



COMMISSION RECOMMENDATION

Zoning and Platting Commission

Recommendation Number: (20160920-E-01):

A request for Council to initiate a Land Development Code amendment to allow speakers during Public Hearings before the Land Use Commissions to alternate between those favoring and those opposing an application or proposal.

See attached resolution approved by the Zoning and Platting Commission.

Date of Approval: September 20, 2016

Record of the vote: Approved on an affirmative vote of 9-0. Commissioners Dustin Breithaupt and Susan Harris absent.

Attest: _____

Staff Liaison

RESOLUTION

Zoning and Platting Commission

Alternating Public Hearing Testimony

WHEREAS, Section 25-1-151 of the Land Development Code specifies that public hearings shall proceed in the following order:

- 1) presentation of a report by City staff;
- 2) presentation by the applicant, for a hearing on an application;
- 3) presentation by interested parties supporting the application or proposal;
- 4) presentation by interested parties opposing the application or proposal;
- 5) rebuttal by the applicant, for a hearing on an application;

WHEREAS, hearings on contentious cases may result in several hours of presentations resulting in an inherent unfairness to the interested parties opposing the application or proposal;

WHEREAS, the City of Austin has historically made it a practice of utilizing *Robert's Rules of Order* as the parliamentary guide for conducting public meetings;

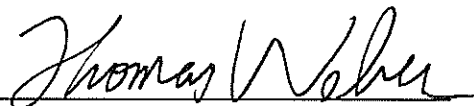
WHEREAS, *Roberts Rules of Order Newly Revised, 11th edition*, on page 31 states that
3) In cases where the chair knows that persons seeking the floor have opposite opinions on the question (and the member to be recognized is not determined by [1] or [2] above), the chair should let the floor alternate, as far as possible, between those favoring and those opposing the measure;

WHEREAS, the City Council has on occasion recognized speakers at public hearings who alternate between favoring and those opposing an issue;

NOW, THEREFORE, BE IT RESOLVED, the Zoning and Platting Commission urges the City Council to amend the Land Development Code to allow the chair of the land use commissions to use discretion, with the approval of the commission, to permit presentations of interested parties to alternate between those favoring and those opposing an application or proposal.

ADOPTED: September 20, 2016

ATTEST:


Thomas Weber
Chair, Zoning and Platting Commission