CITY OF IOWA COLONY, TEXAS PLANNING COMMISSION
BYLAWS AND RULES OF PROCEDURE

ARTICLE I. AUTHORITY, PURPOSE, AND JURISDICTION

Section 1.1. Authority

These Bylaws and Rules of Procedure ("Bylaws") govern the organization, administration, meetings, and proceedings of the Planning Commission ("Commission") of the City of Iowa Colony, Texas ("City"). The Commission shall exercise its powers and duties in accordance with the Texas Constitution, applicable state law, the City's Home Rule Charter ("Charter"), the City's Code of Ordinances, the Unified Development Code ("UDC"), the Zoning Ordinance, the Subdivision Ordinance, and other applicable City regulations, as amended. These Bylaws are procedural in nature and shall not independently create, enlarge, diminish, or transfer any authority established by law or ordinance. In the event of a conflict, applicable state law, the Charter, and controlling City ordinances shall govern.

Section 1.2. Purpose

The purpose of the Commission is to promote the orderly, coordinated, and responsible development of the City through the review and consideration of planning, zoning, subdivision, and development matters within its jurisdiction. The Commission shall carry out its responsibilities consistent with the City's adopted Comprehensive Plan, Master Thoroughfare Plan, applicable development regulations, and other duly adopted planning policies.

Section 1.3. Duties and Responsibilities

Subject to applicable law and City ordinances, the Commission shall:

1. Review and make recommendations concerning proposed zoning classifications, amendments, and related development regulations.
2. Conduct public hearings when required by law or ordinance.
3. Review subdivision plats and related applications and exercise approval authority as prescribed by law and ordinance.
4. Review development plans, planned unit developments, and other development proposals assigned to the Commission.
5. Review and recommend amendments to the Comprehensive Plan, Master Thoroughfare Plan, UDC, Zoning Ordinance, and Subdivision Ordinance, as authorized.
6. Perform other planning and development responsibilities lawfully assigned by the City Council.

Section 1.4. Limitations on Authority

The Commission shall distinguish between matters requiring recommendations to the City Council and matters for which it possesses final decision-making authority. The Commission shall not exercise authority assigned by law or ordinance to the City Council, Board of Adjustment, City Manager, administrative staff, or another designated official or body.

ARTICLE II. MEMBERSHIP, APPOINTMENT, AND TERMS

Section 2.1. Composition
The Commission shall consist of seven (7) members, as established by applicable City ordinance. Members shall be appointed in accordance with the City's Home Rule Charter, City ordinance and applicable law.

Section 2.2. Appointment
Members of the Commission shall be appointed by the City Council in accordance with Section 4.01(a) of the City's Home Rule Charter. Appointments and reappointments shall require affirmative action by the City Council. No member shall be deemed reappointed solely by the expiration of a term or continued service on the Commission. Nothing in these Bylaws shall independently establish or modify the appointment authority prescribed by the Charter.

Section 2.3. Qualifications
Members shall meet the qualifications established by applicable state law, the Charter, and City ordinances. Consideration should be given to individuals who demonstrate an interest in the City's development, planning, and general welfare, together with relevant experience or knowledge. No additional qualification shall be imposed through these Bylaws that conflict with or exceed the authority established by controlling law.

Section 2.4. Terms of Office
Members shall serve terms as established by applicable City ordinance and duly authorized City Council action. Members may be reappointed by the City Council in accordance with applicable law. Appointments to fill vacancies shall be for the remainder of the unexpired term, unless otherwise provided by controlling law. These Bylaws shall not independently establish, extend, shorten, or otherwise alter a member's term of office.

Section 2.5. Vacancies and Removal
Vacancies on the Commission shall be filled by appointment of the City Council in accordance with the Charter and applicable City ordinances. Members may be removed by the City Council in accordance with applicable law and the Charter. The Commission may communicate attendance, conduct, or performance concerns to the City Council but shall not independently remove a member or declare a position vacant except as expressly authorized by law.

Section 2.6. Attendance
Members are expected to attend regular and special meetings and to participate in the Commission's responsibilities. A member who is unable to attend shall notify the City Secretary as soon as reasonably practicable. Staff may maintain attendance records and report recurring absences to the Mayor and City Council for consideration under applicable appointment and removal procedures. Absence from a meeting shall not automatically result in removal unless expressly provided by controlling law.

Section 2.7. Compensation
Members shall serve without compensation unless otherwise authorized by applicable City law or policy. Reimbursement for authorized expenses shall be governed by applicable City policies.

