

**BYLAWS OF THE DESIGN REVIEW BOARD
OF
THE CITY OF MILL CREEK**

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ARTICLE I

DUTIES AND RESPONSIBILITIES

The City of Mill Creek **Design Review Board** reviews and makes urban design decisions that will promote visual quality throughout the City of Mill Creek by reviewing and acting on the following matters:

1. All building elevations and landscape plans for attached single-family residential, multifamily residential, industrial, and commercial developments.
2. All streetscape landscaping and monument signs for detached and attached single-family residential, multifamily residential, industrial, and commercial developments.
3. All design of landscaping for city rights-of-way, medians, entrances, and other public facilities and city-owned properties.
4. Any other elements of site design if required as a condition of development approval by the hearing examiner or director.

The Design Review Board shall be authorized to develop expanded and/or additional review criteria and forward its recommendation for adoption by the City Council (Mill Creek Municipal Code 4.18.010-4.18.020).

The Design Review Board abides by the terms set forth in the [Mill Creek Municipal Code Chapter 4.02 and 4.18 \(Design Review Board\)](#).

ARTICLE II

ORGANIZATION OF THE BOARD

1. The numbers of members and qualifications for appointment to the Design Review board by the City Council are set forth in Mill Creek Municipal Code (MCMC), Chapter 4.18.030.
2. The members of the Design Review Board shall be urban design professionals experienced in the disciplines of architecture, landscape architecture, urban design, graphic design or similar disciplines and need not be residents of the City of Mill Creek.

3. The powers and duties of the Design Review Board are set forth in MCMC 4.18.020.
4. Board members shall exercise their duties and responsibilities with integrity, collegiality and care. Members should come prepared to contribute to the discussion of issues and business to be addressed. Members should respect the opinions of other members of the Board and be receptive to diverse viewpoints in Board discussions. Members should represent the Board and the City in a positive and supportive manner through appearance, conduct, and attitude.
5. A Chair and Vice-Chair shall be elected by the Board members at a regular meeting each year, or as soon thereafter as feasible. Elected officers shall serve for a term of one year, or until a successor is elected.
6. In the absence, disability, or disqualification of the Chair, the Vice Chair shall exercise all the duties and be subject to all the responsibilities of the Chair.
7. In the event of the resignation of the Chair or Vice-Chair, the Board shall expeditiously elect a new officer to fill the vacancy.
8. The Chair shall preside at all Board meetings and have the powers generally assigned to such office in conducting the meetings. It shall be the Chair's duty to see that the transaction of Board business is in accord with law and with these Bylaws.
9. The Chair may appoint standing committees or special committees and assign one or more members to such committees.
10. The Chair shall:
 - a. Preside at all meetings of the Design Review Board;
 - b. Call meetings of the Design Review Board;
 - c. Sign documents on behalf of the Design Review Board after Board approval;
 - d. Act as a liaison between the Design Review Board and other City entities;
 - e. If requested by the City Council, appoint Design Review Board members to serve on other City committees, advisory groups, and task forces;
 - f. May meet quarterly (or as needed) with the Mayor and Mayor Pro Tem;
 - g. May provide the Council with quarterly updates of the Board to be added to agenda packets via routing to the Board's Council liaison and City Clerk;
 - h. Engage other community stakeholders to encourage participation on the work of the Board;
 - i. Make every effort to facilitate the orderly discussion of the Design Review Board, encourage and facilitate public participation, and guide the Board in providing direction to staff and making recommendations to the City Council.
11. The Vice Chair shall exercise all the duties and be subject to all of the responsibilities of the Chair during the absence, disability, or disqualification of the

Chair, or upon the request of the Chair. The Vice Chair shall also maintain any other responsibilities that are assigned to them by the Chair.

12. The Community Development and Planning Department provides administrative support to the Design Review Board. The Community Development and Planning Director, or a designee, serves as the lead staff liaison to the Board. The staff liaison shall act as Clerk for the Board and shall provide guidance in developing the Board's extended agendas, coordinate with the Chair on individual meeting agenda items, provide information and respond to questions on agenda items during meetings.
13. Toward this purpose, the following protocol should be observed by the staff liaison:
 - a. Ensuring compliance with applicable laws, such as the Open Public Meetings Act (OPMA) and the Public Records Act (PRA) including legal noticing requirements;
 - b. Maintaining a current roster of all members;
 - c. Providing professional guidance, issue analysis and recommendations; and
 - d. Assisting with research, report preparations, and correspondence.

