

**DESIGN REVIEW ADVISORY  
COMMITTEE**

**BYLAWS**

**August 20, 2020**

## DESIGN REVIEW ADVISORY COMMITTEE (“DRC”) BYLAWS

### 1. MEETINGS

#### A. REGULAR DRC MEETINGS

The DRC shall meet in regular session on the 3<sup>rd</sup> Thursday of each month; provided, however, that the Director of Community and Economic Development (“Director”) may cancel meetings or call special meetings, as necessary to accommodate the caseload. Meetings shall commence at 9:00A.M., unless otherwise determined by vote of the DRC. When a scheduled meeting falls on a holiday which is officially recognized by the City of Arvada as set forth in the Personnel Merit Rules of the City of Arvada, the regular meeting shall be held on the following Thursday at the same hour unless otherwise provided for by motion. The DRC may by motion dispense with or cancel any regular meeting. The place of meeting shall be within City Hall or at a suitable facility within Olde Town Arvada, unless otherwise designated by the Chairperson.

#### B. CONTINUED OR DELAYED MEETINGS

Any meeting of the DRC may be continued or delayed, upon a determination by vote of the DRC that the complexity of the subject matter of the meeting, or the need for additional information, reasonably requires such action, but no continuance or delay shall be for a period longer than forty-five (45) days.

#### C. QUORUM

A majority of the members of the DRC in office at the time shall constitute a quorum for the transaction of business at all DRC meetings. In the absence of a quorum, a lesser number may continue any meeting to a later time or date; and, in the absence of all members, the DRC staff person may continue any meeting for not longer than two weeks.

### 2. DRC OFFICERS

#### A. OFFICERS

The Chairperson, Vice-Chairperson, and Secretary shall constitute the officers of the DRC, with the Chairperson being the presiding officer thereof. In the absence of the Chairperson, or any time at the Chairperson's option, the Vice-Chairperson shall be the presiding officer of the DRC. In the absence of both the Chairperson and Vice-Chairperson, the Secretary shall be the presiding officer of the DRC. The Secretary shall also approve the minutes of all meetings, and attest to the signature of the Chairperson on all documents where necessary. In the absence of the Secretary, any other member of the DRC may sign any documents required to be signed by the Secretary. Officers shall perform such other duties as may be required or assigned by City Ordinance or Resolution or these Bylaws.

#### B. ELECTION OF OFFICERS

The Chairperson, Vice-Chairperson, and Secretary of the DRC shall be elected at the first regular meeting in June of each year or at the next regular meeting following the permanent vacation of any officer's seat on the DRC. This shall be the first order of business at that meeting and the DRC staff person shall preside until the election of the Chairperson. Any member may nominate any member, including themselves, and no

second shall be required. Any nominee may decline the nomination. After nominations, each officer shall be elected by a majority vote of the DRC in the following order: Chairperson, Vice-Chairperson, and Secretary. Until one person has received the vote of a majority of all members of the DRC, successive votes will be taken. Once the officers are elected, they will preside at the next regular scheduled meeting.

### **3. OTHER CITY PERSONNEL**

#### **A. DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT**

The Director shall appoint a planner from within the Planning Division to serve as DRC staff member and a staff administrative assistant to serve as Recording Secretary and, either directly or through such DRC staff, shall keep the DRC fully advised as to all matters related to the DRC's responsibilities and functions.

#### **B. DRC STAFF MEMBER**

The DRC staff member shall prepare reports as directed by the Director, and shall attend all meetings of the DRC unless excused by the Chairperson or the Director. The DRC staff member may make recommendations to the DRC and may take part in discussions on all matters coming before the DRC but shall have no vote in the meetings thereof.

#### **C. RECORDING SECRETARY**

The staff administrative assistant shall serve as Recording Secretary of the DRC and shall keep minutes of the meetings and perform such other and further duties in the meeting as may be requested by the Chairperson or Director. The Recording Secretary shall prepare summary minutes of each meeting. The Chairperson shall sign the summary minutes after their approval and correction, and the Secretary shall attest to the Chairperson's signature. The Recording Secretary shall furnish each member of the DRC and the Director with a copy of the summary minutes of all DRC meetings.

The Recording Secretary shall be responsible for the posting at City Hall of all official notices of DRC meetings.

