

Zoning and Planning Commission
Rules of Procedures



ARTICLE I

Meetings

- Section 1. Regular meetings of the Zoning and Planning Commission (Z & PC) shall be held at 6:00 p.m., on the second Thursday of each month. The City Manager, with concurrence from the Presiding Officer may reschedule any meeting of the Z & PC.
- Section 2. Special meetings may be called by the Presiding Officer of the Z & PC or at the request of two commission members.
- Section 3. Notice of all meetings shall be posted as required by *Texas Local Government Code § 212* and each member of the Z & PC shall be notified in writing at least 72 hours prior to the meeting except in the case of emergency meetings, which can be called with two hours notice.
- Section 4. A majority of the members of the Z & PC shall constitute a quorum.

ARTICLE II

Applications Before the Commission

- Section 1. Applications under Chapter 212 are not deemed to be filed with the Z & PC (or received by the Z & PC) until all of the following have occurred:
 - 1. The recording secretary has received the application, in writing and on the standard City forms with:
 - a. the full application fee; and
 - b. in the case of proposed plats or replats, the original and at least 12 full-sized prints, each with the form and content required by Chapter 74 of the Code of Ordinances, the zoning ordinance, state law and other applicable laws, rules and regulations.
 - 2. The City staff has reviewed the application and certified it to be complete.
 - 3. A copy of the application and certification has been delivered to the members of the Z & PC.
- Section 2. All applications shall be on the form approved by the Z & PC for the proposed action.

Section 3. To be considered for placement on the agenda of the next regular meeting, all required data must be received and docketed at least twenty-one days prior to the next regular meeting.

ARTICLE III

The Docket and Calendar

Section 1. After completion of City staff review to determine that all requirements are met for formal application, an application shall be docketed. The docketing shall be numerical starting with "year - 1" and proceeding in sequence throughout the year.

Section 2. Applications shall be heard in the order docketed.

ARTICLE IV

Notice - Zoning Matters

Section 1. Notice shall be given of Z & PC meetings that involve an amendment or change to the City's zoning ordinances as required by local ordinances and State statutes.

Section 2. In the case of a district boundary change that is not subject to a joint public hearing with the city Council, notice shall be given as required by state law and the zoning ordinance. In addition, notice shall be posted as follows:

Place: On each corner of the affected land adjacent to a street area, situated so that members of the public can read it 24 hours per day.

Time: At least 15 days preceding the date of the hearing.

Form: Weatherproof signs, at least 18" x 24" each with a headline at least one-inch high reading "NOTICE OF ZONING HEARING". The full notice shall be attached to the sign.

ARTICLE V

Notice - Subdivision Matters

Section 1. Notice shall be given of Z & PC meetings that involve a proposed subdivision and/or replatting of one or more lots or parcels as required by local ordinances and State statutes.

Section 2. Where an application for subdivision or replatting is before the Z & PC for its consideration, approvals for or objections of interested property owners to such application will be accepted by the Z & PC for purposes of *Texas Local Government Code § 212.015* (or its successor) only if submitted in writing on the forms approved by the Z & PC. No such written approvals or objections will be accepted by the Z & PC at any time after the close of the public hearing at which such application is considered.

ARTICLE VI

Meeting Procedures

Section 1. The Z & PC meetings may be conducted in accordance with *Robert's Rules of Order Newly Revised*, [10th ed.], p. 15, l. 17-25; p. 561-62, 569; at the Presiding Officer's discretion or at the discretion of two commission members. If any question arises as to procedure, the ruling of the Parliamentarian or, in his/her absence, the ruling of the Presiding Officer shall be final.

Section 2. The normal order of proceedings for hearings before the Commission (but not joint public hearings) is as follows:

1. Call to order
2. Presentation by the applicant
3. Presentations by other interested persons
4. Presentation by City staff
5. Response by the applicant (limited to issues raised by interested persons and City staff)
6. Receipt of written comments, protests, exhibits, etc.
7. Close of hearing

Members of the Z & PC may pose questions of each witness. Other persons may submit written questions to be asked by the Presiding Officer, at the Presiding Officer's discretion. Upon a showing of good cause and true need, the Z & PC may: (i) require witnesses to be placed under oath, and (ii) allow direct cross-questioning.

