ORDINANCE NO. 1688 N.C. (2d)

AN ORDINANCE OF THE CITY OF VALLEJO AMENDING VALLEJO MUNICIPAL CODE CHAPTER 2.39 (DESIGN REVIEW BOARD) TO CREATE THE BEAUTIFICATION AND DESIGN REVIEW BOARD

THE COUNCIL OF THE CITY OF VALLEJO DOES ORDAIN AS FOLLOWS:

<u>SECTION 1:</u> Chapter 2.39, Design Review Board, of the Vallejo Municipal Code is hereby amended and retitled as follows:

"Chapter 2.39

Beautification and Design Review Board

2.39.010 - Creation.

There is hereby created a beautification and design review board, hereinafter referred to as the "board."

2.39.020 - Purpose.

The city council finds and declares that a disregard for the integration of design with the general appearance, scale, capacity, use and character of certain neighborhoods and districts within the city adversely affects the health, safety, welfare and economy of the citizens of the city. The purpose of the board is to promote orderly, harmonious and attractive development, to encourage the stability of land values and investments in those neighborhoods and districts designated by the city council and to promote the general health, safety and welfare of the citizens of the city.

2.39.030 - Powers and duties.

The board shall:

- A. Conduct design review and make decisions to approve or deny unit plans for development projects within the boundaries of the districts specified in the Downtown Vallejo Specific Plan and the districts specified in the Vallejo Waterfront Design Guidelines. This shall include all new projects, additions to existing building space, and major exterior improvements.
- B. Use the adopted design guidelines as the primary guiding document, in accord with the applicable specific plan or master plan. When approving unit plan applications, the board shall explicitly find that the project, as conditioned, is consistent with the adopted specific plan or master plan development standards and the adopted design guidelines.
- C. Review and make recommendations to the city council regarding proposals to amend the adopted design guidelines and to establish a design program for commercial signs in the downtown or waterfront districts.

- D. Review and comment on the design of other development projects which may be referred by the planning commission or city council.
- E. Exercise such other powers and duties as prescribed by city ordinance or conferred by the city council.
- F. Review and comment on site development plan applications, when referred to the Board by the Community and Economic Development Director pursuant to <u>Section 16.90.050(G)</u> of this code;
- G. Review and advise on policies regarding installation and embellishment of memorials or other objects in or on public grounds and buildings, except when located within the jurisdiction of the Architectural Heritage and Landmarks Commission;
- H. Review, comment on, and recommend projects, programs, and activities for beautification of the city except when located within the jurisdiction of the Architectural Heritage and Landmarks Commission;
- I. Advise on landscaping, beautification projects, and design plans in the downtown and waterfront districts on public and private properties, streets and public spaces, except when located within the jurisdiction of the Architectural Heritage and Landmarks Commission:
- J. Review and advise on urban forest vegetation program, and to coordinate such efforts with the update of the City's General Plan.
- K. Develop and administer, with the input and guidance of staff, a comprehensive tree management program.

2.39.040 - Membership.

The board shall consist of seven members appointed by the city council.

2.39.050 - Qualifications.

- Board members shall be at least eighteen years old.
- B. All board members shall have their primary residence or primary place of employment within the Vallejo city limits. A minimum of four board members shall have their primary residence within the city limits.
- C. All board members shall have a demonstrated competence and interest in architecture, landscape architecture or urban design through education, training or experience. This includes, but is not limited to, an understanding of design principles and the ability to read, analyze and interpret architectural and site plans.
- D. It is the intent that a majority of board members have experience as professional architects, landscape architects, or urban planners with a substantial background in urban design.

2.39.060 - Term of office.

A. The term of office for each board member shall be four years.

B. The initial terms of board members first appointed shall be staggered as follows: two for the term of four years; two for the term of three years; two for the term of two years; and one for the term of one year. To arrange this result, the city council shall specify terms of members first appointed.

2.39.070 - Termination of membership.

Membership shall terminate prior to the end of a term of office in the event of:

- A. Death;
- B. Resignation;
- C. Forfeiture of office in accordance with Chapter 2.26 of this code; and
- D. Removal shall be governed by <u>Section 407</u> of the City Charter.

2.39.080 - Filling of vacancy.

A vacancy shall be filled in the same manner as the original appointment. If an appointment is made due to an expired term, it shall be made for a new full term. Otherwise, the appointment shall be for the unexpired portion of the term.

2.39.090 - Officers.

- A. The board members shall elect a chairperson and a vice-chairperson from among its members. Each shall serve a term of one year and until a successor is appointed and takes office. The planning manager or the manager's designee shall serve as nonvoting secretary to the board.
- B. The chairperson or, in the chairperson's absence, the vice-chairperson, shall preside at all meetings of the board. If both the chairperson and vice-chairperson are absent from a meeting or abstain from participation, the remaining voting members shall elect a temporary chairperson. They shall perform the duties necessary or incidental to their offices.
- C. The secretary shall keep minutes of each meeting and shall record the official actions taken. The secretary shall certify each official document and shall perform other such duties as the board assigns.

2.39.100 - Compensation.

Each board member shall serve without compensation, unless otherwise provided by ordinance or resolution adopted by the city council. Reimbursement of expenses shall be as authorized by the planning manager.

2.39.110 - Meetings and quorum.

A. The board shall fix the time and place of its regular meetings and may hold special meetings in the manner prescribed by state law.

B. Four voting members of the board constitute a quorum for the transaction of business. An affirmative vote of at least four members is required to take official action. A tie vote shall have the same effect as a denial.

2.39.120 - Rules and records.

The board may adopt rules and procedures for the transaction of its business. The board secretary shall keep a record of all determinations, findings and actions of the board.

SECTION 2: Compliance with the California Environmental Quality Act.

The proposed project is covered by the general rule that California Environmental Quality Act applies only to projects which have the potential for causing a significant effect on the environment, pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations. The proposed amendment shifts duties associated with the review and planning of beautification plans, programs and projects to the existing Design Review Board and clarifies the role of the Design Review Board, while allowing the existing duties and powers to remain.

SECTION 3: Severability.

If any section, subsection, sentence, clause, phrase, or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION 4: Effective Date.

This Ordinance shall take effect and be in full force and effect from and after (30) days after its final passage.

FIRST READ at a regular meeting of the Council of the City of Vallejo held the 10th day of September, 2013 and finally passed and adopted at a regular meeting of the Council held the 8th day of October, 2013 by the following vote:

AYES:

Mayor Davis, Vice Mayor Gomes, and Councilmembers Brown, Malgapo,

McConnell, and Sampayan

NOES:

Councilmember Sunga

ABSTAIN:

None

ABSENT:

None

ATTEST:

DAWN G. ABRAHAMSON, CITY CLERK