

INTRODUCED: December 11, 2017

AN ORDINANCE No. 2017-243

To amend and reordain City Code § 30-930.3, concerning the Commission of Architectural Review, for the purpose of reflecting certain compositional changes by (i) eliminating the requirement that one member be appointed from a list of nominations by the Better Housing Coalition and (ii) adding the requirement that at least one member of the Commission be a resident of a historic district.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JAN 8 2018 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 30-930.3 of the Code of the City of Richmond (2015) be and is hereby amended and reordained as follows:

Sec. 30-930.3. Commission of architectural review.

(a) *Established.* There is hereby created and established a commission of architectural review, referred to in this division as the “commission.”

(b) *Composition; terms of office; compensation.* The commission of architectural review shall consist of nine members, one of whom shall be a resident of a City Old and Historic

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: JAN 8 2018 REJECTED: _____ STRICKEN: _____

District. The members shall be appointed by the city council for terms of office of three years from the date of appointment. The provisions of section 2-836 of this Code shall be applicable to all members of the commission. Appointments to the commission shall be as follows:

(1) ~~[One of the members shall be appointed from a list of at least three nominees submitted by the Better Housing Coalition;~~

~~(2)]~~ One shall be appointed from a list of at least three nominees submitted by the Richmond Chapter of the American Institute of Architects;

~~[(3)]~~ (2) One shall be appointed from a list of at least three nominees submitted by the Historic Richmond Foundation;

~~[(4)]~~ (3) One shall be appointed from a list of at least three nominees submitted by the Richmond Association of Realtors; and

~~[(5) Five]~~ (4) Six shall be citizens of the city appointed at large.

Vacancies on the commission shall be filled in the same manner. One of the at-large members shall serve a concurrent term on the urban design committee of the planning commission. No officer or employee of any organization that may nominate candidates for appointment to the commission shall be appointed as a member of the commission. For members appointed at large, any individual, preservation organization, professional organization, or civic group may nominate individuals to serve on the commission. The members of the commission shall serve as such without compensation.

(c) *Secretary*. The director of the department of planning and development review shall appoint a secretary for the commission of architectural review, who shall be a qualified employee of that department. The secretary shall keep a record of all resolutions, proceedings and actions of the commission.

(d) *Responsibilities and duties.* The commission of architectural review shall have the power and authority to issue or deny certificates of appropriateness for construction, alteration, reconstruction, repair, restoration, or demolition within any old and historic districts. In addition, the commission shall have the duty to:

(1) Hold regular meetings for consideration of certificates of appropriateness and other meetings as needed to carry out the responsibilities set forth in this section.

(2) Assist and advise the city council, the mayor, the chief administrative officer, the planning commission, the board of zoning appeals, property owners and individuals in matters involving historic resources relating to appropriate land use, zoning, and other issues.

(3) Maintain documentation on historic resources throughout the city.

(4) Undertake studies for the planning commission and the city council on historic resources of the city for the master plan and other planning efforts.

(5) Document and recommend to the planning commission and city council the creation and amendment of old and historic districts.

(6) Adopt architectural guidelines and architectural standards applicable to properties located in old and historic districts.

(7) Adopt guidelines for the delegation to the secretary of the review and approval of applications for certificates of appropriateness.

(8) Sponsor educational and informational activities, which publicize historic preservation efforts which include, but are not limited to, speaking engagements, publications, press releases, and audio and visual presentations.

(9) Investigate and recommend districts, buildings, structures, and sites of historic, architectural or cultural importance to the city, the commonwealth, or the United States of America which should be preserved and protected and report on these historic resources to the mayor, chief administrative officer, city council or planning commission.

(e) *Rules of procedure.* The commission of architectural review shall be authorized to adopt rules of procedure for the transaction of its business and implementation of the purposes of this division. The rules of procedure shall not conflict with this division.

§ 2. This ordinance shall be in force and effect upon adoption.

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DEC 07 2017

City of Richmond

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900 East Broad Street
2nd Floor of City Hall
Richmond, VA 23219
www.richmondgov.com

Item Request

DEC 07 2017

File Number: PRE. 2017.344

OFFICE OF CITY ATTORNEY

OFFICE OF CITY ATTORNEY

O & R REQUEST

4-7256
NOV 17 2017

O & R Request

DATE: November 2, 2017 **EDITION:** 1 Office of the Chief Administrative Officer

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (This in no way reflects a recommendation on behalf of the Mayor) *ES 12/6/17*

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer *SDO*

THROUGH: Peter L. Downey, Interim Deputy Chief Administrative Officer for Economic Development and Planning *PLD 11-17-17*

FROM: Mark A. Olinger, Director, Department of Planning and Development Review *MAO*

SUBJECT: To amend City Code Section 30-930.3 regarding Nominees to the Commission of Architectural Review

ORD. OR RES. No. _____

PURPOSE: To amend Section 30-930.3(b)(1) of the City Code to eliminate the requirement that Council considers nominations from the Better Housing Coalition and to add a requirement that at least one member of the Commission be a resident of a historic district.

REASON: Resolution No. 2017-R047 to declare a public necessity and to initiate an amendment to the City's zoning ordinance concerning the Commission of Architectural Review, to make certain compositional changes by (i) eliminating the requirement that one member shall be appointed from a list of nominations submitted by the Better Housing Coalition, and (ii) adding a requirement that at least one member shall be a resident of a historic district was adopted by City Council on November 25, 2017. The resolution directed the City Planning Commission to hold a public hearing on the proposed amendatory ordinance and submit recommendations to City Council. This request is for the proposed amendatory ordinance.

RECOMMENDATION: In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its January 2, 2018, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: In 2014, City Council approved an amendment to this section of the City Code to require that the Council choose one member of the Commission of Architectural Review (CAR) from a list of three nominees from the Better Housing Coalition rather than the Alliance to Conserve Old Richmond Neighborhoods (the Alliance) because the Alliance had merged into the Better Housing Coalition. As the Better Housing Coalition is currently not focused on historic districts and preservation as the Alliance was, Council approved a resolution on October 25, 2017, to initiate the amendment to this section of the City

Code to remove the requirement that Council considers nominations from the Better Housing Coalition. There is currently no requirement that a resident of a City Old and Historic District be a member of the Commission. A recent study by Virginia Commonwealth University recommends having residents of the City Old and Historic Districts as members of the Commission.

FISCAL IMPACT: The Department of Planning and Development Review does not anticipate any effect to the City's budget for this or future fiscal years.

COST TO CITY: None

REVENUE TO CITY: None

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: December 11, 2017

CITY COUNCIL PUBLIC HEARING DATE: January 8, 2018

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL AGENCIES: City Planning Commission, January 2, 2018

AFFECTED AGENCIES: Office of Chief Administrative Officer
Law Department (for review of draft ordinance)
Office of the City Clerk

RELATIONSHIP TO EXISTING ORDINANCES AND RESOLUTIONS: Resolution No. 2017-R047

ATTACHMENTS: Draft Ordinance

STAFF: Marianne Pitts, Secretary to the CAR, Planner II
Planning and Preservation (Room 510) 646-7550

PDR O&R No.