

URBAN DESIGN COMMITTEE



Operating Procedures

SECTION 1 – ESTABLISHMENT

- 1-1 The Urban Design Committee was established as an advisory body to the Richmond City Planning Commission by Resolution No. 68-R12-12, adopted by the Richmond City Council on March 25, 1968; and as amended by Resolution 84-R96-96; and as further amended by Resolution 2000-24-39, adopted by Council on February 14, 2000. See Section 30-940.3 of the Code of the City of Richmond for current ordinance content.
- 1-2 The official title of the Urban Design Committee shall be the “Richmond Urban Design Committee” and shall hereafter be referred to as the “Committee.”

SECTION 2 – PURPOSE

- 2-1 The purpose of the Committee is to provide the City Planning Commission with an active and continuing source of review on matters of urban design.
- 2-2 The Committee shall support public education to stimulate interest in improving community appearance.
- 2-3 The Committee shall encourage high standards of design in development activities.

SECTION 3 – DUTIES

- 3-1 Advice to the City Planning Commission
 - 3-1.1 The Committee shall, upon the request of the Planning Commission, advise the Commission on matters of an aesthetic nature in connection with the performance of the duties of the Commission under sections 17.05, 17.06 and 17.07 of the City Charter (and as further defined in two separate resolutions adopted by the Commission on January 18, 2011) and in any other matter requested by the Commission.
- 3-2 Advice to the City Department of Public Works
 - 3-2.1 The Committee shall provide advice of an aesthetic nature to the Department of Public Works in connection with the duties of that department under sections 90-66, 90-121 and 90-122 of the City Code.
- 3-3 Administer Design Overlay Districts
 - 3-3.1 The Committee shall have the power and authority to review and approve or disapprove applications for design overlay district design review as established in Sections 30-940 through 30-940.9 of the Zoning Ordinance.

3-4 Advice on the Master Plan and Capital Improvement Program:

3-4.1 The Committee shall, upon request, advise the Commission concerning design and aesthetic considerations during review or revision of the Master Plan.

3-4.2 The Committee shall, upon request, assist the Commission concerning design and aesthetic considerations during the annual preparation of the Capital Improvement Program.

3-5 Advice to the City Administration:

3-5.1 The Committee shall, upon the request of the City Planning Commission, advise the City administration concerning projects that it proposes to undertake on matters having design implications that would not normally receive the review of the City Planning Commission.

3-6 Advice on Public Policy:

3-6.1 The Committee shall assist in developing public policies that assure good design practice.

3-6.2 The Committee shall, upon the request offer advice concerning proposals for the preservation of sites or buildings and objects of historic, architectural or cultural significance.

3-6.3 The Committee may, on its own initiative, make such proposals to the City Planning Commission, as it deems conducive to maintaining and improving public spaces and buildings.

SECTION 4 – MEMBERSHIP

4-1 The Committee shall consist of ten members who shall be appointed by the City Council of the City of Richmond.

4-2 The members shall be residents of the City of Richmond and/or their principal place of employment shall be within the City of Richmond.

4-3 The membership of the Committee shall consist of the following:

4-3.1 One of the members shall be a registered architect;

4-3.2 One shall be a member of a recognized local organization in one of the various fields of static arts;

4-3.3 One shall be a member of the faculty of the arts division of a local college or university;

4-3.4 One shall be a registered professional engineer;

4-3.5 One shall be a business executive or professional;

4-3.6 One shall be a registered landscape architect or a person having demonstrated talent in landscape design;

4-3.7 One shall be a member of the City Planning Commission;

- 4-3.8 One shall be a member of the Commission of Architectural Review; and
- 4-3.9 Two shall be citizens of the City appointed at large.
- 4-4 Members shall be appointed for terms of three years, except that members who are also representing the City Planning Commission or of the Commission of Architectural review shall be appointed for terms coincident with their term on such Commissions.
- 4-5 No member shall be appointed to more than two successive full terms. If a person is appointed to fill a vacancy (that is, an incomplete term), they may serve two successive full terms upon completion of the incomplete term.
- 4-6 Any member who removes their permanent residence from the City of Richmond or who terminates qualifying employment within the City shall thereby forfeit membership on the Committee.
- 4-7 Any member who misses four consecutive regularly scheduled meetings shall be subject to removal from membership by City Council.
- 4-8 City Council shall fill any vacancy on the Committee for the uncompleted term.
- 4-9 Membership on the Urban Design Committee is public record; therefore, it is possible that an applicant will contact a member before the hearing on an application. If contacted, the members are under no obligation to meet with the party. If the member chooses to meet with the applicant, it is suggested that he/she inform the Secretary. It is suggested that the meeting include staff, in case any procedural questions arise, and if the member chooses, one other member of the UDC.

