

CHAPTER 4.36

URBAN DESIGN COMMITTEE

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4.36.010 Policy.

The City of Lincoln recognizes the importance of the physical environment in making Lincoln an attractive place in which to live and work, and the impact of physical development upon the environment.

The ~~city~~City is desirous of improving the quality of life through improved urban design; to protect and promote those qualities in the environment which bring value to the community; to further the attractiveness of Lincoln as a place to live and work; to preserve the quality of areas which have a distinct and desirable character; to protect and enhance public and private investment; to raise the level of community expectations for the quality of its environment; to encourage improved quality and functional utility of development, including the architecture, landscape, and graphic design of said development.

The ~~city~~City further recognizes that it should encourage positive influences upon the environment through its ordinances and regulations and ensure that public facilities set a high standard of urban design. In order to provide guidance in attaining these goals, the city acknowledges the advisability of creating an Urban Design Committee. (Ord. 15437 §1; February 12, 1990; P.C. §14.90.010; Ord. 13092 §1; January 26, 1981).

4.36.020 Committee Established; Membership; Term.

The Mayor and the City Council hereby establish an Urban Design Committee. The committee shall have seven members appointed by the Mayor with the approval of the City Council. Insofar as practicable, all members of the committee shall be competent in matters of design, representative of the community, and should include individuals with a demonstrated interest or education in matters of urban design.

The term of service of the committee is three years. In order to provide continuity, two of the first seven appointees shall serve for one year, two for two years, and the remaining three for the full three-year term. Removal of a member during the term of service shall be on recommendation of the Mayor, concurred in by a majority vote of the City Council, and only for good cause. (Ord. 15437 §2; February 12, 1990; P.C. §14.90.015; Ord. 13092 §2; January 26, 1981).

4.36.030 Duties and Powers.

The committee shall advise the Mayor, City Council, Planning Commission, city boards, ~~and~~city departments, and other public agencies in matters relating to urban design, visual relationships, architectural design, and aesthetics. However, the committee shall not review the engineering or technical aspects of any project or standard.

The committee shall have the following responsibilities:

(a) Review aspects of city plans, such as sub-area plans in the Comprehensive Plan; regulations, such as zoning and subdivision; and design standards and criteria only insofar as they affect urban design.

(b) Recommend the coordination of the application of various regulations and standards that may affect design, and for modification of rigid or insensitive regulations or standards that can stifle efforts to achieve quality design, and provide whatever other guidance is necessary and desirable in the absence of specific regulations or standards to promote and encourage exemplary urban design.

(c) Review physical building or construction and building demolition projects within the zoning jurisdiction of the city, limited to the following:

(1) Projects sponsored or initiated and financed by the City of Lincoln or other public entity or a project in which the ~~city~~ City or other public entity has made or will make some financial contribution (herein referred to as public projects) when such project affects urban design and aesthetics.

(2) Projects not described in item (1) above that will or are proposed to be partially or wholly located on the city right-of-way or other city property (herein referred to as private projects).

~~(2)~~(3) Other projects with urban design impact on which the Committee may be requested to render advice from time to time by public or private entities.

Notwithstanding (1) and (2) above, Urban Design Committee review of projects by any utility company, public or private, shall be limited to (i) construction of buildings, distribution substations, and ground-level switching stations; and (ii) construction located within an historic district designated by the federal government or the City of Lincoln or within 300 feet of an historic landmark as designated by the federal government or the City of Lincoln. ~~However, no project which is to be reviewed by the Historic Preservation Commission shall be reviewed by the Urban Design Committee.~~

(d) Promote public education and appreciation of urban design through the initiation of programs such as an "Urban Design Awards Program."

(e) Recommend to the Mayor the initiation of projects and plans which would improve urban design. (Ord. 15437 §3; February 12, 1990: P.C. §14.90.020: Ord. 13439 §1; August 30, 1982: prior Ord. 13092 §3; January 16, 1981).

(f) Act as the Appeals Board for appeals of administrative decisions relating to the Downtown Design Standards, South Haymarket Design Standards, Neighborhood Design Standards, or other appeals as may be assigned to the Committee from time to time. Such appeals shall be decided following a public notice and a public hearing as described in Section 4.36.050.

4.36.040 Advisory Review Process.

The Urban Design Committee shall draft "Aspects and Limitations of Review and Submission Guidelines for Urban Design Review" to be adopted by resolution of the City Council. The Urban Design Committee shall review said document periodically and propose any amendments it deems necessary to the City Council.

(a) Selection of items for review.

(1) Capital improvements program. Within one month after the adoption of the city budget, the Urban Design Committee shall meet to review the capital improvements program. The committee shall determine which projects are visually significant, and those projects to be reviewed.

