

**IN THE MATTER OF ADOPTING A SET OF BYLAWS AND OPERATING
PROCEDURES
FOR THE CLACKAMAS COUNTY DESIGN REVIEW COMMITTEE**

The Clackamas County Design Review Committee hereby adopts the following Bylaws and Operating Procedures for the purposes of transacting business and guiding the Design Review Committee in its operation.

**CLACKAMAS COUNTY DESIGN REVIEW COMMITTEE
BYLAWS AND OPERATING PROCEDURES**

ARTICLE I

GENERAL

Section 1. EXPLANATION

- A. A seven-member Design Review Committee (DRC) has been established by Clackamas County pursuant to the Clackamas County Zoning and Development Ordinance (ZDO). DRC members serve four-year terms, except as provided by the ZDO for the filling of partial terms.
- B. The adoption of these Bylaws and Operating Procedures replaces and repeals the Bylaws and Operating Procedures adopted by the Design Review Committee on November 3, 2015.

ARTICLE II

RESPONSIBILITIES OF THE DRC

Section 1. RESPONSIBILITIES

- A. The DRC shall act as an advisory body on matters pertaining to the design review process established by the ZDO.
- B. The DRC shall hold public meetings and take action, as prescribed by state and county laws, on matters that are within the DRC's purview. The matters within the DRC's purview are set forth in Sections 1102 and 1307 of the ZDO.

- C. The DRC shall adopt and periodically review and amend Bylaws and Operating Procedures for the operation of the DRC's business.

ARTICLE III

OFFICERS

Section 1. OFFICERS

The officers of the DRC shall be a Chair and Vice Chair.

Section 2. ELECTION

- A. The Chair and Vice Chair shall be elected at the first meeting in May for a term of one calendar year and shall serve until their successors are elected.
- B. Nominations shall be by oral motion. At the close of nominations, the DRC shall vote upon the names nominated for the office. If requested by any member, written ballots shall be used for voting purposes.
- C. Election of officers shall be by majority vote of the quorum.
- D. If the office of Chair becomes vacant, the Vice Chair shall serve as Chair for the remainder of the unexpired term. If the office of Vice Chair becomes vacant, the DRC shall elect a successor from its membership to serve the remainder of the unexpired term.
- E. Members of the DRC holding office at the time of adoption of these Bylaws and Operating Procedures shall continue to hold office for the term for which they were elected and until their successors are elected.
- F. The member holding the position of Chair or Vice Chair may be removed from office by majority vote of the whole DRC.

Section 3. CHAIR

- A. The Chair shall have the duty and power to:
 - 1. Preside over all deliberations and meetings of the DRC;

2. Preserve order and decorum at DRC meetings and decide questions of order, subject to action by a majority vote of the quorum;

Section 4. VICE CHAIR

In the absence of the Chair, the Vice Chair shall act as Chair. In the absence of the Chair and the Vice Chair, a temporary Chair shall be elected.

ARTICLE IV

RESPONSIBILITIES OF THE PLANNING DIRECTOR

Section 1. RESPONSIBILITIES

- A. The Planning Director shall:
 1. Prepare the agenda for all DRC meetings;
 2. Give all notices required by law;
 3. Inform the DRC of correspondence relating to the DRC business and conduct all correspondence of the DRC;
 4. Attend all meetings of the DRC;
 5. On all land use applications to be reviewed by the DRC, present a staff report that includes background material and recommended action;
 6. Compile and maintain all required records.

Section 2 ALTERNATE DESIGNEES

The Planning Director may designate other county staff to fulfill those responsibilities of the Planning Director established by these Bylaws and Operating Procedures.

ARTICLE V

MEETINGS

Section 1. REGULAR MEETINGS

Regular meetings of the DRC shall be held on Tuesdays as needed, beginning at 8:00 a.m., or such other time as may be designated by the Planning Director in order to accommodate public meeting items. Any meeting may be cancelled by the Chair or Planning Director. Notice of cancellations shall be given in person or by telephone, email or mail to all members of the DRC and the Planning Director not less than 48 hours in advance thereof. In case of an emergency, a meeting may be cancelled upon such notice as is appropriate in the circumstances; provided, however, that reasonable effort is made to notify all members of the DRC.

Section 2. SPECIAL MEETINGS

Special meetings may be called by the Chair or Planning Director. Notice of all special meetings shall be given in person or by telephone, email or mail to all members of the DRC and the Planning Director not less than 48 hours in advance thereof. In case of an emergency, a special meeting may be held upon such notice as is appropriate in the circumstances; provided, however, that reasonable effort is made to notify all members of the DRC.

Section 3. OPEN MEETINGS

All DRC meetings shall be publicized in advance of the meeting date and are subject to the Oregon Public Meetings Law, Oregon Revised Statutes 192.610 et seq.

