



TO: Mayor and Councilmembers

FROM: Daniel Singer, City Manager

CONTACT: Steve Chase, Director, Planning & Environmental Services
Patricia S. Miller, Manager, Current Planning
Scott Kolwitz, Senior Planner

SUBJECT: Amendment of Design Review Board Bylaws and Guidelines

RECOMMENDATION:

Adopt resolution No.09-__ entitled "A Resolution of the City Council of the City of Goleta, California Repealing Resolution No. 07-22 on and Adopting Amended Bylaws and Guidelines for the City Design Review Board".

BACKGROUND:

The Design Review Board (DRB) is authorized under Ordinance No. 2-26 and operates under the City of Goleta Design Review Board Bylaws and Guidelines (Bylaws) as adopted by Resolution No. 07-22 May 21, 2007. On occasion staff and the DRB reflect upon the adequacy and practicality of the DRB Bylaws. Midway through 2008, staff and the DRB began discussing the impact of changing the DRB appeal point for all projects from Final Approval to Preliminary Approval. Staff and the DRB agreed that the intent of moving the appeal point to an earlier phase of the review process was to determine if a project was at risk of being appealed prior to an applicant investing substantial funds in final construction and engineering plans/documents. A time savings of at least two weeks to one month would be also realized if applicants could begin working on the final plans/documents between the DRB granting Preliminary Approval and Final Approval.

DISCUSSION:

Staff and the DRB believe this change has worked well for most projects the DRB has reviewed, but have also determined that moving the appeal point had the unintended consequence of lengthening the process for sign projects. The DRB discussed this problem and recommended that the signage appeal point be changed from Preliminary Approval back to Final Approval. The DRB has submitted a letter requesting this change which is included as Attachment 2.

Staff has reviewed the DRB Bylaws and proposed changes which were distributed to the DRB on January 13, 2009. At that meeting additional minor recommendations were

suggested by general consensus of both staff and DRB members. A “track changes” edited version of the Bylaws is provided as exhibit A to the proposed resolution.

The changes suggested in Attachment 1 clarify the intent of the Bylaws and correct grammatical errors and other unintended mistakes. While changes are found throughout the entire document, they fall within the following categories:

CATEGORY	PROPOSED CHANGE
Term of Office Date	Appointment to be made in February instead of April
Jurisdiction	Non-residential mechanical equipment that can be seen from a public right-of-way” to be added.
Final Review Requirements	Replace “construction drawings” with “architectural details”
Multiple Levels of Review	Allow signs to be reviewed for Conceptual, Preliminary, and Final Approval at one meeting
Time Extension	Added text regarding time extensions
Appeals	Signs: Defined appeal point at <u>Final</u> , Revised Final or Denial.
All other projects	Defined appeal point at <u>Preliminary</u> , Revised Final or Denial.

An example of adding clarity is found within the Final Review requirements. The requirements state that a “Complete set of construction drawings” are needed. A complete set of construction drawings would include structural calculations, electrical, plumbing and mechanical specifications. The intent of this section was for exterior architectural details to be provided. As such, staff recommends changing this requirement’s title to a “Complete set of architectural details.”

A further example can be found with Site Visit requirements. When the DRB’s membership consisted of nine members, five members (quorum) were required to make site visits on commercial, industrial, larger residential, and controversial projects. When the DRB’s membership was reduced from nine to seven members, the number of members required to make site visits was left at five instead of being reduced to four.

The most significant omission is the absence of any text regarding time extensions under the heading of “Time Limits on Approvals and Time Extensions.”

These are but a few of the recommended changes to the DRB Bylaws. At the hearing, staff will guide the City Council through a brief discussion of all of the recommended amendments.

ALTERNATIVES:

The City Council may elect to limit approval to only some of the requested changes, to direct other changes or to not make any changes to the existing Design Review Board Bylaws and Guidelines.

STRATEGIC PLAN:

The recommended action carries forth the Strategic Plan directive to "Provide effective, corrections and accurate information on planning requirements."