(2) Non-capital improvement program items. The departments and boards of the city shall select items for design review from among those items not included in the capital improvement program over which the committee has review authority, as specified in Section 4.36.030. The committee may, with the assistance of the departments and boards, prepare and approve guidelines for use in selecting those items for committee review.

(b) Submissions. The project director for a public project or the owner or the owner's architect for private projects which require design review shall submit information to the ~~chair of the Urban Design Committee~~Planning Department on behalf of the Urban Design Committee as follows and in accordance with submission guidelines or urban design review adopted by the committee:

(1) A written description of the proposed project and its environs;

(2) A site plan showing the entire area of the proposed project and the project environs (i.e., the area determined to have a visual or spatial relationship to the proposed project) legibly drawn and of sufficient size and scale to clearly show the intent of the proposed project and the project's relationship to existing and planned development within project environs;

(3) If a street project, typical cross sections through proposed project area and project environs as necessary and drawn adequately to show design intent;

(4) If proposal includes the construction or exterior remodeling of a building or shelter of a preliminary building floor plan and exterior elevations drawn adequately enough to show design intent.

(c) Initial reviews.

(1) Public projects, including capital improvement program projects. Those public projects selected for review ~~shall be recommended to~~ be reviewed at least twice, once at a predesign conference with the department director or project director, and any consultant, and once again when the proposed plans have been prepared. The purpose of the predesign conference is to allow the Committee to provide advice before design concepts and program objectives are finalized.

(2) Private projects. Prior to filing any submissions, the prospective applicant and the applicant's architect are entitled to meet with the ~~committee chair~~Planning Department in order to obtain information on the review aspects and submission requirements.

(d) Final review. Final review of both public and private projects will consist of a review of various aspects of design with specific emphasis on the applicable objectives in the resolution adopted under Section 4.36.040.

(e) Statement of finding. Whenever the committee does not approve a proposal as submitted, it will be obliged to specify in writing the conditions under which a majority of the committee would approve the proposal. However, it is not the intent of this section to require the committee to furnish the applicant with a design. The findings of the committee shall be forwarded to the appropriate board, department, or governing authority for its consideration. The findings of the committee shall not prevent the implementation of a proposal or be binding on the affected board, department, or authority.

The committee may approve a proposal in a piecemeal fashion, e.g., the committee may expressly reserve approval of detailed aspects of a proposal when the submission as provided by applicant lacks sufficient detail. Once certain aspects of the proposal are approved, the committee may not rescind its previous approval unless changes have been made in the proposal that would affect previous approval. (Ord. 15437 §4; February 12, 1990; P.C. §14.90.025; Ord. 13092 §4; January 26, 1981).

4.36.050 Meetings, ~~and Rules, and Notice of Public Hearings.~~

The chair shall conduct the meetings of the committee. Minutes and a permanent record of all resolutions, motions, and determinations shall be kept on file in the office of the City Clerk. The committee shall prepare a full statement in writing to each applicant and to the City Council and Mayor detailing and explaining the reasons and basis for their recommendations. The committee shall meet as necessary to process all applications within ~~thirty-fourty-five~~ days after receipt of application, ordinarily meeting monthly. ~~and shall meet at least once a month.~~ A quorum shall be four members of the committee. The committee may adopt such rules, bylaws, and procedures as it deems appropriate to carry out the purposes and goals of this chapter. (Ord. 15437 §5; February 12, 1990; P.C. §14.90.030; Ord. 13092 §5; January 26, 1981).

Public hearings to be held by the Urban Design Committee on appeals relating to Downtown Design Standards, South Haymarket Design Standards, or Neighborhood Design Standards shall not be held until notice thereof has been given as provided in Chapter 1.00 of the City of Lincoln Design Standards.

(a) No decision or recommendation which the Urban Design Committee is required to make under this title shall be void or invalidated or affected in any way, for any irregularity, defect, error, or failure on the part of the Planning Director to cause notice to be given as required above.

(b) It shall not be necessary to give further notice of adjourned or continued public hearing.

(c) Other notice, as may be deemed appropriate by the public body conducting the hearing, may be given in advance of public hearing. Such notice is not mandatory or required as a condition precedent to any such public hearing.

4.36.060 Staff.

Secretarial and staff assistance shall be provided by the Planning Department. (Ord. 15437 §6; February 12, 1990; P.C. §14.90.035; Ord. 13092 §6; January 26, 1981).

4.36.070 Appeals.

Findings and actions of the Urban Design Committee regarding appeals of decision regarding the Downtown Design Standards, South Haymarket Design Standards, or Neighborhood Design Standards may be appealed as provided in Chapter 1.00 of the City of Lincoln Design Standards.