

CITY OF GIG HARBOR
DESIGN REVIEW BOARD
RULES OF PROCEDURES AND ORGANIZATION
OFFICIAL BYLAWS

ARTICLE I - ORGANIZATION NAME

Section 1. Name

The official name of the organization shall be the City of Gig Harbor Design Review Board, which is an ad-hoc Design Review Board appointed by the Mayor and City Council and which shall serve for a limited duration.

ARTICLE II - OFFICIAL SEAT

Section 2. Official Seat

The official seat of the Design Review Board shall be the City of Gig Harbor Civic Center, 3510 Grandview Street, Gig Harbor, Washington, and meetings shall be held at this location except on such occasions and at such times as the Design Review Board may by a majority vote of those present at any regular, recessed or special meeting otherwise direct.

ARTICLE III - OFFICERS

Section 3. Nomination and Election of Officers

Nomination of elective officers shall be made by the Design Review Board at its first regular meeting of August. A nominee receiving a majority vote of those present at the election shall be declared elected.

Section 4. Duties of Officers

A. Chairman

The chairman shall preside at all public meetings conducted by the Design Review Board and shall call special meetings when it is deemed necessary. The chairman shall sign all official transmittals involving the authority of the Design Review Board. The chairman shall have the privilege of discussing all matters of the Design Review Board and may vote on all matters. In a tie vote, the chair's vote shall carry the decision. The chairman shall have all of the duties normally conferred by parliamentary usage on such officers and shall perform such other duties as may be ordered by the Design Review Board except as otherwise noted in these rules or by City Ordinance.

B. Vice-Chairman

The vice-chairman shall assume the duties and powers of the chairman in the chairman's absence. If the chairman or vice-chairman are both absent, the Design Review Board may, by a majority vote, elect a temporary chairman, who shall assume the duties and powers of the chairman, as prescribed.

ARTICLE IV - MEETINGS

Section 1. Regular Meetings Schedule

Regular meetings of the Design Review Board shall be conducted on the 2nd and 4th Thursday of each month. When a regular meeting falls on a holiday, the meeting shall be held on the following Tuesday, PROVIDED, that the Chair of the Design Review Board may establish a specific date for the rescheduling of a public meeting at least one week prior to the meeting date, and with proper notification rendered to Design Review Board members and the local newspaper. Meetings will normally commence at 5:00pm and shall normally be adjourned no later than 7:30pm. Meeting times may be adjusted if a majority of members polled at least five days prior to the scheduled meeting concur with a revised meeting time.

Section 2. Recessed Meeting

Any regular meeting may be recessed to a definite time and place by a majority of the Design Review Board members present at the meeting.

Section 3. Special Meetings

Special meetings may be called by the chair, by a majority vote of the Design Review Board members present at a meeting, or by direction of a majority of the City Council.

Section 4. Notice of Meetings

Written notice of all regular and special meetings shall be given by the Planning Department to the members of the Design Review Board. The notice shall state the time and place of the meeting and shall be accompanied by an agenda of the matters to be considered by the Design Review Board at such a meeting.

No official action may be taken on any matter which is not included on the agenda for such meeting or which has been added to the agenda after it has been mailed to the Design Review Board members.

Section 5. Attendance at Meetings

Design Review Board members are expected to attend all regular meetings. A Design Review Board member who cannot attend a scheduled meeting shall notify the Planning Director (or designee) of the absence at least twenty-four (24) hours prior to the meeting time and date or as soon as practical. While Category 6 DRB members are not required to attend meetings where only project review under GHMC 17.98 is occurring, regular attendance of these members is appreciated.