LEGAL REVIEW:

This matter was discussed with the City Attorney's office.

Submitted By:

Reviewed by:

Approved By:

Steve Chase, Director
Planning & Environmental
Services

Michelle Greene, Director
Administrative Services

Daniel Singer
City Manager

ATTACHMENTS:

1. Resolution No. 09-__ entitled "A Resolution of the City Council of the City of Goleta, Repealing Resolution No. 07-22 and Adopting Amended Bylaws and Guidelines for the Design Review Board.
2. Design Review Board's letter requesting changes to signage appeal point dated July 22, 2008.

ATTACHMENT 1

Resolution No. 09-__ : A Resolution of the City Council of the City of Goleta, Repealing Resolution No. 07-22 and Adopting Amended Bylaws and Guidelines for the Design Review Board.

RESOLUTION NO. 09-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA REPEALING RESOLUTION NO. 07-22 AND ADOPTING AMENDED BYLAWS AND GUIDELINES FOR THE CITY DESIGN REVIEW BOARD

WHEREAS, the City Council adopted Ordinance No. 02-14 establishing a Design Review Board (DRB) for the City on March 18, 2002; and

WHEREAS, the City Council originally approved bylaws and guidelines for the DRB (“DRB Bylaws and Guidelines”) on April 22, 2002; and

WHEREAS, the City Council repealed Ordinance No. 02-14 and replaced it with Ordinance No. 02-26 on October 7, 2002; and amended the original Bylaws and Guidelines on October 7, 2002 by Resolution No. 02-69; and adopted Resolution No. 04-03 and repealed Resolution No. 02-69 and amended the Bylaws and Guidelines on January 26, 2004; and adopted Resolution No. 05-27 and repealed Resolution No. 04-03 and amended the DRB Bylaws and Guidelines on May 16, 2005; and adopted Resolution No. 07-22 and repealed Resolution No. 05-27 and amended the DRB Bylaws and Guidelines on May 21, 2007; and

WHEREAS, Section 2.30.100 of City Ordinance No. 02-26 provides that the City Council may make amendments to the DRB Bylaws and Guidelines, and that such amendments may be adopted by City Council resolution; and

WHEREAS, on January 20, 2009 the City of Goleta City Council held a duly noticed public hearing to consider revisions to the DRB Bylaws and Guidelines, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council has reviewed the proposed amendments to the current DRB Bylaws and Guidelines and, with certain modifications, believes that the proposed amendments reflect appropriate rules for the procedure and transaction of the DRB’s business and will enhance the goals and objectives of the DRB.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLETA AS FOLLOWS:

SECTION 1.

Resolution No. 07-22 is hereby repealed.

SECTION 2.

The amended City of Goleta DRB Bylaws and Guidelines attached as "Exhibit A" are hereby adopted in accordance with Section 2.30.100 of the Goleta Municipal Code.

SECTION 3.

The City Clerk shall certify as to the adoption of this resolution.

PASSED, APPROVED, AND ADOPTED this 20th day of January, 2009.

ROGER S. ACEVES, MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH CONSTANTINO
CITY CLERK

TIM W. GILES
CITY ATTORNEY

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

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California,
DO HEREBY CERTIFY that the foregoing Resolution No. 09-XX was duly
adopted by the City Council of the City of Goleta at a regular meeting held on the
20th day of January 20, 2009, by the following vote of the Council:

AYES: COUNCILMEMBERS

NOES: COUNCILMEMBERS

ABSENT: COUNCILMEMBERS

(SEAL)

DEBORAH CONSTANTINO
CITY CLERK

EXHIBIT "A"

DRB BYLAWS AND GUIDELINES
WITH RECOMMENDED AMENDMENTS MARKED

EXHIBIT A
To Resolution No. 09-XX

CITY OF GOLETA

DESIGN REVIEW BOARD
BYLAWS AND GUIDELINES

ADOPTED BY CITY COUNCIL RESOLUTION NO. 09-XX
January 20, 2009

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 bylaws and guidelines establish the rules and 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. These guidelines are also intended to assist the public to understand and participate in the design review process.

1.2 AUTHORITY

The Goleta City Council established the DRB in March of 2002 (Ordinance No. 02-14 as amended by Ordinance No. 02-26 [and Resolution No. 04-03 and Resolution No. 07-22](#)).

1.3 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) encourage the most appropriate use of land;
- 4) promote visual interest throughout the City through the preservation of public scenic, ocean and mountain vistas, creation of open space areas, and providing for a variety of architectural styles;
- 5) preserve creek areas through restoration and enhancement, discourage the removal of significant trees and foliage;
- 6) ensure neighborhood compatibility of all projects;
- 7) ensure that architecture will respect the privacy of neighbors and is considerate of private views and solar access;
- 8) ensure that grading and development are appropriate to the site and that long term visible scarring of the landscape is avoided where possible;

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- 9) preserve and protect native and biologically and aesthetically valuable nonnative vegetation or to ensure adequate and appropriate replacement for vegetation loss;
- 10) ensure that the continued health, safety and welfare of the neighborhood are not compromised;
- 11) provide for adequate street design and sufficient parking for residents and guests in a safe and aesthetically pleasing way;
- 12) ensure that construction is in appropriate proportion to lot size;
- 13) encourage energy efficiency; and
- 14) ensure that air circulation between structures is not impaired and shading is minimized on adjacent properties.

SECTION 2.0 COMPOSITION

2.1 MEMBERS

The DRB shall be composed of seven (7) members, appointed by the City Council. Of the 7 members, a minimum of four (4) shall be residents of the City. At least two (2) members shall be licensed architects, and at least two (2) members shall be licensed landscape professionals (landscape architect or landscape contractor). The 3 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, property value, and development of surrounding areas.

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2.2 TERM OF OFFICE, APPOINTMENT OF MEMBERS, VACANCIES AND REMOVAL 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.

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Deleted: three (3) years. Initial appointments were made in 2002 for two (2) year terms. On March 1, 2004, the City Council established staggered terms by appointing three (3) members to three (3) year terms, three members to two (2) year terms, and the remaining three (3) members to one (1) year terms. The Council further established that thereafter, appointments shall be made for three (3) year terms in subsequent years. The change to a seven (7) member Board will retain the

Vacancies, other than by expiration of a term, shall be filled by appointment for the unexpired portion of the term by the same method as for the original appointment.

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

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2.3 ELECTION OF OFFICERS

At the first regular meeting following appointment of members to the DRB, the DRB shall elect a Chair and Vice Chair from among its voting members.

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2.4 QUORUM

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Four (4) members shall constitute a quorum, but a quorum must contain a minimum of one licensed architect and one andscape professional or two icensed architects. A quorum must also contain a minimum of two (2) City residents.

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2.5 DRB SECRETARY

A designee of the Director of Planning and Environmental Services shall serve as DRB Secretary. (See Section 4.9 for a description of the duties of the Secretary.)

SECTION 3.0 GENERAL INFORMATION

3.1 DRB JURISDICTION AND EXCEPTIONS

Final approval by the DRB is required prior to the approval of a development permit for the following:

1. All new structures, additions to structures and signs located on property subject to the D-Design Control Overlay District.
2. All new development along the Hollister Avenue corridors of the City of Goleta.
3. All new structures and additions to structures that are subject to the city's ridgeline and hillside development guidelines.
4. All projects that require a modification (absent a development plan or conditional use permit), unless found to be of a minor nature and exempt as specified below.
5. All projects that require a development plan.
6. Any structure where DRB review is required as specifically provided under the applicable zoning district regulations.
7. Any projects where DRB review is specified by action of the City Council, Planning and Environmental Services, or other City Commission or Agency.
8. Signs covered by the City's Sign Regulations or as specified by action of the City Council, DRB, Planning and Environmental Services, or other City Commission or Agency. However, certain replacement signs and minor modifications to existing signs may be exempt from DRB review (see the list of exemptions below).

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9. All new structures, additions to structures, and signs on lots adjacent to the ocean.
10. All new walls of any height when the design is integral to new structures, remodels, or additions to structures requiring architectural review.
11. All non-residential mechanical equipment that can be seen from a public right-of-way.
12. New single family residential units and duplexes.
13. Additions of over 750 square feet (based on an exterior footprint measurement) to a single-family home or multi-unit residential building, or the addition of a new story to a single-family home or one story duplex unit, or additions over 100 square feet to any existing upper stories of a single-family home or duplex unit.
14. Changes that result in an additional residential unit in a single-family home (provided that such review shall be limited to a recommendation to the Director of Planning and Environmental Services as per the Residential Second Unit Ordinance 03-07) or in a multi-unit residential building.
15. Applications for permits which, if combined with other permits applied for on the same property within four (4) years, meets the criteria established above to avoid the "piecemeal" review of projects.
16. Projects subject to review under the Goleta Old Town Heritage District Architecture and Design Guidelines.
17. All garage conversions.
18. Projects that would otherwise not require a hearing, but in the judgment of the Director of Planning and Environmental Services could result in a significant or substantial visual impact or deprivation of private property rights of other landowners.

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The following developments are subject to DRB advisory review, except where part of a project pursuant to 1 – 17 above:

1. All City capital improvement projects that involve a structural element (including but not limited to, a building or bridge) which exceeds \$50,000 in estimated construction costs or which meet the requirements of review mandated to other applicants shall be subject to DRB advisory review. The decision maker for City projects less than \$50,000 in estimated construction costs may also request DRB advisory review.

The following developments are exempt from DRB review except where part of a larger development project pursuant to items 1-17 above:

1. Decks thirty (30) inches or less above grade;

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2. Swimming pools, hot tubs, and spas;
3. Fences or walls six (6) feet or less in height and gateposts of eight (8) feet or less in height, that are not considered integral to the design of a structure (e.g., perimeter fences);
4. Solar panels located on roofs or on the ground; provided, however, any proposed restrictions on the installation of such solar panels shall not significantly increase the cost of the system or significantly decrease its efficiency.
5. Replacement signs and minor modifications to existing signs. (Minor modifications do not include enlargement of lettering and face size, nor changes to illumination. The classification of a modification as "minor" is to be determined by the Director of Planning and Environmental Services.)
6. Projects involving minor modifications of zoning standards, including setbacks, height, parking standards, and other development standards, if the associated project is exempt from DRB review. (The classification of a modification as "minor" is to be determined by the Director of Planning and Environmental Services.)

All interior alterations shall be exempt from DRB review.

3.2 MEETING DATES AND LOCATION

The DRB shall hold a minimum of one regular meeting each month. A special meeting may be called at any time by the DRB Chair or by a majority of the DRB members. If a holiday falls on a normal meeting date, the meeting will be held on the same day the following week or at the discretion of the DRB. Dates, times and locations of meetings shall be posted in the usual manner in accordance with [the Ralph M. Brown Act](#) (Government Code § 54950 et seq.).

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3.3 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.

3.4 AGENDA ORGANIZATION

The DRB agendas shall generally be organized as follows:

1. Public Comment

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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 final approval
 - c. projects being considered for preliminary approval
 - d. projects being considered for conceptual approval
 - e. ex-agenda items

3.5 NOTICING

The DRB agenda is posted for public review at the following location a minimum of 72 hours prior to each meeting:

- Goleta City Hall, 130 Cremona Drive, Suite B, Goleta

Agendas for current meetings, as well for past meetings and minutes are available on the Internet at www.cityofgoleta.org. Community groups and interested members of the public included on the DRB's mailing list will be sent a copy of the agenda typically one week prior to the meeting. Agendas are also available by e-mail upon request. Agenda requests to be added to the mailing list should be directed to the DRB Secretary.

Notice of DRB hearings shall be given in accordance with the public hearing notice requirements for the applicable project under the City's Zoning Ordinances (e.g., §§35-181.2 and 35-326.2) as such ordinances may be amended from time to time. Individuals may also request mailed notice of DRB hearings on specific properties by contacting the DRB Secretary.

3.6 FEES

Application fees for projects considered by the DRB are set by City Council resolution. Information on fees may be obtained from Planning and Environmental Services.

SECTION 4.0 MEETING CONDUCT

4.1 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.

4.2 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.

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4.3 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.

4.4 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 shall disclose any such discussions at regularly scheduled meetings. Such discussions may not involve a quorum of the DRB members.

4.5 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.

4.6 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.

4.7 EX-AGENDA ITEMS

Notices, posting, and action as may be required on ex-agenda items shall be in compliance with the Brown Act. This includes, but is not limited to, a determination by a two-thirds vote of the members present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the DRB subsequent to the agenda being posted as specified in Section 4.2. Any motion regarding an ex-agenda item will be accompanied by distribution of a written statement, to be included in the record, stating the facts upon which it can be determined that the need to take action arose after the agenda was published and posted. If it is unfeasible to present such a written statement of reasons, the Secretary shall include in the minutes of the meeting a statement of the reasons for the Board's determination.

4.8 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

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the DRB, the member must step down and not participate in the review nor be counted for purposes of a quorum.

4.9 PLANNING AND ENVIRONMENTAL SERVICES STAFF SUPPORT

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Planning and Environmental Services staff will assist the DRB, the general public and the applicant through the design review process.

Responsibilities of the DRB Secretary include scheduling DRB items, preparing and posting agendas and minutes, responding to agenda questions and organizing the meetings.

City planners should attend the DRB meetings in order to assist the DRB in their understanding of the project. The planner will also provide technical support to the DRB on planning issues as they relate to project design (e.g., ordinance and policy requirements, DRB findings, design guidelines) and to provide an interface between the DRB and other decision-makers.

4.10 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 5.0 PROCEDURES

5.1 LEVELS OF REVIEW

1. Conceptual Review

Conceptual review is a required step that allows the applicant and the DRB to participate in an informal discussion about the proposed project. 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. When a project is scheduled for conceptual review, the DRB may grant preliminary approval if the required information is provided, the design and details are acceptable and the project is properly noticed for such dual approval.

Information required for conceptual review includes:

- 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

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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. Preliminary Review

Preliminary 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.

Preliminary approval of the project's design is the point in the process at which an appeal of DRB's decision can be made. Preliminary approval of the project's design is deemed a basis to proceed with working drawings, following the close of the appeal period and absent the filing of an appeal.

Information required for preliminary 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.

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- e. Site section for projects on slopes of 20 percent or greater, and when required by the DRB.

3. Final Review

Final review confirms that the working drawings are in conformance with the project that received preliminary 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 Services staff, in consultation with the DRB Chair or the Chair's designees. In the event that final plans are not in substantial conformance with the approved preliminary plans, the DRB Chair and Planning staff shall refer the matter to the full DRB for a final determination.

Information required for final review, in addition to the previous review requirements, includes:

- a. Complete set of architectural details, which must include window, eave & rake, chimney, railing and other pertinent architectural details, including building sections with finished floor, plate, and ridge heights indicated.
- b. 8 1/2" X 11" materials sample board of materials and colors to be used, as well as an indication of the materials and colors on the drawings. Sheet metal colors (for vents, exposed chimneys, flashing, etc.) shall also be indicated. All this information shall be included on the working drawings.
- c. Final site grading and drainage plan when required, including exact cut and fill calculations.
- d. Final landscape drawings, when required, showing the dripline of all trees and shrubs, and all wall, fence, and gate details. The drawings must show the size, name and location of plantings that will be visible from the street frontage, landscape screening which will integrate with the surrounding neighborhood, and irrigation for landscaping. Landscape drawings shall include a planting plan specifying layout of all plant materials, sizes, quantities and botanical and common names; and a final irrigation plan depicting layout and sizes of all equipment and components of a complete irrigation system (automated system required on commercial and multiple-residential developments). Planting and irrigation plans shall depict all site utilities, both above and below grade.

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4. Revised Final

Revised final review occurs when a substantial revision (e.g., grading, orientation, materials, height) to a project is proposed after final DRB approval has been granted. Plans submitted shall include all information

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on drawings that reflect the proposed revisions. If the revisions are not clearly delineated, they cannot be construed as approved.

5. 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 preliminary) at a single meeting provided all required information is submitted and the project is properly noticed and agendized for such multiple levels of approval.

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5.2 CONSENT AGENDA

The purpose of the consent agenda is to expedite the review of minor projects and minor changes to previously reviewed plans. Applicants are not required to make a presentation of the project, however, they are encouraged to attend the meeting in case questions arise or the project is moved to the regular agenda. The DRB may move an item from the consent agenda to the regular agenda to be specifically considered by the DRB due to public interest or major project issues. The DRB may also direct that some projects or portions of projects be placed on the consent agenda.

5.3 PRESENTATION OF PROJECTS

All levels of review with the exception of the consent agenda require the presentation of the project by the applicant or the applicant's representative. Items on the regular agenda that do not have a representative will be continued to a later hearing or removed from the agenda. The applicant or representative will be responsible for rescheduling the project if the project is removed from the agenda.

5.4 PUBLIC TESTIMONY

Members of the public attending a DRB meeting are encouraged to present testimony on agenda items. At the appropriate time, the DRB Chair will ask for public testimony, and will recognize those persons desiring to speak. A copy of any written statements read by a member of the public shall be given to the DRB Secretary. All speakers should provide all pertinent facts within their knowledge, including the reasons for their position. Testimony should relate to the design issues of the project and the findings upon which the DRB must base its decision. An interested party who cannot appear at a hearing may write a letter to the DRB indicating their support of or opposition to the project, including their reasoning and concerns. The letter will be included as a part of the public record.

5.5 CONTINUANCES, POSTPONEMENTS, AND ABSENCES

A continuance is the carrying forward of an item to a future meeting. The applicant may request continuance of a project to a specified date if additional time is required to respond to comments or if they will be unable to attend the meeting. This is done either during the DRB meeting or by calling the DRB Secretary prior to the scheduled meeting so that the request may be discussed as part of the agenda status report at the beginning of the meeting.

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5.6 SITE VISITS

Site visits to proposed project locations shall be performed by the DRB as a whole or a subgroup of DRB members as set forth below. When ~~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. The number of members specified in the following paragraph is considered to be a minimum. Additional members are always encouraged to attend. Consent to allow DRB members to enter the project site at reasonable times and upon reasonable notice shall be required as part of the project application. Staff shall assist DRB members in coordinating such site visits with the applicant.

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Site visits shall be conducted by ~~four (4)~~ or more DRB members for all new commercial and industrial projects and additions to the same over 5,000 square feet and for residential projects over four (4) units, as well as any project that engenders substantial community interest as determined by the DRB or Planning and Environmental Services staff, or where a petition signed by ten (10) or more people has been submitted. Site visits shall be conducted by at least two (2) DRB members for all other projects on the agenda. DRB members present at the site visits shall be a part of the quorum voting on those projects.

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5.7 TIME LIMITS ON APPROVALS AND TIME EXTENSIONS

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The final approval of a project by the DRB shall expire two (2) years from the date of approval.

No time extensions shall be granted for projects that have not obtained a follow-up permit. Once a subsequent permit is approved (e.g. Development Plan, Conditional Use Permit, Land Use Permit, etcetera), the time limit shall be the same as the follow-up permit and time extensions shall abide by the follow-up permit's time extension procedures.

