

**ARCHITECTURAL REVIEW COMMITTEE
CITY CENTER DISTRICT
CITY OF CHANDLER, ARIZONA**

**RULES AND PROCEDURES
Adopted March 30, 2001**

I. COMMITTEE OFFICERS AND STAFF:

- A. On or before the 1st of April of each calendar year, the Architectural Review Committee (the "Committee") shall elect a Chairperson and Vice-Chairperson from among the appointed members of the Committee.
 - 1. The term of Chairperson and Vice-Chairperson shall be one (1) year and any member serving as Chairperson or Vice-Chairperson shall be eligible for re-election.
 - 2. The Vice-Chairperson shall act as Chairperson in the Chairperson's absence. In the absence of both the Chairperson and Vice-Chairperson, the senior member, based upon years of membership, shall act as Chairperson.
 - 3. Any vacancy for Chairperson or Vice-Chairperson as may occur for any reason shall be filled for the remainder of the term from the Committee membership by majority vote of the Committee at the next meeting where the full Committee is present.
 - 4. The Chairperson or Vice-Chairperson may be removed from office at any time by four (4) affirmative votes.
- B. The Chairperson shall preside at all meetings of the Committee, decide all points of order and procedure, and perform any duties required by law, ordinance, or these Rules and Procedures. The Chairperson shall have the right to vote on all matters before the Committee, and shall also have the right to make or second motions in the absence of a motion, or a second, made by any other member of the Committee.
- C. The City of Chandler Director of Planning and Development (the Director), or his designated representative, shall serve the Committee as Secretary. The City of Chandler Planning and Development Department (the "Department") shall furnish professional and technical advice to the Committee.

- D. The Chandler City Attorney, or his designated representative, shall have the responsibility of furnishing such legal advice on all points of order, procedure, or other matters as may be requested from time to time.

II. COMMITTEE MEETINGS

- A. Meeting dates. A meeting of the Committee shall be held within a reasonable period of time from the date that the Director receives an application requiring action by the Committee, but in no event later than thirty (30) days from the date of receipt. Additional meetings of the Committee may be held at the call of the Chairperson.
- B. Public meetings. All meetings of the Committee shall be open to the public, but executive sessions may be held for the purposes allowed by law. For any application under consideration at a public meeting of the Committee, a person may submit written comments and if attending in person, may speak to the issue upon being recognized by the Chairperson and stating his or her name and address and the names of any persons on whose behalf the speaker is appearing. For any such application, the applicant shall appear in person or through the applicant's representative.
- C. Recording meetings. Written minutes or a recording of the Committee's proceedings and actions shall be kept and filed with the Department as a public record. Any such minutes or recording shall include such information as is required by law and shall show the vote of each member and records of the Committee's examination and other official actions.
- D. Quorum; Votes required. Three (3) members of the Committee shall constitute a quorum for transacting business at any meeting, and no action shall be taken at any meeting in the absence of a quorum, except to adjourn the meeting to a subsequent date. However, even where a quorum exists, at least three (3) affirmative votes shall be required to approve an application requiring action by the Committee.
- E. Consent action. The Committee may, by a single consent motion, approve any number of applications where the Committee, Department staff, and the applicant are in agreement and where, after call and invitation by the Chairperson to do so, no member of the Committee or general public wishes to address any particular item designated for consent action by the Committee. Should any member of the Committee or public so request, the Committee shall then withdraw it from the consent agenda for the purpose of public discussion and separate action.
- F. Withdrawal of application. An application may be withdrawn upon request made by the applicant to the Secretary of the Committee, but no application shall be withdrawn after it is listed on the agenda that is part of

a public notice posted at least twenty-four (24) hours prior to the Committee's meeting scheduled for such application without formal consent of the Committee.

- G. Meeting location. Unless otherwise noticed, meetings of the Committee shall be held in the Planning and Development Department's South Atrium Conference Room, 215 E. Buffalo Street, Chandler, Arizona.
- H. Notice of Meetings.
 - 1. No meeting of the Committee shall be held without at least twenty-four (24) hours' notice to the members of the Committee and to the general public as required by law, except as may otherwise be permitted by law. Such notice shall include an agenda in the form required by law or information on how the public may obtain a copy of the agenda. The agenda must be available to the public at least twenty-four (24) hours prior to the meeting, except as otherwise permitted by law.
 - 2. Written notice of the time, date and place at which the Committee will consider an application requiring action by the Committee shall be sent by mail to the applicant at the address given in the application and published once in a newspaper of general circulation in the City of Chandler not less than seven (7) days prior to the meeting at which the application is to be considered.
- J. Field trips. The Committee may take field trips to view property or for other purposes relevant to a matter under consideration. All such field trips shall be taken as part of a public meeting of the Committee, and all interested persons shall be afforded the opportunity to be present to view the property and hear any reports or comments. A record of the field trip shall be entered into the minutes, so that the record shall indicate that the field trip was taken into consideration as evidence. Nothing herein shall prevent less than a quorum of the Committee, or Committee members individually at their own convenience and expense, from taking field trips to view property which is the subject of an application or other matter being considered.