ARTICLE III. OFFICERS AND ADMINISTRATIVE SUPPORT

Section 3.1. Officers

The officers of the Commission shall consist of a Chair and Vice Chair, elected from among its members. Following the effective date of the ordinance establishing the Commission's membership and terms of office, the Commission shall elect a Chair and Vice Chair at its next regular meeting, or as soon thereafter as practicable. Thereafter, officers shall be elected annually at the first regular meeting following the beginning of the City's fiscal year, or as soon thereafter as practicable, unless a different election schedule is established by controlling ordinance. Each officer shall serve until a successor is elected or the officer ceases to be a member of the Commission. Officers may be reelected.

Section 3.2. Chair

The Chair shall:

1. Preside over Commission meetings.
2. Maintain order and ensure compliance with applicable meeting procedures.
3. Recognize speakers and facilitate orderly discussion.
4. State motions and announce voting results.
5. Coordinate with designated City staff regarding meeting agendas.
6. Execute documents when authorized by the Commission or applicable law.
7. Perform other procedural responsibilities assigned by the Commission.

The Chair retains the right to make motions, second motions, participate in discussions, and vote.

Section 3.3. Vice Chair

The Vice Chair shall perform the duties of the Chair in the Chair's absence or inability to serve.

Section 3.4. Temporary Presiding Officer

If both the Chair and Vice Chair are absent or unable to preside, the members present shall select a temporary presiding officer from among the members present.

Section 3.5. Administrative Support

The City Manager or designee shall coordinate administrative and professional support for the Commission. The City Secretary or designee shall be responsible for maintaining official meeting records and coordinating legally required meeting notices. The City Attorney shall provide legal advice and assistance as appropriate. Individual Commission members shall not direct City employees, independently authorize expenditures, or bind the City without proper authorization.

ARTICLE IV. MEETINGS AND AGENDAS

Section 4.1. Regular Meetings

The Commission ordinarily meet on the first Tuesday of each month at the time and location designated in the official meeting notice, unless otherwise established by the City. Regular meetings may be canceled or rescheduled in coordination with the Chair and designated City staff, subject to applicable law and pending application deadlines.

Section 4.2. Special Meetings
Special meetings may be called or arranged in accordance with applicable City ordinances, and authorized City procedures. Special meetings shall comply with all applicable notice and meeting requirements.

Section 4.3. Work Sessions and Joint Meetings
The Commission may conduct work sessions or joint meetings with the City Council or other City bodies when properly authorized and noticed. Work sessions and joint meetings shall comply with the Texas Open Meetings Act. No final action shall be taken on a matter unless the posted notice adequately identifies the subject for action and the Commission otherwise possesses the required authority.

Section 4.4. Meeting Notices
All meetings shall be posted and conducted in accordance with Chapter 551 of the Texas Government Code, commonly known as the Texas Open Meetings Act. The Commission shall deliberate and act only on matters properly identified in the posted meeting notice. Closed sessions may be conducted only when authorized by law and in compliance with applicable statutory procedures.

Section 4.5. Agenda Preparation
The City Manager or designee shall coordinate preparation of Commission agendas in consultation with the Chair and City Secretary. Commission members may request that matters be considered for placement on a future agenda through designated City staff. Placement of an item on an agenda shall remain subject to applicable law, City procedures, and administrative requirements.

Section 4.6. Staff Reports
For applications requiring Commission consideration, staff shall provide information reasonably necessary to identify:

1. The nature of the application and requested action.
2. Applicable ordinances, regulations, and approval criteria.
3. Required public notices and hearings.
4. Applicable statutory deadlines.
5. Relevant staff findings and recommendations.
6. Any proposed conditions or reasons for approval or disapproval.

ARTICLE V. QUORUM, VOTING, AND CONFLICTS OF INTEREST

Section 5.1. Quorum
A quorum shall consist of four (4) members of the seven-member Commission, unless a different requirement is established by controlling law or City ordinance. No substantive Commission business shall be conducted without a quorum. Vacancies shall not reduce the established quorum unless otherwise provided by law.

Section 5.2. Voting
Unless a greater or different vote is required by law or ordinance, Commission action shall require the affirmative vote of a majority of members present and eligible to vote at a meeting at which a quorum exists.

Section 5.3. Voting on Development Applications
Where a statute or ordinance establishes specific voting requirements, approval standards, or deadlines for an application, those requirements shall control. The Commission shall not treat failure to obtain an affirmative vote as a legally sufficient denial where applicable law requires specific findings, written reasons, or another prescribed disposition.

Section 5.4. Conflicts of Interest
Members shall comply with all applicable conflict-of-interest, disclosure, and recusal requirements, including relevant provisions of Chapter 171 of the Texas Local Government Code. Members shall disclose potential conflicts with the City Secretary as required by law. A member required by law to abstain shall not participate in the matter to the extent prohibited by applicable law.

