

~~Sec. 33-25. – Annual major thoroughfare and freeway plan review.~~

~~Each year, on or before the first day of September, the commission shall prepare and submit to the city council a major thoroughfare and freeway plan adopted with the concurrence of the public works and engineering department. The commission may, from time to time, and shall upon the petition of any interested property owner, consider an amendment to any portion of the major thoroughfare and freeway plan relating to deleting, realigning or reclassifying streets designated on the major thoroughfare and freeway plan or adding one or more streets to the plan. An amendment approved by the commission shall not be effective unless and until approved by the city council.~~

ARTICLE IX. MAJOR PLANS

DIVISION 1. IN GENERAL

Sec. 33-351. Definitions.

The following definitions shall apply to this article:

Applicant means an interested property owner or the owner's authorized agent, a political subdivision, a local government corporation, an entity that represents property owners within the entity's boundaries, or an affected public agency that requests an amendment to the MTFP pursuant to this article.

Bicycle means a vehicle propelled by human power that has two tandem wheels at least one of which is more than 14 inches in diameter.

Bicycle Master Plan or *BMP* means a plan, and any amendments thereto, to support bicycling as a mode of transportation in the city, consistent with the city's general plan and other applicable city plans, policies, and regulations.

Committee means the bicycle advisory committee.

Director shall mean the director of the planning and development department of the city or the director's designee.

Director of parks and recreation means the director of the department of parks and recreation of the city or the director's designee.

Director of public works and engineering means the director of the department of public works and engineering or the director's designee.

Major thoroughfare and freeway plan or MTFP means a plan to preserve and enhance mobility consistent with the city's general plan and other applicable city plans, policies, and regulations.

Street means an existing or proposed public right-of-way, however designated, that provides access to adjacent property.

Secs. 33-352 – 33-370. Reserved.

DIVISION 2. MAJOR THOROUGHFARE AND FREEWAY PLAN

Sec. 33-371. Scope.

The city shall adopt a major thoroughfare and freeway plan to preserve and enhance mobility consistent with the general plan, as provided in article III of this chapter, the bicycle master plan, and other applicable plans, policies, and regulations. The MTFP shall be developed in a manner that considers all probable modes of transportation within the street including, but not limited to, automobile, transit, bicycle, and pedestrian traffic.

Sec. 33-372. Duties and responsibilities of the director.

(a) It shall be the responsibility of the director to make the MTFP adopted by city council and any policies adopted by the commission available to the public on the department website.

(b) The director shall establish a formal process for the public to submit written comments to the department regarding the adopted and any proposed amendments to the MTFP. The director shall submit the comments to the commission during the annual MTFP process.

(c) The director shall, in coordination with the director of public works and engineering, annually prepare and submit to the commission a proposed MTFP.

(d) The director shall present to the commission a recommendation made in collaboration with the director of public works and engineering and affected public agencies on an application to amend the MTFP.

(e) The director shall, in accordance with section 33-377 of this Code, ensure that proper notification requirements have been met prior to commission consideration of a MTFP.

Sec. 33-373. Duties and responsibilities of the director of public works and engineering.

The director of public works and engineering shall collaborate with the director in the preparation of an annual MTFP and, when applicable, review and make recommendations to the director on a MTFP amendment prior to commission consideration.

Sec. 33-374. Duties and responsibilities of the commission.

(a) The commission shall establish an annual schedule to consider amendments to the MTFP related to deleting, realigning, or reclassifying a street designated on the MTFP or adding a street to the MTFP. The commission is authorized to adopt formal policies related to the administration, implementation, and interpretation of the MTFP.

(b) Each year, on or before the last day of September, the commission shall consider the annual MTFP prepared by the director and any applications to amend the MTFP.

(c) The commission shall hold at least one public hearing on the MTFP and any proposed amendment to the MTFP. Upon the close of the public hearing, the commission shall consider whether the MTFP will further the objectives of the scope outlined in section 33-371 of this Code. The commission shall vote to recommend the MTFP to city council, refer the MTFP back to the director for further evaluation, defer consideration of the MTFP to a future meeting, or disapprove the MTFP. A MTFP approved by the commission under this section shall not be effective until approved by the city council.

