

CITY OF COOS BAY CITY COUNCIL
Agenda Staff Report

MEETING DATE April 1, 2014	AGENDA ITEM NUMBER
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TO: Mayor Shoji and City Councilors

FROM: Eric Day, Community Development Department
Rodger Craddock, City Manager

ISSUE: **PROPOSED CHANGES TO THE DESIGN REVIEW COMMITTEE
COOS BAY MUNICIPAL CODE CHAPTER 2.40**

BACKGROUND:

As discussed at the March 4, 2014 City Council meeting, the Design Review Committee currently reviews land use applications for projects in the Empire and Front Street design review areas. Since its inception the duties of the board has expanded over time to additionally review façade grants and offer advice on topics as the City Council directs. Over the past few months the City Council Rules Committee, to meet one of its 2014 goals, has been meeting to redefine the role and responsibilities of the Design Review Committee. The major proposed changes are as follows:

1. Name change – Design Review Committee (DRC) to Design Assistance Team (DAT)
2. They are not required to meet for design review area projects/land use applications. They will now be able to meet at pre-application conferences for all land use applications. Their comments will follow with the application as it is reviewed by the Planning Commission and/or City Council. The idea is to allow them to weigh in on a wider variety of applications while keeping them strictly an advisory group. The (DAT) will continue to meet to give direction on façade grant applications.
3. A maximum of two members, who do not reside or own a business within the Coos Bay city limits, may be appointed to the design assistance team.
4. The design assistance team shall undertake such other duties as may be delegated to it by the Director of Community Development or City Council from time to time.

ADVANTAGES:

The proposed changes would allow the Design Assistance Team (DAT) to be involved in a wider variety of projects and earlier in the process than currently allowed.

DISADVANTAGES:

(DAT) team members would be limited to two members who do not reside or own a business within the Coos Bay city limits. This could be seen as a positive or negative depending upon your point of view.

BUDGET IMPLICATIONS:

No implications on the budget at this time.

RELATED CITY GOAL:

Evaluate, implement, revise, and update as necessary, ordinances, and rules for the City's various boards, commissions, and committees.

ACTION REQUESTED:

If it pleases the City Council **enact the attached Ordinance** repealing prior ordinances related to the Design Review Committee and establishing the Design Assistance Team.

Attachments: Draft Ordinance
Proposed revisions to CBMC Chapter 2.40

ORDINANCE NO. _____

AN ORDINANCE REPEALING ORDINANCES NUMBER 439, 316, and 310 RELATED TO THE ESTABLISHMENT, POWERS AND DUTIES OF THE DESIGN REVIEW COMMITTEE AND ESTABLISHING THE DESIGN ASSISTANCE TEAM TO SERVE AS AN ADVISORY BODY CONCERNING DESIGN REVIEW AND OTHER MATTERS REGARDING HISTORIC, CULTURAL, ARCHITECTURAL, NATURAL, OR ARTISTIC RESOURCES

The City of Coos Bay ordains as follows:

Section 1. Purpose. The purpose of this chapter is to establish a Design Assistance Team (DAT) to act as an advisory body to the City of Coos Bay Community Development Department, Planning Commission, City Council, and if requested, the Urban Renewal Agency for the City of Coos Bay.

Section 2. Design Assistance Team – Creation – Membership.

(1) There is hereby created a Design Assistance Team which shall consist of up to seven members to be appointed by and to serve at the pleasure of the City Council. Membership may include any person possessing interest in furthering the betterment of historic, cultural, architectural, natural or artistic resources in the Coos Bay area. A maximum of two members who do not reside or own a business within the Coos Bay city limits may be appointed to the Design Assistance Team.

(2) Membership should if possible include three members - one each with knowledge and expertise in one of the following areas:

(a) Local history;

(b) Art, graphics, or design;

(c) Architecture.

(3) The City Council shall review applications and interview applicants for appointment to the Design Assistance Team.

(4) Terms of appointment shall be four years and shall be staggered with no more than four terms expiring in any one year. The initial appointment of four members shall be for three years; the initial appointment for three members shall be for two years.

(5) A vacancy created in the Design Assistance Team shall be filled for the unexpired term of the predecessor in office.

Section 3: Meetings, Rules, Procedure.

