

## § 150.02 PLANNING AND ZONING COMMISSION.

(A) *Places.* The Planning and Zoning Commission for the city shall consist of 5 members appointed by a majority of the City Council. Each member shall serve in a place designated by the Council. Places 1, 3, and 5 shall have two-year terms commencing June 1 of odd numbered years. Places 2 and 4 shall have two-year terms expiring in even numbered years on June 1. Upon the passage of this section, the Council may designate, or redesignate, current members, and/or any members to be appointed, into each place, with the appropriate provisions as to the fulfillment of any unexpired terms. Unless otherwise designated by the City Council, the Commission member serving in a designated place upon the passage of this section continues in that place through June of the even, or odd, year for that place. All members of the Commission continue to serve until their successors are appointed and qualified; save and except when a member resigns, in writing. Such resignation shall be effective the date of its receipt by the City Secretary.

(B) *Alternates.* A majority of the City Council may appoint 1, 2, or 3 alternates to the Planning and Zoning Commission. The terms of the alternates will be one-year terms, unless specifically set at the time of the appointment of the alternate as a two-year term. An alternate may be reappointed at the discretion of the Council. Regardless of the term assigned to the alternate, the City Council may remove an alternate with or without cause at any time. Terms of alternates commence June 1. All alternates continue to serve until their successors are appointed and qualified; save and except when a member resigns in writing. Alternate members shall be classified as members for all purposes other than regular voting.

(C) *Officers.* The City Council shall select members of the Planning and Zoning Commission to serve as Chairman, Vice Chairman, and Secretary. An Assistant Secretary, who need not be a member of the Commission, may also be appointed. Each member of the Planning and Zoning Commission shall be a resident citizen of the city, and shall possess all qualifications necessary to register to vote in a municipal election of the city.

(D) *Quorum.* Any 3 members (including alternate members) shall constitute a quorum for the transaction of business. The affirmative vote of a majority of those attending any meeting at which there is a quorum present shall be necessary to pass any motion, recommendation or resolution of the Commission.

(E) *Duties generally.*

(1) The Commission shall, from time to time, either at its discretion or as requested by the City Council, submit its reports, plans and recommendations for the orderly growth, development and welfare of the city in accordance with Tex. Local Gov't Code Article 211.007.

(2) The Commission shall also perform other duties as may be presented by the Council, ordinance or state law, as follows:

(a) To recommend the boundaries of the various districts and appropriate regulations to be enforced therein under the Comprehensive Zoning Ordinance, the ordinances of the city or the laws of the state, to the City Council and to recommend approval or denial of zoning changes, and regulations under this chapter, the ordinances of the city or the laws of the state.

(b) To hear, recommend or determine any matter relating to zoning, planning or subdivision control as may be specified or required under the Comprehensive Zoning Ordinance, the ordinances of the city, or the laws of the state.

(c) To exercise such duties and powers as may be now or hereafter conferred by the Comprehensive Zoning Ordinance, the ordinances of the city, or applicable laws of the state.

(d) To determine the classification of any use, new or otherwise not listed or identified within the Comprehensive Zoning Ordinance for the purpose of establishing the appropriate zoning district into which such use should be placed, the applicability of the parking standards, or any other regulations of the Comprehensive Zoning Ordinance may be applied to such use.

(F) *Advisory opinions.* All actions by the Planning and Zoning Commission are advisory in nature to the City Council. The City Council does specifically reserve and require that final approval of preliminary and final plats require City Council action. The City Council may, in any zoning or plat review, specifically delegate final approval of any specific action on specific zoning and/or plat applications, such as landscape, drainage, trail, thoroughfare, or other specific plans, to the Planning and Zoning Commission.

(G) *Removal from office; vacancies.* Any member of the Commission may be removed from office for any cause deemed by the City Council to be sufficient for removal of the member. If a vacancy should exist in the Commission membership due to removal from office, resignation, death, refusal or inability to serve, the City Council shall appoint a new member to fill the vacancy for the unexpired term.

(H) *Attendance.* Three consecutive absences that are not excused by the Commission, or the absence of a regular member from more than 25% of the meetings in any six-month period, shall cause the Commission to review the attendance record of the member and make a recommendation to the City Council on the need, or lack of need, to appoint a replacement member.

(I) *Meetings.*

(1) All meetings of the Commission shall be open to the public, subject to the Texas Open Meetings Act, Tex. Gov't Code, Chapter 551. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep record of its examinations and other official actions, all of which shall be filed in the office of the Planning Department and shall be a public record. The City Secretary shall be the custodian and possessor of the record and minutes of the Commission.

(2) Meetings of the Commission may be held as often as necessary to conduct the business coming before the Commission at the call of the Chairperson and at such other times as the Commission may determine.

(Ord. 557, passed 7-13-2004)