III. CONDUCT OF MEETING AND ORDER OF BUSINESS:

- A. Call to Order. The Chairperson shall call the Committee to order and the Secretary to the Committee shall record the members present and absent. The Chairperson may call each matter of business in the order filed and shall announce the name of the applicant, the location of the property involved, and the nature of the request. Any supporting evidence for and against each matter shall be presented to the Committee.

B. Rules of Order. The Chairperson shall conduct meetings under Robert's Rules of Order unless such rules are suspended by majority vote of the Committee. The Chairperson shall direct questions to the applicant or any person speaking, in order to bring out all relevant facts, circumstances, and conditions affecting the matter being considered, and then call for questions from other members of the Committee and from City staff.

C. Conduct of Meetings.

1. Meetings need not be conducted according to technical, judicial Rules of Evidence. Any relevant evidence concerning an application being present to the Committee may be considered if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs.

a) Any evidence supporting the granting or denial of an application shall be submitted to the Department prior to the public meeting, or to the Committee during the public meeting.

2. The Committee may continue the meeting up to ninety (90) days on any application or other matter for which the applicant fails to appear unless the applicant has requested in writing that the Committee act without him or her being present at the meeting; provided, however, the Committee may hear those persons requesting to speak in response to the notice of the hearing.

3. In order to expedite the conduct of the meeting, the Chairman may limit the amount of time that a person may use in addressing the Committee. The Chairperson may also limit the speakers or testimony upon a particular issue in order to avoid repetitious and cumulative evidence.

D. Briefings and study sessions.

1. On any application before the Committee, the Chairperson may request a briefing on the matter by Department staff in advance of the applicant or any member of the public addressing the Committee on the matter. Where more than one application is to be considered by the Committee at a meeting, the Chairperson may request a such a briefing on all such applications prior to the applicant or any member of the public being heard on any individual application. During any such briefing, the members of the Committee may ask questions and discuss the matters addressed by staff or related thereto.

2. On the call of the Chairperson or at the request of two (2) or more members of the Committee, a study session may be held to obtain a more expanded briefing on any matter relevant to the Committee. Public testimony will be barred and no matter will be voted upon at a study session. Notice, agenda and recording requirements shall be the same as for any other meeting of the Committee.

E. Voting.

1. After all evidence has been submitted to the Committee, each case shall be heard, considered and acted upon in public meeting.
2. In taking action on any application or other matter, the Committee may grant approval, grant approval with conditions, modify the request so as to make more restrictive, or deny the item altogether. In these actions, the Committee shall be guided by relevant provisions of the City of Chandler General Plan and elements thereof, the Chandler Zoning Code, and other development standards, policies, and area plans as adopted by the City of Chandler.
3. By majority vote, the Committee may defer action on any matter when it concludes that additional time for further study or input is necessary. If continued, any public meeting shall be continued to a date certain.
4. Three (3) affirmative votes shall be required to approve an application or other matter. In the event there is no motion, or the motion dies for lack of a second, it shall be deemed to be a denial of the application.
5. Committee members shall abide by the conflict of interest laws of the State of Arizona. When a member determines that he or she has a conflict of interest concerning a matter, he or she shall announce such conflict and refrain from discussing, voting or participating in any way concerning the matter.
6. Each member attending shall be entitled to one (1) vote. The record of the proceedings shall indicate the vote of each member on every matter acted upon, and shall indicate any absence or failure to vote. No member shall be excused from voting except on matters involving the consideration of his own official conduct, or such matters as referred to in the immediately preceding paragraph.

7. A motion to adopt or approve staff recommendations or simply to approve the action under consideration shall, unless otherwise particularly specified, be deemed to include adoption of all proposed findings and execution of all actions recommended in the staff report on file in the matter.
8. The decision by Committee on an application presented before it shall be final on the date it is made, unless it is appealed in the matter set forth in the Zoning Code provisions for the City Center District [Section 35-3205(f)].