

BY-LAWS OF THE SCOTTSDALE PLANNING COMMISSION

OFFICE OF THE  
CITY CLERK

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1. ORGANIZATION

101. Chairman

The Commission shall be organized as provided in Ordinance #455. The Commission shall, at its first meeting every January, elect a Chairman from among its appointed members. The Chairman shall preside at all meetings and hearings of the Commission, decide all points of order or procedure, and perform any duties required by the ordinance or these rules. The Chairman shall be eligible for reelection. The Chairman may not initiate motions or engage in protracted discussion, but will vote on each issue.

102. Vice Chairman

The commission shall, at its first meeting every January, elect a Vice Chairman from among its appointed members, who shall serve in the absence of the Chairman. The Vice Chairman shall be eligible for reelection.

103. Vacancy

Vacancies for Chairman or Vice Chairman created by any cause shall be filled for the unexpired term by a new election. Such election shall take place at the next regularly scheduled meeting of the Commission, and those elected shall not be considered as having served a full term.

104. Secretary

The Secretary to the Commission shall be defined in Ordinance #455. It shall be the duty of the Secretary, or a designated representative, to conduct all official correspondence of the Commission; send out all notices required by the Ordinance or these rules; to perform all the customary duties of the office; and to perform any such clerical duties as shall be reasonably requested by the Chairman.

105. Committees

The Commission may appoint such committees as it feels necessary on any subject pertinent to the matters being heard by, and of natural concern to, the Commission. These committees shall be empowered to meet with the Planning Department, City Council, Board of Adjustment, or any other such official body, and shall make such reports to the Commission as may be requested by a majority vote of the members of the Commission.

II. MEETINGS

201. Regular Meetings

Regular meetings of the Commission, **if to be held**, shall be held on the second and fourth ~~Tuesday~~ **Wednesday** of each month, **or as otherwise approved by the Planning Commission.**

202. Special Meetings

Special meetings for good cause may be held by the Commission on call by its Chairman or by 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 twenty-four (24) hours' notice of the meeting shall be given to each member. The Secretary shall receive forty-eight (48) hours' notice and shall post meeting notices twenty-four (24) hours before such meeting.

203. Public Hearings and Study Sessions

All hearings and study sessions of the Commission shall be open to the public. Any action calling for a formal vote shall take place only at a public hearing.

204. Quorum

A quorum necessary for the transaction of business shall consist of four (4) members of the Commission. The business of the Commission shall be transacted by the majority vote of members present, except as provided in Sections 305. and 401. In making its recommendation to the city council to approve, deny or continue a development application, a tie vote of the members shall be considered a recommendation to deny.

205. Member Attendance

If any member of the Commission shall be absent from three (3) consecutive hearings without good cause and prior notice to the Secretary or the Chairman, the Chairman shall bring the matter before the City Council for review.

206. Applicant Attendance

The applicant, or an authorized agent or agents, in any case being heard before the Commission shall be present in person unless the Planning Director or the Chairman of the Commission has been notified of the absence, in writing, prior to the public hearing. If the applicant or his authorized agent or agents shall not present such notice and shall not appear before the Commission as regularly scheduled, the application scheduled for hearing may be continued. If the applicant or his authorized agent or agents fail to appear as scheduled three (3) times, such failure may be deemed sufficient cause for recommendation for denial.

207. Conflict of Interest

All members of the Commission shall comply with the State Conflict-of-Interest law, Title 38, Chapter 3, Article 8, Arizona Revised Statutes.

208. Abstention

Any member who may subjectively believe participating in discussion or voting on cases coming before the Commission could give the appearance to the general public of a conflict of interest may voluntarily abstain from participation in such cases.

III OFFICIAL RECORDS

Definition

The official records shall include the Zoning Ordinance and the amendments thereto, these rules and procedures, the minutes of the Commission, together with all findings, maps and other official statements.

302. Recording of Vote

The minutes shall show the vote of each member on every question on which the Commission is required to act or, if absent, fails to vote, and any statement any member may wish to make regarding his vote.

303. Retention of Files

All applications and other matters coming before the Commission shall be filed in the City Planning Department office in accordance with that department's general file system. The Secretary shall keep a permanent file of all plats, maps, charts, reports, resolutions, notices, correspondence, or other matters filed with or issued by the Commission. The tape recordings of the public hearings of the Commission shall be retained intact for not less than thirty (30) days after the City Council shall make a final decision in the specific subject on the tape. Original applications shall be retained as long as is required by standard city procedure.

304. Public Records

All of the records of the Commission shall be public records and shall be open to public inspection during customary working hours.

305. Resolutions

Any member of the Commission may propose a resolution, which shall be in written form. A resolution duly seconded and carrying at least four (4) affirmative votes shall be considered adopted. All resolutions shall be numbered consecutively and shall be made a part of the permanent records of the Planning Commission.

IV. RULES AND AMENDMENTS

401. Amendment Procedure

Amendments to these rules may be made by the Commission upon the affirmative 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 Commission, and is noted in the minute of such meeting. Amendments adopted as above shall become effective at the next regular meeting of the Commission.