Sec. 33-375. Duties and responsibilities of the city council.

Each year city council is authorized to consider the MTFP as recommended by the commission and shall vote to approve the recommendation of the commission, disapprove the recommendation of the commission, or refer the MTFP back to the commission for further consideration.

Sec. 33-376. Application to amend the MTFP.

(a) An applicant may make written application to the department to delete, realign, or reclassify a street designated on the MTFP or to add a street to the MTFP. An application for an amendment shall include a completed application form in the form prescribed by the director and be accompanied by the non-refundable application fee set forth for this provision in the city fee schedule.

(b) Prior to the filing of an application with the department, the prospective applicant shall meet with the director. The director shall conduct a preliminary review of the application during such meeting and advise the prospective applicant on possible alternatives, if any, related to the MTFP.

(c) The director shall review the application for completeness. If the director determines that the application is complete, the director shall present the amendment to the commission consideration at the next meeting at which the commission is scheduled to consider amendments to the MTFP. If the director determines that an application is not complete, the application shall be returned to the applicant. An incomplete application that is not corrected within a period of time as prescribed by the director or by formal commission policy shall not be considered by the commission.

(d) If the commission votes to disapprove the application to amend the MTFP filed under this section or if the commission approves a related alternative to the requested amendment, any street included in the application is ineligible for inclusion in a new application for a period of five years from the date of the final action by the commission. The director may allow an ineligible street to be included in a new application if the applicant provides new information that was not included in the prior application regarding changed circumstances that, in the director's reasonable discretion, warrant the inclusion of the street in a new application.

Sec. 33-377. Notification requirements.

(a) Except as provided in subsection (d), the director shall give notice by first class mail to property owners identified on the most current appraisal district records that will be directly impacted by the MTFP or related alternatives, as determined by the director. Notice shall be given no later than 20 days before the date of the public hearing. The applicant shall pay all costs associated with the notice requirements of this subsection.

(b) Prior to the public hearing, notice by electronic mail shall be given to:

(1) Each district council member in whose district any portion of the proposed amendment to the MTFP or related alternative is located; and

(2) Each neighborhood association with defined boundaries registered with the department of neighborhoods in which any portion of the proposed amendment to the MTFP or related alternative is located.

(c) Notice of the public hearing shall be given no later than 20 days before the public hearing by publication in a daily newspaper of general circulation within the city and the area of extraterritorial jurisdiction.

(d) When, there has been significant public engagement during a related study or planning effort by the city or other public agency that satisfies the adopted

policies established by the commission related to the MTFP, the notification provisions of subsections (b) and (c) of this section shall be considered sufficient to allow for the commission to consider the MTFP.

Secs. 33-378 – 33-390. Reserved.

DIVISION 3. BICYCLE MASTER PLAN

Subdivision A. In General

Sec. 33-391. Scope.

The city shall adopt and maintain a bicycle master plan for supporting bicycling as a mode of transportation and enhancing bicycle safety in the city consistent with the general plan, as provided in article III of this chapter, and other applicable plans, policies, and regulations.

Sec. 33-392. Duties and responsibilities of the director.

(a) The director shall develop and oversee the maintenance and coordination of the BMP and make the BMP adopted by city council and any policies adopted by the commission available to the public on the department website.

(b) The director shall establish a formal process for the public to submit written comments to the department regarding the BMP. The director shall review and consider the comments received and provide a summary of the comments to the commission prior to biennial review of the BMP required in section 33-394 of this Code.

(c) The director shall present to the commission a recommendation made in collaboration with affected city departments and public agencies on any amendments to the BMP.

(d) The director shall establish a formal process for the community to submit written comments to the department, which shall be accepted for a period of not less than 30 days, in the development of the BMP, and any proposed amendments to the BMP. The director shall review and provide a summary of comments received to the commission for consideration at a public hearing.

(e) Following the adoption of the BMP by city council, the director shall coordinate with affected city departments, public agencies, and related organizations charged with the implementation of the BMP to document and report to the commission the implementation of the BMP biennially.