ARTICLE VI. CONDUCT OF BUSINESS

Section 6.1. Order of Business
The ordinary order of business shall be:

1. Call to order and determination of quorum.
2. Citizen Comments.
3. Approval of minutes.
4. Public hearings.
5. Applications, items for consideration and/or action items, and presentations.
6. Adjournment.

The Chair may modify the order of business as necessary, provided that all applicable notice and procedural requirements are satisfied.

Section 6.2. Consideration of Agenda Items
The ordinary procedure for considering an application shall include:

1. Announcement of the agenda item.
2. Staff presentation and recommendation.
3. Applicant presentation, when appropriate.
4. Questions from Commission members.
5. Public hearing, when required.
6. Commission deliberation.
7. Motion and second.
8. Vote and announcement of the result.

The Chair may adjust the sequence as appropriate without eliminating any legally required procedure.

Section 6.3. Motions
A motion shall be made and seconded before a vote. Motions shall clearly identify the matter under consideration and the proposed action. Conditions, findings, or reasons supporting a decision shall be stated with sufficient specificity to be included in the official record.

Section 6.4. Procedural Rulings
The Chair shall rule on procedural questions not otherwise addressed by these Bylaws.

Section 6.5. Parliamentary Procedure
The Commission shall conduct its meetings in an orderly and efficient manner consistent with these Bylaws. The City's adopted City Council Rules of Procedure, as amended, shall apply to Commission proceedings where appropriate and to the extent applicable to boards and commissions, unless inconsistent with these Bylaws, the Charter, controlling City ordinances, or applicable law. Robert's Rules of Order Newly Revised may serve as a supplemental procedural guide when appropriate, but shall not supersede these Bylaws, applicable ordinances, or state law.

ARTICLE VII. PUBLIC PARTICIPATION AND PUBLIC HEARINGS

Section 7.1. Public Participation
Members of the public shall be afforded the opportunity to address the Commission as required by applicable law. Speakers may be required to register in accordance with City procedures. Citizen comments and public hearing testimony shall ordinarily be limited to three (3) minutes per speaker, consistent with the City Council Rules of Procedure, unless additional time is authorized by the Chair or otherwise required by law. Speaking limits shall be administered consistently and without unlawful viewpoint discrimination. Public comments on matters not posted for Commission action shall not result in deliberation or action contrary to the Texas Open Meetings Act. The Chair shall ensure that public participation procedures comply with applicable legal requirements.

Section 7.2. Public Hearings
Public hearings shall be conducted when required by state law or applicable City ordinance. The City shall provide all required notices, including mailed, published, posted, electronic, or other notices, as applicable. The Chair shall announce the subject of the hearing, open the hearing, receive presentations and testimony, and close the hearing before Commission deliberation and action, unless the hearing is lawfully continued.

Section 7.3. Zoning Hearings
Public hearings concerning zoning classifications, zoning regulations, and related matters shall comply with Chapter 211 of the Texas Local Government Code and the City's Zoning Ordinance. Applicable requirements concerning notice to nearby property owners, school districts, and the posting of notice signs shall be administered in accordance with state law. The Commission shall provide its report or recommendation to the City Council when required before final Council action.

Section 7.4. Continuances and Postponements
The Commission may continue or postpone consideration of a matter when legally permissible. Before doing so, the Commission shall consider applicable notice requirements, statutory deadlines, and whether additional notice or applicant consent is required. A continuance shall not independently extend a statutory deadline.

Section 7.5. Decorum
All participants shall conduct themselves in a manner that permits the orderly transaction of public business. The Chair may take reasonable and lawful measures to address conduct that materially disrupts a meeting. Commissioners shall seek recognition before speaking and shall ordinarily be afforded an opportunity to speak before another Commissioner speaks a second time. Recording of open meetings shall be permitted subject to reasonable, content-neutral rules concerning placement and disruption, consistent with the City Council Rules of Procedure and Texas

Government Code Section 551.023. Recording from areas reserved for the Commission, staff, or presenters may be restricted; recording from designated public areas shall not be prohibited solely because it is recording. Disagreement, criticism, or an opposing viewpoint alone shall not constitute grounds for exclusion.

ARTICLE VIII. PLANNING, ZONING, AND SUBDIVISION APPLICATIONS

Section 8.1. Zoning Applications

The Commission shall review zoning applications, matters, and proposed zoning amendments in accordance with Chapter 211 of the Texas Local Government Code and the City's Zoning Ordinance. Where required, the Commission shall conduct public hearings and transmit its findings or recommendations to the City Council. Commission recommendations shall not constitute final zoning approval or amendment of the City's zoning regulations.

Section 8.2. Specific Use Permits

Specific use permit applications must be reviewed and processed in accordance with the City's controlling Zoning Ordinance. The Commission may conduct hearings or make recommendations concerning such permits only when the City Council lawfully refers an application to the Commission for study and recommendation.

