

ORDINANCE NO. 848

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANDERSON AMENDING
CHAPTER 17.62 OF THE ANDERSON MUNICIPAL CODE TO PROVIDE ADDITIONAL
REQUIREMENTS FOR THE DESIGN REVIEW PROCESS**

WHEREAS, Chapter 17.62 of the Anderson Municipal Code governs the design review process for the City of Anderson which has an overall intent to promote the orderly and harmonious development of the City; and

WHEREAS, the design review ordinance has not been amended by the City Council since 1998 and is need of an update to provide guidance to the design review committee and the planning commission; and

WHEREAS, through this amendment, the City Council seeks to update Chapter 17.62 to revise the makeup of the design review committee, provide a clear application process for the property owner/developer, and include specific findings for each review.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ANDERSON DOES ORDAIN AS FOLLOWS:

Section 1.

Title 17 (Zoning), Chapter 17.62 (Uses Requiring Design Review), is hereby repealed and replaced to read as follows:

Chapter 17.62 - DESIGN REVIEW

17.62.010 -Purpose.

This chapter is adopted to promote the general health, safety, welfare, and economy of the residents of the community. The purposes of this chapter are to:

- A. Promote orderly and harmonious development of the City;
- B. Enhance the desirability of residence or investment in the City;
- C. Encourage the attainment of the most desirable use of land and improvements;
- D. Enhance the desirability of living conditions upon the immediate site or in adjacent areas; and
- E. Promote visual environments which are of high aesthetic quality and variety and which at the same time are considerate of each other.

17.62.020 - Definitions.

As used in this chapter, the following terms are defined in this section:

"Director" means the City of Anderson Public Works Director

"Landscaping" means trees, shrubs, grass or other ornamental vegetation.

"Maintenance" means furnishing of service and materials for the ordinary and usual maintenance, operation and servicing of any improvement, including: (a) repair, removal or replacement of all or any part of any improvement; (b) providing for the life, growth, health and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing or treating for disease or injury; (c) removal of trimmings, rubbish, debris and other solid waste.

"Total parking area" means the total number of required parking spaces multiplied by three hundred twenty-five square feet, which accounts for aisle and access areas.

"Trash enclosure" means an enclosure made of either solid wood, block or fence with wood or plastic slats, with a four-inch concrete floor, located a minimum of twenty feet from any street property line, and directly accessible from the main parking lot driveway.

17.62.030 - Establishment of design review committee.

A design review committee shall be established consisting of three members who shall be entitled to vote: one person appointed by the planning commission, one public works department representative, and one police department administrative representative. The planning commission appointee shall be appointed as recommended by the chairman of the planning commission and approved by the planning commission. The planning commission appointee shall serve at the pleasure of the planning commission. The public works department representative shall be appointed by and serve at the pleasure of the Director. The police department representative shall be appointed by and serve at the pleasure of the chief of police.

17.62.040 - Projects reviewed by the Design Review Committee.

A project shall be reviewed by the design review committee under the following circumstances:

- A. Whenever a contractor, developer or their designee intends to construct three or more single-family residences on contiguous land; or
- B. Whenever an application is made for a building permit involving new construction or exterior modifications for any multifamily, commercial or industrial building or any building or structure in any multiple-family, commercial or industrial district; or

C. In any special circumstance where, in the opinion of the Planning Commission, the review of the proposed project will be beneficial to the City.

17.62.050 - Administrative design review.

The design review committee delegates to the Director authority to approve certain routine or minor projects. In any case, the project can go to the design review committee at the request of the applicant or the Director.

Minor projects are those which because of their limited size and scope have minor aesthetic implications. Examples of such projects include, but are not limited to, the following:

- A. Alterations, repairs, and remodels that the Director determines to be of a minor nature, including signs;
- B. Additions to existing structures;
- C. Fences and walls;
- D. New construction on existing, partially developed parcels;
- E. Replacement-in-kind;
- F. Satellite dish antennas larger than 1 meter in diameter;
- G. Detached single family dwellings, including manufactured housing, and accessory dwelling units for single family dwellings;
- H. Signs.

If the Director determines that an otherwise minor project may have greater aesthetic implications, the director may refer the project to the Design Review Committee.

17.62.060 - Design review process.

