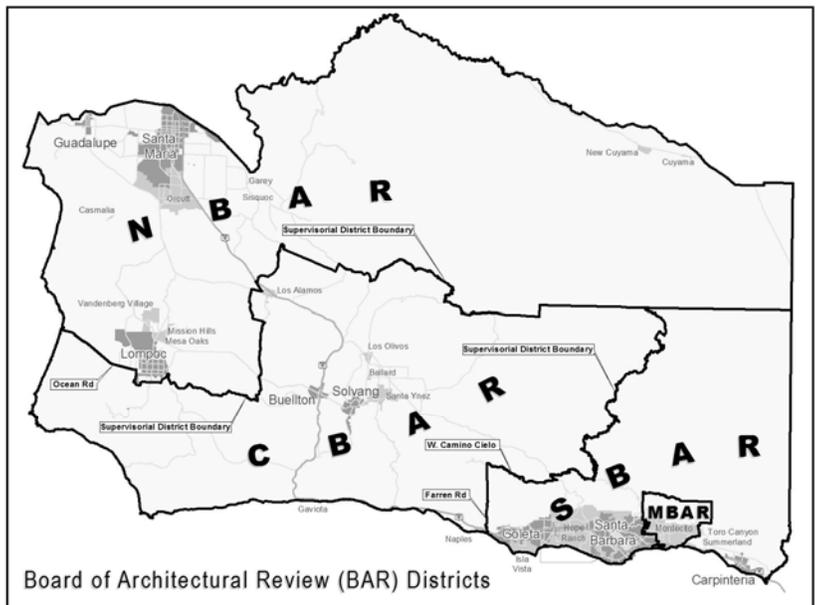


# NORTH COUNTY BOARD OF ARCHITECTURAL REVIEW BYLAWS & GUIDELINES

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## **SECTION 1.0 INTRODUCTION**

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### **1.1 PURPOSE**

The purpose of the North County Board of Architectural Review (NBAR) 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. The formation of a local (North County) board of architectural review provides opportunities for increased public and community participation in local design issues and thereby opportunities for more efficient resolution of local issues.

These bylaws and guidelines establish the rules and procedures that govern both the NBAR members and the NBAR 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 NBAR. These guidelines are also intended to assist the public to understand and participate in the design review process.

### **1.2 AUTHORITY**

The BAR, originally known as the Architectural Review Board, was established by the County Board of Supervisors in April of 1947. In 1979, the Board of Supervisors adopted Ordinance No. 2188 that added the Board of Architectural Review Administrative Regulations to the Santa Barbara County Code (Chapter 2, Article V, §§ 2-33.1 through 2-33.16), thus codifying the BARs purpose, jurisdiction, and duties.

On November 22, 2005, the County Board of Supervisors adopted Ordinance #4584 creating area boards of architectural review for the North County (NBAR), Central County (CBAR), and South County (SBAR), in addition to the Montecito BAR originally created in 2002, in order to improve access of applicants and architects to conveniently located boards of review. The effectiveness of the new boards will be evaluated by the Board of Supervisors in 2008.

### **1.3 GOALS**

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

- To ensure good quality architecture compatible with community standards.
- To ensure that development and building design is consistent with adopted community design standards;
- To promote high standards in architectural design and the construction of

aesthetically pleasing structures so that new development does not detract from existing neighborhood characteristics;

- To encourage the most appropriate and efficient use of land;
- To promote visual interest throughout the county through the preservation of public scenic, ocean and mountain vistas, creation of open space areas, and providing for a variety of architectural styles; and
- To preserve creek areas through restoration and enhancement, and discourage the removal of significant trees and foliage.
- To review all projects as expeditiously as possible.

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## **SECTION 2.0 COMPOSITION**

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### **2.1 MEMBERS**

The NBAR consists of five members with the following makeup:

Three members are required to be either licensed architects or licensed landscape architects. These members must reside in the county but need not live within the district of the appointing supervisor or within the boundaries of the NBAR. An exception to the county residence rule may be made for licensed architects or licensed landscape architects who may live outside the county if their “professional business is located within the boundaries of the NBAR.”

The two remaining members must reside within the boundaries of the NBAR and must be “skilled in reading and interpreting architectural drawings and able to judge the effects of a proposed building, structure, or sign upon the desirability, property values, and development of the surrounding area.” One of these members may be either the 4<sup>th</sup> or 5<sup>th</sup> district Planning Commissioner.

The NBAR may also have up to two alternates. The alternates may be licensed architects or landscape architects or community members skilled at reading plans.

