

**Recommendation for approval by
Audit and Finance**

**BYLAWS OF THE
PLANNING COMMISSION**

ARTICLE 1. NAME.

The name of the board is Planning Commission.

ARTICLE 2. PURPOSE AND DUTIES.

The purpose of the board is to serve as the Land Use Commission, as required by Title 25 of the City Code, and to carry out the following duties assigned by City Charter Article X (Planning):

- (A) Review and make recommendations to the council regarding the adoption and implementation of a comprehensive plan or element or portion thereof prepared under authorization of the city council and under the direction of the city manager and responsible city planning staff.
- (B) After a comprehensive plan or element or portion thereof has been adopted:
 - i. Review and make recommendations to the council on all amendments to the comprehensive plan or element or portion thereof.
 - ii. Review and make recommendations to the council on all proposals to adopt or amend land development regulations for the purpose of establishing the relationship of such proposal to, and its consistency with, the adopted comprehensive plan or element or portion thereof. For purposes of this article and subsection, “land development regulations” includes zoning, subdivision, building and construction, regulating, or affecting the use or development of land.
- (C) Pursuant to ordinances adopted by the council, exercise control over platting and subdividing land within the corporate limits of city areas that are: (i) covered by or in the process of developing Neighborhood Plans; the former Robert Mueller Airport site; and (iii) a Transit Oriented Development district. See: City Code Sections 25-1-46(C)-(D) & 2-1-187(B). The board must insure the consistency of any such plats or subdivisions with the adopted comprehensive plan or element or portion thereof.
- (D) Submit annually to the city manager, not less than ninety (90) days prior to the beginning of the budget year, a list of recommended capital improvements, which in the opinion of the board are necessary or desirable to implement the adopted comprehensive plan or element or portion thereof during the forthcoming five-year period.
- (E) Monitor and oversee the effectiveness and status of the comprehensive plan and recommend annually to the council any changes in or amendments to the comprehensive plan as may be desired or required.

1 (F) Prepare periodic evaluation and appraisal reports on the comprehensive plan, which shall
2 be sent to the council at least once every five (5) years after the adoption of the
3 comprehensive plan or element or portion thereof.
4

5 (G) Require information from the city manager relative to its work.
6

7 (H) The board shall be responsible to act as an advisory body to the council and shall
8 perform such additional duties and exercise such additional powers as may be prescribed
9 by ordinance of the council not inconsistent with the provisions of the Charter.
10

11 **ARTICLE 3. MEMBERSHIP.**

14 (A) The board has a number of members equal to the number of members on the council plus two (2)
15 additional members. A minimum of two-thirds of the members shall be lay members not directly or
16 indirectly connected with real estate and land development. The city manager, the chairperson of
17 the zoning board of adjustment, the director of public works and the president of the board of
18 trustees of the Austin Independent School District shall serve as ex officio members.
19

21 (C) Board members serve for a term of two years beginning March 1st on the year of appointment.
22 Board members are appointed by the council for a term of two (2) years, -seven (7) members
23 appointed in every odd-numbered year and six(6) members in every even-numbered year.
24

25 (D) An individual board member may not act in an official capacity except through the action of the
26 board, except when required to do so in accordance with provisions for approval or endorsement of
27 plats.
28

29 (E) A board member who is absent for three consecutive regular meetings or one-third of all regular
30 meetings in a “rolling” twelve month timeframe automatically vacates the member’s position
31 subject to the holdover provisions in Section 2-1-27 of the City Code. This does not apply to an
32 absence due to illness or injury of the board member, an illness or injury of a board member’s
33 immediate family member, active military service, or the birth or adoption of the board member’s
34 child for 90 days after the event. The board member must notify the staff liaison of the reason for
35 the absence not later than the date of the next regular meeting of the board. Failure to notify the
36 liaison before the next regular meeting of the board will result in an unexcused absence.
37

38 (F) At each meeting, each board member shall sign an attendance sheet which indicates that the member
39 does not have a conflict of interest with any item on that agenda, or identifies each agenda item on
40 which the member has a conflict of interest. Failure to sign the sheet results in the member being
41 counted as absent and his/her votes are not counted.
42

43 (G) A member who seeks to resign from the board shall submit a written resignation to the chair of the
44 board, the staff liaison, or the city clerk’s office. If possible, the resignation should allow for a
45 thirty day notice so the city council can appoint a replacement.
46

