

# TOWN OF JEROME DESIGN REVIEW BOARD BYLAWS

Updated: July 14, 2020

## I. ORGANIZATION AND RESPONSIBILITIES

### A. Board, Officers and Staff

- (1) The Jerome Design Review Board has the authority to review the exterior design of proposed new buildings and structures, proposed alterations of buildings and structures, landscaping plans, proposed signs, and proposed demolition of structures within the Historic Overlay District in order to ensure that new development is compatible with the surrounding environment, and to preserve and protect the historical character of the Town of Jerome. Board members shall make unbiased, well-reasoned decisions based on criteria identified in Section 304 of the Town of Jerome Zoning Ordinance. Board members are expected to study the agenda packet and visit the case sites before each meeting and to educate themselves on design issues. See Section 106 of the Town of Jerome Zoning Ordinance for a detailed description of responsibilities.
- (2) The Board shall elect a Chair and Vice Chair annually from among the appointed members at its first meeting in March of each year. The election may be postponed by a majority vote of the members of the Board present. If the election is postponed, the current Chair and Vice Chair will remain in office until the election.
  - a) The term of Chair and Vice Chair shall be one (1) year. No individual may serve consecutively as Chair or as Vice Chair for more than two one-year terms.
  - b) The Vice Chair shall act as Chair in the Chair's absence. In the absence of the Chair and Vice Chair, the senior member, based upon years of membership, shall act as Chair.
  - c) Any vacancy in the office of Chair or Vice Chair shall be filled from the Board membership by majority vote of the Board members present at the next meeting. Any Chair or Vice Chair so elected shall serve for the remainder of the vacated term.
  - d) The Chair or Vice Chair may be removed from office at any time by a majority vote of the full Board.
- (3) The Chair shall preside at all meetings and hearings of the Board, decide all points of order and procedure, and perform any duties required by law, ordinance, or these bylaws.

- a) The Chair shall have the right to vote on all matters before the Board and to make or second motions if a motion or a second is not made by another member of the Board.
- (4) The Zoning Administrator or designated representative shall serve the Board as Executive Secretary. Planning staff shall furnish professional and technical advice to the Board.

## II. MEETINGS

### A. Regular Meetings

- (1) Regular meetings shall be held at the call of the Chair on the first Monday of each month at 6:00 P.M. and may be preceded or followed by a study session. Special meetings may be held on another date as set by the Chair and Zoning Administrator. Whenever a legal holiday is the same day as a meeting, such meeting shall either be cancelled or rescheduled.
- (2) Meetings of the Board shall be open to the public, except for executive sessions held pursuant to A.R.S. § 38-431.03. The minutes of the proceedings shall be filed in the Planning Department as a public record. At the public hearing, upon being recognized by the Chair and stating their name and address, and the names of persons on whose behalf they are appearing, any person may speak about the matter being considered. The Chair, at their discretion, may limit the time allotted for an individual to speak.
- (3) Regular meetings of the Board shall be held in the Council Chambers of the Jerome Civic Center, 600 Clark Street, Jerome, Arizona unless a different location is set forth in the notice of the meeting.
- (4) Board members are expected to attend all meetings and study sessions unless prior notice of an inability to attend is provided to the Chair or Zoning Administrator. Meetings may be attended in person or telephonically, with advance notice to the Chair or Zoning Administrator. Failure to attend a meeting or notify the Chair or Zoning Administrator of an absence may result in a recommendation to the Town Council that the Board member be removed from the Board. Board members are subject to the automatic removal provisions set forth in Section 106 of the Town of Jerome Zoning Ordinance.

B. Study Sessions

- (1) Study sessions for any purpose may be held at the call of the Chair, at the request of two or more members, or by staff. Such requests shall be made at least 24 hours prior to the study session by submittal to the Zoning Administrator or by verbal request made at a meeting. Notice to the public of the study session shall be posted at the Civic Center at least 24 hours before the study session, and as otherwise required by the Zoning Ordinance and Arizona state law. The call and notice shall include the time and place of the study session, and an agenda of the business to be transacted.
- (2) Study sessions may be held before or after any regular or special meeting of the Board, subject to providing notice as set forth herein. When a matter is set for a study session, public testimony may be barred or limited to particular persons at the discretion of the Chair.

C. Quorum

Three (3) members shall constitute a quorum for transacting business at any meeting. No action shall be taken at any regular or special meeting in the absence of a quorum, except to adjourn the meeting to a subsequent date. At a study session, any number of Board members may discuss agenda items.

D. Agenda

The Zoning Administrator shall prepare an agenda for each Board meeting and study session. The agenda shall include all matters of business scheduled for consideration by the Board. Items may be added to an agenda prior to posting at the request of the Chair or any Board member.

E. Withdrawal of Request

Any agenda item may be withdrawn upon request from the applicant to the Zoning Administrator. No request shall be withdrawn after the hearing notice has been posted unless formal consent of the Board has been granted.

