

AN ORDINANCE AMENDING AND ADDING TO SECTIONS 300-316.5 OF THE ZONING APPENDIX OF THE CITY OF SANTA ROSA REVISING DESIGN REVIEW PROCEDURES AND CREATING DESIGN REVIEW BOARD.

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. Sections 300-316.5 of the Zoning Appendix of the City of Santa Rosa are hereby amended and added to read as follows:

CHAPTER 3

ZONING AND PLANNING GENERAL REGULATIONS

ARTICLE 1. DESIGN REVIEW

Section 300. Approval by Board or Staff. All applications for zoning permits, use permits, or building permits for all uses of land, buildings, or structures in the city, shall be reviewed by the Design Review Board except that review and approval of such permits by the Planning Director or his appointed representative may be authorized by the Design Review Board when the application meets all requirements of this Appendix, and provided further that when not more than one dwelling unit is located on the lot or will be located on the lot the provisions of this Article shall not apply to single family dwellings and their accessory buildings. Urban Renewal Agency and Public Works Projects will be subject to Design Review when and if referred by the City Council to the Design Review Board at the earliest possible time which Board shall review, comment and report to the City Council on the project.

Section 301. Purpose. The purpose and intent of design review is to secure the general purposes of this Appendix and the General Plan; to promote good design and the harmonious appearance of buildings, structures and land; to promote sound land use development; and to assist in the development of architectural standards and guidelines for all structures. It shall not be the intent of this Appendix to specify the particular architectural design or to specify the exterior design features and details such as color, shape, volume, texture, or materials, except as they are proposed by the applicant, unless such detail is of such magnitude as to affect the general appearance and compatibility of the development with its surroundings or is inconsistent with established design criteria and standards.

Section 302. Preliminary Review Submittals. An application may be made for a Preliminary Review of a proposed project at any time prior to the application for a specific permit. The documents submitted shall include all necessary information to clearly depict land-use and the architectural character of the project. The review conducted by the Board at this time shall be informal in nature.

Section 303. Final Review Submittals.

(a) All applications for Final Review by the Design Board shall be accompanied by architectural and site development drawings to scale which specify the following:

1. North arrow and property lines.
2. Building locations; (adjacent structures may be required to be shown as a condition for review.)
3. Location and size of adjacent street.
4. Prominent existing trees and shrubs.
5. Off-street parking and vehicular circulation.

6. Pedestrian circulation.
7. Site Work (new and existing contours.)
8. Exterior lighting devices.
9. All exterior elevations showing materials, colors, and textures.
10. Site development such as fences, patios, garbage areas, etc.
11. Conceptual landscaping plans, including type of facilities proposed.
12. Conceptual sign construction and design.
13. A vicinity map.
- b. All of the above required architectural and site development plans, except sign and final landscaping plans, must be reviewed and approved prior to issuance of a building permit.
- c. Final sign plans shall be approved prior to issuance of sign permits.
- d. Conceptual landscaping plans showing a tentative irrigation system shall be approved prior to issuance of a building permit.
- e. Final landscape plans shall be approved prior to occupancy of the building.

Section 304. Design Review Board to approve. The Design Review Board, or the Planning Director or his appointed representative when so authorized by the Board, shall determine whether the proposed architectural and site development plans considered under this Article are consistent with this Article and with the general objectives of the Appendix, and shall give or withhold approval accordingly. Any disapproval of plans by the staff shall be referred to the Board for action if such referral is requested in writing by the applicant within fifteen (15) days from the time of notification of disapproval. Any disapproval of plans by the Board may be appealed as provided in this Appendix.

Section 304.1. Filing Applications. Applications for design review shall be filed with the Planning Department on forms approved by the Design Review Board. Subject to the provisions of Section 300, Architectural and site development plans shall be required to be carried out in stages, each stage shall be shown on the master plan of development.

Section 304.2. Fees. An application for design review shall be the same as that required for a use permit except that no fee shall be required when a use permit fee has been filed and the design review is processed at the same time as the use permit review or is a condition of a use permit or variance.

Section 305. Considerations in review of applications. The Design Review Board and the Planning Department shall consider the following matters, and others when applicable, in their review of applications.