These bylaws do not independently require Commission review of a specific use permit application or authorize the Commission to grant or deny a specific use permit. Any Commission review shall comply with applicable notice, hearing, and referral requirements. Final approval authority shall remain with the body designated by controlling law or ordinance.

Section 8.3. Subdivision Plats

The Commission shall review and act on plats and other subdivision applications in accordance with Chapter 212 of the Texas Local Government Code and the City's Subdivision Ordinance and UDC. The Commission shall approve, approve with conditions, or disapprove applications as required by law. Any conditions or reasons for disapproval shall be based on applicable legal requirements and documented and communicated in the manner prescribed by Chapter 212. Final approval authority shall remain with the body designated by controlling law or ordinance.

Section 8.4. Statutory Deadlines

The Commission and designated City staff shall administer plat applications in accordance with the applicable statutory review and action deadlines. Staff shall identify relevant deadlines before Commission consideration and coordinate timely processing of applications. The Commission shall not postpone or defer action in a manner inconsistent with applicable statutory requirements. Extensions of statutory deadlines shall be permitted only as authorized by law.

Section 8.5. Variances, Waivers, and Appeals

Requests for variances, waivers, exceptions, and appeals shall be considered only by the official or body authorized under the applicable ordinance. The Commission shall not exercise powers assigned to the Board of Adjustment or another body unless expressly authorized by law.

Section 8.6. Development Plans and Related Applications

The Commission shall review development plans, planned unit developments, and other assigned applications in accordance with applicable City ordinances. Recommendations or decisions shall

be based on the criteria established by controlling law and ordinance. Final approval authority shall remain with the body designated by controlling law or ordinance.

Section 8.7. Effect of Commission Action
Commission approval or recommendation shall not independently constitute authorization to construct improvements, record a plat, occupy a structure, receive utility service, or obtain a permit unless such effect is expressly provided by applicable law.

Section 8.8. Informal Communications
Individual members shall not represent that they possess authority to approve applications, waive City requirements, or bind the Commission or City. Informal discussions, conceptual reviews, and preliminary comments shall not constitute official Commission action.

ARTICLE IX. RECORDS AND COMMUNICATIONS

Section 9.1. Minutes
Official minutes shall be prepared and maintained in accordance with applicable law and City records procedures. Minutes shall reflect attendance, motions, votes, abstentions, recommendations, and decisions. Minutes shall be submitted for Commission approval at a subsequent meeting.

Section 9.2. Records Retention
Commission records shall be maintained in accordance with applicable public information and records-retention requirements. The City Secretary or designee shall coordinate the retention and preservation of official records.

Section 9.3. Communication of Decisions
Designated staff shall communicate Commission recommendations, decisions, conditions, and required findings to the appropriate applicants, City officials, or governing bodies within applicable deadlines.

Section 9.4. Application Materials
Commission members receiving substantive information concerning a pending application shall forward such materials to designated City staff for appropriate handling under applicable law and records procedures.

Section 9.5. Code of Conduct and Communications
Commission members shall comply with the City's adopted Code of Conduct for boards and commissions, as amended, including, but not limited to, applicable standards for conflicts of interest, confidentiality, use of public resources, respectful meeting conduct, and communications with City staff. Individual members shall communicate requests for staff assistance through the City Manager or designated staff, and shall not direct City employees except as authorized by the City.

ARTICLE X. AMENDMENTS, INTERPRETATION, AND EFFECTIVE DATE

Section 10.1. Amendments
Amendments to these Bylaws may be proposed by the Commission or City Council. Proposed amendments shall be considered by the Commission at a properly posted meeting and approved by a majority of the Commission's full authorized membership, unless a different vote is required by controlling law. Amendments shall become effective upon adoption by the Commission, unless a later effective date is specified. No amendment to these Bylaws shall independently establish or modify the composition, appointment authority, terms of office, or removal procedures of the Commission. Such matters shall be governed by the Charter, applicable City ordinances, and other controlling law.

Section 10.2. Suspension of Procedural Rules
The Commission may temporarily suspend a discretionary procedural rule when approved by a majority of members present and eligible to vote at a meeting with a quorum. No suspension shall waive or modify any requirement imposed by state law, the Charter, or City ordinance.

Section 10.3. Interpretation
These Bylaws shall be interpreted consistently with applicable law, the Charter, and City ordinances.

Section 10.4. Severability
If any provision of these Bylaws is determined to be invalid or unenforceable, the remaining provisions shall remain effective to the extent permitted by law.

Section 10.5. Effective Date
These Bylaws shall become effective upon adoption by the Planning Commission, or on such later date as specified in the Commission's adopting action. These Bylaws shall supersede prior Commission procedural rules to the extent those rules are inconsistent with these Bylaws, without altering any controlling Charter or ordinance provision.