The design review committee meets as necessary in order to review all commercial, industrial and office projects, as well as residential projects of three or more units. Plans which are submitted to the building division for building permits and which fall under the above-mentioned categories, are routinely referred to the Director for presentation to the Design Review committee.

17.62.070 - Required submittals.

The following are required submittals

A. Completed design review application;

B. Preliminary architectural drawings or renderings of each proposed building or structure shall be submitted for design review and shall be approved for submittal by the secretary of the design review committee. Such drawings or renderings need not be final but shall indicate sufficient detail and reasonable accuracy:

1. Site plan or plans,
2. Elevations,
3. Landscaping plans,
4. Utility locations,
5. Off-street parking and vehicular access,
6. Color samples of the exterior,
7. Relationship of building or structures to adjacent existing or proposed buildings; structures or projects including site orientation, and
8. Trash enclosures for all projects except single-family dwellings;

C. No building permit shall be issued in any case where design review is required until such drawings and sketches have been approved by the design review committee or planning commission or city council, in the event of an appeal, and all buildings, structures and grounds shall be in accordance with the drawings and sketches.

17.62.080 - Application Procedures

Upon receipt of a complete application and other required documents under 17.62.070, the Design Review Committee or, in the case of a minor project, the Director, shall conduct a review of the location, design, site plan configuration, and effect of the proposed development by comparing the project plans to established development standards, design guidelines, and other applicable ordinances of the City, and the General Plan and then making the findings set forth in section 17.62.090.

17.62.090 - Findings.

The Design Review Committee or Director, where authorized, shall determine whether or not a project adequately meets adopted City standards and design guidelines, based upon the following findings:

- A. The proposed development is consistent with the General Plan, any applicable specific plan, and any applicable neighborhood or area plans;

B. The proposed development, including the character, scale, and quality of design, are consistent with the purpose/intent of this chapter and the City's adopted design guidelines and development standards;

C. The architectural design of structures, including all elevations, materials and colors are visually compatible with surrounding development. Design elements, including screening of equipment, exterior lighting, signs, and awnings, have been incorporated into the project to further ensure its compatibility with the character and uses of adjacent development;

D. The location and configuration of structures are compatible with their sites and with surrounding sites and structures and do not unnecessarily block views from other structures or dominate their surroundings; and

E. The general landscape design, including the color, location, size, texture, type, and coverage of plant materials, and provisions for irrigation, maintenance, and protection of landscape elements, have been considered to ensure visual relief, to complement structures, and to provide an attractive environment.

17.62.100 - Appeals.

Anyone may appeal in writing the decision of the design review committee within ten (10) days of the decision to the planning commission. In addition, the design review committee may, if it deems advisable, refer any application for design approval directly to the planning commission for a decision. Any decision of the planning commission with respect to the design review may be appealed in writing to the city council within ten (10) days of the decision of the planning commission.

17.62.110 - Revocation.

Any approval granted under this chapter becomes null and void if not exercised within the time specified in such approval, or, if no date is specified, if not exercised within one year from date of approval.

Section 2.

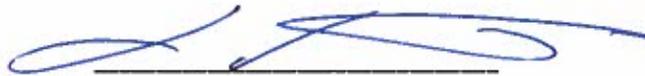
If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any person or circumstance. The City Council of the City of Anderson hereby declares that it would have adopted each section, subsection subdivision paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections subdivisions paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 3.

The City of Anderson finds that this Ordinance is not a "project" according to the definition set forth in the California Environmental Quality Act ("CEQA"), and, pursuant to CEQA Guidelines sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061(b)(3) (there is no possibility the activity in question may have a significant effect on the environment), the adoption of this ordinance is therefore not subject to the provisions requiring environmental review.

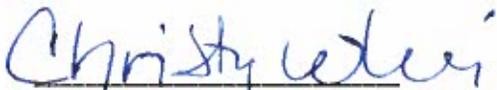
I HEREBY CERTIFY that the foregoing ordinance was introduced and read by the City Council of the City of Anderson at a regular meeting on the 19th day of July, 2022, and was duly read and adopted at a regular meeting on the 16th day of August, 2022, by the following vote:

AYES: Councilmember Hunt, Baugh, Neutze, Gallagher and Mayor Browning.
NOES: None.
ABSENT: None.
ABSTAIN: None.



Baron Browning, Mayor

ATTEST:


Christy White, City Clerk