### **4. DRC MEMBERS - DUTIES AND PRIVILEGES**

#### **A. OATH**

At the first regular or special meeting of the DRC after the appointment of any member, said member shall take the oath of office.

#### **B. RULES, PROCEDURES AND ORDER**

The DRC is an informal, advisory and consultative body and its functions non-quasi-judicial. As such, it is intended to function with a minimum of the more formal rules and procedures associated with quasi-judicial bodies. Notwithstanding the foregoing, the Chairperson, in consultation with other DRC members, may establish reasonable practices to ensure decorum and efficiency, and the Chairperson shall decide all questions of order.

#### **C. MAKING MOTIONS**

No motion presented by any DRC member will require a second and the Chairperson shall have the same rights and privileges of making motions as any other member.

D. DISQUALIFICATION OF MEMBER FROM PARTICIPATION

No member of the DRC may participate in, or vote upon, any matter pending before the DRC concerning which that member has a direct financial interest or other conflict of interest, or on any question concerning that member's own conduct.

E. VOTING; PASSAGE AND FAILURE OF MOTIONS

A vote of "Yes" and "No," by show of hands or other non-secretive means, shall be taken upon all motions and entered upon the minutes of the DRC meeting. Any member may explain his or her vote after the motion is made or after the vote is taken. A motion shall pass if it receives the affirmative votes of a majority of DRC members present and voting. Any motion recommending the granting of a Certificate of Compliance with Design Guidelines ("CCDG"), or Waiver therefrom, which fails to receive a majority vote shall result in a recommendation of denial, unless a subsequent motion recommending other than denial is approved. In order that the Director may more effectively consider the recommendations of the DRC, any recommendation of denial shall be accompanied by an explanation of the basis for such recommendation.

F. RECONSIDERATION OF VOTE

Any member on the prevailing side of a vote on a question may move for reconsideration of the question. Such motion for reconsideration will be in order only at the same meeting at which the original vote was taken. If the motion for reconsideration passes, the DRC will then proceed to reconsider. The Chairperson may permit additional presentation prior to a vote on the issue at the discretion of the Chairperson or at the request of a majority of the members of the DRC in attendance. If the DRC reconsiders an issue, it may do so by voting on the original motion or by voting on a new motion made in the course of reconsideration. The reconsidered decision shall replace the initial decision as the recommendation of the DRC. After a motion for reconsideration has once been acted on, no other motion for reconsideration thereof shall be made.

G. ATTENDANCE REQUIRED

A written report signed by the DRC Chairperson and Secretary shall be sent to the City Council concerning any member of the DRC who has three unexcused absences from DRC meetings, for Council determination as to whether this should be cause for removal of that member from the DRC. Such report shall be sent to the Council within three days following such member's third unexcused absence.

H. EXCUSED FROM ATTENDANCE

No member shall be excused from attendance at a Commission meeting except upon roll call and then only by a vote of the majority of the members present. If the majority of members present do not vote to excuse the member from attendance, it shall be considered an unexcused absence.

1. Members shall notify the Chair or City staff at least 48 hours before a meeting for an absence to be considered as an excused absence.

2. In the event of an emergency, members shall notify the Chair or City staff as soon as possible; absences due to an emergency will be considered for excusal without the 48 hour notice requirement. If the emergency prevented the member from contacting anyone prior to the meeting, the Commission may revisit an unexcused absence and vote to determine if the absence should have been excused at the next scheduled business meeting.

## 5. DRC MEETING PROCEDURE

### A. DELIVERY OF AGENDAS, STAFF REPORT AND RELATED MATERIALS

Prior to any regular DRC meeting, the Director shall have delivered to each DRC member an agenda showing the order of business, copies of communications, such staff reports as may have been prepared, with supporting documents, and other items relating to the business to be conducted at the meeting.

### B. ORDER OF BUSINESS

The business of all regular meetings of the DRC shall be transacted in the following order unless the DRC by a vote of a majority of the members present shall suspend the rules and change the order. Within each numerical heading, the DRC's agenda shall be arranged by the DRC staff member in a manner that he or she judges to be most appropriate for the agenda items to be heard.

1. Call to order
2. Roll call of members
3. Approval of summary of minutes of preceding meeting(s)
4. Applications (action on individual applications, including applicant's presentation, if any; comments of others, if any; review of materials; recommendation)
5. Other Items (staff updates, etc.)
6. Adjournment

### C. CALL TO ORDER

The Chairperson shall take the chair at the hour appointed for the DRC to meet and shall immediately call the members to order.