F. Field Trips

The Board may take field trips to view property or for any purpose relevant to a public hearing or matter under consideration. All Board field trips shall be taken as part of a regular or special meeting or study session. All interested persons shall be given 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 and shall indicate that the field trip was considered as evidence. Nothing herein shall prevent less than a quorum of the Board, or Board members individually at their own convenience and expense, from taking field trips to view property that is the subject of an application or other matter being considered.

**III. ORDER OF BUSINESS**

A. Parliamentary Procedure

- (1) The Chair shall call the Board to order and the Secretary shall record the members present or absent. The Chair may call each item of business in the order of the approved agenda. The Board, by majority vote, may change the order of the posted agenda to accommodate the Board, staff, the applicant, or members of the public.
- (2) The Chair shall conduct meetings pursuant to Robert's Rules of Order unless such rules are suspended by majority vote of the Board.

B. Hearing Conduct

All public hearings of the Board shall be conducted in conformance with Arizona state law.

C. Public Hearing Testimony

- (1) Public hearings need not be conducted according to technical, judicial Rules of Evidence. Any relevant evidence may be considered if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs.

- (2) Any person may appear at a public hearing and submit oral or written evidence related to the application, either individually or as a representative of a person or an organization. Each person who appears at a public hearing shall state his name, address, and, if appearing on behalf of a person or organization, the name and mailing address of the person or organization being represented.
- (3) The Chair may establish time limits for individual testimony and may require that individuals with shared concerns select one or more spokespersons to present testimony on behalf of those individuals.
- (4) The Chair may exclude testimony that is irrelevant, immaterial, or redundant and may make other rulings necessary for the orderly conduct of the proceedings, while ensuring basic fairness and a full airing of the issues involved. Evidentiary objections shall be waived unless made timely to the hearing.
- (5) If testimony or evidence is excluded as irrelevant, immaterial or redundant, the person offering such testimony or evidence shall be given an opportunity to offer a written statement regarding such testimony or evidence for the record. Such written statement shall be presented to the Town Clerk within 3 working days of the hearing.
- (6) If an applicant fails to appear, the Board may continue the hearing on the matter until the next regularly scheduled meeting or special meeting, unless the applicant has requested in writing that the Board act without the applicant being present at the hearing. The Board may hear persons requesting to speak on such a matter, even if the matter is to be continued.

D. Voting

- (1) In taking action on any application or other matter, the Board may grant approval, conditionally approve, or deny the item altogether, as set forth in the Zoning Code. In making its decisions, the Board shall be guided by the provisions and elements of the General/Comprehensive Plan, the Zoning Ordinance, and development standards, policies, and area plans adopted by the Town.
- (2) Three (3) members shall constitute a quorum. The affirmative vote of three (3) members shall be required for the passage of any matter before the Board. The minutes of the meeting shall reflect the “ayes” and “nays” cast on a measure and shall reflect the vote of each member present.

- (3) Members shall recuse themselves, abstain from voting, and leave the meeting chambers during discussion and action whenever they have a conflict of interest in the item under consideration, as required by the Arizona Revised Statutes, A.R.S. § 38-501 to § 38-511.
- (4) Each member attending shall be entitled to one vote. The minutes 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 in compliance with Section III.D.3 of these bylaws.
- (5) When making a motion to recommend or approve, approve with modifications and/or conditions, revoke, or deny the request, the Board shall make findings of fact required by the Zoning Ordinance. If not specifically stated, a motion to adopt or approve staff recommendations or simply to approve the action under consideration shall be deemed to include adoption of all proposed findings and execution of all actions recommended in the staff report on file in the matter. Whenever practical, Board decisions should be documented by written Resolution. Copies of the Resolutions shall be maintained at Town Hall.
- (6) A member who is absent from any portion of a public hearing conducted by the Board may not vote on the matter at the time it is acted upon by the Board, unless they have reviewed the minutes or the recording of any portion of the hearing from which he was absent, and state for the record prior to voting that they are familiar with the record. A member who misses only the presentation of the staff report may vote on the matter at the time it is acted upon by the Board, provided that they state for the record that they have read the staff report and are familiar with it.

#### **IV. OFFICIAL RECORDS**

##### **A. Retention of Files**

The official records of the Board shall include these rules and regulations, minutes and records of all Board proceedings, which shall be kept and filed as public records in the office of the Town Clerk. All applications and other matters coming before the Board shall be filed in the Planning Department in accordance with that department's general file system. Original papers of all applications and other matters shall be retained in compliance with the Town's Document Retention Schedule.

B. Recording of Meetings

All public meetings of the Board shall be recorded in written and audio form. Any person desiring to have a meeting recorded by an electronic device or by a stenographic reporter may do so at their own expense. Advance notice to the Zoning Administrator to arrange facilities for such recording shall be made at least 72 hours prior to commencement of the meeting. Such recording shall not disrupt the proceedings and may, at the discretion of the Chair, be stopped if it is disruptive.

V. **AMENDMENTS**

These bylaws may be amended by majority vote of Board members present at any meeting of the Board provided that notice of said proposed amendment is given to each member in writing at least 5 (five) days prior to said meeting. Such amendment shall become effective at the next meeting of the Board.