

TOWN OF PARADISE VALLEY

Training Handbook for Planning Commission, Board of Adjustment and Hillside Committee



Town Council
June 25, 2020

TRAINING HANDBOOK GOAL:

Provide thorough and consistent training to ensure continuity for appointed volunteers to our Board of Adjustment, Planning Commission and Hillside Committee.



HANDBOOK AND TRAINING

- The Town Council reviewed at its June 11, 2020 Study Session a comprehensive Handbook that was prepared through a collaborative effort of a number of the Town staff and the assistance of Council Member Scott Moore



HANDBOOK AND TRAINING

- The Council feedback was that the Handbook was well written and prepared, but that a little more emphasis should be made on the need for the members of the public bodies to use their official name@paradisevalleyaz.gov email addresses for all email related to their official duties
- That request has now been addressed by adding some additional guidance to the end of Section 8 of the Handbook



SECTION 8 NEW TEXT

“We encourage you to use the Town provided email address [name@paradisevalleyaz.gov]. An email relating to official business sent through a private email address is still a public record and may result in having to search your private emails for official records should the Town receive a public record request. In the case of a subpoena, use of a personal email address may also result in a request by a litigant to have the right to search of your personal email account for records related to official Town business.

Failure to provide official records that may have been sent from a personal email address may also be considered a violation of the Arizona Open Meeting Law.”



RULES AND PROCEDURE

- As part of the requested governance changes the Council also set up a working group of the Town Manager, Town Attorney and two Council Members to determine what types of changes to the existing Rules and Procedures of the Commission and BOA should be made in order to address some of the problems and abuses of the rules that both Council Members and the public had observed over the years



RULES AND PROCEDURE

- The working group made a number of suggestions on the necessary rules changes and also determined that the HBC should also have its own set of rules as well; and that there should be consistency between the rules of all 3 land use public bodies where such commonality made sense
- Finally, it was recommended that in order to maintain consistency in the rules for all 3 bodies the authority for the adoption of new rules needed to shift to the Town Council



RULES AND PROCEDURE

- The Council asked staff to address one issue to add some form of “safety valve” for certain late submitted materials that were inadvertently submitted with incorrect information and where corrections to those errors were not detrimental to the ongoing case under review
- Each set of the rules now addresses this request by adding a sentence that states:
 - “The Community Development Director may make an exception to allow for a late submittal if it doesn’t substantially change but may enhance the clarity of what was previously submitted or is de minimis in nature”



RULES AND PROCEDURE

- The requested changes have been made and the Council may now review the final draft and if approved, may move forward with adoption of the specific Resolutions and the Ordinance that moves the power to adopt rules for each public body to the Council



HANDBOOK

- The Handbook is, in staffs view, complete and now ready for adoption by the approval of Resolution No. 2020-21; which will both adopt the Handbook and direct that regular training of the members of the Commission, BOA and HBC be instituted



RULES AND PROCEDURE

- Ordinance No. 2020-03 will provide for the changes to the Town Code
- Resolutions have also been prepared for the adoption of the amended/new rules for each body as follows:
 - Planning Commission, Resolution No. No. 2020-09
 - Board of Adjustment, Resolution No. No. 2020-10
 - Hillside Committee, Resolution No. No. 2020-11



ON-GOING EDUCATION

- On-going education is important for all boards, commissions, and committees but especially important for the land-use volunteers who sit on the Planning Commission, Board of Adjustment, or Hillside Committee
- Land use laws have a tendency to change over time and keeping up to date on those changes is imperative to ensuring compliance with changing federal, state, and local laws



ON-GOING EDUCATION

- Town staff, including the Town Attorney's Office and members of the Community Development Department, believe it would be most beneficial to offer annual training to the land use boards collectively
- In addition to town staff, an outside expert could be used to supplement the training



QUESTIONS?

Key Question: Is the Council ready to adopt the recommended Resolutions and Ordinances to officially adopt the Handbook, institute regular training, and provide for consistent Rules of Procedure for the Commission, Board of Adjustment and Hillside Building Committee?

