

DESIGN REVIEW RESOLUTION NO. DRC-2013-03

**A RESOLUTION OF THE DESIGN REVIEW COMMITTEE
OF THE CITY OF SAN BUENAVENTURA ADOPTING
RULES OF PROCEDURE FOR THE CONDUCT OF
BUSINESS AND HEARINGS**

BE IT RESOLVED by the Design Review Committee of the City of San Buenaventura as follows:

SECTION 1: California Government Code Section 65804 authorizes the City Design Review Committee to develop and publish procedural rules for the conduct of zoning hearings so that all interested parties will have advance knowledge of the procedures to be followed; and

SECTION 2: San Buenaventura Municipal Code Section 2.410.240 allows the Design Review Committee to adopt application requirements, meeting procedures, and other reasonable rules and regulations for conducting business; and

SECTION 3: Pursuant to the authority granted by the California Government Code and the San Buenaventura Municipal Code, the Design Review Committee desires to specify procedural rules to govern the conduct of hearings on design review matters, including but not limited to, design review, sign variances, sign programs, projects that require approval of a discretionary land use permit from the Planning Commission, and other permit applications.

SECTION 4: The attached text shall constitute the City of San Buenaventura Design Review Committee Rules of Procedure for the Conduct of Business and Hearings on Matters before the Design Review Committee of the City of San Buenaventura insofar as they are consistent with applicable state laws and City ordinances governing the conduct of all business, including but not limited to design review hearings.

PASSED AND ADOPTED this 1st day of May, 2013.



Dave Ward, Secretary

APPROVED AS TO FORM
Ariel Pierre Calonne
City Attorney

By: _____

Keith Bauerle
Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF VENTURA)SS
CITY OF SAN BUENAVENTURA)

I, Dave Ward, Secretary of the Design Review Committee of the City of San Buenaventura, California do hereby certify that the above and foregoing Notice of Decision, **DRC-20013-03**, was duly passed and adopted by the Design Review Committee of said City at a regular meeting thereof, held on the 1st of May 2013 by the following vote, to with:

AYES: Members Hsu, Ferrin, Picciotti, Vice Chair Brodersen, and Chair Cline

NOES: None.

ABSTAIN: None.

ABSENT: None.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of May 2013.



Dave Ward, Secretary
City of San Buenaventura, California

**RULES OF PROCEDURE
FOR THE CONDUCT OF BUSINESS AND HEARINGS
BEFORE THE DESIGN REVIEW COMMITTEE
OF THE CITY OF SAN BUENAVENTURA**

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1. MEETINGS, STUDY SESSIONS, AGENDAS AND STAFF REPORTS

1.1 Regular Meetings

Regular meetings of the Design Review Committee shall be held on the first Wednesday of each month. On the third Wednesday of each month a Design Review Committee regular meeting may be held, or it may be scheduled as a joint Planning Commission/Design Review Committee Meeting. If the regular meeting date falls on a City holiday, then the meeting shall be rescheduled. All regular meetings of the Design Review Committee will be called to order at 6:00 p.m., unless advertised otherwise, cancelled or rescheduled. The Committee will generally adjourn its meetings by 11:00 p.m., with any unfinished business being continued to the next regular meeting. The Committee will not hear any new item after 10:00 p.m. without agreement of the entire Committee.

1.2 Special Meetings

An emergency or special meeting may be called at any time by the Chairperson of the Design Review Committee, or by a majority of its membership. Written notice shall be delivered personally or by email at least twenty-four (24) hours before the time of a special meeting, and as soon as is reasonably possible in the case of an emergency meeting to each member and to each local newspaper of general circulation, and to each radio or television station which has previously submitted a written request for notice. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at the meeting. Written notice may be dispensed to any member who at or before the time of the meeting files an oral or written waiver of notice with the Secretary of the Committee. Written notice will also be dispensed to any member who is actually present at the meeting at the time it convenes.

1.3 Adjourned Meetings

The Design Review Committee may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment pursuant to the procedures set forth in the Ralph M. Brown Act, Government Code Section 54950, *et seq.* (the "Brown Act").

