

(3) Planning and Zoning Commission

- a. **Responsibilities.** The regulations and restrictions of the Planning and Zoning Commission (Commission) for the City will be pursuant to the provisions of applicable statutory requirements of the State of Texas and the City's Home Rule Charter Section 7.14. The Commission's procedures and actions shall conform to this Code and the Charter.
- b. **Powers and Duties.** The Commission has the powers and duties of a Commission in accordance with LGC §211.007 and §371.042, provided, however, that it serves only in an advisory capacity to City Council. The Commission's authority extends to and includes review and recommendation of the following:
 - i. General Development Plans and Concept Plans
 - ii. Final Plats (including Amending, Development, and Replats)
 - iii. Preliminary Plats
 - iv. Site Development Permits
 - v. Development Agreements
 - vi. Special Use Permits
 - vii. Historic Building Designations
 - viii. Heritage Plans
 - ix. Planned Unit Developments
 - x. Conservation Development Alternatives (CDA)
 - xi. Comprehensive Plan or Future Land Use Map Amendments
 - xii. Zoning Map Amendments (Rezoning)
 - xiii. Unified Development Code (Code) Text Amendments
 - xiv. Any other specific procedure or items that require Commission action as specified in this Code or as required by state or federal law.
- c. **Membership and By-Laws.** The Commission will be formed and conduct all activities in accordance with this Code, any other applicable City codes, the City Home Rule Charter, the ordinance creating the Commission, and any adopted By-Laws.
- d. **Commission Review Process.** The Commission review process will be required for any permit or application that requires review and recommendations from the Commission, as described in this Code. The process will include the following:
 - i. **Initiation.** The Property Owner of the affected property or its authorized agent may initiate a Commission process upon application.

- ii. Application. An application must be made in a format consistent with requirements determined by the City Manager (or designee). Applications must include all materials determined necessary by the City Manager (or designee). The City Manager, in advance of any application, will make information regarding the format requirements and submittal materials required for the application available. Requirements include:
 - 1) All applications must have signatures or authorization of all -owners of land within the boundary of the tract of land included in the application;
 - 2) All applications must be submitted in a form acceptable to the City Manager (or designee); and
 - 3) All applications must include an application fee as required by Chapter 3, Applications and Permits, in accordance with the Administrative Procedures Manual.
- e. Commission Final Action. The Commission will serve as an Advisory Body to the City Council and will have no authority for final action.
- f. Criteria for Recommendation. An application or variance will not be recommended for review and approval until:
 - i. The application is complete, and the information contained within the application is sufficient and correct to allow adequate review and a decision on a recommendation by the appropriate review authority.
 - ii. No plat will be recommended without a determination that the plat conforms to the following:
 - 1) The requirements of this Code and any applicable state law.
 - 2) The City's Comprehensive Plan and any other adopted plans as they relate to:
 - I. The City's current and future land use, streets, sidewalks, alleys, parks, playgrounds, and public utility facilities; and
 - II. The extension of the City or the extension, improvement, or widening of its roads, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities.
 - III. Any subdivision design and improvement standards adopted by the City pursuant to LGC §212.002 or §212.044, governing plats and subdivision of land within the City's jurisdiction to promote the health, safety, morals, or general welfare of the City and the safe, orderly, and healthful development of the City.
 - iii. The tract of land subject to the application is adequately served by public improvements and infrastructure or will be adequately served upon completion of required improvements.
- g. Appeals. Appeals to Planning and Zoning Commission action, as applicable, will be made to City Council.