### D. CONDUCT OF DRC MEETINGS

1. No Oath. No oath shall be required of an applicant or other persons wishing to comment before the DRC, given the informal, advisory and consultative nature of the DRC and the purpose of its meetings.
2. Presentation. An applicant may appear before the DRC and make a presentation, not to exceed 20 minutes, but neither an appearance nor a presentation is required. Other persons may also comment before the DRC on applications on the agenda. The presiding officer may limit the time any individual may speak if necessary to give all persons who have requested to speak an equal opportunity to do so. In the absence of presentation or comment at the meeting, the DRC members may consider the application, staff report, accompanying materials, their knowledge of the particular property involved, or relevant personal or professional background or experience in advising the Director concerning the application's compliance with the Design Guidelines.

3. DRC Consideration. During consideration by the DRC, any member may address questions to any individual. The question should directly relate to the proposed land-use activity's compliance with the Design Guidelines for Olde Town Arvada, and the response should be limited to an answer to the question as stated.

E. PRECEDENCE OF MOTIONS

When a question is before the DRC, no motion shall be entertained except: (a) to fix the hour of adjournment, (b) to adjourn, (c) to lay on the table, (d) for the previous question, (e) to postpone to a certain day, (f) to refer, (g) to amend, and (h) to postpone indefinitely. These motions shall have precedence in the order indicated. Any such motion, except a motion to amend or a motion to postpone indefinitely, shall be put to vote without debate.

F. MOTIONS TO BE STATED BY CHAIRPERSON

When a motion is made, it shall be stated by the Chairperson before debate. A motion may be withdrawn by the movant without the approval of the DRC at any time prior to a call for a vote on the motion.

G. MOTION TO ADJOURN; WHEN NOT IN ORDER; NOT DEBATABLE

A motion to adjourn shall be in order at any time except as follows: (a) when repeated without intervening business or discussion; (b) when made as an interruption of a member while speaking; (c) when the previous question has been ordered; and (d) while a vote is being taken. A motion to adjourn is debatable only as to the time at which the meeting is adjourned.

H. MOTION TO LAY ON TABLE

A motion to lay on the table shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the consideration of the subject may be resumed only upon motion of a member and with the consent of a majority present.

I. THE PREVIOUS QUESTION

The previous question is the motion used to bring the DRC to an immediate vote on the issue at hand. When the previous question is moved and seconded by one other member, it shall be put as follows: "Shall the main question now be put to a vote?" There shall then be no further amendment or debate, but pending amendments shall be put in their order before the main questions. If the cited question is decided in the negative, the main question remains before the DRC, and debate shall continue.

J. DIVISION OF QUESTION

If the question contains two or more divisible propositions, the Chairperson may, and upon request from a member shall, divide the same.

K. AMEND - TO STRIKE OUT, ETC.

On an amendment to "strike out and insert," the paragraph to be amended shall first be read as it stands, then the words proposed to be stricken out and those to be inserted shall be read, and finally the paragraph as it would stand if so amended shall be read.

L. AMENDMENT OF AN AMENDMENT

A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be introduced. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order.

M. MOTION TO CONTINUE

All motions to continue shall be to a date certain.

N. PROCEDURE IN ABSENCE OF RULE

In the absence of a rule to govern a point of procedure, the Chairperson shall determine the procedure to be followed, based upon a consideration of fairness and efficiency.

6. **MISCELLANEOUS**

A. SUSPENSION OF BYLAWS

Any provision of these Bylaws not governed by the Charter, City Code, LDC, or other ordinance or resolution of the City may be temporarily suspended at any meeting of the DRC by a majority vote of the members present. Any rule may be suspended by general consent if presented by the Chairperson and if there are no objections from any member.

B. AMENDMENT OF BYLAWS

These Bylaws may be amended or new Bylaws adopted by a vote of at least 5 members of the DRC. Any such alterations or amendments shall be submitted in writing at the regular meeting preceding their adoption, and they shall be placed on the agenda under the order of "Other Items." This requirement shall be waived only by unanimous consent with a recorded vote of all members.

*Debbie Pearson*

---

Debbie Pearson, Chair

*Scott Spears*

---

Scott Spears, Secretary