1.4 Workshop Sessions

The Design Review Committee may hold a workshop session as part of a regular, adjourned, or special meeting. In general, the purpose of workshop sessions will be to gather information from staff, consultants, or members of the public regarding matters within the purview of the Design Review Committee and, at most, provide further direction to staff while not rendering a formal decision or action on a particular matter. When a matter is set for a workshop session, the time allowed for individual public testimony may be reasonably limited at the discretion of the Chairperson. Public notice for workshop sessions on specific matters for which public hearings are anticipated in the future shall be

given to all interested parties who have requested such notice, and a record of the workshop session shall be entered into the minutes of any such future public hearings so that the hearing records will indicate whether any information received at the workshop sessions was taken into consideration as evidence at the subsequent public hearings.

1.5 Open and Closed Sessions

All meetings of the Design Review Committee shall be open and public, and all persons shall be permitted to attend, provided that the Design Review Committee may, upon the advice of the City Attorney, hold a closed session during a regular or special meeting, or at any time otherwise authorized by law, to consider or hear any matter which it is authorized by state law to hear or consider in closed session.

1.6 Agendas

Copies of the Design Review Committee's agenda shall be posted within the public display case at the rear entrance to City Hall and made available to any person at the public counter at least 72 hours before a regular meeting. In accordance with the Brown Act, the Committee may not discuss or take action on any item that did not appear on the posted agenda unless an exception is made, as permitted under Government Code Section 54954.2.

1.7 Staff Reports

When planning staff reports exist, copies shall be made available electronically or in hardcopy format at least 72 hours prior to a regular public meeting. Copies shall also be made available at the regular public meeting. If more members of the public request staff report copies than are available at the meeting, copies shall be provided to those members of the public as soon as reasonably possible after the meeting in a manner consistent with the Public Records Act. Staff reports shall be prepared with recommendations and the basis for recommendations, and included in the hearing record.

2. DESIGN REVIEW COMMITTEE MEETINGS

2.1 Recording of Meetings

Hearings on land use matters will generally be recorded by electronic device and preserved for a period of two (2) years or as may be otherwise specified by the City Council in its adoption of City-wide records retention policies. When a matter is contested and a request is made in writing to the Secretary of the Committee before the date of the hearing, the contested matter shall be recorded by electronic device and duly preserved. A copy of any such recording may be purchased at its reproduction cost.

2.2 Action Minutes

Minutes of the Design Review Committee will be action minutes. Action minutes include final motions with votes. The minutes will also reflect the names of public speakers. Design Review Committee and City staff discussion and comments will not be included in the minutes. Minutes of all meetings are required to be kept by the department. Generally, minutes are submitted to the Design Review Committee within two (2) weeks for approval or at the next regular meeting. Minutes are also made available to the City Council.

2.3 Order of Presentation

The procedure for the conduct of public hearings is generally as follows:

- (a) The Chairperson opens the public hearing and announces the item.
- (b) City staff presents its report, including any environmental analysis or recommendation.
- (c) Questions of staff by members of the Design Review Committee.
- (d) Presentation by applicant. In the case of an appeal when the appellant is different from the applicant, the appellant should be called up first to provide comments or testimony.
- (e) Members of the public are provided with the opportunity to present their comments, testimony, or arguments. Members of the public must fill out a Speaker Card. Members of the public may speak for five (5) minutes each. If there are over five (5) speaker cards, the Chairperson may reduce the time to three (3) minutes if agreed to by the other Committee members.
- (f) Rebuttal comments by the applicant or appellant.
- (g) Public hearing closed.
- (h) Design Review Committee deliberates on the issue. The Committee may ask questions of the public, applicant, or appellant as part of its deliberations.
- (i) If the Design Review Committee raises a new issue through deliberation and seeks to take additional public testimony from the public, applicant, or appellant on the new issue, the public hearing must be reopened and persons given a chance to speak on the new issue. At the conclusion of the public testimony, the public hearing is again closed.
- (j) The Design Review Committee deliberates and takes action.

2.4 Conceptual Review Order of Presentation

Conceptual review of a project may be conducted by the Design Review Committee, or at a joint hearing of the Design Review Committee and Planning Commission, to provide comments at an early stage in the process. Notice of the hearing shall be required in the same manner as is required for the underlying permit application.