- a. Considerations relating to traffic safety and traffic congestion:
 - 1) The effect of the site development plan on traffic conditions on abutting streets.
 - 2) The layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, drives and walkways.
 - 3) The arrangement and adequacy of off-street parking facilities to prevent traffic congestion.
 - 4) The location, arrangement, and dimensions of truck loading and unloading facilities.
 - 5) The circulation patterns within the boundaries of the development.
 - 6) The surfacing and lighting of off-street parking facilities.
- b. Considerations relating to outdoor advertising:
 - 1) The number, location, color, size, height, lighting, and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and the appearance and harmony with adjacent development.

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- c. Considerations relating to landscaping:
- 1) The location, height, and materials of walls, fences, hedges, and screen plantings to insure harmony with adjacent development or to conceal storage areas, utility insure harmony with adjacent development or to conceal storage areas, utility installations or other unsightly development.
- d. Considerations relating to buildings and site layout:
- 1) Consideration of the general silhouette and mass, including location on the site, elevations and relation to natural plant coverage all in relationship to the neighborhood.
 - 2) Consideration of exterior design in relation to adjoining structures in height, bulk, and area openings, breaks in the facade facing on the street, line and pitch of roof, and arrangement of structure on the parcel.
 - 3) Consideration of adequate usable outdoor living space for each dwelling unit occupying or to occupy the site.
- e. Considerations relating to drainage:
- 1) The effect of the site development plan on the adequacy of the storm and surface water drainage.

Section 306. Conditions. The Design Review Board or the Planning Director or his appointed representative when authorized, shall decide all applications for design review. Design approval may include such conditions consistent with the considerations of this Article as the Board or Department deem reasonable and necessary under the circumstances to carry out the intent of this Article. When authorized by the Board, the Planning Director or his appointed representative shall have all the powers of the Board as to such application.

Section 307. Findings and decision. Upon a finding by the Board or Planning Director that the application meets the intention of Section 301 of this Article, the design approval shall be granted subject to such conditions as are necessary; otherwise approval shall be denied.

Section 308. Notification of approval or denial. Upon the grant of design approval, the Secretary of the Design Review Board shall prepare and mail or deliver to the applicant a formal statement thereof stating the fact of the grant and any conditions attached thereto, or the fact of denial and the reasons therefor.

Section 309. Time limitation on approval. If construction in harmony with the permit for any development for which design approval has been granted has not been commenced within one year from the date of notification of approval, the approval shall be deemed automatically revoked. Upon application, an extension of time may be granted by the Design Review Board or by the Planning Director, if authorized to do so.

Section 310. Conformance to approval. Development for which design approval has been granted shall conform to the approval and any conditions attached thereto.

Section 311. Modification. Upon request of the applicant, modifications in the approved plan may be made by the Board or the Planning Director, if authorized by the Board to do so, if it is found that the modification will meet the requirements of this Article. The Design Review Board may revoke or modify a design approval which does not conform to any requirement of the approved permit.

ARTICLE F-5. Establishment and Organization of Design Review Board.

Section 314. Creation of Design Review Board. There is created a

Design Review Board. The Board consists of five members and one alternate member appointed by the mayor with the approval of the council. For the first appointments made, the mayor shall appoint one of the two licensed architect members for one year and one for four years; the member qualified in the field of landscape architecture or landscape contractor for one year; the member qualified in the field of licensed building designer or architect for two years; the member of the community at large for three years; and the alternate member for four years.

These positions shall thereafter be further governed by Section 314.2 of this Article.

Section 314.1. Qualification of Members. Two of the members of the Board shall be architects licensed by the State of California.

One member of the Board shall be either a licensed building designer or a licensed architect.

One member of the Board shall be a licensed landscape architect or a licensed landscape contractor.

One member of the Board shall be representative of the community in general as a citizen-at-large preferably from the construction industry who has demonstrated exceptional interest in the quality of architectural design in the community. Such person may have ability in such areas as interior decorating, art or a relative field.

One member of the Board shall be an alternate-at-large and shall vote only if a regular member is absent or is disqualified from participating in a particular case.

Section 314.2 Term of Office. The term of office for each member is four years, except for the shorter initial terms set forth in Section 314 of the Article.

