

City of League City

Planning and Zoning Commission Bylaws & Policies

Article I – Purpose

The Planning and Zoning Commission was established by the City Council of the City of League City on August 10, 1999 pursuant to Ordinance No. 99-52. The Commission's purposes are twofold:

- A. To plan for the orderly and systematic development of the City of League City and its environs and to advise the City Council on that subject. This is to be accomplished through the adoption of a comprehensive plan for the long-range development of the City, approved by the City Council, and updating it from time to time. This will be in accordance with Chapter 213 of the Texas Local Government Code. This planning purpose is not to be considered subordinate to the zoning function (below). Rather, it is the essential ingredient to effective zoning.
- B. To perform the function of a zoning commission as set forth in Chapters 211 and 212 of the Texas Local Government Code and Chapter 125 (the Unified Development Code or "UDC") of the Code of Ordinances of the City of League City.

Article II – Members

- A. The Planning and Zoning Commission shall consist of ten (10) members, eight (8) of which shall be appointed by the Mayor and confirmed by the City Council for a designated term of two years and two ex-officio members (City Attorney and City Engineer). The ex-officio members shall serve in an advisory capacity, and their terms shall correspond to their respective official tenures. All voting commissioners must be residents of the City of League City.
- B. The Mayor may reappoint commissioners for another term. However, vacancies shall be filled by appointment for the unexpired term only.
- C. Any member of the Commission may be removed by the appointing authority for inefficiency, neglect of duty, or malfeasance.

Article III – Qualifications of Members

- A. Persons appointed to the Planning and Zoning Commission should be either well known to members of the City Council or carefully screened by such body prior to appointment to the office of commissioner.
- B. As per Chapter 2-384 of the League City Code of Ordinances entitled Appointment Process, persons seeking appointment or reappointment to the Planning and Zoning Commission shall be required to include, along with their application:
 - A detailed resume to include a complete work history, description of positions held and tasks responsible for,
 - Educational background and professional certifications, if any; and,
 - A minimum of three (3) character references.
- C. The Commission should be composed of a representative cross section of the city, involving persons with public, private, and community interests. Appointments should be made without regard to wealth, station, position, age, race, or creed, providing general qualifications are met.

- D. The prospective appointee shall have been a resident of League City for not less than two years, be a registered voter, and must have a minimum of a high school education or its equivalent.

Article IV – Officers

- A. The elected officers of the Commission shall be a Chairperson and a Vice- Chairperson.
- B. Elections shall be held at the first official Commission meeting after January 1 every two years or as soon as is reasonably possible as determined by the Planning Director. The newly elected officers will take office at the same meeting.
- C. The Vice-Chairperson shall serve in the absence of the Chairperson.
- D. In the absence of both the Chairperson and the Vice-Chairperson, the members at such meeting shall elect a Chairperson Pro-Tempore at the beginning of the meeting.
- E. If the Chairperson vacates the office before completing his or her term, the Vice-Chairperson will assume the office and serve the remainder of the term. A new Vice-Chairperson will then be elected at the next regular meeting or as soon as is reasonably possible as determined by the Chairperson and the Director of Planning.
- F. The Planning Director's designee shall act as Secretary and shall provide other staff services as necessary to carry on the work of the Planning and Zoning Commission.

Chairperson

The Chairperson shall be a voting member of the Commission and shall:

- A. Call meetings of the Commission.
- B. Preside at meetings and hearings.
- C. Act as spokesperson for the Commission (also see 5 below).
- D. Sign documents for the Commission.
- E. Perform other duties approved by the Commission.

Vice-Chairperson

The Vice Chairperson shall exercise the duties of the Chairperson in the absence, disability, or disqualification of the Chairperson.

Article V – Meetings

- A. The Commission shall require and adopt an annual schedule of regular meetings.
- B. The Commission shall attempt to schedule at least two regular meetings every month on dates established as approved by the Commission on a yearly basis at a time set in advance by the Commission so as to ensure reasonable public participation. No meeting shall have start time before 5:00 p.m. per Chapter 2-397 of the League City Code of Ordinances entitled Meeting Schedules.
- C. The Chair may call special meetings as circumstances require upon the written request of not less than three Commissioners or upon request of the Planning Director. Notice of a special meeting shall be given in accordance with the Charter of the City of League City.
- D. Closed meetings, working sessions or executive sessions of the Commission are allowed when deemed necessary and proper to the public interest and not in conflict with current statute or law.