Section 6. Quorum

- A. **Regular Membership.** The board is made up of seven regular members. Members are appointed by City Council to fill one of six (6) categories as outlined in GHMC Chapter 2.21 as follows:
1. Licensed architect or professional building designer
 2. City resident
 3. Planning Commissioner
 4. Professional with background in urban design
 5. Professional with knowledge of landscaping, horticulture, arboriculture, or forestry
 6. Individual with a background in identifying, evaluating and protecting historic resources
- B. No business shall be conducted without a quorum at the meeting.
- C. Project Review Meetings pursuant to Chapter 17.98 GHMC. A quorum shall exist when a meeting is attended by a majority of members appointed to categories 1 through 5 (e.g. a minimum of three members from categories 1 through 5). As the two Category 6 members may choose to participate in only historic preservation review, these officers shall neither count for nor against quorum at project review meetings.
- D. Historic Preservation Meetings pursuant to Chapter 17.97 GHMC. A quorum shall exist when a meeting is attended by a majority of all regular members of the board. In addition, all Category 6 members must be present at historic preservation meetings in order to meet quorum. (E.g. a minimum of two members from categories 1 through 5 and both members from category 6).
- E. If, for any reason, one of the historic preservation members is acting as chairperson on any matter that person shall count for the quorum.

Section 7. Motions and Voting

Motions shall be restated by the chairman before a vote is taken. The name of the members making and seconding a motion shall be recorded in the minutes of the meeting.

All actions of the design review board shall be represented by a vote of the membership. A simple majority of the members present at the meeting in which action is taken shall approve any action taken. The chairman may vote at the meetings.

Any action taken by a majority of those present, when those present constitute a quorum, at any regular, recessed or special meeting of the Design Review Board shall be deemed and taken as the action of the Design Review Board.

Action by the board concerning policy matters shall require the favorable vote of a majority of all board members participating in the decision, or the affirmative vote of at least three (3) participating members, whichever number is greater.

Abstentions will be deemed to be affirmative votes.

Section 8. Parliamentary Procedure

Parliamentary procedure in Design Review Board meetings shall be governed by Roberts Rules of Order, Revised, unless it is specifically provided otherwise in these Rules, in other Design Review Board resolutions or in City Ordinance. Attachment A to the bylaws details the procedures for formal project review. This includes an outline of meeting procedures and a chairman's script.

Section 9. Records Public

All regular, recessed and special meetings, records and accounts shall be open to the public.

Section 10. Record of the Meeting

The official record of each meeting shall be the audio recording or digital file of such meeting. The audio recording or digital file of each meeting shall be on file in the office of the City Clerk.

ARTICLE V - AMENDMENTS

Section 1. Amendments

These Rules may be amended at any regular meeting by the affirmative vote of a simple majority

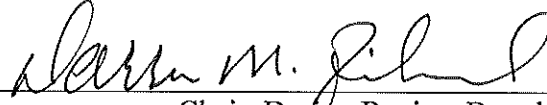
Adopted 1/28/16

Design Review Board Bylaws
Page 5

of the members of the Design Review Board; provided that the proposed amendments have been submitted in writing at a previous meeting and the amendments are allowed by the municipal code.

2-11-16

Date



Chair, Design Review Board

DRB Formal Review Procedures

Outline of Meeting Procedures for Formal Project Review

1. CALL TO ORDER
2. ROLL CALL
3. MINUTES
4. AGENDA ITEMS FOR FORMAL REVIEW
 - a. Announcement of Application
 - b. Open Public Meeting Announcement
 - c. Appearance of Fairness Issues
 - d. Staff Report
 - e. Questions for Staff
 - f. Applicant Introduction and Presentation
 - g. Questions for the Applicant
 - h. Public Comment
 - i. Discussion
 - j. Call for the Motion
 - k. Debate
 - l. Amendments
 - m. Call for the Question/voting
 - n. Announcement of Results
 - o. For multiple items of review, the procedures l-n are repeated for each item.
5. OTHER BUSINESS
6. ADJOURN

Chairman's Script for Formal Project Review

(The script is shown in italics, with sample text underlined)

1) CALL TO ORDER

i) This is the August 11th, 2015 meeting of the City of Gig Harbor Design Review Board.

2) ROLL

i) We will now take the role.

3) MINUTES

i) The minutes of the July 28th, 2015 meeting have been distributed. Are there any corrections?

ii) Hearing none, is there a motion to approve?

Or

Is there a motion to approve with corrections?

iii) After motion and second, call for the question and announce results.