SECTION 5 – OFFICERS AND THEIR SELECTION

- 5-1 The Committee shall elect from its membership a Chairperson and a Vice-Chairperson.
- 5-2 A staff member of the City of Richmond Department of Planning and Development Review shall serve as Secretary to the Committee.
- 5-3 Nomination of officers shall be made at the Committee’s regular meeting in January of each year or the first regularly scheduled meeting of the calendar year.
 - 5-3.1 The member receiving the highest number of votes of the members present shall be declared elected Chairperson, and the member receiving the second highest number of votes shall be declared elected Vice-Chairperson.
 - 5-3.2 The officers shall take office immediately and serve for one year or until their successors take office. Officers may succeed themselves.
- 5-4 Vacancies in office prior to term expiration shall be filled immediately by regular election procedures for the incomplete term of office vacated.
- 5-5 An officer shall continue to hold office until their successor is appointed.

SECTION 6 – DUTIES OF OFFICERS

- 6-1 The Chairperson shall:

- 6-1.1 Preside at all meetings;
 - 6-1.2 Rule on all procedural questions, subject to a reversal by a majority vote of the members present;
 - 6-1.3 Be informed immediately of any official communication and report same at the next regular meeting;
 - 6-1.4 Affix their signature to all official correspondence and resolutions of the Committee as evidence of approval; and
 - 6-1.5 Appoint such sub-committees, as they deem necessary.
- 6-2 The Vice-Chairperson shall:
- 6-2.1 Assume the duties of Chairperson in the absence of the Chairperson or in case of the Chairperson's inability to act.
- 6-3 The Secretary shall:
- 6-3.1 Notify all members and applicants of all meetings;
 - 6-3.2 Prepare agendas for all meetings and staff reports on applications;
 - 6-3.3 Attend to correspondence of the Committee;
 - 6-3.4 Maintain files of all records and reports of the Committee;
 - 6-3.5 Keep a set of minutes of all meetings which shall become official and a matter of public record by action of the Committee; and
 - 6-3.6 Forward the Committee's recommendation in writing to the City Planning Commission or Department of Public Works.

SECTION 7 – SUB-COMMITTEES

- 7-1 The Chairperson may appoint such advisory sub-committees as deemed necessary.
- 7-2 Sub-committees shall be limited to two people so as not to require public meeting notification requirements.
- 7-3 Sub-committees shall be generally used only to provide detailed review of a proposed project, not as a body to be delegated recommendation authority.

SECTION 8 – MEETINGS

- 8-1 When applications are pending or there is other business to come before the Committee, regular meetings of the Committee shall be held on the Thursday after the first Monday of each month.
 - 8-1.1 When a meeting date falls on a legal holiday, the meeting shall be held on the Friday following the first Monday of the month unless otherwise designated by the Chairperson.

