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RULES OF PROCEDURE
FOR THE CITY OF SCOTTSDALE
DEVELOPMENT REVIEW BOARD

Approved February 20, 2003
Amended February 7, 2013
Amended December 1, 2016

City of Scottsdale, Arizona

I. ORGANIZATION

II. MEETINGS

III. OFFICIAL RECORD

IV. RULES AND AMENDMENTS

I. ORGANIZATION

101. The Development Review Board shall be organized as provided in Zoning Ordinance No. 455. All members of the Board are voting members. If a Council Member or Planning Commission Member is unable to attend a meeting, then a substitute member from the respective body may serve in their absence.

102. Chair
The City Council member of the Development Review Board shall serve as Chair. The Chair shall preside at all meetings and hearings of the Development Review Board, decide all points of order or procedure, and perform any duties prescribed by the ordinance or the rules.

103. Absence of the Chair
In the absence of the Chair, the Vice-Chair shall preside at the respective meeting of the Board. In the event that neither the chair nor vice-chair is in attendance, the former vice-chair, if present and still a member of the Board, or the most senior member of the Board, shall serve as the acting chair at the respective meeting of the Board.

104. Vice-Chair
The five (5) Public Members shall elect the Vice-Chair who shall be chosen from among the five (5) Public Members of the Development Review Board. The election shall take place at the first Development Review Board meeting every calendar year. The Vice-Chair shall be eligible for re-election.

105. Vacancy
A vacancy for Vice-Chair that is created by any cause shall be filled for the unexpired term by a new election. After the vacancy has been filled, such election shall take place at the next regularly scheduled meeting of the Board, and the member elected shall not be considered as having served a full term.

106. Secretary
The Zoning Administrator, or designee, shall be the Secretary of the Board. It shall be the duty of the Secretary to the Development Review Board to conduct all official correspondence of the Board; send out all notices; prepare all agendas; be responsible for recording and distributing minutes; perform all customary duties of the office; and perform any other such secretarial duties as shall be reasonably requested by the Board.

107. Special Committee
The Board may recommend to City Council the appointment of such a committee, as the Board feels necessary on any subject pertinent to the matters being heard by the Board. A committee of the Development Review Board shall not be created unless authorized by the City Council prior to its creation. Any committee created following City Council authorization may include only members of the Development Review Board, unless the City Council approves the appointment of a non-member. The committee may be empowered to meet with the City Staff, City Council, Planning Commission, Board of Adjustment, or any other such official body, and shall make such reports to the Board as may be requested by a majority of the members of the Board.

108. Legal Counsel
The City Attorney, or designated representative, shall be the legal counsel for the Board. Advice of counsel shall be received and entered into the minutes before disposition of any request, of any question of law, or matter requiring legal interpretations of advice.

II. MEETINGS

201. Meetings
Meetings of the Development Review Board will be on the first and third Thursday of each month. However, the precise schedule each month may vary, depending on holidays, elections, etc. All meetings of the Development Review Board, and any special committees of the Board, shall be open to the public. Any action calling for a formal vote shall take place only at a public meeting.

202. Study Sessions
Study sessions of the Development Review Board may be scheduled on the same day as a Board meeting. The study session is utilized for administrative matters pertaining to the Board, for the staff and board members to review DRB meeting agenda items, and for matters that are non-action. Public comments or applicant presentations shall not be permitted during a study session. Board members may ask questions of an applicant, or the public, in order to obtain a clarification or relevant information regarding an agenda item.

203. Special Meetings
Special meetings for good cause may be held by the Development Review Board, on call of its Chair, or of a majority of its members, which call shall be filed with the Secretary, or as may be scheduled by a majority of the members at any previous meeting. The manner of the call shall be noted in the minutes of the special meeting, and at least forty-eight (48) hours notice of the meeting shall be given to each member.

204. Quorum
A quorum is necessary to hold a meeting or study session. A quorum shall consist of four (4) members of the Board, and shall be made up of at least one (1) member from the City Council or Planning Commission, with the remainder of the quorum comprised of Public Members. If there is a quorum, the business of the Board shall be transacted by a majority of the members present and eligible to vote. As an example, if five (5) members are present and eligible to vote, the business of the Board shall be transacted by a vote of three (3) members. A member who is disqualified from voting due to a conflict of interest or the appearance of impropriety shall not be counted as present for the purposes of this Section.

