

**SUPPLEMENTAL RULES OF PROCEDURE FOR THE
LARIMER COUNTY BOARD OF ADJUSTMENT**

The Larimer County Board of Adjustment ("Board") shall refer to the adopted County Land Use Code in making decisions.

I. Meetings

- A. Regular meetings** shall be held on the 4th Tuesday of each month at 6:00 p.m., in the Commissioners Hearing Room of the Larimer County Courthouse, Fort Collins, Colorado, or other designated time and place, and shall be held as open meetings.
1. If it is determined sufficiently in advance of any meeting that a quorum will not be present, the chair shall reschedule the meeting by phone call or by written notice to each member confirming the date change. The staff shall notify affected petitioners of the rescheduling by telephone or by postcard and notice of the time and place of the rescheduled meeting shall be published in a newspaper of general circulation in the usual manner.
 2. If there is insufficient time prior to a meeting to notify members and petitioners by telephone or written notice that a quorum cannot be obtained, the chair shall announce at the meeting that the meeting is being rescheduled to another date and time certain. The staff shall notify affected petitioners of the rescheduling by telephone or by postcard and notice of the time and place of the rescheduled meeting shall be published in a newspaper of general circulation in the usual manner.
- B. Work session** - when deemed necessary by Board majority, chair or staff, a Board work session may be called.
1. No formal action with regard to any petition shall be taken by the Board during a work session.
 2. Any work session discussion concerning a pending petition shall be repeated in substance at the regular meeting on the petition if any person so requests.
- C. Field Trips.** Each month before the regular meeting, a field trip to view the subject properties will be scheduled and coordinated by staff, and public notice will be published at least 24 hours in advance. The purpose of field trips is to familiarize the Board with the physical attributes of the subject property. Attendance is optional but encouraged. Properties visited will be determined by practicality of time and distance, and consideration may be given to whether an item is on the consent agenda. The final decision on field trip schedules will be made by the Chair. The rules for field trips are as follows:
1. During field trips, the Board will not take comments or testimony from the applicant, neighbors, or other members of the public, and will not discuss or deliberate the merits of any application.

2. Applicants/Property Owners may stake/mark property lines, the proposed location of relevant structures, and other relevant physical features of the property, but shall not participate in field trips.
 3. Any questions from the Board about physical attributes of the subject property will be addressed to planning staff.
 4. Board members who cannot attend the field trip but wish to have an individual site visit will contact the Staff Planner, who will in turn notify the applicant/property owner of the specific date and time of the site visit.
- D. Joint meetings between County Commissioners and the Board of Adjustment shall be held as needed to communicate mutual concerns.

II. Agenda

- A. Agenda preparation - an agenda, with the previous month's minutes if possible, shall be mailed by the staff to each member prior to each regular meeting and field trip. The agenda shall include staff comments.

III. Members; quorum

- A. The Board shall consist of five (5) regular members and two (2) alternate members.
- B. A quorum shall consist of four voting members.
- C. When a regular member is not in attendance or has declared his/her intention to abstain from voting, an alternate member, if needed and available, shall be named as a voting member by the chair.

IV. Presiding Officer

- A. The chair shall preside at all meetings and work sessions.
- B. The chair shall determine whether there is a quorum and, if so, shall call the meeting of the Board to order.

V. Duties and Privileges of Members

- A. Attendance is expected by the regular members and encouraged by the alternate members. Attendance records shall be subject to review by the Board of County Commissioners and poor attendance shall be among the grounds for dismissal from the Board.
 1. Alternate members, when available, shall be named by the chair to fill absences of regular members.
 2. In naming alternate members to fill absences of regular members, preference will be given to the alternate member who resides in the sector of the County coinciding with the subject application. Trilby Road shall be used to divide the county into north and south sectors.

- B. Only those members designated to vote on a particular petition may participate in the questioning of petitioners and of members of the public and in discussion. Only those voting members may make or second motions.
- C. A member shall abstain from discussion and voting, if a potential conflict of interest exists, from the time such conflict is discovered.
- D. If a Board member is unable to attend a meeting, the member shall notify the staff of such fact as soon as possible after the member becomes aware of it.

VI. General

- A. All votes shall be recorded and the decision shall be confirmed by the chair, the staff, or the county attorney. Minutes of each meeting, reflecting the findings and resolutions of the Board and all votes, shall be prepared by the county attorney. Copies of the minutes shall be made available, when possible, to the Board for review prior to the next meeting. The signature of the chair (or the most senior regular member present if the chair is absent) on the minutes of a meeting, attested by another member, shall constitute final decision on all resolutions of approval or denial of petitions contained therein.
- B. Board discussion, if any, may be continued before or after a motion has received a second.
 - 1. The motion may be re-stated for clarity by the chair or county attorney.
 - 2. Discussion may be closed to the audience in the discretion of the chair.
 - 3. Any member of the Board, at any time during meetings, may call upon the county attorney to render an oral opinion.
- C. The chair may restrict, or disallow, public comment on matters involving merely questions of law (e.g., interpretation of the Land Use Code regarding whether a specific use is permitted in a particular zoning district).
- D. Roll call vote shall be conducted after a motion has been made and seconded and Board discussion is concluded.
- E. In accordance with policies of the Board of County Commissioners, no member of the Board shall serve more than two consecutive terms or six consecutive years, whichever is longer.

VII. Parliamentary Authority and Amendment to Rules

- A. Matters not covered by these rules may be governed by "Roberts Rules or Order, newly revised, 1970", wherever applicable and not in conflict with state or local law.

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- B. Any proposed amendments to a rule or any new rules shall first be presented to the Board of County Commissioners for approval. If so approved, the amended rule or new rule shall be presented to the Board at a regular meeting, but shall not be voted upon until the next month's meeting. This procedure shall insure adequate review by the Board and the public.
- C. Chair Pro-tern - in the absence of the chair, the most senior regular member present shall preside at the meeting and exercise all the duties of the chair.
 - 1. The seniority list shall be available in the Planning Department and shall be updated as needed.
- D. Decorum - the chair shall preserve decorum at all times during meetings.
 - 1. Board members shall be under the direction of the chair and shall obey the rules of the Board.
 - 2. Board members shall accord courtesy to each other, staff and public.
 - 3. Members of the administrative staff and county employees attending Board meetings shall be under the direction of the chair and shall observe the same rules applicable to members of the Board.
 - 4. Members of the public shall be under the control of the chair, observing the same rules of order.
 - 5. Members of the public who wish to appear before the Board shall raise their hands and, upon being recognized by the chair, shall come to the microphone and state their name and address for the record. The chair may establish reasonable time limits for members of the public to speak.
- E. The chair shall carry out policy decisions of the Board, and shall sign pertinent documents as required.
- F. The chair shall adjourn the meeting after determining there is no further business to be conducted at the meeting.

Adopted pursuant to Section 30-28-117(2), C.R.S., this 24th day of April, 2018.

The Board of Adjustment of Larimer County, Colorado

By: Carol Dowding
Carol Dowding

Approved by the Board of County Commissioners this 24th day of July, 2018.

Larimer County Board of Commissioners

By: Steve Johnson
Steve Johnson, Chair