The procedure for the conduct of public hearings for Conceptual Items is generally as follows:

- (a) Chairperson announces the Conceptual Item.
- (b) City staff presents its report.
- (c) Questions of staff by members of the Design Review Committee/Planning Committee.
- (d) Presentation by applicant. Applicant and/or applicant team gives a ten (10) minutes maximum overview of the project.. The Chairperson has the ability to grant more or less time.
- (e) Chairperson opens the meeting for members of the public to speak. Members of the public may speak for five (5) minutes each. If there are over five (5) speaker cards, the Chairperson may reduce the time to three (3) minutes if agreed to by the other Committee members.
- (f) No applicant rebuttal is provided for during a Conceptual Review.
- (g) Commissioners/Members may ask questions of the applicant along with providing comments regarding the Conceptual Item.
- (h) The Chair summarizes the Committee's conceptual comments to provide Commission/Committee direction to the staff and applicant.

2.5 Rules of Evidence

Hearings and meetings before the Design Review Committee need not be conducted according to formal rules of evidence. Any relevant evidence may be considered if it is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs. The Chairperson may exclude irrelevant or redundant testimony and may make such other rulings as may be necessary for the orderly conduct of the proceedings while ensuring basic fairness and full consideration of the issues involved. Evidentiary objections shall be deemed waived unless made in a timely fashion before the Design Review Committee.

2.6 Burden of Proof

The burden of proof of all legal prerequisites to the granting of the relief or action sought shall be upon the party requesting such relief or action.

2.7 Quasi-Judicial Proceedings

- (a) Defined – Quasi-judicial proceedings are those proceedings in which the Committee is required to make findings based on the evidentiary record as to the decision. In quasi-judicial proceedings, the Committee sits as the judge and jury, and is required to make findings based on the evidence and records presented. Examples of quasi-judicial proceedings heard by the Committee include, but are not necessarily limited to, variances, design review and signs.
- (b) Identification on Agenda – To facilitate identification of quasi-judicial matters, quasi-judicial proceedings will be identified as such on the Committee agenda under the heading of Quasi-Judicial Proceedings.
- (c) Ex Parte Communications – An ex parte communication is a communication between a Member and any person except the City staff made outside the Council Chambers concerning a quasi-judicial proceeding to be heard by the Design Review Committee.
 - i. When a Member has an ex parte communication concerning a subject that is the basis of a quasi-judicial proceeding before the Committee, the Member must state for the public record the nature of that communication prior to the Committee's consideration of that subject. Member must indicate with whom the ex parte communication was made and provide a brief statement as to the substance of the communication.
 - ii. A Member may make an oral presentation of the nature of the communication or provide a written statement to be read into the public record.

2.8 Oral Evidence, Time Limits, and Number of Speakers

- (a) Prior to the meeting, or during the meeting prior to a matter being reached, persons wishing to address the Design Review Committee should fill out a speaker card and submit it to the City Planning Staff.
- (b) Any person desiring to address the Committee must first be recognized by the Chairperson. All comments should be made clearly and audibly, and all speakers should first state their full names and addresses and the names of any persons on whose behalf they are appearing.

- (c) Project Applicant – The project applicant shall have a total of fifteen (15) minutes for their presentations. The initial comments or presentation shall be limited to ten (10) minutes and the rebuttal or concluding comments shall be limited to five (5) minutes. In extraordinary circumstances, the Chairperson may entertain and grant requests for additional time.
- (d) In order to conduct orderly and timely meetings, oral presentations by members of the public may not exceed a cumulative total of five (5) minutes for a single meeting. Members of the public making oral presentations to the Committee in connection with one or more agenda items at a single meeting are limited to three (3) minutes on any agenda item with a cumulative total of five (5) minutes for all agenda items at such meeting unless otherwise provided. If the Chairperson deems it appropriate, in extraordinary circumstances he or she may extend the time limit for any speaker. The Chairperson may also limit the time provided to speakers in order to ensure an orderly and timely meeting. Except when necessary for immediate clarification of a particular point, no person shall be allowed to speak a second time until all others wishing to be allowed to speak have had an opportunity to do so, and then only at the discretion of the Chairperson.
- (e) Whenever any group of persons, all of whom are present, wishes to address the Members on the same subject matter, the group is encouraged to designate a spokesperson to address the Committee. Each member of the group shall complete a speaker card in advance of the matter being called and shall note on the card the person whom they wish to have speak on their behalf. By allowing another person to speak on their behalf, each group member shall relinquish their right to speak on the matter. With the consent of a majority of the Committee present, the Chairperson may then extend the time allocation for the designated spokesperson from three (3) minutes up to a maximum of ten (10) minutes depending upon how many cards have been submitted.
- (f) In addition to the other time limits set forth in this Section, any person shall be allowed up to five (5) minutes to separately address an environmental document being considered by the Design Review Committee and prepared pursuant to the California Environmental Quality Act. This speaker time shall apply so long as the public hearing for the environmental document remains open.
- (g) Persons (other than applicants and/or appellants) who anticipate oral presentations exceeding five (5) minutes are encouraged to submit comments in writing, in advance of the meeting, care of the City Planning Manager, for prior distribution to the Committee.
- (h) Comment cards may be used by members of the public who do not wish to or cannot verbally address the Committee during a meeting.