- 8-1.2 When no application or other business is pending, no meeting shall be held.
- 8-2 The regular meetings shall be held in the 5th floor Conference Room of City Hall. The meetings shall begin at 10:00 a.m.
- 8-3 A regular meeting may be adjourned if all applications cannot be disposed of on the meeting date set, and the meeting may be reconvened at a later date.
- 8-4 Special meetings shall be called at the request of the Chairperson or at the request of three Committee members.
- 8-4.1 Notice of a special meeting shall be given to each member at least three days prior to such meeting and shall state the purpose, place and time of the meeting.
- 8-5 All meetings shall be open to the public, except when agencies referring matters to the Committee request that matters be discussed in executive session or when the members declare the need for executive session. Executive sessions shall be conducted pursuant to the Virginia Freedom of Information Act.
- 8-6 Any citizen who wishes to speak on an agenda item may do so; however, the Committee may ask the speakers to adhere to a time limit of four minutes for an individual and six minutes for a spokesperson for a group.
- 8-7 All actions shall be taken in a public meeting.
- 8-8 Any Committee member may introduce a motion. Motions shall be seconded and re-stated by the Chairperson before a vote is taken. The names of the persons making and seconding motions shall be recorded.
- 8-9 Robert's Rules of Order shall govern parliamentary procedures in Committee meetings to the extent that such rules are not in conflict with these operating procedures.
- 8-10 Committee members must disqualify themselves from deliberation and voting on applications and any items of Committee business in which they have personal interest. A personal interest is a benefit or liability to a Committee member, a member of their immediate family, or to their business or property. Members of the Committee would have a personal interest in the case of one or more of the following:
- An interest in the property that would be affected, benefit or suffer from the action of the Committee;
 - An interest in a business entity whose application or plans would be reviewed by the Committee or that would benefit or suffer from the action of the Committee; and
 - A personal interest in a business that represents any entity that would be subject to an action by the Committee or that would benefit or suffer from the action of the Committee.

Whenever a Committee member has a personal interest, the member should complete and submit to the Committee Secretary the Form for the Disclosure of a Personal Interest, as well as state the conflict when the Committee considers it. The member should leave the room while the Committee is reviewing the item. If the Committee member's business is presenting an application to the Committee, another

representative of that business should appear before the Committee. If the member is the owner of the property being reviewed by the Committee, the member may present the application to the Committee. In this circumstance, the Committee member would be prohibited from participating in the Committee's discussion or voting.

- 8-11 A committee member may choose to abstain from voting on an application because of a perceived conflict not mentioned in 8-10. The member should declare that they are abstaining and not participate in the discussion. Abstentions are appropriate for approval of the minutes when the member abstaining was not present at that meeting. Abstentions as a form of denial or lack of support for an application are not appropriate.
- 8-12 A quorum shall consist of six members of the Committee, except when vacancies exist at which time the majority of remaining members shall constitute a quorum. In the event that a quorum is not obtained for any scheduled meeting, the meeting will be held. If the Committee is requested to forward a recommendation to the City Planning Commission, the Planning Commission shall be advised of the Committee's attendance.
- 8-13 In the event of a tie vote of the members present, the item shall be deferred until the next regularly scheduled or special meeting, unless a subsequent motion disposing the item is adopted. A tie vote shall mean that the motion fails and that no action has been taken.

SECTION 9 – ORDER OF BUSINESS

- 9-1 The order of business for a regular meeting shall be:
 - 9-1.1 Call to order by the Chairperson;
 - 9-1.2 Roll call;
 - 9-1.3 Determination of a quorum;
 - 9-1.4 Approval of minutes;
 - 9-1.5 Secretary's Report
 - 9-1.6 Consideration of Continuances and Deletions
 - 9-1.7 Consent Agenda
 - 9-1.8 Regular Agenda
 - 9-1.9 Discussion of other business; and
 - 9-1.10 Adjournment
- 9-2 The Secretary is authorized to prepare a consent agenda where approval is recommended on matters of a routine or non-controversial nature. The Secretary may also prepare a list of items where, with the consent of the applicant, the Committee will be asked to delete the item from the agenda, defer action, or make a recommendation to continue or strike the item.

The purpose of the consent agenda is to provide a method for the expeditious handling of items which, in the opinion of the Secretary, will not require discussion and the action recommended by the staff or requested by the applicant will be approved unanimously by the Committee.

The deletion and deferral list, including any items with the recommendations to continue or strike, shall be considered prior to considering the consent agenda. Prior to the consideration of a motion to approve the consent agenda, the Chair shall ask any member of the Committee would like to have an item removed from the consent agenda for clarification, discussion or in order that there may be a separate vote on that item. Following that, the Secretary shall read a general description of each item remaining on the consent agenda for the benefit of the Committee and the citizens attending the meeting. The Chair shall then provide the public an opportunity to speak on any public hearing items and on any other item which the Commission is willing to accept public comment through a single public hearing on the entire consent agenda. At the close of the public hearing, the Committee shall take a single vote on the consent agenda, provided that the Committee may remove any item from the consent agenda prior to a vote for consideration under the regular order of business.