205. Member Attendance
In the event that a member is unwilling or unable to serve, or if any member is absent or tardy from three (3) consecutive meetings, or four (4) meetings within a six (6) month period, then the Chair shall notify the Mayor or the Mayor's designee so that the consideration of removal and replacement of the member may be scheduled for City Council action.

206. Applicant Attendance
The applicant, or an authorized agent or agents, for any case being heard before the Board, shall be present in person unless the Planning Director or the Chair of the Board

has been notified of the absence in writing prior to the public hearing. If the applicant, or his authorized agent or agents, fails to submit such notice and fails to appear before the Board as regularly scheduled, then the application scheduled for hearing may be continued. If the applicant, or his authorized agent or agents, fail to appear as scheduled three times, such failure may be deemed sufficient cause for an action for denial of the case.

207. Location of Meeting
The location of meetings of the Development Review Board shall be in the Kiva, City Hall, Scottsdale, Arizona, or other locations as designated by the Chair, and posted to notify citizens of the location change.

208. Order of Business
The order of business shall be as follows:
1. Call to order.
2. Administrative Report.
3. Review and approval of the minutes of the previous meeting.
4. Presentation of information regarding City of Scottsdale program or policy.
5. Consent Agenda.
6. Regular Agenda.
    a. Unfinished business from a previous meeting
    b. Hearing of new cases
    c. Request for a recommendation regarding a zoning district map amendment, as specified in the zoning ordinance
    d. Request for an extension of approval of a case that has not obtained a permit for construction within the ordinance specified term of approval
7. Non-action item

209. Applicant Requests
The order of applicant presentations and time limits shall be as follows:
1. Staff presentation.
2. Applicant presentation (up to 10 minutes, unless additional or less time is granted by a majority of the Board).
3. Board members questions of staff and/or applicant.
4. Public comment (three minutes for individual speakers, up to 10 minutes for a representative of 10 or more persons present at the meeting who have contributed their time to the representative).
5. Applicant response to public comment (5 minutes).
6. Staff's response, if needed (5 minutes).
7. Board member motion.
8. Board member deliberation of the motion.
9. Board member vote on the motion.

An applicant may request a continuance.

If a request for a continuance is under consideration, no public comment will be taken until after the vote to continue has been taken and the continuance has been denied.

210. Tie Vote

If an agenda item receives a tie vote, of the members present, then the item is deemed to be denied. In the event of a tie vote, a member that voted in the negative may, in the same meeting, offer a motion to continue the case to a future meeting of the Board.

211. Robert's Rules of Order
When any question of parliamentary procedure arises, it shall be decided on the basis of Robert's Rules of Order, unless otherwise specified in these rules of the Board.

III. OFFICIAL RECORD

301. Retention of Files
All applications and other matters coming before the Development Review Board shall be filed in the Planning, Neighborhoods and Transportation Division. The secretary shall prepare a file of all plats, maps, charts, minutes, application, reports, resolutions, notices, correspondence, or other matters filed with, or issued by the Board, all of which shall be stored with other official files for the time period set forth in the Records Retention Schedule for the City of Scottsdale Planning, Neighborhoods and Transportation Division.

302. Minutes of Meeting
The minutes shall show the vote of each member on every question on which the Board is required to act, or if absent, failing to vote, and any statement any member may wish to make regarding their vote. The minutes shall reflect a summary of the general course of any discussion.

303. Public Record
All of the records of the Development Review Board shall be public records and shall be open to public inspection during customary working hours.

304. Agenda
The agenda for all regularly scheduled meetings will be prepared at least twenty-four (24) hours prior to any meeting, and made available to the public. The agenda and public notice must be in accordance with all public open meeting laws.

IV. RULES AND AMENDMENTS

401. Amendments to these rules may be made by the Board upon the concurring vote of four (4) members, provided any such amendment is proposed at a preceding meeting, or is submitted in writing at a prior regular meeting of the Board, and is noted in the minute of such meeting. Amendments adopted as above shall become effective at the next regular meeting of the Board.