In addition, in their role as the Board Clerk, the staff liaison shall:

- a. Maintain an accurate and permanent record of all proceedings conducted before the Board;
 - b. Prepare the agenda and minutes and video recordings for all Board meetings;
 - c. Give all notices as required by law;
 - d. Inform the Board of correspondence relating to Board business and conduct all correspondence of the Board;
 - e. Be responsible for meeting logistics; and
 - f. Perform such other duties of the Board as are customary in that role to support the duties of the Board.
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14. Pursuant to the City of Mill Creek Governance manual, the City Council shall appoint a Council liaison to the Design Review Board. A liaison is responsible for ensuring there is communication, collaboration, and coordination with the Board, and for regular reporting and accountability to the Council. The Council liaison is not a member of the Design Review Board. Limitations on the conduct of Council liaison before the Board should be voluntarily undertaken in order to assure public confidence in the decision-making process and avoid the appearance of bias, prejudice, or improper influence. Toward this purpose, the following protocol should be observed:

The Council liaison responsibilities include (but are not limited to):

- a. Attend Board meetings
- b. Confer with Board members
- c. Keep Council informed of the Board's work
- d. Encourage Board reports to Council
- e. Report any inappropriate conduct by Board members to Council leadership and City Manager
- f. Refrain from actively participating in the Board meetings or deliberations
- g. Refrain from directing the work of the Board
- h. Refrain from directing the work of the City staff
- i. Refrain from stating or implying that their position or opinion is that of the City Council

ARTICLE III

MEETINGS

1. Regular meetings shall be held on the first Thursday of each month. Meetings shall be held in the City Council Chambers, located at 15728 Main Street, Mill Creek, WA, and shall begin at 5:15 PM unless otherwise noticed as a special meeting. Meetings are currently hybrid with a Zoom option for those who wish to attend virtually. Board members are predominantly in-person for ease-of-communication and maximum collaboration.
 - a. To continue past the time of adjournment stated in the agenda, a majority of the Board members present must concur.
 - b. When a regularly scheduled meeting falls on a holiday, the meeting shall be held on the next business day as a regular meeting (per RCW 42.30) or may be canceled with the appropriate notice to all parties and the public and informing the City Clerk's Office.
 - c. At regular meetings, the Board may consider all matters that may be properly brought before the Board without prior notice being given to the members. However, action on matters, not having prior notice given to the members, may be taken only with a unanimous vote of those Board members present.

2. Special meetings of the Board may be called by the Chair or a quorum of the Design Review Board members together with the support of the staff liaison to prepare logistically. Written notice of such a meeting and its purpose shall be delivered personally or via email to all members not less than twenty-four hours in advance thereof. The same notice shall be posted in City Hall by the City Clerk's Office and posted on the City website and social media accounts by the City's Communications and Marketing team. The notice shall specify the time and place of the meeting and the business to be transacted. All meetings shall be held in accordance with applicable state laws and City ordinances, and in particular, the state's Open Public Meetings Act, RCW Chapter 42.30.
3. Any regular meeting may be recessed to a definite time and place by a majority vote of the Design Review Board members present at the meeting.
4. A quorum shall consist of a majority of the members of the Board appointed and confirmed pursuant to MCMC 4.02.060, and no action can be taken in the absence of a quorum. In the case where the appointed and confirmed membership is an even number, half of the appointed and confirmed membership plus one member shall constitute a quorum.
5. To provide a fair and efficient forum for the conducting of business at Design Review Board meetings, meetings will be conducted in accordance with Robert's Rules of Order Newly Revised 12th edition, and shall include the following rules:
 - a. No person shall address the Board without first obtaining recognition from the Chair.
 - b. The order of business shall be prescribed on the agenda; changes to the agenda order shall be approved by general consensus of the Board members.
 - c. In instances where a written staff report has been prepared, the staff representative, upon recognition by the Chair, shall present the report for the record.
 - d. Following the presentation of the staff report, the Board shall be afforded the opportunity to question the staff regarding the material in the report.
 - e. After questioning of the staff is completed, the Chair may recognize the applicant or proponent of that item of business to speak. Following the proponent's remarks, any other person wishing to speak on the matter may be recognized by the Chair.
 - f. Once any person has spoken in regard to a specific matter before the Board, he/she shall not be recognized to speak again until all persons wishing to speak have been given the first opportunity to do so.

- g. Following the presentation by each speaker, the Design Review Board shall be afforded the opportunity to question the speaker regarding the information presented by the speaker.

ARTICLE IV

VOTING AND ACTIONS OF BOARD

1. At all meetings of the Design Review Board, each member shall have one vote on each motion. The Chair shall have one vote and shall enjoy the same opportunity to vote as afforded to all other Board members. The affirmative vote of at least a majority of the members present shall be necessary for the adoption of any motion or other voting matter, unless otherwise specified in these Bylaws. There shall be no voting by proxy. No matter shall be voted on unless:
 - a. The matter has been discussed at a previous meeting of the Board, or
 - b. The matter has been placed on the agenda prior to the meeting by any member of the Board or Community Development and Planning Director, or
 - c. The matter is considered by majority vote of the Board to constitute an emergency and thus warrant immediate decision.
2. Each formal action of the Board shall be embodied in a formal motion which will be entered verbatim in the Minutes. The Chair shall, at the Chair's discretion or at the request of any Board member, read the motion before being voted on, as provided for in Section 1 above.
3. Each Board member should vote on all questions put to the Design Review Board unless a conflict of interest or an appearance of fairness question under state law is present. Yes, no, and abstention votes will be recorded as such. For abstentions, the Chair can ask the voting member for their reason, which will be recorded in the minutes.

