

ORDINANCE NO. \_\_\_\_\_,

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY RESTRUCTURING THE PLANNING COMMISSION AND ESTABLISHING A SEPARATE ARCHITECTURAL REVIEW COMMITTEE.**

**WHEREAS**, on August 14, 2013, the City Council adopted Ordinance No. 726 eliminating the City's Architectural Review Committee, assigning the duties of the committee to the Planning Commission, and increasing the membership of the Planning Commission to seven members and requiring two of the Commissioners to be architects; and

**WHEREAS**, the purpose of Ordinance No. 726 was to improve the efficiency of the development review process; and

**WHEREAS**, the City Council has determined that Ordinance No. 726 has not resulted in significantly improved efficiency of the development review process; and

**WHEREAS**, this Ordinance restores the structure and duties of the Planning Commission to what they were prior to Ordinance No. 726 and re-establishes a streamlined version of the Architectural Review Committee that existed prior to Ordinance No. 726.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1 AMENDMENT OF SECTION 2.06.010.**

Paragraph C of Section 2.06.010 of the Cathedral City Municipal Code is amended to read as follows:

"C. Unless otherwise provided by law, or by ordinance or resolution of the city council, all members of boards and commissions of the city appointed by the city council shall be initially, and during their incumbencies, bona fide residents and registered voters of the city, except the licensed architect and landscape architect of the ~~planning commission~~ **architectural review committee** and two members of the public arts commission, may come from throughout the Coachella Valley. **The appointment of a non-resident made under this provision shall be limited to a term of one year.** No such member at or during such time shall be an employee of the city."

**SECTION 2 AMENDMENT OF SECTION 2.29.010**

Section 2.29.010 of the Cathedral City Municipal Code is amended to read as follows:

"Pursuant to Section 65100 et seq., of the California Planning and Zoning Law, the functions of the planning agency are assigned to the department, division or office of the city which carries out the responsibilities of a planning department, and to a planning commission. The planning commission shall consist of ~~seven~~ **five** members appointed in the manner and for the terms prescribed in Section 2.06.010 of this title. Members may receive

such compensation as is prescribed by resolution of the city council. The planning commission shall have the powers, functions and duties prescribed in the Planning and Zoning Law, and in the Cathedral City Development Code, Cathedral City Municipal Code and other local ordinances.”

### **SECTION 3 AMENDMENT OF SECTION 2.29.020**

Section 2.29.020 of the Cathedral City Municipal Code is amended to read as follows:

#### **“2.29.020 Secretary, staff support, committees.**

The planning commission shall be authorized to appoint and fix the membership of such number of standing and temporary committees as it may find expedient for the performance of its duties. The city manager shall appoint a person to act as secretary to the commission, and shall be responsible for providing the necessary staff support. At a minimum, the planning commission shall maintain the following subcommittees:

~~— A. — Architectural Review Subcommittee. The subcommittee shall include three members of the planning commission and consist of a licensed architect and landscaped architect. The subcommittee shall meet when necessary to perform the duties identified in the Cathedral City Development Code. The meetings of the subcommittee are subject to the Brown Act. The subcommittee shall review projects for compliance with the applicable provisions of the Development Code and submit a recommendation to the full planning commission. The architectural review subcommittee will ensure the following:~~

~~— 1. — That all projects will create an image with a high degree of quality that improves the built environment, and incorporates quality amenities with regard to architecture, landscaping, and the streetscape.~~

~~— 2. — That effective design guidelines are created and to assist in the formulation of policy and code amendments related to architectural design and landscaping.~~

~~— 3. — That recommendations are forwarded to the planning commission regarding the architectural design and landscaping for all development projects.~~

~~— The architectural review subcommittee is authorized to take final action on architectural design and landscaping for administrative design reviews and modifications to conditional use permits where appropriate.~~

~~— B. —~~ **a** Streets and Transportation Subcommittee. The subcommittee shall include three members of the planning commission and shall meet when necessary to perform the duties identified in the Cathedral City Development Code. The meetings of the subcommittee are subject to the Brown Act. The subcommittee shall review projects for compliance with the applicable provisions of the Development Code and submit a recommendation to the full planning commission.”

### **SECTION 4 ADDITION OF CHAPTER 2.30**

A new Chapter 2.30 (Architectural Review Committee) is hereby added to the Cathedral City Municipal Code as shown in Exhibit “A” hereto.

## **SECTION 5 SEVERABILITY**

The City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance as hereby adopted shall remain in full force and effect.

## **SECTION 6 EFFECTIVE DATE**

This Ordinance shall take effect on July 1, 2017.

## **SECTION 7 POSTING**

The City Clerk shall, within fifteen (15) days after passage of this Ordinance, cause it to be posted in at least three (3) designated public places; shall certify to the adoption and posting of this Ordinance; and shall cause this Ordinance and its certification, together with proof of posting, to be entered in the Book of Ordinances of this City.

## **SECTION 8 CERTIFICATION**

The foregoing Ordinance was approved and adopted at a meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2017, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

\_\_\_\_\_  
Stan Henry, Mayor

**ATTEST:**

\_\_\_\_\_  
Gary F. Howell, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Eric S. Vail, City Attorney

## **Exhibit “A”**

### **Chapter 2.30**

### **Architectural Review Committee**

#### **2.30.010 Architectural Review Committee Established.**

A. An architectural review committee for the city of Cathedral City is created which shall consist of five members selected by the city council, serving without compensation, appointed in the manner and for the terms prescribed in Section 2.06.010 of this municipal code. Consistent with Section 2.06.010(A), two of the initial committee members shall be appointed to serve a two year term and three of the initial committee members shall be appointed to serve a three year term so that thereafter the terms are staggered.

B. The committee shall consist of a licensed architect, a licensed landscaped architect, and three at large members. The City Council may waive the residency requirements in Section 2.06.010 for the architect and landscape architect if the City Council determines it is in the best interest of the City to appoint a non-resident.

#### **2.30.020 Organization.**

Designation of a chairperson for the architectural review committee shall be governed by Section 2.06.020 of this municipal code. The city manager may appoint an executive secretary and other staff and provide such compensation for their services as may be authorized by the city council. The architectural review committee shall be authorized to establish and fix the membership of standing and temporary subcommittees as it may find expedient for the performance of its duties.

#### **2.30.030 Meetings.**

Meetings of the architectural review committee shall be held as necessary to fulfill its duties at such time and place as shall be fixed by the committee. A majority of the appointed members of the committee shall be considered a quorum for the transaction of business. The committee may establish such rules and regulations as it deems necessary for the conduct of its business. In matters relating to holding and conducting regular and special meetings, the committee shall be bound by the provisions of the Ralph M. Brown Act of the state, as it may be amended, applicable to advisory committees.

#### **2.30.040 Functions, Powers and Duties.**

The architectural review committee shall review projects for compliance with the applicable provisions of the Development Code. The architectural review architectural review committee will ensure the following:

1. That all projects will create an image with a high degree of quality that improves the built environment, and incorporates quality amenities with regard to architecture, landscaping, and the streetscape.

2. That effective design guidelines are created and to assist in the formulation of policy and code amendments related to architectural design and landscaping.

3. That its recommendations are forwarded to the planning commission regarding the architectural design and landscaping for all development projects.

The architectural review subcommittee is authorized to take final action on architectural design and landscaping for administrative design reviews consistent with Section 9.78.050 of this code.