47 **ARTICLE 4. OFFICERS.**

48

- 1 (A) The officers of the board shall consist of a chair, a vice-chair, a secretary and a parliamentarian.
2
3 (B) Officers shall be elected annually by a majority vote of the board at the first regular meeting after
4 April 1st. In the event a current officer becomes ineligible to serve as an officer, the board may hold
5 an emergency election as needed.
6
7 (C) The term of office shall be one year, beginning May 1st and ending April 30th. An officer may
8 continue to serve until a successor is elected. A person may not serve as an officer in a designated
9 position of a board for more than four consecutive one-year terms. A person who has served as an
10 officer in a designated position of a board for four consecutive terms is not eligible for re-election
11 to that designated office until the expiration of two years after the last date of the person's service in
12 that office. The board may override the term limit provision for an officer by an affirmative vote of
13 two-thirds of the authorized board members.
14
15 (D) A member may not hold more than one office at a time.

17 **ARTICLE 5. DUTIES OF OFFICERS.**

- 18
19 (A) The chair shall preside at board meetings, appoint all committees, represent the board at ceremonial
20 functions and approve each final meeting agenda. As provided by statute, the Chair shall sign any
21 certificate endorsing a subdivision plat.
22
23 (B) In the absence of the chair, the vice-chair shall perform all duties of the chair.
24
25 (C) In the absence of both the Chair and the Vice-Chair, the member serving as presiding officer shall
26 sign any certificate endorsing a subdivision plat. In the absence of the Chair, Vice-Chair and
27 Secretary, any member may be deemed the presiding officer by a quorum of the board present at the
28 meeting, with such a designation recorded in the minutes.
29
30 (D) The Secretary shall monitor the timely completion of meeting summaries of the board's meetings.
31 As provided by statute, all certificates endorsing a subdivision play shall be attested by the
32 Secretary. In the absence of the Chair and Vice-Chair, the Secretary shall perform duties of the
33 Chair including signing any certificate endorsing a subdivision plat, and in such instance the
34 certificates shall be attested by another member deemed acting-Secretary by a quorum of the board
35 present at the meeting, with such designation recorded in the minutes.
36
37 (E) The Parliamentarian shall advise on all matters of procedures and shall assure that business
38 conducted before the board conforms to these Rules and Regulations and Roberts Rules of Order
39 Newly Revised.
40

41 **ARTICLE 6. AGENDAS.**

- 42
43 (A) Two or more board members may place an item on the agenda by oral or written request to the staff
44 liaison at least five days before the meeting. After first consulting with and receiving input from
45 the staff liaison, the chair shall approve each final meeting agenda.
46
47 (B) The board liaison shall submit the meeting agenda through the online agenda posting system for
48 each meeting not less than 72 hours before the meeting.

1
2 (C) Posting of the agenda must comply with Texas Government Code Chapter 551 (Texas Open
3 Meetings Act).
4

5 **ARTICLE 7. MEETINGS.**
6

7 (A) The board meetings shall comply with Texas Government Code Chapter 551 (Texas Open Meetings
8 Act).
9

10 (B) Board meetings shall be governed by Robert's Rules of Order.
11

12 (C) The board may not conduct a closed meeting without the approval of the city attorney.
13

14 (D) **Except as otherwise provided by action of the board,** the board shall meet twice a month, **at Austin**
15 **City Hall.** In November of each year, the board shall adopt a schedule of the meetings for the
16 upcoming year, including makeup meeting dates for the holidays and cancelled meetings.
17

18 (E) The chair may call a special meeting, and the chair shall call a special meeting if requested by three
19 or more members. The call shall state the purpose of the meeting. A board may not call a meeting in
20 addition to its regular scheduled meetings as identified in its adopted meeting schedule, more often
21 than once a quarter, unless the meeting is required to comply with a statutory deadline or a deadline
22 established by Council.
23

24 (F) Seven members constitute a quorum..
25

26 (G) If a quorum for a meeting does not convene within one-half hour of the posted time for the meeting,
27 then the meeting may not be held.
28

29 (H) To be effective, a board action must be adopted by an affirmative vote of the number of members
30 necessary to provide a quorum.
31