Section 3. Joint meetings with the City Council shall be held as required by Statute or as requested by the City Council. These meetings shall be opened by the Presiding Officer and operated under standard meeting procedure with the Mayor presiding. The Mayor may defer to the Presiding Officer, who may then preside.

Section 4. Informal voice voting shall be used, unless a Z & PC member requests a roll call vote. Where there is a single vote on a group of items, under circumstances where no member requests a separate vote, the vote on the group is deemed to be the same as a separate, identical vote on each item.

- Section 5. The Presiding Officer will preserve order and decorum, preventing the impugning of any member's motives or other personal comments not relevant to the orderly conduct of business. The Presiding Officer shall request all speakers to keep comments brief and relevant to the question before the Z & PC. All persons present in the meeting room should eschew abusive, rude or inappropriate conduct.
- Section 6. Speakers should limit their presentations to three minutes each. Speakers should direct all remarks and questions to the Presiding Officer, who may refer them for investigation, response or other action. The *Texas Open Meetings Act* requires the City to post a notice, in advance, listing every topic or subject to be considered by the Z & PC. This law may prevent the Z & PC from considering a subject raised by a member of the public. In this case, the Presiding Officer may refer the matter and the Z & PC may direct that the matter be placed on the agenda for an upcoming meeting.
- Section 7. Any of the rules prescribed by this section may be suspended, for any single meeting, by a vote of three-fourths of the Z & PC members present.

ARTICLE VII

Rehearing

- Section 1. An application may not be reheard within a period of one year after denial unless a majority of the Z & PC is satisfied that due to a substantial change of facts a rehearing is merited.
- Section 2. If a rehearing is granted, an application reflecting changed facts shall be submitted, docketed and subject to notice and all other requirements stated herein and in applicable ordinances and statutes.

ARTICLE VIII

Officers

The City Council may provide for appointments of the Presiding Officer and the Vice-Presiding Officer, and may allow one or both such officers to be selected by the Z & PC. From time to time, the Z & PC may request the City Council to appoint an officer (i.e., Parliamentarian, Secretary) and may suggest nominees.

Any two offices (except Presiding Officer and Vice-Presiding Officer) may be held by one Commissioner.

ARTICLE IX

Recording Secretary

- Section 1. The City Manager shall appoint a recording secretary to attend all regular, special or emergency meetings. The recording secretary shall keep minutes, conduct all correspondence, send out all notices required, docket all applications, keep all records and maintain all files and clerical records subject to public review.
- Section 2. Minutes are not to be placed in the minute book until read and approved in final form at a regular Z & PC meeting.

ARTICLE X

Minute Book

The Recording Secretary shall keep a permanent Minute Book, which shall record all applications docketed, disposition of action of the Z & PC by individual vote and in the case of denial of an application considered by the Z & PC, state the reason or reasons given by the Z & PC for such denial.

ARTICLE XI

Amendments

These Rules of Procedure may be amended at any meeting by the vote of a majority of a quorum of the Z & PC.

ARTICLE XII

Agenda

- Section 1. The recording secretary is responsible for assembling the agenda for each meeting. The recording secretary must place a subject on the agenda if a formal application has been submitted or if requested by the Presiding Officer or by two or more commissioners.
- Section 2. All agenda items and supporting or backup information must be submitted to the recording secretary by 12:00 NOON on the Friday preceding the regular meeting or in the case of a special meeting, 96 hours in advance of the meeting.
- Section 3. The agenda items for each meeting shall be arranged in the following order:
1. Introduction of Members
 2. Approval of Minutes

3. Hearing of the Public
4. Docketed Items
5. Adjournment

The agenda shall be posted with the notice of meeting.

ARTICLE XIII

Valid Action

Any action taken by the Z & PC, in compliance with applicable law, shall be deemed to have waived these Rules of Procedure as to the action taken. Such action shall be valid despite any technical noncompliance with these Rules of Procedure or their predecessors.

Adopted by the Zoning and Planning Commission of the City of West University Place, effective the 10th day of November 2011.



Steve Brown, Presiding Officer
Zoning and Planning Commission
City of West University Place