### **2.2 TERM OF OFFICE, APPOINTMENT OF MEMBERS, VACANCIES AND REMOVAL OF MEMBERS**

NBAR members are appointed to four- year terms that coincide with their appointing supervisor’s term. Members serve until the Board of Supervisors appoints their successors. The members are appointed by the 4<sup>th</sup> and 5<sup>th</sup> district supervisors. NBAR members appointed as of January 2006 will have terms shorter than four years in order to align the member appointments with those of the appointing district supervisor. Those appointments will be as follows:

January 2006: Three members who will serve three year terms and two members who will serve one year terms. Two alternates may be appointed, one by the 4<sup>th</sup> district to a three year term and one by the 5<sup>th</sup> district to a one year term.

January 2007: Two members by the 5<sup>th</sup> district with the mutual agreement of the 4<sup>th</sup> district, [at this point the terms for the 5<sup>th</sup> district are aligned];

January 2009: Three members by the 4<sup>th</sup> district with the mutual agreement of the 5<sup>th</sup> district; [at this point the terms 4th district are aligned].

Vacancies, other than by expiration of terms, shall be filled by appointment for the remainder of the term by the same method as for the original appointment.

A member of the NBAR may be removed or a term may be changed by a three-fifths vote of the Board of Supervisors.

### **2.3 ELECTION OF OFFICERS**

As soon as practical following the first day of January of every year, the NBAR shall elect a chairperson and vice-chairperson.

### **2.4 QUORUM**

Three members, one of whom shall be either a licensed architect or a licensed landscape architect, shall constitute a quorum. No conceptual, preliminary or final action may be taken unless a quorum votes on the motion. Alternates may fulfill the requirements of a quorum.

### **2.5 BAR SECRETARY**

A designee of the Director of Planning and Development serves as Secretary of the NBAR (see Section 4.9 for a description of the duties of the Secretary).

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## SECTION 3.0 GENERAL INFORMATION

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### 3.1 NBAR JURISDICTION AND EXCEPTIONS

- (1)
  - (i) Zoning clearance, sign certificates of conformance, land use permits, or coastal development permits for any development or use located north of and including the City of Lompoc, requiring BAR approval under Articles I through III of Chapter 35 of this Code shall not be issued by the planning and development department until final BAR approvals, or recommendations pursuant to subsection (3) below, have been obtained from the NBAR. The powers and duties shall also include those given to the BAR in Articles I, II and III for projects located outside of the Montecito planning area as designated by the Montecito community plan.
  - (ii) Development Plans within the jurisdiction of the Planning Commission, previously approved subdivision maps requiring BAR approval and previously approved ministerial and discretionary permits requiring BAR approval in order to mitigate visual impacts or provide for consistency with the general plan shall obtain final approval and shall not be subject to subsection (3) below.
- (2) County projects (projects proposed by any entity governed by the board of supervisors or by an entity whose governing body is appointed by the board of supervisors) located north of the southern boundary of the City of Lompoc that exceed fifty thousand dollars in estimated construction costs may be reviewed by the NBAR and a recommendation must be made. The decision-maker for county projects may require NBAR approval.
- (3) Individual single family dwellings, not subject to (1)(ii) above, shall be reviewed by the NBAR no more than three times or for no longer than three months from the date of filing an application, whichever occurs first unless project changes or requests for a continuance initiated by the applicant require further review; the project would then go to the decision-maker. For such projects, the NBAR is advisory and is therefore not an appealable decision. The NBAR shall seek to complete its review of all projects within its purview as expeditiously as possible.

Final approval by the NBAR is required prior to the approval of a development permit for the following and under the following conditions:

- All new structures, additions to structures and signs located on property subject to the D-Design Control Overlay District;
- Individual single family dwellings that result from a previously approved Development Plan;
- All new structures, additions to structures and signs on lots zoned Old Town (OT) within the Old Town Orcutt Planning Area;
- All new structures and additions to structures that are subject to the Ridgeline and Hillside Development Guidelines;

- All projects that require a Modification (absent a Development Plan or Conditional Use Permit);
- All projects that require a Development Plan;
- Any structure where BAR review is required as specifically provided under the applicable zoning district regulations;
- Any projects where BAR review is specified by action of the Board of Supervisors, Planning Commission, or the Zoning Administrator;
- Signs covered by the Article I Sign Regulations or as specified by action of the Board of Supervisors, Planning Commission, or the Zoning Administrator;
- All new walls of any height when the design is integral to new structures, remodels or additions to structures requiring architectural review; and,
- Any development proposed by the County of Santa Barbara where construction costs exceed \$50,000.00.

