

CHAPTER 12

PLANNING & ZONING*

Article 12.100:	Planning Commission	12-3
Article 12.200:	Article 974a-1 Adopted	12-6

* State Law reference—Planning and zoning, generally, V.T.C.A., Local Government Code, chs. 211, 212, 371.

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ARTICLE 12.100 PLANNING COMMISSION

§ 12.101 Creation of a City Planning Commission

There is hereby created and established within and for the Village of Tiki Island a board to be known as the Village of Tiki Island Planning Commission, whose offices are hereby created and established. (Ordinance 10-84-4, Section 1, adopted 10/9/84)

§ 12.102 Composition, Appointment and Compensation

(a) The Village of Tiki Island Planning Commission shall be composed of nine (9) members, of which two (2) shall be ex-officio members. Seven (7) of the members of this commission which does not include the ex-officio members, shall be appointed by the board of aldermen and shall hold office at the pleasure of the board of aldermen.

(b) The ex-officio members shall be the building administrator (or in his absence or inability to act, such ex-officio member shall be an approved assistant) and the city attorney.

(c) The chairman of the city planning commission shall be elected from the commission by a majority vote of the entire commission, once every two (2) years.

(d) The members of the commission, in the performance of their duties as such, shall serve without compensation or such compensation as the board of aldermen may determine. (Ordinance 10-84-4, Section 2, adopted 10/9/84)

**§ 12.103 Qualifications and Term of Office of Commissioners;
Absences; Filling of Vacancies**

(a) Persons appointed to the village planning commission should either be well-known to members of the board of aldermen or carefully screened by such body prior to appointment to the office of commissioner.

(b) The commission should be composed of a representative cross-section of the Village of Tiki Island, involving persons with public, private, and community interests. Appointment should be made without regard to wealth, station, position, age, race or creed, providing general qualifications are met. (Ordinance 10-84-4, Section 3, adopted 10/9/84)

(c) The following general qualifications are required:

(1) The prospective appointee shall have been a resident of the municipality for not less than one (1) year.

(2) He or she must be of voting age.

(Ordinance 6-89-1 adopted 6/19/89)

(d) Members of the commission shall serve for a period of two (2) years from the date of their appointment, except ex-officio members, whose terms shall correspond to their respective official tenures; except that the first commission appointed shall consist of four (4) members appointed for one (1) year and three (3) members appointed two (2) year terms.

(e) Three (3) successive unexcused absences from the meetings of the commission, when due and proper notice served by mail or telephone of the time and place of such meetings has been given, shall ipso facto terminate membership on the city planning commission. Absences may be excused only by a majority vote of the commission.

(f) Vacancies occurring on the commission, for whatever reason, shall be filled by the board of aldermen. Such appointments shall be for the remaining term of the commissioner or commissioners office vacated. (Ordinance 10-84-4, Section 3, adopted 10/9/84)

§ 12.104 Meetings and Conduct of Business

(a) The village planning commission shall, subject to the approval of the board of aldermen, make such rules and regulations and adopt such by-laws for its own government and for the government of the department of city planning and designate such times and places for holding meetings as it deems proper. Such meetings as may be prescribed should be in accordance with the Texas Open Meetings Law or such other statutes as may apply from time to time. Closed meetings, working sessions, or executive sessions of the commission are allowed when deemed necessary and proper to the public interest and not in conflict with current statute or law. (Ordinance 10-84-4, Section 4, adopted 10/9/84)

(b) Four (4) members shall constitute a quorum for the conduct of business; however, in the event of vacancies on the commission, a majority of the remaining members of the commission shall constitute a quorum until such vacancies may be filled. Ex-officio members shall not be counted when determining the presence or absence of a quorum. Ex-officio members serve in an advisory capacity only. (Ordinance 8-88-2 adopted 8/9/88)

(c) At any regular or properly called meeting of the commission, the necessary quorum being present, a majority vote shall prevail; provided that there be no statute, law, or ordinance to the contrary.

(d) In the absence of a law, statute, ordinance or other device to the contrary, the business of the commission meetings shall be governed by Robert's Rules of Order, as most recently revised. (Ordinance 10-84-4, Section 4, adopted 10/9/84)

§ 12.105 Duties and Responsibilities of the City Planning Commission

At the direction of the board of aldermen the commission shall have the duties and responsibilities as hereinafter mentioned.

