

ORDINANCE No. 015

PLANNING AND ZONING COMMISSION

THE PLANNING & ZONING COMMISSION FOR THE TOWN OF ANNETTA SOUTH, PARKER COUNTY, STATE OF TEXAS, WAS CREATED BY AN ACT OF THE BOARD OF ALDERMEN OF THE TOWN OF ANNETTA SOUTH ON OCTOBER 9, 1980.

THIS ORDINANCE FORMALIZES THE CREATION OF THAT COMMISSION: PROVIDES PROCEDURES FOR APPOINTMENT OF MEMBERS OF THE COMMISSION: AND DEFINES THE POWERS AND DUTIES OF THE COMMISSION.

SECTION I

CREATION AND PURPOSE

§ I. 1. A planning and zoning commission is hereby created in order to accomplish the following purposes:

1. (a) To identify community needs and to advise the Town Board of Aldermen of the short-range and the long-range implications for the total development of the town;
1. (b) To recommend plans, programs, and policies that will aid the entire community in achieving its definite goals;
1. (c) To interpret the adopted plans and programs to concerned citizens so that private activities and desires may be accomplished in harmony with public needs and policies;
1. (d) To make such exemptions to the terms of the Planning and Zoning Ordinance in harmony with its general purposes and intent and in accordance with general or special rules herein contained for the purpose of rendering full justice and equity to general public.

SECTION II

MEMBERSHIP AND APPOINTMENT

§ II. 1. The Planning and Zoning Commission shall be composed of five (5) qualified electors of the TOWN OF ANNETTA SOUTH.

§ II. 2. The Board of Aldermen will consider for appointment only those persons who have demonstrated their civic interest, general knowledge of the community, independent judgement, and availability to prepare and attend meetings.

§ II. 3. It is the intent of the Board of Aldermen that members shall, by reason of diversity of their individual occupations, constitute a commission which is broadly representative of the community.

SECTION III  
TERMS OF OFFICE

§ III. 1. The term of office shall be for a continuous period of two (2) years of service or till such time as a commissioner terminates by resignation.

§ III. 2. Commission members shall be appointed by the Mayor with the approval by a majority vote of the Board of Aldermen.

§ III. 3. Commission members may be appointed to succeed themselves.

§ III. 4. Vacancies shall be filled by appointment.

§ III. 5. Newly appointed commissioners shall be installed at the first regular commission meeting after their appointment.

SECTION IV  
ORGANIZATION

§ IV. 1. The commission shall hold an organization meeting in January of each year and shall elect a Chairperson and Secretary from among its members before proceeding to any matters of business.

§ IV. 2. The commission shall meet when Chairperson issues a notice of meeting at least three (3) days before the designated date which shall specify time and place of meeting and purpose for such a meeting.

§ IV. 3. The commission shall adopt its rules of procedure and keep a record of proceedings consistent with provisions of this Ordinance and requirements of law.

SECTION V  
DUTIES AND POWERS

§ V. 1. The commission is hereby charged with the duty and invested with the authority to:

(a) Inspect property and premises at reasonable hours where required in discharge of its responsibility under the laws of the State of Texas and of the TOWN OF ANNETTA SOUTH;

(b) Formulate a zoning plan as may be deemed best to carry out the goals of orderly growth and development of the town;

(c) Hold public hearings and make recommendations to the Board of Aldermen relating to the creation, amendment, and implementation of zoning regulations and districts as provided in Articles 1011a through 1011k, Vernon's Texas Statutes, as amended, authorizing municipalities to pass regulations,

all powers granted under said act are specifically adopted and made a part hereof;

(d) Exercise all the powers of a commission as to approval or disapproval of plans, plats, or replats and on vacating plans, plats, or replats set out in Article 974a and 970c, Vernon's Texas Civil Statutes;

(e) Study and recommend on the location, extension, planning of public rights-of-way, and other public places, and on vacating or closing same;

(f) Initiate, in the name of the town for consideration at public hearings all proposals: (1) for opening, vacating or closing of public rights-of-way, or other public places; (2) for original zoning of annexed areas; and (3) for the change of zoning district boundaries on an area-wide basis. No fee shall be required for filing of any such proposal in the name of the town;

(g) Review and make recommendations concerning annexation of land into the town;

(h) Keep itself informed with reference to the progress of city planning in the United States and recommend improvements in adopted plans of the town;

(i) Submit each six (6) months a progress report to the Board of Aldermen summarizing its activities, major accomplishments for the past year, and a work program for the coming year. The report shall contain for the year the attendance record of all members and the identity of commissioners.

#### SECTION VI

##### MEETING AND QUORUM

§ VI. 1. A quorum shall consist of three (3) members of the Commission.

§ VI. 2. A motion may be made by any member other than the presiding officer.

§ VI. 3. A motion to approve any matter before the Commission or to recommend approval of any request requiring Board of Aldermen action shall require three (3) favorable votes of the members present.

§ VI. 4. When fewer than all the members are present for the voting and when all motions recommended on a given application fail to carry by three (3) votes, consideration of the application shall be continued to the next regular meeting upon motion by

a majority of those present.

§ VI. 5. Provided further that no request or application shall be continued under this rule beyond the next regular meeting; failure of the commission to secure three (3) concurring votes to approve or recommend approval at said next regular meeting shall be recorded in the minutes as a denial of the proposal under this rule.

SECTION VII

DISQUALIFICATION FROM VOTING

§ VII. 1. A member shall disqualify himself from voting whenever he finds that he has a personal or monetary interest in the property under appeal, or that he will directly be affected by the decision of the commission.

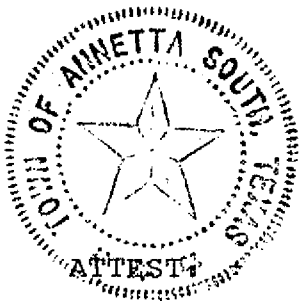
§ VII. 2. A member may disqualify himself from voting when any applicant, or his agent, has sought to influence the vote of the member on his application, other than in public hearing.

SECTION VIII

EFFECTIVE DATE OF ORDINANCE

§ VIII. 1. This ordinance shall become effective twenty (20) days after passage and publication thereof.

PASSED AND APPROVED, the 9<sup>th</sup> day of May, 1985



John S. Styrsky  
Secretary

Carl Robbins  
Mayor