4) AGENDA ITEMS FOR FORMAL REVIEW

a) ANNOUNCEMENT OF APPLICATION

i) Read the first item from the agenda.

b) OPEN PUBLIC MEETING ANNOUNCEMENT

i) This is an open public meeting. Public is allowed to attend and can comment on the items being reviewed during the comment period later in the meeting. Public that would like to comment should indicate such on the sign-up sheet.

c) APPEARANCE OF FAIRNESS ISSUES

i) Have any DRB members had any oral or written ex parte communications?

Any members who have had ex parte communications should disclose those communications at this time.

ii) Taking into consideration the Appearance of Fairness Doctrine, do any members of the DRB have reason to recuse themselves from discussion and voting on this application?

If a member indicates that they should be recused, the Chair will ask that member to leave the room.

iii) Do any of the members of the audience have any Appearance of Fairness concerns regarding any DRB member, any member of city, staff, or with any portion of this proceeding?

Any concerns brought up at this point are handled in the same manner as above.

iv) There being no outstanding Appearance of Fairness issues we will begin the review with the staff report.

d) STAFF REPORT

i) Turn over meeting to assigned staff to present report.

e) QUESTIONS FOR THE STAFF

i) Are there any questions for staff to clarify the information provided?

For one or two issues we should hold questions to the end of the report. If there are multiple and/or complicated issues, asking questions as they arise is probably best. Questions should be for clarification purposes; substantive discussion on the requests will occur after public comment.

f) APPLICANT INTRODUCTION AND PRESENTATION

i) Ask the presenter to introduce the applicant team and their role on the project.

ii) Allow the applicant the opportunity to elaborate on the proposed project and to reply to the staff report.

We should allow the applicant to finish their presentation prior to questions unless the issues are complex and necessitate clarification. Premature questions often sidetrack the presentation and the issues raised are usually covered later in the presentation anyway. This will allow the applicant to retain their chain of thought and present their argument in the manner in which they prepared.

g) QUESTIONS FOR THE APPLICANT

i) Do any members of the DRB have questions for the applicant?

This is the time to ask pertinent issues questions keeping in mind the specific issues, which we have been asked to review. Questions concerning other design/site plan issues of the project are appropriate but should not sidetrack the main issues. It is not the time to get into discussion on the merits of the project. Philosophical or personal comments regarding the project are not appropriate.

h) PUBLIC COMMENT

i) At this point in the meeting, any member of the public in the audience can provide comments on the items being reviewed by the DRB.

ii) I will call the names on the sign-up sheet first. Any member of the public that has not signed-up will still be allowed to make comments once we get through the list. By providing your name and address on the sign-up sheet, you will receive notice of future meetings and decisions on this topic.

iii) When commenting, please provide your name and limit your comments to 3 minutes. Comments should relate to the specific design elements being reviewed here tonight. If you have questions or comments on the project that are not

specific to the items being reviewed tonight, please contact staff at the end of the meeting or during work hours in the Planning Department.

i) DISCUSSION

i) We will now have informal discussion among the DRB members and staff. If the applicant wishes to elaborate on or clarify an issue we encourage them to ask to be recognized.

This is the main discussion of the pertinent issues. It is an informal discussion and does not need to have motion pending in order to take place. Again we should keep in mind the specific issues, which we have been asked to review. To a limited degree discussion of other design/site plan issues can take place but should not sidetrack the main issues. Any concern regarding administrative approval of other aspects of the project should be voiced. Questions to staff and applicant are appropriate. Findings to justify a decision should be discussed. Philosophical or personal comments regarding the project are not appropriate.

j) CALL FOR THE MOTION

i) I will now entertain a motion on the first item listed for our review.

Motions need to be made for each item listed in the staff report. Items should generally be reviewed in the order presented in the staff report unless there are simple items the board wishes to decide on prior to making more complicated decisions.

ii) Is there a second for the motion on the table?

SEE EXAMPLES OF MOTIONS AT END OF THIS DOCUMENT.

k) DEBATE

i) Is there any further discussion on the motion?