A person may indicate their comments and their opposition or support for an agenda item on a comment card prior to or during the Committee's consideration of the item.

During public testimony on an item, the Chairperson will indicate that the Committee has received comment cards from (name of person) in support of the project or issue and comment cards from the (name of person) in opposition of the project or issue. The minutes will reflect the Committee's receipt of comment cards in opposition and support of a proposed project or other subject.

- (i) Any person addressing the Committee may present PowerPoint software or other visual media presentation to the Committee utilizing the City's audio/visual equipment.
 - i. All PowerPoint presentations must comply with the applicable time limits for oral presentations and cumulative time limits. Presentations should be planned with flexibility to adjust to any changes in these time limits.
 - ii. Each slide of the PowerPoint presentation must identify that it is the "Personal Comments of Private Citizen [first and last name]."
 - iii. All PowerPoint presentations must be submitted on suitable media already formatted in PowerPoint format and be submitted to the City Planning Manager no later than noon the day before of the Design Review Committee meeting to allow for virus checks and compatibility with City equipment.
 - iv. Any discs submitted that are thought to contain viruses or unable to be scanned for viruses by City equipment will not be permitted to be used.
 - v. If compatibility or viruses are at issue, a member of the public may provide ten (10) printed hardcopies of the PowerPoint presentation during their presentation. The Committee Secretary will not make copies.
- j. Any of the time limits in this section may be reduced at the discretion of the Chairperson, or a majority of the Committee present, if determined necessary or desirable for the efficient and orderly conduct of a meeting.

2.9 Written Evidence, Errata Memo

Members of the public who may not be able to attend a meeting or hearing may submit letters or written comments. The written evidence from members of the public not at the meeting shall be presented to the Design Review Committee

before the meeting and if received prior to the day of the meeting will be sent to the Committee via email if possible.

Members of the public who wish to submit written information at the meeting should provide twenty (20) copies of the information in order to assure it is considered by the Committee.

An Errata Memo is a change to the staff report that describes the change to the Committee. This errata memo will be provided to the Committee on the dais prior to the start of the meeting.

The Design Review Committee has adopted the following policies regarding written submissions to ensure that it has reasonable and appropriate opportunities to review materials.

2.9.1 Copying and distribution

The submitting party must provide twenty (20) copies to the Design Review Committee Secretary; the Committee Secretary will not make copies. The Committee Secretary will distribute all complying submissions, as defined below. Non-complying submissions will be stamped, filed, and not distributed, pursuant to Section 2.9.5.

2.9.2 Regular submissions

All materials delivered in advance of the staff report becoming publicly available must be submitted ten (10) days prior to the Design Review Committee meeting. Twenty (20) copies of the materials must be delivered or mailed to the Committee Secretary at 501 Poli Street, Ventura, CA 93001 Room 117. The Committee Secretary will send these submissions to the Design Review Committee together with the staff reports.

2.9.3 Rebuttal submissions

All materials delivered in response to either the staff report or opposing submissions must be submitted no later than 48 hours before the Committee meeting. Submissions, including exhibits, may not exceed ten (10) pages and twenty (20) copies must be sent to the Committee Secretary at 501 Poli Street, Ventura, CA 93001 Room 117. The Committee Secretary will deliver these submissions to the Design Review Committee within 24 hours of receipt. Electronic submissions may be sent to DRC@cityofventura.net. The City will under no circumstances make copies of any document longer than ten (10) pages in length, but may do so in its sole discretion if it is feasible given the time and cost of doing so.

2.9.4 Supplemental submissions

A reasonable number of supplemental photographs, posters, and short (five (5) minutes maximum) PowerPoint presentations will be accepted no

later than 5:00 p.m. on the day before hearing. Any submission on the day of a hearing may not be more than two (2) written pages, including exhibits. Twenty (20) copies of the submission must be given to the Committee Secretary who will distribute them to the Design Review Committee when the agenda item is called. The City will under no circumstances make copies of any document longer than two (2) pages in length, but may do so in its sole discretion if it is feasible given the time and cost of doing so.