Section 314.3. Removal of Vacancy. A member of the Board may be removed by a majority vote of the City Council. A vacancy shall be filled in the same manner as the original appointment. A person appointed to fill a vacancy serves for the remainder of the unexpired term.

Section 314.4. Vacancy caused by absence from meeting. If a member of the Board is absent without cause from two successive regular meetings of the Board the office becomes vacant automatically. The Board shall immediately notify the Council of the vacancy.

A member is not absent without cause if his absence is:

- a. Due to illness; or
- b. Unavoidable and the member gives the Secretary of the Board written notice before the date of the meeting that he will be absent and giving the reason for the absence.

Section 314.5. Time of regular meetings. The Board shall meet on the first and third Thursday of each month in the Planning Department Conference Room at the City Hall, 100 Santa Rosa Avenue, Santa Rosa, California, unless otherwise established by the Board.

Section 314.6. Appointment of officers. The Board shall elect a Chairman and Vice Chairman from among its members. The Chairman and Vice Chairman serve for a term of one year or until the successor of each is appointed and takes office.

Section 314.7. Planning Director as Secretary. The Planning Director of the City shall serve as the Secretary of the Design Review Board. The Planning Director may designate a member of the Department to perform his duties as Secretary in his absence.

Section 314.8. Adoption of rules. The Board shall adopt rules for the transaction of its business.

Section 314.9. Board records. The Board shall keep a public record of its resolutions, transactions, and determinations.

Section 314.10. Quorum. Three members of the Board shall constitute a quorum for the transaction of business.

Section 314.11. Duties of officers.

- a. Chairman. The Chairman shall preside at all meetings of the Board. He shall appoint each committee and shall perform the duties necessary or incidental to his office.
- b. Vice Chairman. The Vice Chairman is Chairman in the absence of the Chairman or in case of inability of the Chairman to act.
- c. Secretary. The Secretary shall see that minutes of each meeting are kept and a record made of the official action taken. On all official actions on which a vote is taken, other than procedural matters, the vote shall be by roll call, with a record kept of the vote of each member. The Secretary shall maintain records of operation and shall perform such other duties as the Board assigns.

Section 314.12. Joint Meeting of Planning Commission and Design Review Board. The Design Review Board and the Planning Commission shall meet in joint session at least once annually in January, unless continued or postponed by mutual consent to a mutually agreeable date and time.

Section 315. Referrals to Planning Commission. Whenever the Design Review Board determines that issues involved in a particular application relate directly to land use considerations and should be resolved by the Planning Commission, the Design Review Board shall suspend the design review process and refer the item to the Planning Commission for a determination. The Planning Commission shall report within forty (40) days.

Section 316. Appeal from decision of Design Review Board. The applicant or an affected party, who is dissatisfied with the findings of the Board may appeal to the City Council by filing a notice of appeal with the City Clerk within fifteen (15) days after the date of the Board's action.

Section 316.1. Setting time for hearing appeal. When an appeal is filed, the hearing on appeal shall be set for a time, not later than thirty (30) days from the date the appeal is taken. The City Council may continue the hearing from time to time for good cause.

Section 316.2. Notice of hearing on appeal. The City Clerk shall give notice of the time and place of hearing on appeal by mailing a copy of the notice by first class mail, postage prepaid, to the applicant, to the person making the appeal, and to any other person who has filed a written request for notice with the City Clerk.

Section 316.3. Form of notice of hearing on appeal. The notice of hearing on appeal shall state:

- a. The time and place of the hearing;
- b. A brief description of the land which is the subject of the appeal; and
- c. The purpose of the hearing;

Section 316.4. Hearing and decision of appeal by City Council.

The City Council shall hear the matter and shall make its decision within fourteen (14) days after the public hearing. The decision shall be transmitted to the appellant within fourteen (14) days after the decision of the Council.

IN COUNCIL DULY PASSED this 14th day of August, 1973.

AYES: (4) Mayor Jones, Councilmen Downey, Poznaniovich & Zatman
NOES: (1) Councilman Guggiana
ABSENT: (0)

APPROVED: /s/ Gregory Jones, Jr.
Mayor

ATTEST: /s/ Marlon McComas
Assistant City Clerk