The following developments are exempt from NBAR review:

- Individual single family dwellings and commercial/industrial projects, other than those in section 3.1(1)(ii) above, not open to the public which cannot be viewed from public roadways or other areas of public use are exempt from review by the NBAR. Landscape screening shall not be taken into consideration when determining the view from public roadways.
- Interior alterations;
- Decks;
- Swimming pools, hot tubs, and spas;
- 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);
- Solar panels located on roofs or on the ground, except those proposed in association with structures requiring BAR review; and,
- Any other change to an existing structure determined to be minor by the Director of Planning & Development.

### **3.2 MEETING DATES AND LOCATION**

The NBAR shall hold a minimum of one regular meeting each month. A special meeting may be called at any time by the Chairman of the NBAR or by a majority of the members of the NBAR. The NBAR typically meets every three weeks on Fridays with the consent agenda beginning at 8:30 A.M. and the regular agenda beginning at 9:00 A.M. If a holiday falls on a normal meeting date, the meeting will be held on the following Friday or at the discretion of the NBAR. Occasionally there is a need to cancel a regular meeting or to hold a special meeting. Dates, times and locations of such meetings shall be posted in the usual manner in accordance with Government Code §54950 et seq. (the Ralph M. Brown Act).

Meetings are typically held in the Betteravia Government Center Hearing Rm., 511 East Lakeside Parkway, Santa Maria. .

### **3.3 APPLICATIONS AND FILING**

South County:                    Planning & Development, Zoning Counter  
   Santa Barbara County Engineering Building  
   123 East Anapamu Street, Santa Barbara, California

North County:                    Planning & Development, Zoning Counter  
   624 Foster Road, Suite C, Santa Maria, California

Hours:                                8:30 a.m. - 12:00 p.m.;  
   1:00 p.m. - 4:30 p.m.;  
   Monday through Friday

Applications must be submitted in person (mailed applications are not accepted) to either of the addresses listed above no later than 4:30 p.m. on Fridays, 3 weeks 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. BAR applications and submittal requirements are available at Planning & Development at the addresses listed above.

### **3.4 AGENDA ORGANIZATION**

The BAR agendas are organized as follows:

- Public Comment
- Administrative Agenda
  - a) Agenda Status Report
  - b) Approval of minutes
  - c) Staff updates
  - d) Consent Agenda
- Standard Agenda
  - a) Projects identified by the county as priority projects
  - b) Commercial Industrial and Large Projects
  - d) All other projects
- Ex-Agenda Items

### **3.5 NOTICING**

The NBAR agenda is posted for public review on the bulletin board at the Planning & Development reception areas at the following locations a minimum of 72 hours prior to each meeting:

123 East Anapamu Street, Santa Barbara, CA 93101

624 Foster Road, Suite C, Santa Maria, CA 93455

The agenda and minutes of past meetings are also available on the Internet at <http://www.countyofsb.org/plandev/bar/default.html>.

Community groups and interested members of the public included on Planning & Development's NBAR distribution list will be sent a copy of the agenda typically one week prior to the agenda date. Requests to be added to the distribution list for agendas should be sent to Planning & Development, attention NBAR Secretary, 624 W. Foster Rd., Santa Maria, CA 93455. Agendas are also available by e-mail: contact the NBAR Secretary at 934-6250 or by e-mail at the website listed above.

### **3.6 FEES**

Application fees for projects considered by the NBAR are set by resolution of the Board of Supervisors. Information on fees may be obtained from Planning & Development.

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## **SECTION 4.0 MEETING CONDUCT**

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### **4.1 ROBERT'S RULES OF ORDER**

The NBAR has adopted Robert's Rules of Order for the formal conduct of meetings. Robert's Rules of Order shall govern the conduct of meetings unless otherwise provided by these bylaws. However, the general meeting procedures tend to be less formal.

### **4.2 BROWN ACT**

Pursuant to the Ralph M. Brown Act (Government Code Section 54950 et seq.), all meetings of the NBAR, including study sessions and workshops, must be open and public. This means that a quorum of NBAR members shall only discuss NBAR 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.

### **4.3 PUBLIC COMMENT**

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

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

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

### **4.5 AGENDA MANAGEMENT**

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

### **4.6 ABSTENTION ON CONTINUED ITEMS**

A NBAR 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.