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5.8 APPEALS OF DRB DECISIONS

1. Sign Appeal Periods

The **Final** or **Revised Final** approval or **denial** of a sign project by the DRB may be appealed. Any person withstanding may appeal a DRB decision to the City Planning Commission. An appeal application, a letter stating the reasons for the appeal, along with the appropriate fee, must be filed with Planning and Environmental Services within the ten (10) days following the final action. If the tenth day falls on a day that the Planning and Environmental Services offices are closed or closed early (such as on Fridays which close at 1:00 p.m.), the appeal period is extended until 5:30 p.m. on the following business day. Planning and Environmental Services will notify the DRB as to the scheduled date of the appeal hearing. The DRB will designate a member to attend an appeal hearing.

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2. All Other Appeal Periods

The Preliminary or Revised Final approval or denial of a non-sign project by the DRB may be appealed. Any person withstanding may appeal a DRB decision to the City Planning Commission. An appeal application, a letter stating the reasons for the appeal, along with the appropriate fee, must be filed with Planning and Environmental Services within the ten (10) days following the final action. If the tenth day falls on a day that the Planning and Environmental Services offices are closed or closed early (such as on Fridays which close at 1:00 p.m.), the appeal period is extended until 5:30 p.m. on the following business day. Planning and Environmental Services will notify the DRB as to the scheduled date of the appeal hearing. The DRB will designate a member to attend an appeal hearing.

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SECTION 6.0 DESIGN REVIEW PROCESS

6.1 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.

6.2 REQUIRED FINDINGS FOR APPROVALS

In order to grant final approval to a project, City Code Section 2.30.150 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 following findings, as well as any additional findings required pursuant to the City's Zoning Ordinances:

1. The development will be compatible with the neighborhood, and its size, bulk and scale will be appropriate to the site and the neighborhood.

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2. Site layout, orientation, and location of structures, buildings, and signs are in an appropriate and well-designated relationship to one another, and to the environmental qualities, open spaces and topography of the property.
3. 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.
4. There is harmony of material, color, and composition of all sides of a structure or buildings.
5. A limited number of materials will be on the exterior face of the building or structure.
6. There is consistency and unity of composition and treatment of exterior elevation.
7. Mechanical and electrical equipment is well integrated in the total design concept and screened from public view to the maximum extent practicable.
8. All visible onsite utility services are appropriate in size and location.
9. The grading will be appropriate to the site.
10. Adequate landscaping is provided in proportion to the project and the site with due regard to the preservation of specimen and landmark trees, and existing native vegetation.
11. The selection of plant materials is appropriate to the project and its environment, and adequate provision will be made for the long-term maintenance of such plant materials.
12. The project will preserve and protect, to the maximum extent practicable, any mature, specimen or skyline tree, or appropriately mitigate the loss.
13. The development will not adversely affect significant public scenic views.
14. Signs, including their lighting, are well designed and are appropriate in size and location.
15. All exterior site, structure and building lighting is well-designed and appropriate in size and location.
16. The proposed development is consistent with any additional design standards as expressly adopted by the City Council.
17. The development will enhance the appearance of the neighborhood.
18. The public health, safety and welfare will be protected.

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19. The project architecture will respect the privacy of neighbors and is considerate of private views and solar access.
20. The project will provide for adequate street design and sufficient parking for residents and guests in a safe and aesthetically pleasing way.

If the DRB cannot make these findings, then the Board must either continue the project so that it can be revised, or deny the project.

The City's Zoning Ordinances allow in some instances minor modifications of zone district setback regulations, parking, height requirements or zoning development standards where, because of existing site conditions, a minor adjustment to such regulations will result in better project design. These modifications are required to be reviewed by the DRB, and granted preliminary approval before the modification is considered by the [City Planning Commission](#). In order to grant preliminary approval under the City's Zoning Ordinances, the DRB must find that the modification is minor in nature and will result in a better site or architectural design.

