

**LAND DEVELOPMENT REGULATION ADVISORY BOARD**

# **"Rules of Procedure"**



**March 27, 2013\***

**Article I  
Introduction**

- A. The Palm Beach County Unified Land Development Code, hereinafter referred to as the ULDC, authorizes the Land Development Regulation Advisory Board and Land Development Regulation Commission, herein after referred to as the LDRAB and LDRC to Rules of Procedures for the transaction of business.
- B. The within Rules of Procedure have been adopted by the LDRAB and LDRC, and all previously adopted Bylaws or Rules of Procedure are deemed repealed.

**Article II  
Powers and Duties**

- A. The LDRAB shall have the powers and duties as outlined in ULDC Art. 2.G.3.A.2, Powers and Duties, as amended. **[2/23/2011]**

**Article III  
Membership, Officers and Staff**

- A. The LDRAB shall be composed of members as outlined in ULDC Art. 2.G.3.A.3, Board Membership, as amended. **[2/23/2011]**
- B. The Zoning Director shall serve as the Secretary and the professional staff of the LDRAB as outlined in ULDC Art. 2.G.3.A.4, Staff, as amended. **[2/23/2011]**

**Article IV  
Meetings**

- A. General meetings and special meetings of the LDRAB shall be governed as outlined in ULDC Art. 2.G.2.E, Rules of Procedure, as amended. **[2/23/2011]**
- B. A member of the LDRAB shall be permitted to participate in a general or special meeting via telephone or teleconference if the following conditions are met:
  - 1. That the quorum necessary to take action and transact business is physically present at the meeting; and
  - 2. That the LDRAB, by a majority vote of the quorum present, determines that the extraordinary circumstances justify the members' absence.

**Article V  
Subcommittees**

- A. The LDRAB may create subcommittees, which will be governed by the regulations in Art. 2.G.3.A.5.b, Subcommittees, as amended, as well as the following regulations:
1. At a minimum, the subcommittee shall be composed of two members. Membership shall include at least one LDRAB member. Interested parties who *have the necessary expertise on the specific Code amendment* may be appointed by a majority vote of the LDRAB; **[2/23/2011]**
  2. The subcommittee shall meet as often as determined necessary by the LDRAB;
  3. The presence of at least two members of the subcommittee, one of whom must be an LDRAB member, shall constitute a quorum necessary to take action and transact business;
  4. The location of all meetings shall be in PBC, Florida and all meetings shall be open to the public;
  5. The Zoning Director shall serve as the Secretary and the professional staff of the subcommittee;
  6. The County Attorney's Office shall provide counsel and interpretation on legal issues; and
  7. The subcommittee shall submit their findings at the next scheduled LDRAB meeting.

#### **Article VI Amendments to the Rules of Procedures**

- A. The LDRAB may amend these rules at a regular meeting by a majority vote of the quorum present.
- B. The LDRAB Secretary shall maintain a copy of the "Rules of Procedures" in the Zoning Division for the Public to view.

#### **Article VII Rules of Debate**

This section sets forth the rules of debate to maintain decorum, the various motions available for use by the Board, and related matters. **[3/27/2013]**

- A. Decorum. A motion must be made and seconded before the Board votes on a matter. Every member of the Board has a right to speak in the debate and shall always be recognized by the Chair. Non-member recognition shall be at the Chair's discretion. The member who made the motion shall be entitled to speak first. A member shall be deemed to have yielded the floor when she/he has finished speaking. The discussion shall be related to the motion on the floor. All questions are to be directed through the Chair. **[3/27/2013]**

- B. As to the Chair. Upon passing the gavel, the Chair or other presiding member of the Board may move or second a motion. **[3/27/2013]**
- C. Point of Order. Any member who believes that a breach of the rules has occurred has a right to call immediate attention to the matter by raising a "point of order." A point of order (1) may interrupt a speaker who has the floor; (2) does not need to be seconded; (3) is not debatable; and (4) is decided by the Chair. By motion and second, a decision of the Chair on a point of order may be appealed to the Board and, without debate, the Chair shall submit to the Board the question, "Shall the decision of the Chair be sustained?" and the Board shall decide by a majority vote. **[3/27/2013]**
- D. Motion to Reconsider. A recommendation of the Board may be reconsidered at the same meeting or at the very next meeting. A motion to reconsider can only be made by a member who voted on the prevailing side of the question, and is debatable. Such motion shall not be entertained if the Board of County Commissioners has already acted on the recommendation, or if the vote has otherwise caused something to be done that is impossible to undo. Adoption of a motion to reconsider shall rescind the original action; therefore a new motion, second, and vote is required to take formal action on the item, if desired, and may take place at a future meeting. **[3/27/2013]**
- E. Substitute Motion. A member may make a substitute motion if he/she is not in agreement with the motion on the floor. This motion requires a second and is debatable. The substitute motion must be disposed of before returning to the original motion. No more than two motions, the original and one substitute, shall be on the floor at any given time. **[3/27/2013]**
- F. Motion to Postpone. If a member would like to defer consideration of a matter, a motion to postpone is in order, which may include a time and date to continue the discussion. When postponing an advertised public hearing of the Land Development Regulation Commission, a time and date certain must be included in the motion. This motion is debatable. **[3/27/2013]**
- G. Motion to Close Debate/Call the Question. Any Board member may move to close debate/call the question on the motion being considered. This motion is not debatable and requires a two-thirds vote of the members. If the motion passes, all discussion ends and a vote is taken on the motion on the floor. **[3/27/2013]**
- H. Adjournment. No motion is required to end the meeting. The Chair declares the meeting adjourned without objection. **[3/27/2013]**

*\*Original document issued on May 14, 2004, amended on: February 23, 2011; March 27, 2013.*