(1) The Design Assistance Team are encouraged to either individually or as a group meet with and act as a resource for the City at land use pre-application conferences with applicants and City staff as scheduled by the Community Development Department.

(2) Meetings and records of the Design Assistance Team are subject to Oregon public meetings law and public records law; provided however, that to the extent not inconsistent with state and local laws, the Team may make and alter rules and regulations for its proceedings and operation.

Section 4. Powers and duties of the Design Assistance Team.

(1) The Design Assistance Team shall function as an advisory body in implementing and interpreting architectural design review as set forth in the City of Coos Bay Land Development Ordinance.

(2) The Design Assistance Team shall cooperate with the Community Development Department, Planning Commission, and City Council as well as other local bodies to further the architectural design and to assure harmonious and integrated planning within Coos Bay.

(3) The Design Assistance Team shall upon referral by the Planning Department, Planning Commission, or City Council review specific public and private proposals for consistency and compliance with the City's Land Development Ordinance.

(4) In no instance shall the Design Assistance Team's action conflict with the Land Development Ordinance, the Building Codes, other applicable City ordinances, or state or federal requirements.

(5) The Design Assistance Team may individually or as a group meet with and act as a resource for other persons or groups interested in undertaking projects which are directed at preserving historic, cultural, architectural, natural or artistic resources in the Coos Bay area including those areas subject to the Coos Bay Estuary Management Plan; but it shall not without prior approval by the City Council have the authority to endorse or officially support any particular project. This section shall not be interpreted to limit in any way the ability of a member of the Design Assistance Team from being employed in their professional capacity including their ability to support their client and/or customer's particular project with the City.

(6) The Design Assistance Team shall undertake such other duties as may be delegated to it by the Director of Community Development or City Council from time to time.

Section 5: Severability. Invalidity of a section, subsection, paragraph, or clause of this ordinance shall not affect the validity of the remaining sections or parts of this ordinance.

Section 6: This ordinance shall take effect 30 days after enactment by the City Council and signature by the Mayor, whichever is later.

The foregoing ordinance was enacted by the City Council of the City of Coos Bay this _____ day of April 2014.

Yes:

No:

Absent:

Crystal Shoji
Mayor of the City of Coos Bay
Coos County, Oregon

ATTEST:

Susanne Baker
City Recorder of the City of Coos Bay
Coos County, Oregon

PROPOSED REVISIONS TO COOS BAY MUNICIPAL CODE

CHAPTER 2.40

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Proposed Text = **Bold, underline italic**

Chapter 2.40

~~DESIGN REVIEW COMMITTEE~~ **ASSISTANCE TEAM**

Sections:

2.40.010 Purpose.

2.40.020 Design ~~review committee~~ **Assistance Team** – Creation – Membership.

2.40.030 Meetings – Rules – Procedure.

2.40.040 Powers and duties of the Design ~~review committee~~ **Assistance Team**.

2.40.010 Purpose.

The purpose of this chapter is to establish a Design ~~review~~ **Assistance** committee ~~Team (DAT)~~ to act as an advisory body to the city of Coos Bay Community services **Development** Department, Planning Commission, City Council, and if requested, the urban renewal agency for the city of Coos Bay.

2.40.020 Design ~~review committee~~ Assistance Team – Creation – Membership.

(1) There is hereby created a Design ~~review committee~~ **Assistance Team** which shall consist of **up to** seven members to be appointed by, and to serve at the pleasure of, the city council. Membership ~~shall not be limited to residents of the city of Coos Bay,~~ and may include any person possessing interest in furthering the betterment of historic, cultural, architectural, natural or artistic resources in the Coos Bay area. **A maximum of two members, who do not reside or own a business within the Coos Bay city limits, may be appointed to the Design Assistance Team.**

2) Membership should, if possible, include three members, one each with knowledge and expertise in one of the following areas:

- (a) **Local** history;
- (b) Art, graphics, or interior design;
- (c) Architecture.

(3) The ~~planning commission~~ **City Council** shall review applications and interview applicants for appointment to the Design ~~review committee~~ **Assistance Team** ~~and make recommendations to the city council for appointments to fill vacant positions.~~

(4) Terms of appointment shall be four years, and shall be staggered, with no more than four terms expiring in any one year. The initial appointment of four members shall be for three years; the initial appointment for three members shall be for two years.

(5) A vacancy created in the design review committee **Assistance Team** shall be filled for the unexpired term of the predecessor in office.

