

A  
RESOLUTION  
OF THE CITY COUNCIL  
OF THE CITY OF CHERRY HILLS VILLAGE  
CONCERNING AMENDMENTS TO THE RULES OF PROCEDURE  
FOR THE PLANNING AND ZONING COMMISSION

WHEREAS, Section 2-6-30(b) of the Municipal Code states that the Planning and Zoning Commission "shall adopt rules for transactions of its business;"

WHEREAS, the Planning and Zoning Commission adopted Rules of Procedure on October 14, 2008 that were subsequently ratified by the City Council by Resolution 10, Series 2009 on June 16, 2009; and

WHEREAS, the Planning and Zoning Commission adopted a amendment to the Rules of Procedure on March 10, 2015 to to eliminate the second regular meeting of the month, with a provision to allow the Commission to schedule a second meeting if needed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE THAT:

Section 1. The Planning and Zoning Commission Rules of Procedures, in the form attached hereto as Exhibit A, is hereby approved and adopted by the City Council of the City of Cherry Hills Village.

Section 2. This Resolution shall be effective immediately upon approval by the City Council.

Introduced, passed and adopted at the regular meeting of City Council this 7<sup>th</sup> day of April, 2015, by a vote of 6 yes and 0 no.

(SEAL)

  
Laura Christman, Mayor

ATTEST:

  
Laura Smith, City Clerk

APPROVED AS TO FORM

  
Linda C. Michow, City Attorney

**CHERRY HILLS VILLAGE  
PLANNING AND ZONING COMMISSION  
RULES OF PROCEDURE**

**ARTICLE 1.**

Authority.

*Section 1.* These Rules of Procedure are adopted by the City of Cherry Hills Village Planning and Zoning Commission (hereinafter referred to as "the Commission") pursuant to the authority vested in Article VI, Chapter 2 of the City of Cherry Hills Village Municipal Code.

**ARTICLE 2.**

Objectives.

*Section 1.* The objectives and purposes of the Commission are those set forth in Section 8.3 of the Cherry Hills Village City Charter and Article VI, Chapter 2 of the Cherry Hills Village Municipal Code and further powers and duties conferred to the Commission by the City Council from time to time.

**ARTICLE 3.**

Membership.

*Section 1.* Members of the Commission are appointed by the Mayor and City Council. Membership shall be accepted as a public service.

*Section 2.* The Commission shall consist of seven (7) members, as specified in Article VI, Chapter 2 of the Cherry Hills Village Municipal Code.

*Section 3.* Members shall be appointed for over-lapping three (3) year terms. Terms of office shall expire on the third Tuesday of September in each respective year.

**ARTICLE 4.**

Election of Officers and their Duties.

*Section 1.* The Officers shall consist of Chair and Vice Chair. The City Manager or his/her designee shall be ex-officio Recording Secretary of the Commission.

*Section 2.* The election of a chair shall be held at the first regular meeting following the third Tuesday of September, during the annual organizational meeting. The election of a vice-chair may be held at the same time.

*Section 3.* Nominations are made from the floor during the annual organizational meeting and the election shall be held thereafter.

*Section 4.* The candidate receiving a majority of the vote of those members present shall be declared elected and shall have a term of one year or until the candidate's successor shall take office.

*Section 5.* Vacancies in office shall be filled immediately by regular election procedures.

*Section 6.* No member of the Commission shall hold the same office for more than two successive terms.

*Section 7.* The Chair shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage on such officers.

*Section 8.* The Chair shall have the privilege of discussing all matters before the Commission and to vote thereon.

*Section 9.* The Vice Chair shall act for the Chair in the Chair's absence.

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**ARTICLE 5. Behavior and Ethics.**

*Section 1.* Commission members shall serve without pay. Commission members attending meetings for the benefit of the Commission shall be reimbursed for expenses incurred. Reimbursements shall receive prior approval by the City Manager, or his/her designee.

*Section 2.* All members of the Commission shall abide by the City of Cherry Hills Village Code of Ethics found in Article IX, Chapter 2 of the Cherry Hills Village Municipal Code.

*Section 3.* Commission members shall conduct themselves at Commission meetings in a fair, courteous and understanding manner.

*Section 4.* Commission members should not miss three (3) or more regular meetings in any twelve (12) meeting period. If this should occur, the affected Commission member may be removed from office by action of the City Council

*Section 5.* Commission members are required to call the City Manager prior to any meeting at which they expect to be absent or tardy. The City Manager shall keep attendance records and report to the Chair if an attendance problem appears to have developed.

*Section 6.* Commission members shall attend Commission meetings in person.

**ARTICLE 6 Agenda.**

*Section 1.* The Chair and the City Manager or his/her designee shall prepare the agenda for each regular meeting. Agendas for all regular meetings of the Commission shall be available to the general public the Friday preceding each regular meeting.