Sec. 33-393. Duties and responsibilities of city departments and offices.

The directors of departments, including but not limited to public works and engineering, parks and recreation, health, police, and fire, shall each designate a liaison

to coordinate with the director regarding implementation and maintenance of the BMP and, when applicable, review and make recommendations to the director on proposed amendments to the BMP prior to commission consideration.

Sec. 33-394. Duties and responsibilities of the commission.

(a) The commission shall hold at least one public hearing on the BMP. Upon the close of the public hearing, the commission shall consider whether the BMP will further the objectives outlined in section 33-391 of this Code. The commission shall vote to recommend the adoption of the BMP to city council, refer the BMP back to the director for further evaluation, defer consideration of the BMP to a future meeting, or disapprove the BMP. A BMP approved by the commission under this section shall not be effective until approved by the city council.

(b) The commission shall, upon adoption of the BMP by city council, establish a biennial schedule to review and consider the need for amendments to the BMP. Upon completion of the biennial review and following a public hearing, the commission shall report its findings to the mayor.

(c) Following the adoption of the BMP by city council, the commission is authorized to adopt formal policies related to the administration, implementation, and interpretation of the BMP.

Sec. 33-395. Duties and responsibilities of the city council.

Upon consideration of the recommendation of the commission and all relevant information, the city council shall vote to approve the recommendation of the commission, disapprove the recommendation of the commission, or refer the BMP back to the commission for further consideration.

Sec. 33-396 – 33-400. Reserved.

Subdivision B. The Bicycle Advisory Committee

Sec. 33-401. Created.

There is hereby created a bicycle advisory committee to advise and make recommendations to the commission and the director on issues related to bicycling in the city including, but not limited to, amendments to the BMP, bicycle safety and education, implementation of the BMP and development of funding strategies, and promoting public participation.

Sec. 33-402. Members; chair.

(a) The committee shall consist of twenty voting members and three nonvoting ex officio members.

(b) The regular members shall be individuals who have knowledge or expertise on issues related to bicycling, bicycle safety and education, plan implementation or funding strategies, public participation, or other subjects relevant to the BMP; at least 18 years of age; and residents of the city.

(c) The ex officio members shall be:

(1) The director;

(2) The director of public works and engineering; and

(3) The director of the parks and recreation department.

(d) The director shall serve as secretary to the committee.

Sec. 33-403. Qualifications, appointment and terms of members.

(a) The members of the committee, other than the ex officio members, shall be appointed by the mayor and confirmed by the city council. The mayor shall designate the committee chair from among the committee members. At the first meeting of the committee, the members shall elect a vice chair who shall perform all duties of the chair when the chair is absent or unable to perform such duties.

(b) All appointments will be for two-year staggered terms. Each position shall have a term of office of two years. The initial terms of office for members serving in even numbered positions shall expire on January 1, 2018 and on the same date on each second successive year thereafter. The initial terms of office for members serving in odd number positions shall expire on January 1, 2019 and on the same date on each second successive year thereafter. Any subsequent appointments or reappointments shall be made by the Mayor in a manner consistent with the appointment and confirmation process prescribed in this section. Each committee member shall continue to act after the end of his or her term until a successor is appointed and confirmed.

Sec. 33-404. Compensation.

The members of the committee, in the performance of their duties as such, shall serve without compensation, provided that any member who is a city employee shall continue to receive his or her regular compensation while serving on the committee.

Sec. 33-405. Quorum.

Ten members of the committee shall constitute a quorum for the transaction of business.

Sec. 33-406. Committees.

The committee may form sub-committees to assist it in the discharge of its responsibilities. The committees and sub-committees as a whole shall make recommendations to the commission.

Sec. 33-407. Meetings.

(a) The committee shall meet from time to time at the call of the committee chair, provided that the committee shall meet once per quarter during a calendar year.

(b) All meetings of the committee shall be conducted in accordance with the Texas Open Meetings Act, as amended.

Sec. 33-408. Rules, regulations and bylaws.

The committee shall adopt administrative procedures applicable to its own governance of the committee, and may designate such times and places for holding meetings as necessary to accomplish the purposes set out in this subdivision.