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## CITY COUNCIL CONSIDERATION ITEM

### CITY OF FAIR OAKS RANCH, TEXAS

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AGENDA TOPIC: Consideration and possible action to approve the first reading of an ordinance amending Ordinance 2018-03 by removing the real property ownership requirement in Section 1 Planning and Zoning Commission, Item #3; and providing an effective date.

DATE: May 2, 2024

DEPARTMENT: City Secretary

PRESENTED BY: Christina Picioccio, TRMC, City Secretary

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#### **INTRODUCTION/BACKGROUND:**

At the March 21, 2024 City Council meeting, City Council approved the Planning & Zoning Commission's recommended changes to modify the language in its Rules of Procedure. Specifically, the Council changed Rule 2.2 by removing the staggered start up terms language necessary at the creation of the Commission and Rule 10.3 by removing the requirement for City Council ratification of changing commission meeting dates or times. During that discussion Council Member Koerner requested additional background information regarding Rule 2.2 language which requires that commission members be real property owners.

At the April 4, 2024 City Council meeting, staff confirmed Ordinance 2018-03 establishing the P&Z Commission and Resolution 2024-15 amending the P&Z Rules of Procedure contained the same language. Staff further:

1. Noted that no record was found explaining why there is a requirement to be a "real property owner."
2. Noted that research found such a condition is not a requirement under the City's Charter nor in Local Government Code 211.007.
3. Provided City Council with a report of P&Z membership requirements from various cities.

To allow non-property-owning city residents the ability to participate on the P&Z Commission, City Council directed staff to amend Ordinance 2018-03 (attached **Exhibit A.**)

#### **POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:**

To allow all city residents the ability to participate on the P&Z Commission.

#### **LONGTERM FINANCIAL & BUDGETARY IMPACT:**

N/A

**LEGAL ANALYSIS:**

Ordinance approved as to form.

**RECOMMENDATION/PROPOSED MOTION:**

I move to approve the first reading of an ordinance amending Ordinance 2018-03 by removing the real property ownership requirement in Section 1 Planning and Zoning Commission, Item #3; and providing an effective date.