

**Sec. 1-4. Districts and district boundaries.**

A. *Establishment of districts and map.* In order to accomplish the purposes set forth in article 1, the municipality is hereby divided into the zoning districts described hereafter. The districts and their boundaries shall be as shown upon the map attached hereto and made a part of these regulations, said map being designated "Official Zoning Map," and said map and all notations, references, and other information shown thereon shall be a part of these regulations the same as if all such matters and information were fully described herein. The original of said map shall bear even date with the passing of these regulations; shall be signed by the mayor and attested by the city secretary, under the seal of the city, and shall be kept in the office of the city secretary in the city hall; a replica thereof shall be reproduced at such scale as will permit its being attached to these regulations.

B. *Determination of boundaries.* In determining the location of zoning district boundaries on the map accompanying and made a part of these regulations, the following rules shall apply:

1. Where boundaries are shown to follow streets or alleys, the centerline of such streets or alleys, as they exist at the time of adoption of these regulations shall be the zoning boundary; or
2. Where boundaries are shown to enter or cross platted blocks, property lines of lots, as they exist at the time of adoption of these regulations, shall be the zoning boundary; or
3. Where boundaries are shown on unsubdivided property, the location shall be determined by scale shown on the map unless dimensions are given on the map.

**Sec. 1-5. Use districts.**

A. *Purpose of controls.* The purpose of the use districts established herein is to group together into several zones those uses that are reasonably compatible with one another according to their normal characteristics of operation to permit in connection with these uses those customary and necessary accessory activities which are incidental

to the principal use; and to permit certain other uses which may be established in some situations and subject to specific conditions so that such special uses will also be compatible with the uses allowed as a matter of right.

B. *Accessory uses—standard conditions.* Any use may be established as an accessory use to any permitted principal use in any district provided that such accessory use:

1. Is customarily incident to and is maintained and operated as a part of the principal use; and
2. Is not hazardous to and does not impair the use or enjoyment of nearby property in greater degree than the principal use with which it is associated; and
3. Does not create levels of noise, odors, vibration and lighting or degrees of traffic congestion, dust or other pollutants, in a greater amount than that customarily created by the principal use; and
4. Is not located in a minimum exterior yard.

C. *District regulations.* All property within the city shall be located within one of the use districts described in the following sections.

D. *Newly annexed land: interim controls.* Pending the establishment of original zoning for areas annexed after the effective date of these regulations the enforcing officer shall issue no permits except for a use conforming with the requirements of the "AG" Agricultural Home-sites District.

## ARTICLE 2. PLANNING AND ZONING COMMISSION

**Sec. 2-1. Creation and purpose.**

In accordance with the provisions of the Texas Local Government Code Chapter 212.001-.017 and Chapter 211.001-.013, a planning and zoning commission is hereby created in order to accomplish the following purposes:

1. To identify community needs and to advise the city council of their short-range and long-range implications for the total development of the city;

2. To recommend achievable community goals as a basis for long-range planning and development programs;
3. To recommend plans, programs, and policies that will aid the entire community in achieving its defined goals; and
4. 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.

**Sec. 2-2. Membership and appointment.**

The said commission shall consist of five regular members and two alternate members to be appointed by the city council. All regular and alternate members shall be qualified electors of the city who have resided in the city six months prior to appointment. Alternate members should attend all meetings of the board, and may participate in discussions, but shall have no right to make motions or vote except when acting in the absence or disqualification of a regular member. Alternates shall be designated on their appointment as first and second alternate. On absence or disqualification of one or more regular members, alternates shall be requested by the mayor or chairman of the board to act in place of the absent or disqualified member in numerical order of their respective alternate designations.

**Sec. 2-3. Terms of office.**

The terms of three of the regular members shall expire on June 30 of each even-numbered year and the terms of two of the regular members shall expire on June 30 of each odd-numbered year. The regular members of the commission shall be identified by place numbers one through five. The odd numbered places shall expire in the odd-numbered years; the even-numbered places shall expire in the even-numbered years. No member shall be appointed for a term in excess of two years. Members may be appointed to succeed themselves. Newly appointed members shall be installed in the first regular commission meeting after their appointment.

**Sec. 2-4. Vacancies.**

Any vacancies, either of regular or alternate members, shall be filled for the unexpired term by appointment of the mayor with the approval of the city council. Consideration will be given the alternate members in filling a regular member vacancy, but the final decision rests with the mayor and city council.

**Sec. 2-5. Removal from office.**

Members shall be removable from office for cause after formal written charges and public hearing by the city council. If a regular member is absent in excess of three consecutive regular meetings or is inexcusably absent in excess of three regular meetings in any calendar year, the member may be removed and replaced with an alternate, without formal written charges and public hearing, upon a majority vote of the city council.

**Sec. 2-6. Organization and conduct of business.**

The commission shall hold an annual organizational meeting and shall elect a chairman and vice-chairman from among its members before proceeding to any other matters of business. The enforcing officer shall be the secretary of the commission. The commission shall as established by the City Charter. The commission shall adopt its own rules of procedure and keep a record of its proceedings in accordance with the state statutes and these regulations. Newly appointed members shall be installed at the first regular meeting after their appointment.