An applicant may request, prior to the start of the applicant's presentation at a meeting of the NBAR that a member or members abstain from voting or commenting on their project. Any members' expression of intent to abstain shall also occur prior to the start of the applicant's presentation.

If enough members abstain under this policy such that 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) the applicant can withdraw all of the requests for abstention and waive any objection, or (3) previously abstaining NBAR 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 NBAR 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 NBARs 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 the NBAR, the member must step down and not participate in either the review or presentation of the application nor be counted for purposes of a quorum.

If a member has participated in a competition for a project requiring review by the NBAR, the member is disqualified from acting on the project, and shall not be counted for the purpose of a quorum.

#### **4.9 PLANNING & DEVELOPMENT STAFF SUPPORT**

Planning & Development staff will assist the NBAR and the general public through the design review process. Any staff comments should be stated at the beginning of review of each agenda item following the presentation by the applicant.

Planner support at the NBAR meetings includes a Board Assistant (typically designated as the NBAR Secretary) and a designated BAR planner. The Board Assistant responsibilities include scheduling NBAR items, finalizing agendas and minutes, responding to agenda questions and organizing the meetings. The primary function of the designated BAR planner is to provide technical support to the NBAR on planning issues as they relate to project design (e.g., ordinance and policy requirements, NBAR findings, local design guidelines) and to provide an interface between the NBAR and other decision-makers. The BAR planner will also provide project planners with clarification on the NBARs actions and the underlying intent of their comments, suggestions or conditions regarding specific projects.

Planners processing large and/or controversial projects (e.g., multi-residential unit developments, new commercial/industrial projects or major revisions or additions to existing commercial/industrial structures, projects requiring extensive grading or topographic alteration, projects that are potentially inconsistent with policy/ordinance requirements) are required to attend the NBAR meetings when the project is being considered in order to assist the NBAR in their understanding of the project. If a planner is unable to attend a NBAR meeting, the designated BAR planner shall be in attendance. The project planner shall prepare written comments for the designated BAR planner prior to the NBAR meeting. The comments should detail any potential ordinance or policy inconsistencies or areas of concern, provide information on previous NBAR meetings (if any) and any other information that will assist the designated BAR planner.

Written comments on smaller projects are required only when the project is inconsistent with policy or ordinance requirements or the planner has areas of concern that they would like the NBAR to address. If the designated BAR planner does not receive written comments prior to the NBAR meeting, it shall be assumed that there are no issues. In the case of applications for a Modification, the project planner will alert the NBAR and the designated BAR planner that a specific NBAR finding is required for project approval.

#### **4.10 ATTENDANCE OF BOARD MEMBERS**

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

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## **SECTION 5.0 PROCEDURES**

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NBAR review begins with the submittal of a BAR application and fee. Typically a project is initially reviewed by the NBAR at a conceptual level. Once the project is reviewed by staff, the Zoning Administrator or the Planning Commission, as appropriate, and the project appears to be consistent with county plans and policies, then the project is authorized by staff to proceed to either preliminary and/or final approval by the NBAR. Permits for actual development may not be issued until the NBAR has granted final approval and the appeal period has expired without the filing of an appeal. Final decisions of the NBAR may be appealed to the Planning Commission (see Section 5.7).

### **5.1 LEVELS OF REVIEW**

There are different levels of review a project typically undergoes as it progresses through the design review process (e.g., conceptual, preliminary, final, revised final). Some projects may qualify to be placed on the Consent Agenda. Specific submittal requirements for each level of review are available at Planning & Development. When NBAR is acting in its advisory role for single family dwellings, conceptual review is not recommended due to the limit of three reviews per project.

#### **Conceptual Review**

Conceptual review provides an initial review of a project when it is still in the early stages of design development. This allows the applicant and the NBAR an opportunity to informally discuss a project that will be subsequently submitted to the county. Applicants should bring sketches and/or conceptual drawings, including sections and three-dimensional renderings, and should have completed site studies that address various aspects of site design (e.g., general massing of buildings, grading, access, landscaping concepts). Conceptual review considers broad issues such as site planning, general architectural style, and the project's relationship to its site and the surrounding neighborhood. No formal action is required to be taken by the NBAR, though comments are made that give the applicant general direction for future review. It is not, however, the purpose of conceptual review for the NBAR to design a project, but only to recommend ideas and alternatives for the applicant to consider and pursue.

All projects are strongly encouraged to begin the design review process at the conceptual level, especially new buildings or substantial remodels or additions to existing buildings that would alter the character of the existing design (including height increases). Projects that are going through of the Pre-application Assessment process are required to submit for conceptual review.