32 (I) The chair has the same voting privilege as any other member.
33

34 (J) The board shall allow citizens to address the board on agenda items and during a period of time set
35 aside for citizen communications. The chair may limit a speaker to three minutes.
36

37 (K) The staff liaison shall prepare the board minutes. The minutes of each board meeting must include
38 the vote of each member on each item before the board and indicate whether a member is absent or
39 failed to vote on an item.
40

41 (L) The city clerk shall retain agendas, approved minutes, internal review reports and bylaws. The
42 Planning and Zoning Department shall retain all other board documents. The documents are public
43 records under Texas Local Government Code Chapter 552 (Texas Public Information Act).
44

45 (M) The chair shall adjourn a meeting not later than 10 p.m., unless the board votes to continue the
46 meeting.
47

1 (N) Each person and board member attending a board meeting should observe decorum pursuant to
2 Section 2-1-48 of the City Code.

3
4 (O) A member of the public may not address a board at a meeting on an item posted as a briefing.
5

6 **ARTICLE 8. COMMITTEES/WORKING GROUPS.**
7

8 **COMMITTEES**
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10 (A) The Planning Commission shall have the following committees:
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12 1. Executive Committee.

13 This Committee shall be composed of the officers of the Commission. The staff liaison shall be
14 an ex-officio member without privilege of vote. The Executive Committee shall be responsible
15 for coordination of the Commission's activities and may make recommendations to the
16 Commission on the annual budget as it relates to the Commission's work program. The
17 Committee shall annually recommend goals to the Commission and shall recommend a work
18 plan to accomplish those goals.
19

20
21 2. Committee on the Capital Improvements Program

22 The purpose of this Committee is to review all departmental proposals for inclusion in the
23 Capital Improvements program and insure proposals are consistent with the goals of
24 Neighborhood Planning and adopted City policies. The Committee shall make recommendations
25 to the Commission regarding capital improvements which are necessary or desirable to
26 implement the adopted Comprehensive Plan. The CIP Committee will consider the methods used
27 to fund the proposed projects in light of the overall fiscal health of the City, and shall monitor the
28 progress of the adopted Capital Improvement Program.
29

30
31
32 (B) Each committee must be established by an affirmative vote of the board. A committee cannot meet
33 until its creation is approved by the Council Audit and Finance Committee. Each committee shall
34 consist of at least three board members appointed by the chair. A staff member shall be assigned to
35 each committee by the director of the Planning and Zoning Department.
36

37 (C) The board chair shall appoint a board member as the committee chair, with the member's consent.
38

39 (D) A majority of the total number of appointed committee members constitutes a quorum.
40

41 (E) Each committee shall meet on a regularly scheduled basis at least quarterly.
42

43 (F) Each committee shall make an annual report to the board at the January board meeting.
44

45 (G) Committee meetings must be posted in accordance with Texas Government Code Chapter 551
46 (Texas Open Meetings Act).
47

1 (H) At each committee meeting, a committee member shall sign in on a sheet provided and shall
2 indicate that the member has no conflict of interest with any item on the committee meeting agenda,
3 or identify each agenda item on which the member has a conflict of interest.
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5 **WORKING GROUPS**

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7 (A) The board can determine the size of a working group but the number of board members serving on
8 the working group must be less than a quorum of the board.
9

10 (B) A working group may designate a chair, with the member's consent, but is not required to do so.

11 (C) Quorum requirements do not apply to working groups.

12 (D) Staff support will not be provided for working groups.

13
14 (E) Working groups are not required to post their meetings in accordance with the Texas Government
15 Code Chapter 551 (Texas Open Meetings Act).
16
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18

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20 **ARTICLE 9. PARLIAMENTARY AUTHORITY.**

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22 The rules contained in the current edition of Robert's Rules of Order shall govern the board in all
23 cases to which they are applicable, except when inconsistent with these bylaws or with special rules of
24 procedure which the board or city council may adopt.
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26 **ARTICLE 10. AMENDMENT OF BYLAWS.**

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28 A bylaw amendment is not effective unless approved by the Council Audit and Finance Committee.
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31 The bylaws were approved by the Austin City Council at their meeting held on October 6, 2016_.
32

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35 _____
(Signature of Executive or Staff Liaison)

Andrew D. Rivera

Staff Liaison