(a) To cause maps to be made and to make plans on the whole or any portion of the village and of any land outside the village which, in the opinion of the commission, bears a direct relationship to the planning of the village; and to make changes in, additions to, and extensions of such plans or maps when it deems advisable. Such maps and plans shall show the commissioners recommendations for the location and extent of streets, alleyways; viaducts, bridges, subways, parkways, freeways, parks, playgrounds, and other public grounds and public properties; and of public utilities, whether publicly or privately owned, for water, light, sanitation, transportation, communication, power and other purposes; and for the removal, relocation, widening, extension, narrowing, vacation, abandonment, or change of use of any of the foregoing public places, streets, works, buildings, or utilities. After review and advice of the building administrator and city attorney, the commission may adopt the plan as a whole by a single resolution, or may by successive resolutions adopt successive parts of the plan, said parts to correspond to major geographical sections of the municipality or to functional division of the subject matter of the plans, and may adopt any amendment or extension thereof or addition thereto.

- (b) Before the adoption of such plans, geographical sections, or functional subdivision thereof, the commission shall hold at least one public hearing thereon after fifteen (15) days' notice published in the official village newspaper. The adoption of such plan, or of any such part, amendment, extension or addition, shall be by resolution carried by the affirmative vote of not less than a majority of the commission (excluding the ex-officio members). The resolution shall apply and refer expressly to the maps and descriptive and other matter intended by the commission to form the whole or part of the plan, and the action taken shall be recorded on the map or plan and descriptive matter by the identifying signatures of the chairman and secretary of the commission and the city attorney and the building administrator. An attested copy of the plan or part thereof shall then be certified and referred to the board of aldermen for the board's adoption.
- (c) To make studies and project plans for the improvement of the city with a view to its future development and extension, so as to ensure orderly growth of the city with equitable interest to both the private and public sectors.
- (d) To act with and assist all other municipal agencies, county and state governmental agencies, and political subdivisions within the village or its extra-territorial jurisdiction, and federal agencies; but, especially the board of aldermen, in formulating and executing proper plans of municipal development.
- (e) To select and recommend to the board of aldermen routes of streets, avenues, and boulevards and particularly to investigate and recommend the opening, widening or abandoning of streets, avenues and boulevards or the changing thereof to conform with the village's system, present and future, of boulevards, streets, avenues, parks, parkways, and freeways.
- (f) To prepare procedures for and to investigate, consider, and report to the board of aldermen upon the layout, platting or replatting of the subdivisions within the village, its extra-territorial jurisdiction, or with five (5) miles of the corporate limits of the village and to perform all duties imposed upon village planning commissions by the statutes of the State of Texas.
- (g) To recommend plans to the board of aldermen for improving, developing, expanding and beautifying the parks, parkways, bayous, and streams in or adjoining the city and to cooperate with the board of aldermen and other agencies of the village in devising, establishing, locating, improving, selecting, expanding, and maintaining the public parks, parkways, playgrounds and places for public recreation.
- (h) To recommend plans for zoning of the village designated to promote public health, convenience, and general prosperity and welfare, as well as the stabilization of property values for present and future land and home owners and developers.
- (i) To aid and assist the board of aldermen in the procuring of financial and other aid and assistance for the city from county, state, and federal governments or their agencies, for each and all the purposes herein before or hereafter enumerated.
- (j) To make recommendations to the board of aldermen concerning traffic regulation and control which directly affects the proper functioning of the city planning program adopted by the board of aldermen.
- (k) To prepare procedures for the conduct of inquiries into and perform such inquiries, reviews and investigations into matters of annexation and disannexation as may be required

by the board of aldermen, including the creation or discontinuance of such political subdivisions as are now or will be allowed by the statutes and laws of the State of Texas, and

(l) Generally to investigate, consider and recommend to the board of aldermen all matters for the development and advancement of the village's physical layout and appearance. (Ordinance 10-84-4, Section 5, adopted 10/9/84)

§ 12.106 Powers of the City Planning Commission

It is intended that the village planning commission act as an advisory and planning body with only such powers as have been given it by either this article or such ordinances or resolutions promulgated by said board of aldermen. Nothing in this article shall be construed in any way so as to substitute, limit, delegate, condition, restrict or take the place of the legal duties of the board of aldermen, individually or as a body, and if any part of this article has this effect then said part is so voided. (Ordinance 10-84-4, Section 6, adopted 10/9/84)

ARTICLE 12.200 ARTICLE 974a-1 ADOPTED

(a) Article 974a-1, Texas Civil Statutes, as amended, is hereby adopted to apply to the Village of Tiki Island, Texas.

(b) It is hereby required that Article 974a-1, Texas Civil Statutes, as amended, shall be applied in a manner that its application and enforcement shall be uniform to all property and citizens within the corporate limits of the Village of Tiki Island, Texas. (Ordinance 4-84-1 adopted 4/10/84)