Section 4. AGENDA: ORDER OF BUSINESS

- A. The order of business at all meetings shall be determined by the agenda, which shall generally include the following items:
 - 1. Call to order;
 - 2. Review of land use application(s);
 - 3. Other business;
 - 4. Planning Director communications;
 - 5. Adjournment.
- B. Any item may be taken out of order by direction of the Chair.

- C. The DRC may take a short recess at the end of an item on the agenda, or at other times at the discretion of the Chair.
- D. Actions of the DRC are not limited to the prepared agenda.

Section 5. PUBLIC MEETING PROCEDURE

- A. Public meetings for the consideration of a land use application shall be conducted in the following manner, as closely as possible:
 - 1. The meeting is opened;
 - 2. The Chair makes an introductory presentation regarding the nature of the proposal and the process for conducting the meeting;
 - 3. The Planning Director makes a presentation, including background and recommendation;
 - 4. Correspondence turned in at the meeting and concerning the public meeting item may be read into the record by the Planning Director, if requested by the Chair, and shall be made part of the written record by the Planning Director;
 - 5. As a supplement to the Planning Director's presentation, technical information may be provided by other government officials;
 - 6. The applicant, or representative, may present the application;
 - 7. A discussion about the application may occur between HRB members, the applicant (or representative) and the Planning Director, wherein questions may be asked, suggestions made and opinions offered regarding the merits of the application and its compliance with relevant county approval criteria;
 - 8. The DRC takes the item up for discussion and action. The Planning Director may continue to respond to questions from the DRC and participate in the discussion.

Section 6. ATTENDANCE

If a member of the DRC is unable to attend a meeting, he or she is expected to notify the Chair or Planning Director. Continuity is necessary for effective operation of the DRC. Therefore, if—without reasonable cause—any member is absent from six meetings within one calendar year or three consecutive meetings, then upon majority vote of the whole DRC, that position shall be declared vacant. The DRC shall forward their action to the Board of County Commissioners, who shall fill the vacant position.

Section 7. QUORUM

For any item requiring a DRC vote, attendance of a majority of the DRC members shall be necessary for a quorum. Attendance may be in person or by teleconference. No action shall be taken in the absence of a quorum except to adjourn the meeting and to continue the meeting to a time and place certain. Work sessions may be held in the absence of a quorum.

Section 8. VOTING

- A. The Chair may entertain but shall not make or second motions.
- B. Except as provided by state or county law or these Bylaws and Operating Procedures, each member of the DRC is entitled to vote on all matters, at all meetings of the DRC.
- C. Unless otherwise specified herein, a majority of the quorum is necessary to determine any question before the DRC.
- D. When a matter is called for a vote, the Chair shall, before a vote is taken, restate the motion or ask another member or the Planning Director to restate the motion. The Chair shall announce the decision of the DRC after such a vote.
- E. Voting shall be by voice vote, or by show of hands or roll call vote at the request of any member.
- F. Voting “in absentia” or by proxy is not permitted. However, if a member attends by teleconference, voting may occur through this medium.

- G. A motion to reconsider can be made only at the same meeting the vote to be reconsidered was taken. Further, a motion to reconsider may only be made by a member who voted on the prevailing side of the issue.
- H. For land use applications where the DRC makes a recommendation to the Planning Director, the DRC may recommend approval, approval with conditions or denial of the application.

Section 9. RULES OF PROCEDURE

All rules of order not herein provided for shall be determined in accordance with the latest edition of "Robert's Rules of Order Newly Revised."

Section 10. RECORDINGS

- A. The Planning Director shall provide for the sound, video or digital recording of the proceedings of all DRC public meetings.

ARTICLE VI

PUBLICATION AND AMENDMENT OF BYLAWS AND OPERATING PROCEDURES

Section 1. PUBLICATION AND DISTRIBUTION

A copy of these approved Bylaws and Operating Procedures shall be:

- A. Placed on record with the Planning Director;
- B. Available at each DRC meeting;
- C. Distributed to each member of the DRC at the beginning of their term; and
- D. Available to the public upon request.

Section 2. AMENDMENT AND SUSPENSION

- A. These approved Bylaws and Operating Procedures may be amended by majority vote of the quorum .

- B. Any rule of procedure not required by law may be suspended temporarily at any meeting by majority vote of the quorum.

ARTICLE VII

EFFECTIVE DATE

These Bylaws and Operating Procedures shall take effect on June 1, 2016.

Adopted by majority vote of the quorum of the DRC of Clackamas County, Oregon at its meeting of April 19, 2016, and signed by the members in authentication of its adoption this _____ day of _____, 2016.

CLACKAMAS COUNTY DESIGN REVIEW COMMITTEE

Rita Baker, Chair

Dave Humber, Vice Chair

Todd Iselin

Cedomir Jesic

Dwight Mason

Darrel Mulch

Elizabeth Thorstenson