Issues will have most likely been resolved in the informal discussion. If not, discussion will continue.

l) AMENDMENTS

During the debate amendments may be made at any time to modify findings and/or recommendations. Amendments must be seconded. Debate will then cease on main motion and commence on amendment. A vote will be taken on the amendment. If it passes the modifications will be added to the main motion and debate will resume.

m) CALL FOR THE QUESTION/VOTING

IF DEBATE IS OVER:

i) There being no more debate on this motion we will vote on the question. All in favor say aye, all opposed say no.

OR

IF THE MOTION NEEDS TO BE RESTATED DUE TO EXTENDED DEBATE

ii) There being no more debate the question is on the motion to:

(Motion is restated by the chair or scribe)

All in favor say aye, all opposed say no.

IF DEBATE IS NOT OVER:

i) I move the previous question

To stop debate of an issue that is being talked to death any member can "call for question". A vote is taken on whether to stop debate. This requires a two-thirds vote to pass. If it passes, a vote is immediately taken on the motion. If "the call for the question" fails, debate on the main motion continues.

n) ANNOUNCEMENT OF RESULTS:

The motion passed/failed (by 5 to 1).

If there are multiple items for review the procedure is repeated for each item.

5) OTHER BUSINESS

6) ADJOURN

EXAMPLES OF MOTIONS

General Note: All DRB recommendations need to include findings that are responsive to the criteria for approval for the item being reviewed. The most common criteria reviewed by the DRB are from GHMC 17.98.055:

A. The board may recommend approval of alternative design solutions to specific requirements only if all of the following criteria are met:

1. The alternative design represents an equivalent or superior design solution to what would otherwise be achieved by rigidly applying specific requirements; and

2. The alternative design meets the intent of the general requirements of Chapter 17.99 GHMC, Design Manual.

The example motions below are tailored to these criteria for approval. Staff reports will include potential findings and recommendations if warranted by the stage of project review.

Occasionally the DRB reviews projects that fall under Exceptions (GHMC 17.98.060) or Historic Preservation (GHMC 17.97). Staff will alert you to these situations in the staff report and can help tailor motions appropriately.

A. TO APPROVE IN CONCURRENCE WITH STAFF:

In regards to Item A, I move to accept staff proposed findings and conditions found in the staff report and forward a recommendation of approval to the Planning Director.

Or

In regards to Item A, I move to accept staff findings and conditions found in the staff report and forward a recommendation of approval to the Planning Director with additional findings and/or conditions.

The proposed design represents a superior/equivalent (pick one) design solutions to the specific requirements and meets the intent of the general requirement for horizontal modulation because _____, provided the following conditions are met: _____.

B. TO APPROVE WITHOUT STAFF CONCURRENCE:

In regards to Item A, I move to approve the applicant's request and forward a recommendation of approval to the Planning Director based upon the following findings and/or subject to the following conditions.

The DRB finds that the proposed design represents a superior/equivalent (pick one) design solutions to the specific requirements and meets the intent of the general requirement for horizontal modulation because _____, provided the following conditions are met: _____.

It is very important to develop sound findings to support the board's recommendation; otherwise the recommendation could be overturned by the Planning Director.

C. TO DENY IN CONCURRENCE WITH STAFF:

In regards to Item A, I move to accept staff findings and recommendations contained in the staff report and forward a recommendation of denial to the Planning Director.

Or

In regards to Item A, I move to accept staff findings and recommendations contained in the staff report and forward a recommendation of denial to the Hearing Examiner with the following additional findings

The proposed design does not represent a superior or equivalent design solutions to the specific requirements and does not meet the intent of the general requirement for horizontal modulation because _____.

D. TO DENY WITHOUT STAFF CONCURRENCE:

In regards to Item A, I move to deny the applicant's request and forward a recommendation of denial to the Planning Director based upon the following findings:

The DRB finds that the proposed design does not represent a superior or equivalent design solutions to the specific requirements and does not meet the intent of the general requirement for horizontal modulation because

_____.

E. TO CONTINUE TO A LATER DATE

In regards to Item A, I move to continue the discussion to a subsequent meeting/the meeting of _____ and to direct staff and /applicant to provide the following information: