

**ORDINANCE NO. 15-04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, AMENDING CHAPTER 2.08 OF TITLE 2 TO THE GOLETA MUNICIPAL CODE ESTABLISHING REGULATIONS FOR THE DESIGN REVIEW BOARD.**

**THE CITY COUNCIL OF THE CITY OF GOLETA DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1. Code Amendment.**

Title 2, Chapter 2.08 is hereby repealed and replaced in the Goleta Municipal Code as set forth below:

**Chapter 2.08 DESIGN REVIEW BOARD**

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- 2.08.010 Purpose.
  - 2.08.020 Design Review Board Established.
  - 2.08.030 Members, Appointments, Quorums.
  - 2.08.040 Term of Office and Reappointment of Members.
  - 2.08.050 Vacancies.
  - 2.08.060 Termination or Change in Term.
  - 2.08.070 Compensation.
  - 2.08.080 Officers.
  - 2.08.090 Voting—Disqualification from Voting in Certain Cases.
  - 2.08.100 Adoption of Bylaws and Guidelines—Records to be Public.
  - 2.08.110 Meetings.
  - 2.08.120 Powers and Duties.
  - 2.08.130 Application for Approval and Fees.
  - 2.08.140 Scope of Review.
  - 2.08.150 Levels of Design Review and Responsible Party
  - 2.08.160 Findings.
  - 2.08.170 Time Limits on Approvals and Time Extensions
  - 2.08.180 Appeals—Hearings.
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### **2.08.010 Purpose.**

- A. The City Council finds that inappropriate or poor quality design in the exterior appearance of buildings, structures or signs may adversely affect the following:
  - 1. The desirability of the immediate area and neighboring areas for residential, business or other purposes;
  - 2. The benefits of occupancy of existing property in such areas and the stability and value of both improved and unimproved real property in such areas;
  - 3. The most appropriate development and use of such areas; and
  - 4. The proper relationship between the taxable value of real property in such areas and the cost of public services provided to such areas.
- B. The purpose of establishing a Design Review Board is to prevent these and other harmful effects by subjecting certain development to design review and encouraging development that exemplifies the best professional design practices, enhances the visual quality of the environment

### **2.08.020 Design Review Board Established.**

The Design Review Board ("DRB") in and for the City is hereby established. (Ord. 02-26 § 2)

### **2.08.030 Members, Appointments, Quorums.**

- A. The DRB shall be composed of seven members, appointed by the City Council. Of the seven members, a minimum of four shall be residents of the City. At least two members shall be licensed architects, and at least two members shall be licensed landscape professionals (landscape architect or landscape contractor). The three at-large members must reside within the City. The City Council may also appoint one or more alternates to the DRB. Such alternates may participate in all general DRB matters, but may only vote on a project approval or other Board decision when a regular DRB member is absent or recused from a meeting. The members shall be skilled in reading and interpreting architectural and landscape drawings and able to judge the effects of a proposed building, structure, landscaping or sign upon the desirability and development of surrounding areas.
- B. Four members shall constitute a quorum, but a quorum must contain a minimum of one licensed architect and one landscape professional or

two licensed architects. A quorum must also contain a minimum of two City residents.

**2.08.040 Term of Office and Reappointment of Members.**

Effective in February of each year, the City Council shall make appointments to the DRB. Members of the DRB shall be appointed for a term of three years. The terms of the members shall be staggered so that approximately one third of the members are appointed each year. Members shall serve until their successors are appointed by the City Council. (Ord. 02-26 § 2)

**2.08.050 Vacancies.**

Other than by expiration of a term, vacancies shall be filled by appointment for the unexpired portion of the term by the same method as for the original appointment. (Ord. 02-26 § 2)

**2.08.060 Termination or Change in Term.**

A member of the DRB may be removed or a term may be changed by a majority vote of the City Council.

**2.08.070 Compensation.**

DRB members shall receive compensation in the amount of \$50.00 per meeting attended, whether regular or special.

**2.08.080 Officers.**

The DRB shall elect a Chair and Vice Chair from among its voting members. A designee of the Director of Planning and Environmental Review shall serve as DRB Secretary.

**2.08.090 Voting—Disqualification from Voting in Certain Cases.**

Any DRB member who is “financially interested in” or has “any direct personal financial interest in” (as defined in the State Political Reform Act relating to conflicts of interest) in a building, structure, landscaping or sign requiring the approval of the DRB is disqualified from voting thereon as provided by law. All members of the DRB shall file financial disclosure statements in accordance with the provisions of the California Political Reform Act and the City’s Conflict of Interest Code.

### **2.08.100 Adoption of Bylaws and Guidelines—Records to be Public.**

The DRB may recommend bylaws and guidelines, not inconsistent with any provisions of this chapter, governing its procedure and the transaction of business. Any such bylaws and guidelines recommended by the DRB are effective only if approved by the City Council. The DRB Secretary shall keep a public record of the DRB's transactions, findings, and determinations. The record of all actions of the DRB which are appealed to the Planning Commission shall be submitted to the Commission in written form and shall include the reasons for the DRB's action.

### **2.08.110 Meetings.**

The DRB shall hold a minimum of one regular meeting each month subject to the agenda calendar. A special meeting may be called at any time by the DRB Chair or by a majority of the DRB members.

### **2.08.120 Powers and Duties.**

- A. The Design Review Board will conduct design review and make decisions to approve, approve with amendments, or deny with specification of modifications that are required to approve the design of the projects listed below:
1. All projects for which a building permit is required that involves new construction or development; exterior alterations and installations; the erection, replacement, or alteration of signage; and landscaping associated with such construction and alterations
  2. Any project where DRB review is specified by action of the City Council, Planning Commission or Planning and Environmental Review;
  3. Exterior changes that result from an additional residential unit in a single-family home or in a multi-unit residential building;
  4. Applications for permits which, if combined with other permits applied for on the same property within four years, meets the criteria established above to avoid the "piecemeal" review of projects; and
- B. The following developments are exempt from DRB review except where part of a larger development project pursuant to subsection A of this section:
1. Decks 30 inches or less above grade;
  2. Swimming pools, hot tubs, and spas;

3. Fences or walls six feet or less in height and gateposts of eight feet or less in height, that are not considered integral to the design of a structure (e.g., perimeter fences); or
  4. Additions of 750 or less square feet (based on an exterior footprint measurement) to a single-family home, or additions of less than 100 square feet to any existing upper stories of a single-family home or duplex unit provided the addition is to the rear of the structure or does not significantly change the streetscape..
- C. The following development is exempt from DRB review.
1. All interior alterations.
  2. Solar panels located on roofs or on the ground
  3. Alterations, additions, and repairs that do not change the exterior appearance of a structure, including replacement in kind of existing features. To be considered "replacement in kind," the features must reasonably match the design, profile, material, and general appearance of the originals.

#### **2.08.130 Application for Approval and Fees.**

Applications for DRB approval shall be filed with the Planning and Environmental Review Department. Any fee required by the City for an application for DRB approval shall be paid as provided in the fee resolution. An application for approval of a building or structure shall contain the information required under the City's Zoning Ordinances, as well as any other information deemed necessary by the Planning and Environmental Review Department. An application for approval of a sign shall contain the required information pursuant to the sign regulations of the City, or as deemed necessary by the Planning and Environmental Review Department.

#### **2.08.140 Scope of Review.**

The DRB shall review each project for conformity with the purpose of this chapter, the applicable General Plan policies and guidelines, including without limitation, the Goleta Old Town Heritage District Architecture and Design Guidelines, the Highway 101 Corridor Design Guidelines, the Goleta Architecture and Design Standards for Commercial Projects, and the applicable City sign and zoning regulations. The DRB's review shall include:

- A. Height, bulk and area of buildings and structures;
- B. Colors and types of building materials and application;

- C. Relation with existing and proposed structures on the same site and in the immediately affected surrounding area;
- D. Site layout, orientation, and location of buildings, and relationship with open areas and topography;
- E. Height, materials, colors, and variations in boundary walls, fences, or screen planting;
- F. Location and type of landscaping; and
- G. Sign design and exterior lighting.

### **2.08.150 Levels of Design Review and Responsible Party**

#### **A. Conceptual Review**

1. Any and all proposed uses that require Design Review shall first be conceptually reviewed by the Design Review Board for recommendations on the design and other features so as to assist the applicant and the Planning Commission.
2. During such conceptual review, the Design Review Board may comment on site plan issues such as height, building orientation, massing and other site issues. Comments and recommendations made by the Design Review Board shall then be considered by the Planning Commission during deliberations on discretionary permits or approvals. Recommendations shall be advisory and no final or binding decision shall be issued by the Design Review Board during such preliminary review. Following Planning Commission approval, projects shall return to the Design Review Board for review as detailed in this Chapter.

#### **B. Design Review**

1. Design Review involves the substantive analysis of a project's compliance with all applicable City architectural guidelines and development standards as highlighted in Section 2.08.140.

#### **C. Conformance Review**

1. Conformance review confirms that the working drawings are in conformance with the project that received DRB approval.
2. Conformance review is conducted by the Planning and Environmental Review staff, with assistance where appropriate from the DRB Chair or the Chair's designees. In the event that final plans are not in substantial conformance with the approved plans, Planning and Environmental staff shall refer the matter to the full DRB for additional review.

#### D. Multiple Levels of Approval at a Single Meeting

1. Planning staff may accept and process signs for two or more levels of DRB review at a single meeting provided all required information is submitted and the project is properly noticed and agendized for such multiple levels of approval.

#### **2.08.160 Findings.**

In approving, approving with conditions, or denying an application with specification of modifications that area required to approve, the DRB shall examine the materials submitted with the application and any other material provided to the Planning and Environmental Review Department to determine whether the buildings, structures, or signs are appropriate and of good design in relation to other buildings, structures, or signs on the site and in the immediately affected surrounding area. Such determination shall be based upon the following findings, as well as any additional findings required pursuant to any applicable comprehensive plan policies and guidelines, including the Goleta Old Town Heritage District Architecture and Design Guidelines, the Highway 101 Corridor Design Guidelines, the Goleta Architecture and Design Standards for Commercial Projects and the applicable City sign and zoning regulations:

- A. The development will be compatible with the neighborhood, and its size, bulk and scale will be appropriate to the site and the neighborhood;
- B. Site layout, orientation, and location of structures, buildings, and signs are in an appropriate and harmonious relationship to one another, and to the environmental qualities, open spaces and topography of the property;
- C. The project demonstrates a harmonious relationship with existing and proposed adjoining developments, avoiding excessive variety and monotonous repetition, but allowing similarity of style, if warranted;
- D. There is harmony of material, color, and composition of all sides of a structure or buildings;
- E. A limited number of materials will be on the exterior face of the building or structure;
- F. There is consistency and unity of composition and treatment of exterior elevation;
- G. Mechanical and electrical equipment is well integrated in the total design concept and screened from public view to the maximum extent practicable;
- H. All visible onsite utility services are appropriate in size and location;
- I. The grading will be appropriate to the site;

- J. Adequate landscaping is provided in proportion to the project and the site with due regard to preservation of specimen and landmark trees, and existing native vegetation;
- K. The selection of plant materials shall be appropriate to the project and its environment, and adequate provision shall be made for the long-term maintenance of all such plant materials;
- L. The project will preserve and protect, to the maximum extent practicable, any mature, specimen or skyline tree, or appropriately mitigate the loss;
- M. The development will not adversely affect significant public scenic views;
- N. Signs, including their lighting, are well designed and are appropriate in size and location;
- O. All exterior site, structure and building lighting is well designed, appropriate in size and location, and dark sky compliant;
- P. The proposed development is consistent with any additional design standards as expressly adopted by the City Council;
- Q. The development will enhance the appearance of the neighborhood; and
- R. The public health, safety and welfare will be protected.
- S. The project architecture will respect the privacy of neighbors and is considerate of private views and solar access.

#### **2.08.170 Time Limits on Approvals and Time Extensions**

- A. The final approval of a project by the DRB shall expire three (3) years from the date of approval.
- B. Prior to the expiration of such three (3) year period, the Director may grant one (1) extension of up to two (2) years.

#### **2.08.180 Appeals—Hearings.**

Decisions of the DRB are appealable to the Planning Commission in accordance with Section 2.09.120 of the Municipal Code.

### **SECTION 4. EFFECTIVE DATE.**



This ordinance shall take effect on the 31st day following the date of its final adoption.

**SECTION 5. CERTIFICATION.**

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

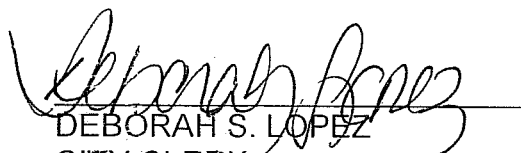
**INTRODUCED ON** the 3<sup>rd</sup> day of March, 2015.

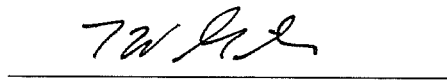
**PASSED, APPROVED, AND ADOPTED** this 17<sup>th</sup> day of March 2015.

  
PAULA PEROTTE, MAYOR

**ATTEST:**

**APPROVED AS TO FORM:**

  
DEBORAH S. LOPEZ  
CITY CLERK

  
TIM W. GILES  
CITY ATTORNEY

STATE OF CALIFORNIA )  
COUNTY OF SANTA BARBARA ) ss.  
CITY OF GOLETA )

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, do hereby certify that the foregoing Ordinance No. 15-01 was duly adopted by the City Council of the City of Goleta at a regular meeting, held on January 20, 2015 by the following vote of the Council:

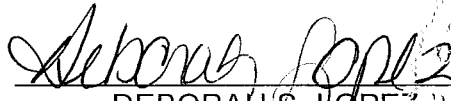
AYES: MAYOR PEROTTE, MAYOR PRO TEMPORE FARR,  
COUNCILMEMBERS ACEVES, BENNETT AND  
VALLEJO

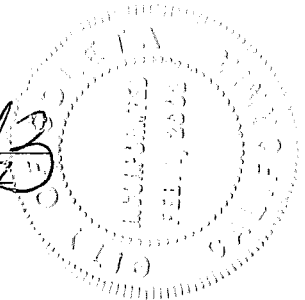
NOES: NONE

ABSENT: NONE

ABSTENTIONS: NONE

(SEAL)

  
DEBORAH S. LOPEZ  
CITY CLERK



**CITY OF GOLETA**

**DESIGN REVIEW BOARD  
BYLAWS AND GUIDELINES**

**March 2015**

## **SECTION 1.0 INTRODUCTION**

### **1.1 PURPOSE**

The purpose of the City of Goleta Design Review Board (DRB) is to encourage development that exemplifies the best professional design practices so as to enhance the visual quality of the environment, benefit surrounding property values, and prevent poor quality of design.

These guidelines establish the procedures that govern both the DRB members and the DRB meetings in order to ensure uniformity of procedure, fairness to the public and interested parties, and compliance with legal requirements in matters heard by the DRB.

### **1.2 GOALS**

The DRB is guided by a set of general goals that define the major concerns and objectives of its review process. These goals are to:

- 1) ensure that development and building design is consistent with adopted community design standards (e.g. General Plan, Goleta Old Town Heritage District Architectural and Design Guidelines, Design Standards for Commercial Projects);
- 2) promote high standards in architectural design and the construction of aesthetically pleasing, architecturally correct, structures so that new development does not detract from existing neighborhood characteristics;
- 3) promote visual interest throughout the City by providing for a variety of architectural styles;
- 4) preserve creek areas through restoration and enhancement, discourage the removal of significant trees and foliage;
- 5) ensure architecture and landscaping maintains neighborhood compatibility for all projects;
- 6) ensure that architecture will respect the privacy of neighbors and is considerate of private views and solar access;
- 7) preserve and protect native and biologically and aesthetically valuable nonnative vegetation or to ensure adequate and appropriate replacement for vegetation loss;
- 8) encourage energy efficiency; and
- 9) ensure that air circulation between structures is not impaired and shading is minimized on adjacent properties.

## **SECTION 2.0 GENERAL INFORMATION**

### **2.1 APPLICATIONS AND FILING**

Applications must be submitted in person to the Goleta City offices at least twenty-three (23) days prior to the requested meeting date. Agendas may close earlier based on the number of applications received. Only complete applications will be accepted; no partial submittals will be accepted or scheduled. DRB applications and submittal requirements are available at the City office, and the City's website [www.cityofgoleta.org](http://www.cityofgoleta.org).

### **2.2 AGENDA ORGANIZATION**

The DRB agendas shall generally be organized as follows:

1. Public Comment
2. Administrative Agenda
  - a. agenda status report
  - b. approval of minutes
  - c. staff updates
  - d. consent agenda
3. Standard Agenda
  - a. time certain items
  - b. projects being considered for conceptual review
  - c. projects being considered for design review
  - d. ex-agenda items

### **2.3 MEETING CONDUCT**

The rules of order which govern the DRB meetings shall be the same as those used by the City Council unless otherwise provided herein.

### **2.4 BROWN ACT**

Pursuant to the Ralph M. Brown Act (Government Code § 54950 et seq.), all meetings of the DRB including study sessions and workshops, must be open and public. This means that a quorum of Board members shall only discuss DRB business in a public meeting. Furthermore, meeting agendas shall be posted in a public place at least 72 hours in advance of the hearing and topics shall be limited to those on the agenda.

### **2.5 PUBLIC COMMENT**

A public comment period is available to all members of the public to discuss issues of concern with the DRB regarding items not on the agenda. However, such issues should be within the jurisdiction of the DRB.

## **2.6 DISCUSSIONS OUTSIDE OF REGULARLY NOTICED MEETINGS**

Private discussions between applicants and individual DRB members, or groups of DRB members, do not reflect the consensus of the entire DRB and may not be construed as an interpretation of the DRB policies. DRB members must disclose any such discussions at regularly scheduled meetings. Such discussions may not involve a quorum of the DRB members.

## **2.7 AGENDA MANAGEMENT**

The primary role of the DRB Chair is to conduct the meeting so that the work of the DRB may reasonably be completed within the allotted time. To this end, the DRB Chair should coordinate with the DRB Secretary to limit the number of items scheduled for particular DRB agendas in order to manage the length of the meeting.

## **2.8 ABSTENTION ON CONTINUED ITEMS**

A DRB member shall not vote or comment on a continued project if the member was not present during consideration of the project at the most recent meeting at which the project was considered unless the member has reviewed the plans and read the minutes of the relevant portions of that meeting. An exception to this may be made when the project is still undergoing conceptual review.

If enough members abstain under this policy such that a quorum no longer exists, (1) the project shall be continued to a subsequent meeting so that a quorum of eligible members may be present, or (2) previously abstaining DRB members may withdraw their abstentions.

## **2.9 CONFLICT OF INTEREST**

Members must comply with all regulations prohibiting participation by officials with conflicts of interest. If a member has a conflict of interest for an application that is before the DRB, the member must step down and not participate in the review nor be counted for purposes of a quorum.

## **2.10 ATTENDANCE OF BOARD MEMBERS**

If a member cannot attend a meeting, it is the responsibility of that member to contact the DRB Secretary at the earliest possible opportunity prior to the meeting date.

## **SECTION 3.0 PROCEDURES**

### **3.1 LEVELS OF DESIGN REVIEW AND RESPONSIBLE PARTY**

#### **1. Conceptual Review - DRB**

Conceptual review is a required step that allows the applicant and the DRB to participate in an informal discussion about the proposed

project prior to consideration by the Planning Commission. Applicants are encouraged to initiate this review as early in the design process as possible. This level of review is intended to provide the applicant with good direction early in the process to avoid spending unnecessary time and money by developing a design concept that may be inconsistent with the City's architectural guidelines and development standards. Information submitted for conceptual review should include where possible:

- a. Photographs which show the site from 3 to 5 vantage points or a panorama from the site and of the site as seen from the street, and photographs of the surrounding neighborhood showing the relationship of the site to such adjacent properties. Aerial photographs are helpful if available and may be required at later stages.
- b. Site plan showing vicinity map, topography, location of existing and proposed structures and driveways, and locations of all structures adjacent to the proposed structure. The site plan shall also indicate any proposed grading, an estimate of the amount of such grading, and any existing vegetation to be removed or retained.
- c. Site statistics including all proposed structures, square footage by use, and the number of covered and uncovered parking spaces.
- d. Schematics of the proposed project shall include rough floor plans and at least two elevations indicating the height of proposed structures. Perspective sketches of the project may also be required. Proposed materials and colors shall be indicated. (Schematics and sketches may be rough as long as they are to scale and describe the proposed development accurately and sufficiently well to allow review and discussion.)

## 2. Design Review - DRB

Design Review involves the substantive analysis of a project's compliance with all applicable City architectural guidelines and development standards. Fundamental design issues such as precise size of all built elements, site plan, elevations and landscaping are resolved at this stage of review. The DRB will identify to the applicant those aspects of the project that are not in compliance with applicable architectural guidelines and development standards and the findings that the DRB is required to make.

DRB approval of the project's design is the point in the process at which an appeal of DRB's decision can be made.

Information required for review, in addition to the information required for conceptual review, includes:

- a. Complete site plan showing all existing structures, proposed improvements, proposed grading, including cut and fill calculations, lot coverage statistics (i.e., building, paving, usable open space and landscape areas), vicinity map, and topography.
- b. Floor plans and roof plans (1/8+scale minimum).
- c. All elevations (1/8+ scale minimum) with heights, materials and colors specified.
- d. Preliminary landscape plan, when required, showing existing and proposed trees and shrubs, including any existing vegetation to be removed. This landscape plan shall also include all retaining and freestanding walls, fences, gates and gateposts and proposed paving and should specify proposed materials and colors of all these items.
- e. Site section for projects on slopes of 20 percent or greater, and when required by the DRB.

### **3. Conformance Review – PER Staff**

Conformance review confirms that the working drawings are in conformance with the project that received approval. In addition to reviewing site plan and elevations for conformance, building details and the landscape plan will be reviewed for acceptability.

Final review is conducted by the Planning and Environmental Review staff with assistance where appropriate from the DRB Chair or the Chair's designees. In the event that final plans are not in substantial conformance with the approved plans, Planning staff shall refer the matter back to the full DRB for a final determination.

### **4. Multiple Levels of Approval at a Single Meeting**

Planning staff may accept and process signs for two or more levels of DRB review (e.g., conceptual and DRB approval) at a single meeting provided all required information is submitted and the project is properly noticed and agendaized for such multiple levels of approval.



## **3.2 APPEALS OF DRB DECISIONS**

Decisions of the DRB are appealable to the Planning Commission in accordance with Section 2.09.120.

## **SECTION 4.0 DESIGN REVIEW PROCESS**

### **4.1 ASPECTS CONSIDERED IN REVIEW**

The DRB's review shall include:

1. Height, bulk, scale and area coverage of buildings and structures and other site improvements.
2. Colors and types of building materials and application.
3. Physical and design relation with existing and proposed structures on the same site and in the immediately affected surrounding area.
4. Site layout, orientation, and location of buildings, and relationship with open areas and topography.
5. Height, materials, colors, and variations in boundary walls, fences, or screen planting.
6. Location and type of existing and proposed landscaping.
7. Sign design and exterior lighting.

### **4.2 REQUIRED FINDINGS FOR APPROVALS**

In order to grant approval to a project, City Code Section 2.08.150 requires the DRB to determine, among other matters, whether the buildings, structures, landscaping and signs are appropriate and of good design in relation to other buildings, structures, landscaping and signs, on-site or in the immediately affected area. Such determination shall be based on the findings located in Section 2.08.150, as well as any additional findings required pursuant to the City's Zoning Ordinance

## **5. SITE VISITS**

DRB members are encouraged to conduct site visits to proposed project locations. Please note that if a quorum of the Board or four (4) or more members attend the same site visit, it is considered as a formal meeting of the DRB such that notice of the site visit must be posted 72 hours prior to the visit and the public must be able to attend.