ARTICLE V

ORDER OF BUSINESS

The order of business of Design Review Board meetings shall be:

1. Call to Order
2. Roll Call
3. Approval of minutes
4. Old Business
5. New Business
6. Audience Communication (3 minutes each)
7. Adjournment

Upon approval of a majority of the Design Review Board present at a meeting, the above order of business may be changed to accommodate issues, speakers, etc.

ARTICLE VI

PUBLIC HEARINGS

1. All Public Communications and Public Hearings of the Board shall be held in substantial conformance with the procedures set forth in City Council Resolution 2021-604. Public hearings shall be conducted under the following procedure:
 - a. Chair calls for a motion to open the Public Hearing. To the maximum extent possible copies of all testimony and reports shall be submitted in writing to be made a part of the hearing record.
 - b. The staff shall present technical analysis, review planning considerations and policy, cite possible alternatives and may make recommendations.
 - c. Spokesperson for the applicant may speak in favor of the application.
 - d. Rebuttal for proponents and opponents will be heard. Board members shall voice other significant considerations and pose any relevant questions through the Chair.
 - e. All interested parties shall be given a reasonable time to comment or make inquiries.

- f. Information submitted shall be factual, relevant and not merely duplication of previous presentations. Each person speaking shall give his/her name, address (optional), organization, and nature of interest in the matter before the Board. Individuals should limit comments to three minutes and representations of organizations or groups for five minutes. Written comments submitted for Design Review Board consideration should be submitted to the Clerk for inclusion in the record and distribution to the Board members.
- g. If necessary, the Board may continue the Public Hearing to such time and place as the Board may deem appropriate.
- h. After all interested persons have had an opportunity to speak, the Chair shall call for a motion to close the Public Hearing.
- i. The Board shall discuss the issue in order to ensure that all relevant points are considered. Deliberation shall include the information submitted; the written comments received; any presentation and discussion made at the hearing; and the staff report. Action will then be taken following the introduction of a formal motion with appropriate discussion prior to a vote.

ARTICLE VII

COMMITTEES

A subcommittee, comprised of Design Review Board members, may be appointed by the Design Review Board to review and make final decisions on individual design issues.

ARTICLE VIII

CONFLICTS OF INTEREST

All members of the Board shall exercise every effort to avoid conflicts of interest, or the appearance thereof, in the actions of the Board. Any member who in his/her judgement has an interest in any matter before the Board that would tend to prejudice his/her actions shall so indicate publicly, shall abstain from the deliberation and voting on the matter.

No member of the Design Review Board should participate in any Design Review Board discussion or vote on any matter in which the member has a personal or financial interest potentially sufficient to create a conflict between the interest in serving the public good and the other interest. The other interest may be private gain, financial or personal, and it may benefit the member, a relative, a friend, or an employer. Any disqualified member must leave the room when the matter is presented. The minutes shall show that the member left the room.

ARTICLE IX

ABSENCES

Pursuant to MCMC 4.02.040, “In addition to removal by the city council, a position shall be deemed vacant if the member or commissioner holding such position is not in attendance at three or more consecutive regular meetings. Absences may be excused and not counted if such absence is for reasons that are: (1) work related, or (2) due to illness, or (3) family commitment or family emergency and the absence is approved by a vote of the board or commission. The Board’s Clerk or designee shall maintain an attendance record that shall be recorded in the minutes. (Ord. 2023-894 § 2; Ord. 2006-640 § 2).”

ARTICLE X

VACANCIES

Should any vacancy occur among the membership of the Design Review Board by reason of death, resignation, disability, or otherwise, the City Clerk shall be immediately notified. If a member resigns, the member shall tender their resignation in writing to the staff liaison and the City Clerk. The Chair of the Design Review Board shall request that the Mayor and City Council consider an appointment to the vacancy on the Design Review Board at the earliest possible time. The City Clerk will forward the resignation email via BCC to the Council for their knowledge.

ARTICLE XI

AMENDMENTS

These Bylaws may be amended, from time to time, at any meeting of the Board provided that notice of said proposed amendment, together with precise wording of such changes, shall be given to each member, in writing, at least five (5) days prior to said meeting. The affirmative vote of at least four (3) members shall be required to adopt any changes to these Bylaws. All amendments to the Bylaws shall be submitted to the City Council for approval.

CERTIFICATION

The undersigned DAVID HAMBELTON does hereby certify that the above and foregoing Bylaws have been duly adopted on _____ and last amended 7/8/25 by the members of said Board as the Bylaws of said Board, and approved by the Mill Creek City Council on July 8, 2025