2.9.5 Non-complying submissions

Submissions, that do not fall within the above prescriptions will be entered into the record but not delivered to the Design Review Committee. These submissions will be stamped "File Copy. Non-Complying Submission" and placed into the official case file. The Design Review Committee will be under no obligation to consider the evidence contained in any non-complying submission.

2.10 Questioning of Speakers

Any person other than a Committee Member desiring to direct a question to a speaker or staff member shall submit the question to the Chairperson, who shall determine whether the question is relevant to the subject of the hearing and whether or not it should be answered by the speaker or staff member. Direct questioning of speakers or staff members may be allowed in extraordinary circumstances, only at the discretion of the Chairperson.

2.11 Changes to Agenda Order

The Design Review Committee Chairperson may, prior to consideration of the Consent Items on the meeting agenda, poll Committee Members on the movement of Continued or Public Hearing Items for consideration under the Consent Items. The movement of Continued and/or Public Hearing Items to the Consent calendar shall only occur when all Members present concur and only after the Chairperson has determined, following commencement of the meeting, that no member of the public wishes to address the Committee on the item, on the record, and only after the Chairperson has acknowledged the receipt of all written comments on items that were submitted to the City prior to the meeting.

3. **MOTIONS**

3.1 Motions – Second

Any member may propose action upon an order, resolution, ordinance or any other action of the Design Review Committee by a motion. The Chairperson may make a motion only after all other members of the Design Review Committee present have had an opportunity to make a motion on the question and only after relinquishing the chair to the Vice Chairperson while the matter upon which the motion is made is under consideration. Before a motion can be considered or debated it must be seconded, at which time it shall be on the floor and must be

considered. If not seconded, the motion is lost for lack of a second and shall be so declared by the Chairperson.

3.2 Amendment of Motion or Substitute Motion

A motion on the floor may be amended at any time before adoption or rejection. When an amendment is offered, the Design Review Committee will debate and take action on the amendment before acting on the original motion. If the amendment is not adopted, the original motion will then be considered. If the amendment is adopted, the original motion as amended will then be considered.

3.3 Withdrawal of Motion or Second

A motion may be withdrawn by the maker at any time before adoption or rejection, with consent of the second. A second to a motion may be withdrawn by the seconding member at any time before adoption or rejection of the motion. The motion will then be lost for lack of a second and so declared by the Chairperson unless seconded by another member.

3.4 Tabling a Motion

At any time after a motion has been seconded but not voted upon, any member may move to table it. If tabling the motion is adopted by a majority of Committee Members present, it will remain on the floor but may not again be considered at the meeting at which it was made. Instead, the tabled motion will be considered at a future regular meeting of the Design Review Committee the date of which shall be specified in the motion, unless again tabled at that future regular meeting. If not considered at the specific future meeting, it will be deemed lost.

3.5 Discussion, Closure, and Question

After a motion has been seconded, any member may discuss or comment on the subject of the motion. The Chairperson will recognize members of the Design Review Committee with the desire to speak, beginning with the motion's maker, and will protect each speaker from disturbance or interference. When no member wishes to discuss or comment further, the Chairperson shall call for a vote on the motion. Any member of the Design Review Committee may at any time move to close the debate.

3.6 Motions for Reconsideration

Any member who was present and voted with the prevailing majority on a matter may make a motion for reconsideration of the matter. Any member of the Design Review Committee may second a motion to reconsider. Motions to reconsider shall be made at the same meeting as the original motion or at the next succeeding meeting, provided, however, that no motion to reconsider will be in order if an appeal has been duly filed or if all Design Review Committee Members participating in the original action are not present at the meeting at which the reconsideration is acted upon. A reconsideration motion at the next

succeeding meeting shall be agenzized for discussion and action at the next meeting consistent with the Brown Act.

3.7 Motions of Intent

Whenever a Design Review Committee member desires to take an action for which sufficient written findings have not yet been prepared, a Motion of Intent may be offered and acted upon in a manner consistent with this Section 3. The Motion of Intent should specify the intended action, information necessary to fulfill the action, including the rationale for the proposed decision, and a hearing date for the proposed final motion consideration.

