

## Possible Training Topics for Land Use Boards

### Board of Adjustments

- Arizona Government 101
  - Limitations on local authority based on constitution and statutes
  - B of A rules and procedures
  - How to conduct meetings- protocol for a quasi-judicial board
- 1. The Board of Adjustment makes quasi-judicial determinations. What does that mean and how is it different from decisions of other boards and commissions?  
What factors can and should BOA consider in making their determination?
  - Educate the 6 criteria needed to consider a variance
- 2. What factors cannot be considered? What then would be inappropriate questions?
- 3. How should the board deal with communications from neighbors?
- 4. How should the board deal with ex parte communications from applicants?
  - State law- Conflicts of interest
- 5. Any suggestions on how to deal with experts (hydrologists, geologists, architects)?
  - a. Can the applicant call them forward?
  - b. Can residents call them forward?
  - c. Can the board ask for experts through staff?
- 6. Is there a different approach for zoning determinations versus appeals?
- 7. [not a question for Frank but maybe something we should cover] Why doesn't the BOA rule on appeals of SUP's?
- 8. What if I just don't like the project on the table? What is the scope of my discretion?
- 9. When is staff our advisor and when are they a party to the appeal? Or said differently, if staff is a party to the appeal, who can we ask questions about policies, engineering, procedure?
- 10. When, if at all, is a super majority vote required.
- 11. How does conflict of interest apply to these boards?

### Planning Commission

1. What is the jurisdiction of the Planning Commission?
  - Roberts Rules of Order
  - Formal Rules and Procedures / our code
  - Conflicts of Interest / Ethics
  - Limitations on local authority based on constitution and statutes
2. What is the best way to learn and become familiar with the zoning code?
3. When are hearings required and when are they optional?
4. What factors should the Commission consider in making their determination?
5. What if I just don't like the project on the table? What is the scope of my discretion?
6. When am I acting legislatively and when am I acting administratively? And What's the difference and why is it important?
7. If a planning commissioner thinks a zoning code is vague, or the staff has interpreted it wrong, what should be the process for resolving?

### Hillside Building Committee

1. What is in their jurisdiction and what is not?
2. Any suggestions on how to deal with experts (hydrologists, geologists, architects)?

- a. Can the applicant call them forward?
  - b. Can residents call them forward?
  - c. Can the board ask for experts through staff? **No, No and No. Our Hillside Board is not certified engineers, experts or legislators and therefore have no business reviewing expert engineering. That is the job of our paid staff and engineer.**
- 3. What does it mean that this is purely an administrative board?
  - 4. How come I can tell them what color to paint their house but not where to put their windows?  
**They can't do either**
  - 5. If the Committee thinks a zoning code is vague, or staff has interpreted it wrong, what should the process be for resolving (maybe an internal question)?