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SECTION 7.0 SPECIFIC AREA DESIGN GUIDELINES REFERENCES

In addition to the basic guidelines outlined previously in this document, guidelines for specific areas of the City have been prepared with input from the DRB and the community. These additional guidelines are contained in the separate documents listed below.

7.1 GOLETA COMMERCIAL ARCHITECTURE AND DESIGN STANDARDS

The Goleta Architecture and Design Standards for Commercial Projects apply only to commercial and industrial development and include standards relating to site layout, project design, landscaping and transportation access.

7.2 GOLETA OLD TOWN REVITALIZATION AREA

The Goleta Heritage District Architecture and Design Guidelines are intended to guide both public and private development of Old Town parcels. The purpose of these guidelines is to enhance the image of Old Town, ensure development of a distinctive and unified streetscape, and contribute to a more pedestrian oriented downtown area.

7.3 HIGHWAY 101 CORRIDOR

The purpose of these guidelines is to preserve and enhance the freeway's existing character that provides scenic and visual resources for residents of the South Coast as well as travelers using this highway corridor. The intent of the guidelines is to assist the communities and involved public agencies in maintaining the highway in its historic and scenic character while allowing for necessary transportation improvements.

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ATTACHMENT 2

**Design Review Board's letter requesting
changes to signage appeal point dated July 22, 2008.**

RECEIVED

JUL 30 2008

City of Goleta
Planning & Environmental Svcs.

July 22, 2008

City Council Members
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA, 93117

Re: Changing Sign Appeal Point

Dear Mayor and Council Members,

As you know last year you voted to change the Project Appeal Point on projects from Final Design Review Board (DRB) Approval to the Preliminary DRB Approval. The DRB was supportive of this action and recommended you approve that change. To our knowledge the change has been working well for large and small development type projects. Unfortunately this change has caused some unintended consequences for Sign Applications.

Sign Applications are much simpler and the applicant spends far less money to get to the Final DRB Approval point than a typical development project, so they have far less at risk. Previously, the DRB was able to approve signs by combining the conceptual, preliminary and final approvals into one or two meetings. With the Appeal Point now at the Preliminary Approval Point, we quite often find we hold two meetings to get to an acceptable design solution, but can only give it Preliminary Approval due the Appeal Point and required appeal time frame that needs to run. The applicant then has to wait for the 10 day appeal period to run before they can come back before us for a third meeting to receive Final DRB Approval. This has created a 2 to 4 week delay for sign applicants to obtain their Sign Permits depending on our agendas. For new businesses that are just getting started and having grand openings, this can be costly at the worst and frustrating at best.

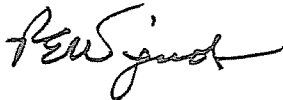
For these types of applications we find this to be an unnecessary delay. We highly recommend that for Sign Applications "only", the Appeal Point be moved back to the Final DRB Approval point. This would allow the DRB and the Sign Sub-committee to once again potentially approve Sign Applications in one or two meetings and have the Sign Permit issued immediately at the end of the 10 day Appeal time frame, saving applicants time.

Short of adopting a complete new Sign Ordinance, which we feel the City needs and strongly support, we believe the simplest process would be to adopt a resolution to change the DRB Bylaws in "Section 5.8 APPEALS OF DRB DECISIONS". By doing this, the problem could be corrected rather quickly. Planning Staff could prepare the proper wording needed to modify the Bylaws appropriately for Sign Applications while maintaining the Preliminary Appeal point for all other project types.

If you have any questions or would like to discuss any of this, please do not hesitate to contact us. We would appreciate your consideration of this at your earliest possible convenience.

With unanimous support of the Design Review Board,

Sincerely,



Bob Wignot
Design Review Board Chairperson



Carl Schneider, AIA
Sign Sub-committee Chairperson

cc: Steve Chase, Patty Miller, Scott Kowlitz