2.40.030 Meetings – Rules – Procedure.

(1) The design review committee **Assistance Team** shall hold such meetings as may be necessary to carry on the business of the committee. Meetings may be called by the chairperson, by any two members of the committee, or by the planning department, planning commission or city council. **are encouraged to either individually or as a group meet with and act as a resource for the City at land use pre-application conferences with applicants and City staff as scheduled by the Community Development Department.**

(2) Meetings and records of the design review committee **Assistance Team** are subject to Oregon public meetings law and public records law; provided, however, that to the extent not inconsistent with state and local laws, the committee **Team** may make and alter rules and regulations for its proceedings and operation.

(3) The design review committee shall, at the first meeting of each fiscal year, elect a chairperson and vice chairperson, who shall serve a term of one year. The chairperson shall preside over the meetings of the design review committee, and shall have a right to vote on any decision of the committee. The vice chairperson shall preside over meetings in the chairperson's absence.

(4) Members of the design review committee shall receive no compensation for their service, but shall be reimbursed for duly authorized expenses.

(5) Three members of the design review committee shall constitute a quorum to do business.

2.40.040 Powers and duties of the design review committee **Assistance Team.**

(1) The design review committee **Assistance Team** shall function as an advisory body in implementing and interpreting architectural design review, as set forth in the city of Coos Bay land development ordinance.

(2) The members of the design review committee **Assistance Team** shall become familiar with all aspects of architectural design review, and may prepare and recommend to the city council from time to time such changes in architectural design review which they deem in the best interests of the city **shall cooperate with the Community Development Department, Planning Commission, and City Council as well as other local bodies to further the architectural design and to assure harmonious and integrated planning within Coos Bay.**

(3) The design review committee **Assistance Team** shall cooperate with the planning department, planning commission, and city council, as well as other local bodies, to further the architectural design review process and to assure harmonious and integrated planning in areas subject to architectural design review in the city. **shall, upon referral by the Planning**

Department, Planning Commission, or City Council review specific public and private proposals for consistency and compliance with the City's Land Development Ordinance.

(4) ~~The design review committee shall, upon referral by the planning department, planning commission or city council, review specific design proposals for consistency with and compliance with architectural design review as set forth in the city's land development ordinance.~~**In no instance shall the Design Assistance Team's action conflict with the Land Development Ordinance, the Building Codes, other applicable City ordinances, or state or federal requirements.**

(5) ~~The design review committee~~**Assistance Team** ~~shall may, upon request by an applicant for a specific design proposal subject to architectural design review, meet with the applicant to review the proposal and provide the applicant with input for recommendations concerning and for compliance of the proposal with architectural design review goals and standards~~**individually or as a group meet with and act as a resource for other persons or groups interested in undertaking projects which are directed at preserving historic, cultural, architectural, natural or artistic resources in the Coos Bay area including those areas subject to the Coos Bay Estuary Management Plan, but shall not, without prior approval by the City Council have the authority to endorse or officially support any particular project. This section shall not be interpreted to limit in any way the ability of a member of the Design Assistance Team from being employed in their professional capacity including their ability to support their client and/or customer's particular project with the City.**

(6) ~~Consultants or city staff involved with the design responsibility for publicly funded capital improvements in areas subject to architectural design review may hold preliminary discussions with the design review committee to obtain recommendations as to aesthetic, environmental and design principles and objectives which should be sought in the development of the improvement. The design review committee may also review the design of substantial capital improvements at the completion of the design development phase, or at any time, upon request by the city council, for compliance with and recommendations concerning architectural design review goals and standards.~~**The Design Assistance Team shall undertake such other duties as may be delegated to it by the Director of Community Development or City Council from time to time.**

(7) ~~In no instance shall the design review committee's action conflict with the land development ordinance, the building codes, other applicable city ordinances, or state or federal requirements.~~

(8) ~~The design review committee may meet with and act as a resource for other persons or groups interested in undertaking projects which are directed at preserving historic, cultural, architectural, natural or artistic resources in the Coos Bay area, including those areas subject to the Coos Bay estuary management plan, but shall not, without prior approval by the city council, have the authority to endorse or officially support any particular project.~~

(9) ~~The design review committee shall undertake such other duties as may be delegated to it by the planning department, planning commission or city council from time to time.~~