**Sec. 2-7. Duties and powers.**

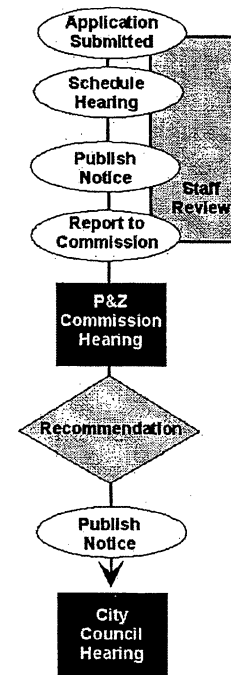
The planning and zoning commission is hereby charged with the duty and invested with the authority to:

1. Inspect property and premises at reasonable hours where required in the discharge of its responsibilities under the laws of the State of Texas and of the city.

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2. Formulate and recommend to the city council for its adoption a city plan for the orderly growth and development of the city and its environs, and from time-to-time recommend such changes in the plan as it finds will facilitate the movement of people and goods, and the health, recreation, safety, and general welfare of the citizens of the city.
  3. Formulate a zoning plan as may be deemed best to carry out the goals of the city plan; hold public hearings and make recommendations to the city council relating to the creation, amendment, and implementation of zoning regulations and districts as provided in Vernon's Texas Codes Annotated, Local Government Code # 211.001-211.013, as amended, authorizing cities and incorporated villages to pass regulations; all powers granted under said Act are specifically adopted and made a part hereof.
  4. Exercise all the powers of a commission as to approval or disapproval of plans, plats, or replats and vacations of plans, plats or replats set out in The Local Government Code Chapter 212.001-212.017.
  5. Study and recommend on the location, extension and planning of public rights-of-way, parks and other public places, and on the vacating or closing of same.
  6. Study and recommend on the general design and location of public buildings, bridges, viaducts, street fixtures and other structures and appurtenances. Study and recommend on the design or alteration and on the location or relocation of works of art which are, or may become, the property of the city.
  7. Initiate, in the name of the city, for consideration at public hearing all proposals: (1) for the opening, vacating or closing of public rights-of-way, parks or other public places; (2) for the 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 the filing of any such proposal in the name of the city.

8. Formulate and recommend to the city council for its adoption policies and regulations consistent with the adopted city plan governing the location and/or operation of utilities, public facilities and services owned or under the control of the city.
9. Keep itself informed with reference to the progress of city planning in the United States and other countries and recommend improvements in the adopted plans of the city.



**Sec. 2-8. Meeting and quorum.**

A quorum for the conduct of business shall consist of three members of the commission. The members of the commission shall regularly attend meetings and public hearings of the commis-

sion and shall serve without compensation, except for reimbursement of authorized expenses attendant to the performance of their duties.

#### **Sec. 2-9. Commission actions.**

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

A motion to approve any matter before the commission or to recommend approval of any request requiring council action shall require three favorable votes of the members present for the voting. When all motions to recommend application fail to carry by three votes, consideration of the application shall be continued to the next regular meeting upon motion carried by a majority of those present. 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 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.

#### **Sec. 2-10. Disqualification from voting.**

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 be directly affected by the decision of the commission.

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

### **ARTICLE 3. BOARD OF ADJUSTMENT**

#### **Sec. 3-1. Creation.**

The city council does hereby create a board of adjustment to be composed of five regular members and two alternate members who shall be qualified electors of the city. It is the declared policy of the council that it will appoint only those persons who have demonstrated their civic interest, general knowledge of the community, independent judgment, and availability to prepare for and attend meetings.

#### **Sec. 3-2. Terms of office.**

The terms of three regular and one of the alternate members shall expire in each odd numbered year and the terms of two regular and of one of the alternate members shall expire in each even numbered year. The regular members shall be identified by place numbers, one through five. The odd numbered places shall expire in the odd numbered years and the even numbered places shall expire in the even numbered years. Board members may be appointed to succeed themselves.

#### **Sec. 3-3. Vacancies.**

Any vacancies, either of regular or alternate members, shall be filled for the unexpired term by appointment of the mayor, with the approval of the city council. Consideration will be given the alternate members in filling a regular member vacancy, but the final decision rests with the mayor and city council.

#### **Sec. 3-4. Removal from office.**

Members shall be removed from office for cause after formal written charges and public hearing by the city council. If a regular member is absent in excess of two consecutive regular meetings or is inexcusably absent in excess of two regular meetings in any calendar year, the member may be removed and replaced with an alternate, without formal written charges and public hearing, upon a majority vote of the city council.

#### **Sec. 3-5. Organization.**

The board shall hold an annual organizational meeting and shall elect a chairman and vice-chairman from among its members before proceeding with any other matters of business. The enforcing officer shall be the director of community development or his designee. The board shall meet at least once every three months, and shall designate the time and place of its meetings. The board shall adopt its own rules of procedure and keep a record of its proceedings in accordance with the statutes and these regulations. Newly appointed members shall be installed at the first regular meeting after their appointment.