- E. No meeting, whether scheduled or special, shall be an official meeting of the Commission nor shall any action be taken at any meeting be an official action of the Commission unless a quorum is present.
- F. A quorum is constituted of five of the members of the Planning and Zoning Commission who are entitled to vote, except in the case of vacancies in which instance a majority of the remaining members of the Commission shall constitute a quorum.
- G. No action of the Planning and Zoning Commission shall be valid unless authorized by a majority vote of those present and voting.
- H. The right of the permanent or acting Chairperson to vote, if he or she so desires, shall not be questioned.
- I. Voting
 - a. Each commissioner present at a meeting may vote once on any matter before the commission.
 - b. A commissioner may abstain from voting in accordance with the City of League City's Policies and Procedures and City Charter.
 - c. A commissioner must abstain from any vote in which he has a financial interest in the matter before the Commission.
- J. Chapter 171 of the Texas Local Government Code shall govern the regulation of conflicts of interest of any member of the Commission.
- K. Robert's Rules of Order shall govern the conduct of meetings except where in conflict with these Bylaws, City Ordinances, or State Law.
- L. Outside of an open public hearing, no member of the public may speak during a Commission meeting unless:
 1. Invited to do so by the Chairperson; or,
 2. During the Citizen Communication section on the posted agenda.

Article VI – Agenda

An electronic agenda shall be furnished to each member of the Commission, and shall be posted in accordance with the State of Texas Open Meetings Act.

Article VII – Records

The Planning Department shall record all meetings and hearings of the Commission on an acceptable recording media, which shall be preserved according to the Records Retention Policy of the City of League City. Planning staff shall prepare minutes of each meeting for approval by the Commission at its next regular meeting. Unless otherwise directed by the Commission to provide a precise transcription on a particular subject, the minutes should be prepared in a concise manner a copy of the announced agenda, a listing of members in attendance, the time the meeting was called to order and closed, a statement of each issue discussed, salient points of the discussion related to each issue, and the decision of the Commission on each of those issues. These minutes and supporting tapes shall be maintained as public records.

Article VIII – Attendance

The unexcused absence of a member for three (3) consecutive meetings of the Commission shall ipso facto terminate membership on the Commission, unless the absence is excused by the Commission for a reason found to be justifiable. Without limiting the grounds for justifiable

absence, sickness, or leave of absence obtained in advance at a regular meeting shall be deemed justifiable grounds for failure to attend a meeting.

Article IX – Adoption

These bylaws & policies were adopted by vote of the members of the Commission at a regular meeting and submitted to the City Council for approval.

Article X – Amendment

These bylaws may be amended at any regular meeting of the Commission by majority vote of the members of the Commission at least seven (7) days after the written amendment(s) is (are) delivered to all members. The amendment will then be forwarded to the City Council for consideration.

Article XI – Policies & Procedures

The policies and procedures listed below establish processes and codes of conduct for Planning and Zoning Commission meetings, members and staff.

1. Placement of Agenda Items:

New Business Items

New business items result from applications for plats, certain site plans, master plans, master plan revisions, zoning, special use permits, buffer yard variances, and subdivision variances submitted to the Planning Department.

Public Hearing and Action Items

Notice for all other public hearing and action items will be provided in accordance with city ordinances and state law. If public hearing items are continued to another meeting, they must be continued to a specific date in order to keep those that attended the meeting informed and to eliminate the costs of re-noticing.

Tabled Items Subject to Recall

All regular business items may be tabled. However, in accordance with state law, the Commission can only table plats if 30 days will not expire from the submittal date of the plat to the next meeting. Tabled items shall remain on the agenda until they are acted upon or the application is withdrawn by the applicant. Items shall not remain on the table for more than 90 days. After 90 days expire, then the Commission will take action on the item if the applicant has not withdrawn the application. In order for an item to be removed from the table, a majority of the Commission present has to approve the removal.

