

Role of Planning and Zoning Commission, Development Application and Code Amendment Procedures

City of Rollingwood Planning & Zoning Commission Meeting

Planning and Zoning Commission Duties

State Law

- TX LGC 211.006 - Zoning
 - (a) To exercise the powers authorized by this subchapter, the governing body of a home-rule municipality shall, and the governing body of a general-law municipality may, appoint a zoning commission. The commission shall recommend boundaries for the original zoning districts and appropriate zoning regulations for each district. If the municipality has a municipal planning commission at the time of implementation of this subchapter, the governing body may appoint that commission to serve as the zoning commission.
- TX LGC 212.006 – Plat Approval
 - (a) The municipal authority responsible for approving plats under this subchapter is the municipal planning commission or, if the municipality has no planning commission, the governing body of the municipality. The governing body by ordinance may require the approval of the governing body in addition to that of the municipal planning commission.

Planning and Zoning Commission Duties

Rollingwood Code

- The commission shall advise the city council on planning-related matters, and conduct hearings, make recommendations, and perform such other duties required by law or this division or as may be assigned to the commission from time to time by the city council. (Sec.107-465)
- This includes:
 - Approval of deferred Administrative Plats (if forwarded by City Administrator)
 - Recommendation to City Council on Preliminary, Final and Replats (non-administrative plats)
 - Recommendation to City Council on changes in Zoning District Boundaries
 - Recommendation to City Council on changes in Zoning Regulations

Zoning District Boundary Change (Rezoning)

- Zoning district boundary changes may be initiated by any property owner, City Council, or Planning and Zoning Commission (Sec.107-516 & 517)
- Application Submitted
- Technical Review
- Public Hearing Notice
- Planning and Zoning Commission Public Hearing and Recommendation
- City Council Public Hearing and Action

Zoning Regulation Change

- Zoning regulation changes may be initiated by City Council or Planning and Zoning Commission (Sec.107-516)
- Typically, City Staff drafts language for the Zoning Regulation change
- Public Hearing Notice
- Planning and Zoning Commission Public Hearing and Recommendation
- City Council Public Hearing and Action

P&Z Recommendation to City Council

- P&Z holds a public hearing after appropriate public hearing notice is given, and makes a recommendation
- Before City Council may hold their public hearing, P&Z must make a recommendation (LGC 211.007(b) & Rollingwood Code Sec.107-520)

City Council Action

- If the commission recommends approval of the change in zoning **regulations** or **boundaries** requested in the application/petition, the city council may, by **majority vote**, either accept, reject or take other action on the application/petition.
- If the commission recommends disapproval of the change in zoning **regulations** or **boundaries** requested in the application/petition, or if there is filed with the city a written protest against such change, signed by the owners of 20 percent or more, either of the area of the lots or land included in such proposed change, or of the lots or land immediately adjoining the same and extended 200 feet therefrom, such change will not be approved except by the favorable vote of **at least four/fifths** of the whole number of members of the city council.

Public Hearing Notification

State Law Minimum Requirements

- Published in Newspaper before the 15th day before the Public Hearing at City Council
- Mailed notice to each property owner within 200 feet of the subject property before the 10th day before the public hearing at P&Z
- TX LGC Sec.211.006 and .007

Rollingwood Requirements

- Published notice in Newspaper at least 16 days prior to the public hearing at both P&Z and City Council
- Mailed notice to each property owner within 250 feet of the subject property not less than 30 days prior to the public hearing at both P&Z and City Council
- Zoning classification changes other than R-Residential district or P-Park District, mailed notice to all property owners within the City, not less than 30 days prior to the public hearing at both P&Z and City Council
- Rollingwood Code of Ordinances Sec.107-518(b) and Sec.107-520(a)

Best Practice Recommendations for Zoning Regulation Changes

In order to minimize notice costs and maximize participation:

- Workshop and discuss zoning code amendments until consensus is reached.
 - Can be listed as public hearings on agendas to encourage public participation
 - Draft code language can be published to the City's website
 - City Website and Social Media can be used to help get the word out
- Once consensus is reached, begin the formal amendment procedure with the appropriate public hearing notice.
 - Provides staff with more specific direction on draft code language
 - Prevents having to prepare multiple public hearing notices (and associated costs)
 - Provides the public more opportunities to participate in the process and more complete information as the formal amendment procedure begins