

PLANNING AND ZONING COMMISSION BYLAWS

ARTICLE I – Identification and Purpose

The Planning and Zoning Commission was established by the City Council of Colleyville, Texas, by Ordinance 08 on May 18, 1956; however, several amendments to this ordinance have been approved and codified through the Colleyville City Charter and the Colleyville Code of Ordinances. The purpose of the Planning and Zoning Commission is to act as an advisory board to the City Council relating to all physical development, proposed changes to zoning, the platting and/or the subdividing of land in the City.

ARTICLE II – Membership

- 2.1 The Planning and Zoning Commission shall consist of seven (7) members, who shall be appointed by the City Council for a two (2) year term; three (3) members shall be appointed each odd-numbered year and four (4) members shall be appointed each even-numbered year. Places on the Planning and Zoning Commission shall be numbered one (1) through seven (7).
- 2.2 Members must be residents of Colleyville, Texas, unless City Council waives the residency requirement.
- 2.3 Members shall serve without compensation and until their successors are appointed.
- 2.4 Vacancies created by resignation, removal by vote of a majority of the City Council, or by any other reason, shall be filled by the City Council for the remainder of the term.
- 2.5 If a member of the Planning and Zoning Commission fails to maintain a seventy-five percent (75%) attendance record for all regularly scheduled meetings, the Chairman or staff liaison, will notify the City Secretary. City Council may, at its discretion, declare a vacancy, advertise the open position, or appoint a replacement without advertising.

ARTICLE III – Officers

- 3.1 The officers of the Planning and Zoning Commission shall be the Chairman and the Vice-Chairman.
- 3.2 The Planning and Zoning Commission shall elect the Chairman and Vice-Chairman from among the members once a year, at the first regular meeting following the appointment of the new members, or as deemed necessary.
- 3.3 The Chairman shall preside at all meetings and be a voting member. The Chairman shall rule on all procedural matters, subject only to being over-ridden by the contrary vote of four (4) Planning and Zoning Commission members.
- 3.4 The Chairman shall call special meetings and/or worksessions as may be needed for the orderly conduct of the business of the Planning and Zoning Commission.
- 3.5 The Chairman shall sign all plats approved by the Planning and Zoning Commission.
- 3.6 The Vice-Chairman shall preside at Planning and Zoning Commission meetings in the absence of the Chairman, and shall fulfill all of the duties of the Chairman. Should the Chairman resign, or that office become vacant for other reasons, the Vice-Chairman shall act as Chairman until the election of a new Chairman.
- 3.7 The Planning and Zoning Commission shall appoint a Recording Secretary to record the minutes of the proceedings of every meeting. This appointment shall be made at the time of the election of the officers. The Recording Secretary is usually a staff member.

ARTICLE IV – Duties and Responsibilities

- 4.1 The Planning and Zoning Commission shall be responsible to and act as an advisory body to the City Council, and shall have and perform such additional duties as may be prescribed by ordinance.
- 4.2 The Planning and Zoning Commission recommends a City plan for the physical development of the City.

- 4.3 The Planning and Zoning Commission recommends approval or disapproval of proposed changes in the Zoning Plan.
- 4.4 The Planning and Zoning Commission exercises control over the platting or subdividing of land within the corporate limits of the City and outside same corporate limits to the extent authorized by state law; provided, however, this grant of authority shall not limit the City Council's right to provide that the City Council shall have final approval of plats, as provided by state law.
- 4.5 The Master Plan for the physical development of the City of Colleyville shall contain the Planning and Zoning Commission's recommendation for growth, development, and beautification of the City. A copy of the Master Plan, or any part thereof, shall be forwarded to the City Council, which may adopt this plan in whole or in parts, and may adopt any amendment thereto after at least one (1) public hearing on the proposed action. The Planning and Zoning Commission shall act on such plan, or part thereof, and again forward it to the City Council for consideration.
- 4.6 All amendments to the Master Plan recommended by the Planning and Zoning Commission shall be submitted in the same manner as outlined above to the City Council for approval, and all other recommendations affecting the Master Plan shall be accompanied by a recommendation from the Planning and Zoning Commission.
- 4.7 Upon adoption of the Master Plan by the City Council, no subdivision, street, park, or any public way, ground, or space, public building, or structure, or public utility, whether publicly or privately owned, which is in conflict with the Master Plan shall be constructed or authorized, by the City until and unless the location and extension thereof shall have been submitted to the Planning and Zoning Commission and approved by the City Council. In case of Planning and Zoning Commission disapproval, they shall communicate their reasons to the City Council, which shall have the power to overrule such disapproval. The widening, narrowing, relocating, vacating, or change in the use of any street, alley, or public way, or ground, or sale of any public building, or real property, shall be subject to similar submission and approval of the Planning and Zoning Commission, and failure to approve may be similarly overruled by the City Council.
- 4.8 The Planning and Zoning Commission members will take the Attorney General Texas Open Meetings Act on-line training course, available at

this link: http://www.oag.state.tx.us/open/og_training.shtml#22; or the member may obtain a DVD of the training course from the City Secretary, and provide a copy of the Certificate of Course Completion to the City Secretary. The training must be completed no later than the 90th day, after the date the member takes the oath of office, or otherwise assumes responsibilities as a member of the governmental body.

