

BYLAWS OF THE GARDEN CITY DESIGN REVIEW COMMITTEE

ARTICLE I

APPOINTMENT, MEMBERSHIP AND QUALIFICATIONS: The Design Review Committee shall consist of at least four (4) members who shall be appointed by the Mayor and confirmed by a majority vote of the City Council. Garden City Development Service Director or his or her designee shall constitute one (1) member. At least three (3) of the appointed members must be residents of the City, a property owner who as owned property in the City for at least two years, or may be operated representative of a business that has been in the City for at least two years. At least two (2) members shall be a licensed architect, landscape architect, urban designer, or other similar profession.

Members shall be selected without respect to political affiliations and shall serve without compensation.

TERM OF OFFICE, VACANCIED AND REMOVALS: The term of office for appointed members shall be three (3) years. No appointed members shall serve more than two (2) full consecutive terms, unless approved by a 2/3 majority vote by City Council. Said terms shall be staggered in such a manner that not more than two members shall expire in any one year. Board members shall serve until such a time as their replacement is appointed. The initial terms shall officially commence on October 1, 2008 for two appointed members and October 1, 2009 for the other two appointed members. All vacancies shall be filled in the same manner as original appointments. Persons appointed to fill a vacancy shall serve the remainder of the existing term. Committee members may be removed for cause by a majority vote of the Garden City Council.

DUTIES: It shall be the duty of the Design Review Committee to:

- A. Provide a causal collaborative working atmosphere to advise and guide applicants in developing an application that will meet the provisions of Title 8 Chapter 4 of the Garden City Code and vision of Garden City prior to formal application;
- B. Hear and decide on design review applications as specified in the official schedule of district regulations and under the conditions as specified with such additional safeguards as will uphold the intent of the Garden City Code;
- C. Initiate proposed amendments to this title and conduct an annual review of Title 8 Chapter 4 of the Garden City Code;
- D. Hear and decide on design of subdivisions as specified in 8-5A-4 and 8-5A-5 and under the conditions as specified with such additional safeguards as will uphold the intent of the Garden City Code; and

- E. Hear and decide on where it is alleged there is an error in any order, requirement, decision, interpretation or determination of Title 8 Chapter 4 of the Garden City Code made by the administrator.

EMPLOYEE AND EXPENDITURES: Any expenditures of the Design Review Committee shall be within the amounts appropriated and set aside by the City Council for the Design Review Committee. All expenditures must be approved by the City Council.

ARTICLE II

ADMINISTRATION:

Section 1: The Garden City Development Service Staff shall preside at the meetings. They shall not vote unless a tie breaking vote is necessary.

Section 2: The Garden City Development Service staff shall serve as the secretary of the Design Review Committee.

Section 3: As per Garden City Code it is the responsibility of the City Clerk to be custodian of all public records, ordinances, resolutions and such other papers and documents as may be delivered into his/her custody. All records shall be open to the public, except as noted in Idaho Code Section 9-340.

Section 4: The Garden City Development Service staff shall give notice of all meetings and public hearings. It shall also be the duty of the Garden City Development Service staff to provide the Design Review Committee with all essential documentation regarding items under their review.

ARTICLE III

MEETINGS:

Section 1: The Garden City Design Review Committee shall hold its regular meetings on the first and third Mondays of each month at 3:00 p.m. If there are no applications by 12:00 pm the Wednesday prior to the regularly scheduled meeting the Design Review Committee may cancel the meeting. All meetings shall be open to the public.

Section 2: Special meetings may be called at any time by the Development Service Director or by the request of three (3) or more members of the Design Review Committee. A written notice stating the time, place and purpose of such meeting shall be posted pursuant to Idaho State law. No business shall be transacted except that mentioned in the notice of the special

meeting, unless moved and passed by a majority vote of the attending Design Review Committee.

Section 3: Three or more voting members of the Garden City Design Review Committee shall constitute a quorum.

Section 4: A quorum shall not be necessary for meetings that are not hearings.

ARTICLE IV

Section 1: The Design Review Committee with the consent of the City Council, may establish at any time, standing and/or special committees as are deemed necessary to carry on the work of the Design Review Committee.

ARTICLE V

PARLIAMENTARY AUTHORITY: DURING HEARINGS, the rule contained in the current edition of ROBERT'S RULES OF ORDER NEWLY REVISED shall govern the Design Review Committee in all cases to which they are applicable and in which they are not inconsistent with these bylaws, any special rules of order the Design Review Committee may adopt, or any federal, state, county, or city statutes applicable to the Design Review Committee.

During meetings that do not require a public hearing ROBERT'S RULES OF ORDER NEWLY REVISED should not govern the meeting. The atmosphere of non hearing meetings is intended to casual in nature allowing for collaboration between the applicant and Committee to ensure that the requirements of Title 8 Chapter 4 of the Garden City Code and vision of Garden City are achieved.

DESIGN REVIEW COMMITTEE TESTIMONY GUIDELINES:

It is this Design Review Committee's intent to allow all applicants, and those individuals signed up to testify either in support of or in opposition to a particular request, the opportunity to testify within reason. Due to the number of applications this can only be accomplished by setting standards in terms of time limitation both for the applicant and others wishing to testify.

Therefore, with the understanding that the Design Review Committee may make exception for unique and unusual circumstances and complex issues, the following time limitations shall apply:

Development Service staff– fifteen (15) minutes

Applicant (or his her representative) – fifteen (15) minutes

Other technical representatives testifying on behalf of the City – five (5) minutes

Homeowner's Association or Neighborhood Group representative – fifteen (15) minutes

Individuals testifying – three (3) minutes of non-repetitive testimony

When all public testimony has been taken the applicant (or his/her representative) will then be allowed five (5) minutes for rebuttal and Development Service staff will be allowed five (5) minutes for comment.

ARTICLE VI

AMENDMENT OF BYLAWS: These bylaws can be amended at any regular meeting of the Design Review Committee by a two-thirds (2/3) vote, provided that the amendment has been submitted in writing at the previous regular meeting, or included in the agenda of the next regular meeting.