SECTION 10 – PROCEDURES FOR HEARING APPLICATIONS

- 10-1 The Secretary shall distribute to all applicants a handout that describes the application process and the submission requirements.
- 10-2 Applications should be submitted to the Secretary no later than three weeks prior to a regularly scheduled Committee meeting. A schedule of submittal dates is included in the Meeting Schedule.
- 10-3 When a complete application has been received and accepted, the Secretary shall place the application on the next regularly scheduled meeting's agenda.
- 10-4 The Secretary shall notify all members and applicants by mail, e-mail or by phone at least two business days (i.e. end of the day on Tuesday before a Thursday meeting) before the scheduled meeting date; indicating the date, time and place of the meeting.
- 10-5 The Secretary shall prepare an agenda for the meeting and staff reports on applications to be reviewed by the Committee. At least three business days prior to the meeting, the agenda and staff reports shall be distributed to all Committee members and made available to applicants.
- 10-6 At the meeting, the Committee shall request staff comments on each item prior to the applicant's presentation.
- 10-7 Either the applicant or their representative is encouraged to attend the meeting and to make a presentation on their proposal. Staff will inform the chairperson of application presentations.
- 10-8 The Committee shall review each proposal in accordance with adopted design guidelines, plans and policy.
- 10-9 After hearing an application, the Committee shall recommend that the City Planning Commission or Department of Public Works take one of the following actions:

- Conceptual approval as submitted;
- Conceptual approval with conditions;
- Approval as submitted;
- Approval with conditions;
- Deferral for resubmission; or
- Disapproval.

10-10 When the Committee makes a recommendation on an application, the Secretary shall notify the applicant and the City Planning Commission or Department of Public Works of the recommendation in writing within one week following the meeting date.

10-11 Either the applicant or their representative is encouraged to attend the City Planning Commission's meeting at which their proposal will be heard and to make a presentation at that meeting.

SECTION 11 – DELEGATION OF AUTHORITY

11-1 The Committee may delegate certain routine items to staff for administrative review and approval.

11-2 If the Urban Design Committee Secretary finds that a particular project has unique characteristics that may call for an alternate design treatment or more comprehensive review, she/he shall schedule the application for consideration by the Committee at its next meeting.

11-3 The Committee has currently delegated the following to staff;

- Encroachments existing prior to 1954;
- Banners located within the City right-of-way as a part of the City Banner Display Program adopted by City Council (Ordinance No. 2013-239-220) on December 9, 2013, when such banners also comply with the Banner Design Review Criteria of the Richmond Urban Design Committee, adopted July 8, 1991;
- Encroaching wall signage only when existing underlying zoning regulations are met and the signage encroaches no more than two (2) feet into the public right-of-way;
- Encroaching steps, stoops and door swings only when the improvements are the minimum encroachments necessary to comply with the requirements of the building code;
- Encroaching canopies or awnings only when the proposed structure(s) encroaches into no more than 75% of the depth of the sidewalk and is composed of a durable material over an aluminum frame or a frame of a comparably durable material and contains no internal illumination; and
- Virginia Commonwealth University (VCU) "standard" streetscape encroachment requests, provided that the following criteria are met:

1. All of the proposed work is located between the existing property line to back-of-curb dimension (i.e. the encroachments do not propose to narrow or widen the existing curb-face to curb-face dimension).
 2. That any proposed sidewalk materials and paving pattern will be in substantial conformance with those contained in the plans entitled "VCU Standard Streetscape Encroachment Package", dated June 9, 2016.
 3. That any proposed ornamental light fixture will be in substantial conformance with those contained in the plans entitled "VCU Standard Streetscape Encroachment Package", dated June 9, 2016, and that any plan proposing lighting will include documentation that the Department of Public Utilities has approved the proposal.
 4. The proposal includes documentation that the Department of Public Works has approved any proposed plant species, location and size at the time of installation.
- 11-4 The Urban Design Committee Secretary shall keep a record of all such administrative approvals and shall provide the Committee with a report of all new approvals at each of its regular meetings.

SECTION 12 – AMENDMENTS

- 12-1 No amendments shall be made unless notice is given and drafts are provided to all Committee members at least seven days in advance of the meeting that a proposal will be made to amend these procedures. These operating procedures may be amended by an affirmative vote of at least six members of the Committee.