ARTICLE V – Meetings

- 5.1 Regular meetings shall be held not less than once a month at City Hall, located at 100 Main Street. Regular, special, or worksession meeting date, time, and location may be changed as necessary.
- 5.2 Public notice of meetings shall be provided in accordance with the provisions of the Texas Open Meetings Act. All meetings and deliberations shall be open to the public, except for properly noticed closed session matters, and shall be conducted in accordance with the provisions of the Texas Open Meetings Act.
- 5.3 The Planning and Zoning Commission may conduct closed sessions as allowed by law, on properly noticed closed session matters, such as consultation with attorney on legal issues raised by public hearing or action items on the agenda. A recording or certified agenda shall be made of all closed sessions of Planning and Zoning Commission meetings.
- 5.4 A majority of the members shall constitute a quorum; however, no action shall be approved with less than four (4) affirmative votes.
- 5.5 Meeting agendas will be posted on the City Hall bulletin boards, and the City's website 72 hours prior to a meeting. Meeting agenda packets will be available to the public on the City's website 72 hours prior to a meeting.
- 5.6 Approved meeting minutes will be included in the City Council agenda packets under Reports.
- 5.7 The Chairman shall secure from staff all such materials and analyses as may be useful to the Planning and Zoning Commission in considering any matter before it.

- 5.8 Any person seeking a change in zoning, or presenting any other matter to the Planning and Zoning Commission shall appear before the Planning and Zoning Commission in person, by agent, or by attorney.

ARTICLE VI – Conduct of Meetings

- 6.1 The Chairman shall call for each application or proposal. The Chairman shall read the public notice and request staff to present the facts on the application or proposal. The Chairman will subsequently open a public hearing.
- 6.2 The applicant and any experts, invited by the applicant, of said application shall have up to 20 minutes to present their case for adoption of their application. If necessary, the Planning and Zoning Commission Chairman may allow for an extension of time. In addition, the Planning and Zoning Commission may ask the applicant and/or experts questions during the presentation.
- 6.3 The Planning and Zoning Commission shall hear other interested parties, individually and separately. Each person shall be allowed no more than five (5) minutes to address the Planning and Zoning Commission; however, the Planning and Zoning Commission Chairman may recommend that the Planning and Zoning Commission allow an extension of that time. No questions nor debate shall be permitted during the public hearing.
- 6.4 The public hearing shall then be closed by the Chairman; after which, the applicant or citizens may NOT present additional testimony unless the public hearing is reopened by the Planning and Zoning Commission Chairman.
- 6.5 As a general rule, the applicant shall be permitted up to a five (5) minute rebuttal; however, the Planning and Zoning Commission Chairman may recommend that the Planning and Zoning Commission allow an extension of that time.
- 6.6 The Planning and Zoning Commission may direct questions to the applicant, proponents, opponents, or staff, following the rebuttal.
- 6.7 The Chairman may request a recommendation from staff, or call for a vote.

ARTICLE VII – Voting Procedure

- 7.1 To call a measure for vote requires a motion being made and the same motion being seconded. Once made and seconded, debate shall follow. Once made and seconded, a motion can only be disposed of by a vote of the Planning and Zoning Commission, unless both the movant and the second agree to either revise or withdraw the motion.
- 7.2 When the question is put to a vote, the Chairman shall call the roll with each member answering “Aye,” or “Nay” or “Not Voting.” Consistent with the City Charter, the affirmative vote of at least four (4) members of the Planning and Zoning Commission is required to take any action. Any member of the Planning and Zoning Commission “Not Voting” shall give a statement of his reason for not voting. On completion of the roll call, the Chairman shall announce the results and the effect of the motion.
- 7.3 The Planning and Zoning Commission shall comply will all applicable conflict of interest laws.
- 7.4 The Planning and Zoning Commission members shall not leave the meeting table to discuss pending matters with members of the audience, nor shall members of the audience discuss matters with individual Planning and Zoning Commission members during the meeting.

ARTICLE VIII – Amendments

- 8.1 These bylaws may be amended by a majority vote at any regular meeting, if all members have been notified of the proposed amendment(s) 72 hours prior to such meeting. Amendment(s) must be in compliance with applicable City ordinances and the Colleyville City Charter.
- 8.2 The bylaw amendment(s) shall become effective upon an affirmative vote of the Planning and Zoning Commission.
- 8.3 Approved bylaw amendment(s) will be included in the City Council agenda packet under Consent.