

THE CITY ZONING AND PLATTING

CITY OF AUSTIN, TEXAS

RULES AND REGULATIONS

September 18, 2001 [Date change upon adoption]

1.000 DUTIES AND RESPONSIBILITIES

1.100 The duties of the Zoning and Platting Commission shall be those prescribed by State statute, City Charter, and City ordinance. The Zoning and Platting Commission shall:

1.110 Pursuant to ordinances adopted by the Council, exercise control over platting and subdividing land within the corporate limits of the City and extraterritorial jurisdiction of the City to insure the consistency of and such plats or subdivision with the adopted comprehensive plan or element or portion thereof;

1.120 Recommend to the Council approval of disapproval of proposed zoning changes;

1.130 Require information from the City Manager and City Legal in relation to its work;

2.000 MEMBERSHIP

2.100 The Commission, as approved by charter, shall be composed of eleven (11) ~~nine~~ members, appointed by the City Council for their ability, unselfish interest, and availability for the work. The Commission members shall serve the City as a whole, shall represent no special group, or interest, and shall publicly state when they are interested in a matter before the Commission, and, therefore, disqualify themselves. When a Commission member must disqualify himself, he shall indicate his interest prior to the hearing, and shall not participate in the discussion, or vote on such issues.

2.200 On their appointment to the Commission, new members shall be briefed by the Director of the Neighborhood Planning and Zoning Department on the general scope of City planning and duties of the Commission.

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3.000 OFFICERS

- 3.100 The officers of the Commission shall consist of a Chair, Vice-Chair, Secretary, Assistant Secretary and Parliamentarian.
- 3.200 Officers shall be elected annually at the first meeting in July March, or not later than August 1, [Do we want change/keep this August date?] by a majority of the Commission.
- 3.300 The term of office shall be one (1) year, beginning in March and ending February 28. ~~extending from June 1 to May 31.~~
- 3.400 Vacancies shall be filled by a majority vote of the Commission at any regular or special meeting called for that purpose.
- 3.500 The Director, or designee of the Neighborhood Planning and Zoning Department shall serve the Commission as Executive Secretary.

4.000 DUTIES OF OFFICERS

- 4.100 The Chair shall preside at all meetings and shall appoint all standing committees each year following the election of officers. The Chair shall appoint the Chair and members of such special committees as from time to time may be authorized by the Commission. [Remove this language regarding appointment of committees and their Chairs?] As provided by statute, the Chair shall sign all subdivision plats.
- 4.200 In the absence of the Chair, the Vice-Chair shall perform all duties of the Chair.
- 4.300 The Secretary shall monitor the timely completion of minutes of the Commission's meetings. As provided by statute, the Secretary shall sign all subdivision plats. In the absence of the Chair and Vice-Chair, the Secretary shall perform duties of the Chair.
- 4.400 In the absence of the Secretary, the Assistant Secretary shall perform all duties of the Secretary.
- 4.500 The Parliamentarian shall advise on all matters of procedures and shall assure that business conducted before the Commission

conforms to these Rules and Regulations and Roberts Rules of Order, Newly Revised.

4.600 The Executive Secretary shall keep the official records of the meeting of the Commission, cause to be made such notices as are required in the manner prescribed by statute, ordinance or these Rules, maintain records of attendance, and attend to all official correspondence of the Commission. The Executive Secretary shall provide reports on any matters vital to the—efficient an expeditious operation of the **Zoning and Platting Planning** Commission.

5.000 MEETING

5.100 Regular meetings of the Commission shall be held on the first and third Tuesday of each month at 6:00 p.m. unless otherwise decided by the Commission.

5.200 If it should become necessary because of workload that any regular meeting be continued to the following day, such a meeting will reconvene on the day following and this second meeting shall be considered as part of the same session.

5.300 Special meetings may be called by the Chair and shall be called if requested by three or more members.

5.400 Notices of meetings shall be in writing and shall be sent to all members at least two days in advance of the meetings.