4. **DECISION-MAKING**

4.1 Voting

Approval of any motion brought before the City Design Review Committee shall require the affirmative vote of a majority of the members present and voting, unless otherwise specified by law. Notices of Decision and/or Resolutions granting or denying variances and other quasi-judicial approvals shall be adopted by a majority of those Members present and voting.

4.1.1 Tie Votes

Any tie vote shall constitute a denial of the motion and may be reconsidered by a motion offered by any member who voted on the matter. If there is no action by an affirmative vote, the result is no action.

4.1.2 Abstentions

Abstentions shall not count as votes for the purpose of determining whether there has been an affirmative vote of a majority of the members' present, but shall be counted for the purpose of determining whether a quorum is present, unless the member is abstaining because of a potential conflict of interest in the matter at hand.

4.1.3 Roll Call

Voting upon a motion may, at the discretion of the Chairperson, and shall, upon the request of any member, be by roll call. When voting is not by roll call, the Chairperson may, in the absence of objection by any member of the Design Review Committee declare an item to be unanimously approved.

4.1.4 Motions Include Staff Recommendations

A motion to adopt or approve staff recommendations or simply to approve the action under consideration shall, unless otherwise particularly specified, be deemed to include the adoption of all proposed findings and proposed conditions of approval and execution of all related actions recommended in the staff report on file on the matter.

4.1.5 Absentees

A Design Review Committee member who is absent from any portion of a public hearing may vote on a matter at the time it is acted upon, provided that he or she has listened to a recording of the entire portion of the hearing from which he or she was absent, if such a recording exists, and if he or she has examined all of the exhibits presented during the portion of the hearing from which he or she was absent, and states for the record before voting that the member deems himself or herself to be as familiar with the record and with the evidence presented at the hearing as he or she would have been had he or she personally attended the entire hearing.

4.2 Findings

On any matter for which state law or City ordinance requires the preparation of written findings, the staff report or draft resolution submitted on the matter will contain findings proposed for adoption by the Design Review Committee. Any motion directly or impliedly rejecting the proposed findings must include a statement of alternative or modified findings or a direction that the matter under consideration be continued for a reasonable period of time in order for staff to prepare a new set of proposed findings consistent with the evidence that has been presented and the decision that is anticipated.

4.3 Consent Items

Items that require little or no discussion by the Design Review Committee may be considered as consent items. The Design Review Committee will act on these items in one motion at the beginning of the meeting. Approval by the Design Review Committee of consent items means that the staff recommendation was approved along with the findings and conditions set forth in the staff report. Any member of the Design Review Committee, the applicant, or members of the public may request that consent items be considered in their regular order on the agenda.

4.4 Continuances

Upon a showing of good cause and by request of the applicant, member of the public, or member of the Design Review Committee, the Chairperson, at the time set for a hearing on a particular item, may, with the concurrence of a majority of the Members present, order the hearing on a matter to be continued to a specified date and time. Upon the request of any member of the Design Review Committee, continuance decisions shall be made by roll call vote of all members present.

5. CONSTRUCTION AND EFFECT

5.1 Construction

These procedural rules shall be construed and applied so as to ensure a full and fair hearing of relevant evidence that is offered and to facilitate an orderly analysis of evidence and issues by the Design Review Committee. Adoption and implementation of these rules is intended to be consistent with, and construed according to, the provisions of California Government Code Section 65010.

5.2 Chairperson's Rules of Order

When there is no provision of these rules of procedure applicable to the conduct of a meeting or hearing of the Design Review Committee or to a particular question of conduct or order that may arise in the course of such meeting or hearing, the Chairperson shall suggest appropriate rules for consideration by the entire Committee. The Committee will, in turn, based upon a majority vote of those members present, adopt an ad hoc rule for any questions of conduct or point of order that may arise. In the event of a tie vote on any such ad hoc rule, the Chairperson's decision on the proposed ad hoc rule shall be final.

5.3 Committee as part of Applicant Team

In order to avoid conflicts of interest and the appearance of conflicts, Committee Members shall not become a part of an applicant team after submittal or after the project has been heard.

6. SECRETARY OF THE COMMITTEE

6.1 Director of Community Development Shall Serve as Secretary

Pursuant to San Buenaventura Municipal Code Section 2.420.020, the Director of Community Development or his or her designee shall serve as the Committee Secretary and custodian of its records, but shall have no vote.

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