Other Business Items

Other Business Items are placed on the agenda by staff or the Chairman for preliminary submittal presentations by applicants and miscellaneous items that need action by the Commission.

Staff Comments

Staff comments will typically be used to give general reminders and news to the Commission. Reports will not be used to engage in attacks or comments that insult, abuse, malign or slander another individual, including but not limited to other staff, Commissioners, Mayor, City Council members or citizens.

2. Maximum Number of Public Hearings

The maximum number of public hearings on an agenda will be 4. In order to schedule more than 4, staff must get consent from the Chairperson.

3. Format for Public Hearing Items

Public hearings shall follow the following format:

- A. The presiding Chairperson will read the agenda item.
- B. The staff report will be presented by staff. The Commission will ask staff questions, if there are any.
- C. The applicant will make a presentation (allotted time shall be determined by the Chair, but should be no longer than 10 minutes). The Commission will ask the applicant questions, if there are any.
- D. The presiding Chairperson will open the public hearing.
- E. The presiding Chairperson will announce something similar to the following: "Anyone wishing to address this matter before the Commission may come forward and be heard. Speakers must sign in and state their name and address for the record. Speakers will be limited to 3 minutes and must remain at the microphone while speaking." The presiding Chairperson may extend the time limit for persons speaking on behalf of a group.
- F. The presiding Chairperson will call up citizens who signed in to speak prior to the meeting. After those citizens provide public comment, the chair will ask if anybody else in the room has any comments.
- G. After the comments are finished, then the public hearing will be closed.
- H. At the pleasure of the Chairperson, the applicant will be permitted to address the public comments to the Commission (allotted time shall be determined by the Chairperson, but should be no longer than 5 minutes).
- I. The presiding chairperson will ask the Commission if they have any additional questions for the applicant or staff.
- J. The Chairperson will ask for a motion and second.
- K. The Commission will deliberate.
- L. A vote will be taken.

4. Format for Regular Business Items

The format for all other regular business items will follow the public hearing format except for the public hearing portion.

5. Recommended Motions

(a) A motion is recommended to be made in the 'affirmative' so as to clarify the clear intent of the Commission.

1. When an original main motion to approve obtains a majority vote, then the item is considered as an approval.
2. When an original main motion to approve fails to obtain a majority vote or is a tie vote, then the action is the same as being denied and another motion to deny is not needed. If there is a secondary motion, then it must come from one who voted with the prevailing side on the original main motion.

6. Commission Initiation

If a Commissioner wants to place an item on the agenda for discussion, it must be related to the powers and duties listed in Section 2.5.3 of the UDC. The Commissioner will contact the Director of Planning or designee for consultation with staff and the Commission Chairperson. The Commissioner, Chairperson and staff will determine what items need to be prepared, the staff that need to be included, potential time that needs to be allotted and any other variables pertaining to the discussion item. Based upon these decisions, a meeting date will be set and staff will place the item on the corresponding agenda.

7. Delivery of Agenda Packets

Staff will make every effort to deliver the packets via email to the Commission the same day that the agenda is posted. In the event additional agenda items need to be added after the packets are delivered staff will get approval by the Chairperson and send supplemental agendas and backup material to the Commission by noon on Friday.

8. Meeting Changes

When the Planning staff is made aware of a meeting change, then staff will inform the Commission of the change via the information that has been provided to staff on the internal contact list. Staff will e-mail and call the Commissioners regarding the change.

9. From P&Z to City Council

(a) When Council receives a recommendation from the Commission on an item, the excerpt minutes of the Commission's meeting and report shall be included with the data sheet at the time of the public hearing and action.

(b) If an application is altered beyond what the Commission instructed and the Commission was not privy to the new information, then the case has to be reconsidered by the Commission with a new public hearing.

(c) If an applicant wants to postpone the City Council public hearing and consideration after the Commission takes action, then 90 days cannot expire between action by the Commission and the City Council public hearing. If 90 days expires, then the application is considered withdrawn and a new application and fee are required unless the item is a Special Use Permit (SUP) or a rezone request. In which case, the item will be subject to Sections 2.15.10 or 2.16.11 of the UDC discussing limitations on reapplication.