATTEST:

Commission Secretary

FILED IN THE OFFICE OF THE CITY SECRETARY THIS 27TH DATE OF JUNE, 1980.

(Original Signature on File)

Laurie T. Price, City Secretary
City of Taylor Lake Village, Texas

REVISIONS:

204. Regular Meetings 04/28/81

204. Regular Meetings 11/24/03