5.500 The Commission shall consider matters before it at its regular meetings and shall hear matters in the order of business may be modified at any meeting by unanimous consent of members present.

6.000 VOTING AND QUORUM

6.100 A quorum of the Commission shall consist of **seven (7)** ~~five (5)~~ members. If there are two or more vacancies, a quorum shall consist of **four (4) members** [Is this still applicable?].

6.200 No Actions of the Commission shall be of any force or fact unless it is adopted by affirmative vote of its members equal to at least the numbers of members necessary to provide a quorum of its membership.

6.300 The Chair shall have the same voting privilege as any other member.

7.000 COMMITTEES

7.100 STANDING COMMITTEES

7.110 The Chair shall appoint [This previous phrase may change according to the decision of the Chair and Commission on committee appointments] a minimum of three (3) Commissioners to each Standing Committee not later than thirty (30) days after appointment, to serve a term to continue through June 1 [Does this date still stand for committees?] or until their successors are appointed. Such appointments shall be made with due consideration of if interest and a fair distribution of the work to be performed.

7.120 Each Standing Committee shall elect its own Chair from among its members. [Here is the language we are looking for to insert into the Bylaws, Article 8.B.]

7.130 The Chair of the Commission shall appoint a replacement for any member of a Committee who has missed more than three (3) consecutive meetings of the committee for which adequate notice have been given. [Review this language should the entire Commission be allowed to appoint the members of committees and their replacements.]

7.140 A Standing Committee shall meet at the call of its Chair, but not less than once in each quarter of the calendar year, unless otherwise noted in Section 7.

7.150 Any Standing Committee may hold public hearings in the manner prescribed by applicable ordinances and statutes.

7.160 The standing Committees of the Planning Commission shall be:

7.161 EXECUTIVE COMMITTEE – This Committee shall be composed of the officers of the Commission. The Executive Secretary shall be an ex-officio member without privilege of vote. A quorum shall be three (3)

Commissioners. The Executive Committee shall be responsible for coordination of the Commission's activities and may make recommendations to the Commissions on the annual budget as it relates to the Commission's work program. The Committee shall annually recommend goals to the Commission and shall recommend a work plan to accomplish those goals. The Committee shall, from time to time, liaison with the Planning Commission regarding Zoning and Platting Commission goals and any other issues.

7.162 Codes and Ordinances Committee – This Committee shall review and make recommendations to the Commission regarding amendment or adoption of policies, rules, and ordinances related to land use and land development. [This committee description is copied from the Planning Commission Bylaws.]

7.163 Small Area Planning Joint Committee – This Joint Committee of the Planning Commission and Zoning and Platting Commission shall advise the Council on issues surrounding planning and zoning in areas such as downtown, corridors, and centers, neighborhoods, the waterfront, planned unit developments, and transit-oriented developments. This Committee will have seven (7) members, with four (4) members appointed from the Planning Commission and three (3) members appointed from the Zoning and Platting Commission.

7.164 Economic and Capital Budget Joint Committee – This Committee shall advise the Council on the implementation of projects approved by the voters in bond elections; and shall monitor the City Manager's plans relating to the issuance of bonds and the implementation of projects approved by the voters, including the annual appropriation of bond funds and changes in the amount of bonds issued or cash commitments made. This Committee will have eleven (11) members, with four (4) members appointed from Planning Commission, three (3) members appointed from the Zoning and Platting Commission, and four (4) members appointed by CAF; at least one (1) member must be a professional engineer. The Committee shall meet at least once every six (6) months.

7.165 Comprehensive Plan Committee – This Committee shall address Policy Directives and Initiatives of the Planning Commission, the Zoning and Platting Commission and Council, affordable housing issues, and new planning initiatives. [Copied from the

Planning Commission Bylaws with ZAP added to the list. This is a vague and grammatically awkward description of this Committee's directive, however, and can be improved.]

