

ORDINANCE 183**AN ORDINANCE ESTABLISHING A DESIGN REVIEW BOARD FOR THE CITY OF COOS BAY, SETTING STANDARDS FOR AWNINGS AND ENCOURAGING THE RENOVATION OF THE DOWNTOWN AREA; AS AMENDED BY ORDINANCE NO. 199 AND ORDINANCE 219.**

The City of Coos Bay ordains as follows:

Section 1. Title. This ordinance shall be known as the "Design Review Ordinance" of the City of Coos Bay.

Section 2. Purpose. The purpose of this ordinance is to establish a Design Review Board; to influence the location and design of City-funded building awnings within urban renewal areas of Coos Bay; to coordinate and encourage improvement in the appearance of urban renewal areas in Coos Bay; and to ensure compliance with the objectives and provisions of Part II of the City of Coos Bay Mall Maintenance and Rehabilitation Study and any other relevant Urban Renewal plans or studies. This ordinance shall not obligate any property owner to expend funds unless the property owner requests a low interest loan or city funded awning under this ordinance.

[As amended by Ordinance No. 219, enacted November 21, 1995.]

Section 3. Definitions. As used in this ordinance, the following mean:

Awning. A shelter supported entirely from the exterior of a building as further defined in Chapter 45 of the Oregon Structural Specialty Code.

Urban Renewal Areas. Any urban renewal area now in existence or hereinafter created in the City of Coos Bay.

[Amended by Ordinance No. 199, Section 1, enacted August 3, 1993, and Ordinance No. 219, enacted November 21, 1995.]

Section 4. Design Review Board.

(1) **Membership.**

(a) The Design Review Board shall consist of seven members to be appointed by the City Council.

(b) Membership shall consist of one architect, one member designated by the Downtown Association, two downtown property owners, one citizen-at-large, one person owning a business in the Empire Urban Renewal District, and one citizen-at-large from the Empire area. A city employee shall also serve as a non-voting member and act as liaison between the City and the Board.

(c) The terms of office shall be staggered and for three (3) years with no more than four (4) terms expiring in any year. Members shall be limited to serving no more than three (3) consecutive terms. The initial appointment of the person owning a business in the Empire Urban Renewal Area shall be for three (3) years; the initial appointment for the citizen-at large from the Empire area shall be for two (2) years.

(d) A member may be removed by the Council for misconduct, nonperformance of duty, or for other good cause shown.

(e) The Board may make and alter rules and regulations for its operations and procedures consistent with the laws of this state, the city charter and other city ordinances.

(2) Members of the Board shall receive no compensation.

(3) Four members of the Board shall constitute a quorum.

(4) The Board shall meet as often as required. Notice of meetings shall be given as required by Oregon's public meetings law.

Section 5. Powers and Duties of the Board.

(1) The Board shall function as a design review body implementing the objectives set forth in section 7 relating to design and purchase of building awnings and repair and maintenance of building facades.

(2) The Board shall become familiar with all aspects of Part II of the Mall Maintenance and Rehabilitation Study and any other relevant Urban Renewal plans or studies.

(a) The Board may prepare and recommend to the Urban Renewal Agency from time to time such changes in any plan or study as may be deemed advisable.

(b) The Board may prepare and recommend to the Urban Renewal Agency

from time to time specific improvements in pursuance of such official plans or studies.

(c) The Board may assist the City in making such improvements and generally to promote realization of urban renewal plans or studies.

(3) The Board shall cooperate with the Planning Commission, the City Tree Board, and other bodies to further the local planning process and to assure harmonious and integrated planning for urban renewal areas in Coos Bay.

(4) The Board shall contact property owners in urban renewal areas with suggestions for renovations, repairs, and for awning options.

(5) Consultants or city staff involved with the design responsibility for a capital improvement in urban renewal areas may hold preliminary discussions with the Board to obtain preliminary recommendations as to aesthetic, environmental and design principles and objectives which should be sought in the development of the improvement. The Board may also review substantial capital improvements at the completion of design development phases, or at any time it deems necessary.

(6) In no instance shall the Board's action conflict with the land development ordinance, the building codes, or other applicable city ordinances or with state or federal requirements.

[As amended by Ordinance No. 219, enacted November 21, 1995.]

Section 6. City Funded Improvements.

(1) **Establishment of Funding Programs.** The City Council may by resolution establish funding programs for the repair, renovation, or the making of other appropriate improvements of the exteriors of buildings in urban renewal areas, or for the purchasing and installation of awnings for commercial buildings in urban renewal areas. Funding programs shall be contingent upon the availability of urban renewal monies, and may be discontinued at any time. The discontinuation of any funding program shall not affect the funding recipient's obligation to repay any loan monies disbursed pursuant to such program.

(2) Application for Monies Under City Funding Programs.

(a) Property owners may apply for city loans to repair or renovate the exterior of a building, or to make other improvements in urban renewal areas through the Department of Community Services.

(i) The owner of the building, or the owner's authorized agent, shall submit at the time of application drawings, sketches or construction drawings, drawn to scale, showing all facades as they will appear upon renovation completion indication of the structural scheme, materials, signage, colors and exterior shall be indicated.