*Section 2.* The Commission shall not consider, discuss or take action on any matter not appearing on the agenda.

**ARTICLE 7 Order of Business.**

*Section 1.* The order of business at regular meetings shall be as follows unless otherwise set by the Chair or City Manager:

- a. Roll Call of Members
- b. Presentations
- c. Audience Participation
- d. Approval of Minutes from Previous Meeting/s
- e. Public Hearings
- f. Regular Business
- g. Reports from Commission Members, City Council, other Boards and Commissions, and Staff.

*Section 2.* The Chair may, at his/her discretion, alter the order of business with consent of a majority of the Commission members present.

**ARTICLE 8 Meetings.**

*Section 1.* The Commission shall convene its regular session at the Village Center, at 6:30 p.m. on the second Tuesday of each month. At the first regular session the Commission shall determine if there are agenda items for a second regular session that shall be scheduled for the fourth Tuesday of that month if needed. Meeting location and/or time may be modified by a vote of consent by

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all Commission members.

*Section 2.* No agenda item will be taken up by the Commission after 11:00 p.m., except by the consent of at least a majority of the Commission members present. In those cases where agenda items are not completed, they will be continued to the next regular meeting of the Commission and placed first on the agenda.

*Section 3.* Special meetings may be called by the Chair or any three (3) members of the Commission. The Chair or Vice-Chair and a total of four (4) Commissioners must be present at a special meeting. The notice of a special meeting shall specify the purpose of the meeting, and no other business may be considered except by unanimous consent of the Commission. Notice of a special meeting must be posted two business days prior to any scheduled meeting.

*Section 4.* The City Manager, or his/her designee, shall give written notice of all meetings, both regular and special, to all members of the Commission at least 48 hours in advance of the meeting, and shall post the same in accordance of Section 3 above.

*Section 5.* A quorum shall consist of four (4) members. An affirmative vote of a majority of those members present is required to pass any motion.

Voting shall be by voice, unless otherwise requested by the Chair, and shall be recorded in the minutes by yeas and nays.

*Section 6.* All meetings of the Commission shall be open to the public in accordance with the State of Colorado Open Meetings Act, C.R.S. § 24-6-401, *et seq.* However, executive sessions may be called for purposes listed in C.R.S. § 24-6-402(4).

*Section 7.* Opportunities for Audience Participation shall be provided, as described herein.

*Section 8.* Parliamentary procedure in Commission meetings shall be governed by Robert's Rules of Order, as amended from time-to-time.

*Section 9.* Study sessions may be scheduled at the request of the Chair, or by three (3) members of the Commission, to discuss specific issues. However, no formal decisions may be made during study sessions.

## ARTICLE 9

### Hearings.

*Section 1.* In addition to those required by law, the Commission may, at its discretion, hold such public hearings or conferences as it decides will be in the public interest.

*Section 2.* The public shall receive proper legal notice as to time and location of public hearings as required by law.

*Section 3.* Any individual wishing to address the Commission during public hearings or public comment periods, are encouraged to speak for no more than five (5) minutes. The applicant or the applicant's primary representative are encouraged to speak for no more than fifteen (15) minutes. Subsequent speakers on behalf of the applicant are encouraged to speak for no more than five (5) minutes. The Chair may extend the speaking time further at his/her discretion.

*Section 4.* During public hearings, subject matter shall be limited to the topic under consideration.

*Section 5.* Public hearings may be continued to a date and time certain by a vote of a majority of the members present.

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#### ARTICLE 10

##### Minutes.

*Section 1.* The Commission shall maintain files and records which adequately and appropriately reflect the Commission's consideration and actions. The records shall be available at the Village Center for public review during normal business hours.

*Section 2.* Minutes are required for all regular and special meetings of the Commission. However, minutes are not required for study sessions.

*Section 3.* The minutes of the Commission meetings shall embody the Commission's report and recommendation to the City Council, and contain the Commission's rationale or findings for its position on the various agenda items.

#### ARTICLE 11

##### Master Plan Annual Reviews.

*Section 1.* The Commission, in May of each year, shall review the adopted sections of the Master Plan. The primary purpose of this annual review will be to identify policies that should be studied for possible change or new policies to be added to the Master Plan, as well as to evaluate implementation strategies of various components of the Master Plan. A public hearing may also be scheduled to allow citizens the opportunity to suggest modifications.

#### ARTICLE 12

##### Miscellaneous.

*Section 1.* The Rules of Procedure of the Commission may be amended or altered by an affirmative vote of at least five (5) members of the Commission. Such request for amendments must be provided to each member of the Commission at least four (4) days in advance of the meeting date that the amendment will be considered.

*Section 2.* Failure to follow any of the Rules of Procedure of the Commission does not void any decisions made by the Commission.