~~7.166 LIAISON COMMITTEE~~ This Committee shall be composed of the two commission members appointed by the Chair. The purpose of the committee is to exchange information relating to the Planning Commission, and the Zoning and Platting Commission, and make recommendations to the commissions on common policies, objectives, issues and activities.

7.200 AD HOC COMMITTEES – The Chair of the Commission may appoint Ad Hoc Committees to assist the Commission on matters not otherwise assigned by these Rules to a Standing Committee. Any Ad Hoc Committee may hold public hearings in the manner prescribed by applicable ordinances and statutes.

8.000 ANNOUNCEMENT OF OFFICIAL ACTS

8.100 The Executive Secretary shall prepare for the Commission all letters of transmittal to the City Council and shall sign those relative to zoning plan changes, special permits, and subdivision plans. Other letters to the Council shall be signed by the Chair of the Commission.

8.200 Copies of the Commission minutes and of all recommendations required shall be sent directly to the City Manager and the City Clerk by the Executive Secretary.

9.000 OFFICIAL RECORDS

9.100 The official records of the Commission shall be its adopted minutes and electronic recordings of its meetings.

9.200 The official records of the Commission shall be deposited in the Planning Department of the City of Austin and shall constitute a public record open to public inspection.

9.300 A copy of these Rules and Regulations, and all amendments thereto, shall be placed on permanent file in the office of the City Clerk within seven (7) days of adoption.

10.000 POLICIES AND SUPPLEMENTAL PROCEDURES

10.100 Matters of policy affecting the Commission shall be decided at regular meetings or at special meets called for that purpose. Supplemental policies, rules and regulations may be adopted by a majority vote of the Commission.

10.200 Conduct of Public Hearings

10.210 The Commission shall use the following order of procedure for public hearings:

10.211 Chair announces requests;

10.212 Staff presents a summary of the case;

10.213 Chair calls on those favoring the request;

10.213a Applicant's presentation (five [5] minutes each);

10.213b Others favoring the request (three [3] minutes each);

10.214 Chair calls on those opposing the request;

10.214a Primary presentation (five [5] minutes);

10.214b Others opposing the request (three [3] minutes each);

10.215 Applicant is given an opportunity to answer objections stated (three [3] minutes each);

10.216 Staff summation and questions from the Commission;

10.217 Public hearing is closed and no further testimony is taken from the public

10.220 Speaking times in any of the above instances may be extended by the Chair with the unanimous consent of the Commission.

10.230 Items on the agenda may be acted upon by one motion, provided however that the Commission may not consider items earlier than the time stated on the agenda. "Other Business" items can be taken at any time. After the posted time, the Chair may announce the item and, if there is no opposition from the Commission or the public, the item may be taken "by consent" for approval without discussion.

10.300 Postponement of Public Hearings

10.310 Anyone may request a postponement of a public hearing in writing to the Executive secretary by 10:00 a.m. the Monday before the Zoning and Platting Commission meeting. Any such request may be granted.

10.400 Revision or amendment of previous action by the Commission –
The Commission may rescind or amend a previous action at the request of two or more Commissioners. Such a request must be based on new evidence judged to be material to a correct decision of the Commission and must be made within fourteen (14) days at the date of the session in which the action to be rescinded or amended was taken. The decision to rescind or amend may be effected by an affirmative vote of a two-thirds majority of the Commission. [We discussed the potential need to call a special meeting to meet this deadline considering the calendar dates of our meetings. Do we need to add language to that effect, or can we simply rely on the authority to call special meetings in Section 5.300?]

11.000 PARLIAMENTARY AUTHORITY

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

12.000 AMENDMENTS

Amendments to these Rules and Regulations may be made by the Commission at any regular or special meeting called for that purpose upon the affirmative vote of a two-thirds majority of the total number of members currently appointed. Any such amendment must have been proposed at a preceding meeting and all members formally notified thereof.

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