(ii) A detailed list of all proposed improvements shall also be submitted.

(b) Property owners may apply for funds for the purchase and installation of awnings on buildings in urban renewal areas by application submitted to the Department of Community Services. The City shall set an upper limit on the amount available under a funding program for awnings, based upon cost per front foot. Any amount above that limit needed to construct and install an awning shall be funded by the property owner.

(i) The owner of the building, or the owner's authorized agent, shall at the time of application submit drawings or sketches, drawn to scale, showing all elevations of the proposed building on which awnings will be erected as they will appear upon completion. Preliminary indications of the awnings' structural scheme, materials, fastenings, signage and colors shall be indicated. All exterior surfacing materials and colors shall be specified.

(ii) Prior to approval of city-funded awnings, the Board shall review the condition and maintenance of the host building's facade on which awning attachment is proposed.

(c) The Design Review Board may require the applicant to submit additional information if such information is necessary to determine whether the purposes of this ordinance are being carried out.

(3) Decision.

(a) After an application has been submitted to the Department of Community Services, a meeting of the Design Review Board shall be scheduled to review the application at the earliest possible time.

(b) The applicant shall be allowed to be heard at the meeting, and the recommendation to the City Manager to approve, approve with modifications, or deny the application shall be made at the meeting unless additional information is needed from the applicant before a decision can be made.

(c) Any applicant whose application has been denied, may request review of of the Design Review Board's decision by the City Council. A request for review must be submitted in writing to the City Recorder within fifteen (15) days of the date of the decision.

(d) All host building facades shall be repaired prior to approval of city funded awnings. This includes, but is not limited to, repair of glass, soffits, brick, exterior paint, damaged wood, and building appurtenances such as signs, lights, downspouts, and fire escapes.

(e) Any applicant who receives funds to construct an awning shall comply will any and all requirements imposed by the Design Review Board or the City Council. Prior to the disbursement of funds, the Department of Community Services shall inspect the awning to ensure compliance with such conditions. Should the applicant fail to comply with such requirements, the applicant shall, within a reasonable time, correct any non-compliance to the satisfaction of the City, or forfeit the award.

[Amended by Ordinance No. 199, Section 2, enacted August 3, 1993, and Ordinance No. 219, enacted November 21, 1995.]

Section 7. Design Objectives. The following design objectives shall be considered by the Design Review Board in any of its design reviews:

- (1) Awnings and the exterior building facade shall be integrated and in relation to adjacent structures to provide a harmonious composition of masses, materials, colors and textures.
- (2) Awning scale shall be appropriate to the building, street and overall urban design of the area.
- (3) Lighting standards and fixtures shall be of a design and size compatible with the building and adjacent areas.
- (4) Landscape treatment shall be provided to enhance architectural features, strengthen vistas, and provide shade or windbreak.
- (5) Architectural style is not restricted. Evaluation of a project shall be based on quality of its design and relationship to surroundings.
- (6) Building components, such as windows, doors, eaves, and parapets, shall have good proportions and relationship to one another.

- (7) Colors shall be harmonious with bright or brilliant colors used only for accent.
- (8) Design attention shall be given to mechanical equipment or other utility hardware so as to screen them from view to the extent feasible.
- (9) Monotony of design shall be avoided. Variety of detail, form, color, and siting shall be used to provide visual interest.
- (10) Signs shall be part of the architectural concept. Size, materials, color, lettering, location, and arrangement shall be harmonious with the building design. The number of signs shall be minimized to avoid visual clutter.
- (11) All applicants for National Register properties must provide an approval letter from the State Historic Preservation Office for the proposed design.
- (12) All applicants for properties identified as a cultural resource shall obtain a cultural resource permit as provided in the City's Land Development Ordinance prior to review by the Design Review Board.
- (13) Other conditions or building appurtenances may be considered by the Board at its discretion.

[Amended by Ordinance No. 199, Section 3, enacted August 3, 1993]

Section 8. Signage.

- (1) All messages, logos or other advertising painted or printed on or attached flat against the surface of an awning shall comply with Chapter 3.21 of the Land Development Ordinance.
- (2) When a business ceases to occupy a building, the building owner shall be responsible for removing all messages, logos or other advertising pertaining to the business. Signage shall be removed within 30 days of the business closure. If the owner fails to remove such messages, logos or other advertising, the City may do so, and the owner shall reimburse the City for all costs associated with such removal. All costs associated with removal shall become a lien on the subject property. The method of removal may be reviewed by the Design Review Board.

[Amended by Ordinance No. 199, Section 4, enacted August 3, 1993, and Ordinance No. 219, enacted November 21, 1995.]

Section 9. Maintenance Responsibility. Any building facade or awnings purchased under City funding program shall be maintained by the property owner. If the owner fails to maintain the facade or awnings, the property shall be declared a nuisance, and shall be subject to Abatement Procedure as specified in City Ordinance 99.

[Amended by Ordinance No. 199, Section 5, enacted August 3, 1993; and Ordinance No. 219, enacted November 21, 1995.]

The foregoing ordinance was enacted by the City Council of the City of Coos Bay on October 6, 1992.