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## PLANNING & ZONING CONSIDERATION ITEM

### CITY OF FAIR OAKS RANCH, TEXAS

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AGENDA TOPIC: Consideration and possible action recommending changes to the Planning & Zoning Commission Rules of Procedure

DATE: March 14, 2024

DEPARTMENT: City Secretary

PRESENTED BY: Christina Picioccio, TRMC, City Secretary

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### **INTRODUCTION/BACKGROUND:**

In an effort to update and enhance the Planning and Zoning Commission (P&Z) Rules of Procedure, staff recommends the following amendments. (Recommended deletions identified by strikethroughs)

#### Rule 2.2

*~~"The Commission shall consist of seven (7) regular members who will serve for terms of three (3) years, staggered. Members will be resident citizens, real property owners, and qualified voters of the City. Each member shall occupy a place on the Commission, such places being numbered 1 through 7. In order to provide a smooth start-up of the initial Planning and Zoning Commission, appointees will draw for Place Number (1-7) at the first Regular Business Meeting of the Planning and Zoning Commission. City Council will appoint subsequent members of the Planning and Zoning Commission by Place".~~*

	2018	2019	2020	2021
<del>Place 1</del>	<del>3</del>			<del>3</del>
<del>Place 2</del>	<del>3</del>			<del>3</del>
<del>Place 3</del>	<del>3</del>			<del>3</del>
<del>Place 4</del>	<del>3</del>			<del>3</del>
<del>Place 5</del>	<del>2</del>		<del>3</del>	
<del>Place 6</del>	<del>2</del>		<del>3</del>	
<del>Place 7</del>	<del>2</del>		<del>3</del>	

The language in the current Rules of Procedure was written when the Planning and Zoning Commission was originally created and outlined the original start-up plan to stagger terms of its members. This is no longer necessary, and staff recommends removing from this document.

Rule 10.3 of the Planning & Zoning Commission Rules of Procedure states *"Under special circumstances, the commission may reschedule the second Thursday regular meeting date and/or*

*time ~~subject to ratification by the City Council~~. The new date and/or time should be announced at a regularly scheduled meeting, and agendas posted accordingly.”*

There are scenarios that a meeting may need to be cancelled or rescheduled, such as there being no action items on which the P&Z needs to meet, or if the Commission is unable to confirm a quorum.

Staff seeks to eliminate the City Council ratification step as Council generally meets only twice a month and sufficient advanced notice would be required to fulfill this step. The Open Meetings Act 72-hour meeting notification further impacts the timeline for placing the ratification request on the City Council agenda, thus delaying the rescheduling of the P&Z meeting. This does not afford the Commission the independence to manage their meetings based on whether a meeting needs to be held or on member availability.

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

This amendment will allow for flexibility of P&Z meetings, should the need arise due to a lack of a quorum. It further provides for regular monthly meetings by eliminating possible delays pending the City Council ratification step.

**LONGTERM FINANCIAL & BUDGETARY IMPACT:**

N/A

**LEGAL ANALYSIS:**

N/A

**RECOMMENDATION/PROPOSED MOTION:**

I move to recommend to the City Council that the P&Z Rules of Procedure be amended by:

- removing the original staggered term language in Rule 2.2 as noted above.
- removing the requirement that City Council ratify P&Z meeting date changes in Rule 10.3 as noted above.