The NBAR may determine during the conceptual review that a site visit should be conducted by the NBAR as a whole or a subgroup of NBAR members (not involving a quorum), and/or that the preparation of a landscape plan is necessary.

## **Preliminary Review**

Preliminary review is a formal review of an application prior to preparation of working drawings. An application for preliminary review will only be accepted if a development application for the project has been submitted to Planning & Development. Projects usually obtain preliminary approval prior to progressing to the final review.

Preliminary approval is the most important step in the approval of plans. This step determines the site plan configuration and design that must be followed in preparing the subsequent working drawings.

All significant elements of the project's appearance, landscaping and site and/or building orientation must be found to be consistent with the applicable NBAR findings and guidelines in order to receive approval at this level of review.

## **Final Review**

Final review is a formal review of completed working drawings excluding electrical, plumbing, mechanical and structural drawings unless components of these plans would affect the exterior of the building. All details, color samples, door hardware, fenestration and exterior lighting fixtures should be included in the plans submitted for final review. The final plans will be approved only if they are in substantial conformance with the plans given preliminary approval. If substantial changes to the plans are proposed at this stage by the applicant, a new preliminary approval may be required.

## **Revised Final**

Revised final review occurs when a substantial revision (e.g., grading, orientation, materials, height) to a project is proposed after final NBAR approval has been granted. Plans submitted should include all information on drawings that reflect the proposed revisions. If the revisions are not clearly delineated, they cannot be construed as approved.

## **Consent Agenda**

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

## **5.2 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.

### **5.3 PUBLIC TESTIMONY**

Members of the public attending NBAR meetings are encouraged to present testimony on agenda items. At the appropriate time, the NBAR 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 NBAR Secretary. All speakers should indicate their position either for or against the project, and 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 NBAR must base its decision. An interested party who cannot appear at a hearing may write a letter to the NBAR 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.

### **5.4 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 BAR meeting or by calling the NBAR 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.

### **5.5 SITE VISITS**

Site visits to proposed project locations shall be performed by the NBAR as a whole or a subgroup of NBAR members as shown below. When three or more members attend the same site visit, it is considered as a formal meeting of the NBAR 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 paragraphs is considered to be a minimum. Additional members are always encouraged to attend. Permission to enter private property must be obtained from either the owner or authorized agent prior to the site visit.

A site visit shall be conducted by three or more NBAR members for projects listed below. A minimum of three NBAR members present at the site visit shall be part of any quorum present at any subsequent vote by the NBAR to approve the proposed project.

- All new commercial and industrial projects with a development area or floor area of

15,000 square feet or greater.

- Additions to commercial and industrial projects where the area of the new development or the new floor area is 10,000 square feet or greater, or, when the additional development area or floor area is added to the existing development area or floor area, the total development area or floor area equals or exceeds 15,000 square feet.
- Residential projects containing 10 or more units, or would involve grading of 5,000 or more cubic yards combined cut and fill.
- Projects that engender substantial community interest as determined by the NBAR.

A site visit will be conducted by an NBAR member for the following:

- All new commercial and industrial projects with a development area or floor area equal to or greater than 5,000 square feet but less than 15,000 square feet.
- Additions to commercial and industrial projects where the area of the new development or the new floor area is greater than or equal to 5,000 square feet but less than 10,000 square feet, or, when the additional development area or floor area is added to the existing development area or floor area, the total development area or floor area is equal to or exceeds 5,000 square feet but is less than 15,000 square feet.
- Residential projects where the number of units is five or greater but less than 10, or would involve grading equal to or greater than 1,500 cubic yards combined cut and fill but less than 5,000 cubic yards combined cut and fill.
- Any project where a request for a site visit has been made by a neighbor adjacent to the project site (including properties separated by a street) or where a petition signed by 10 residents of the county requesting a site visit has been submitted, unless a majority of the NBAR determines during a noticed, public hearing that a site visit is not required in the specific instance. Though single family residential projects are advisory, NBAR may want to conduct a site visit to residential project that would impact slopes of 30 percent or greater.

The NBAR may continue a project if, after their initial review, they decide that a site visit is warranted. This decision may be based on review of the plans, knowledge of the area, or other factors as well as public or planner concerns. In such cases the NBAR may choose to visit a site as an entire board or may designate a member(s) of the NBAR to perform the site visit.

## **5.6 TIME LIMITS ON APPROVALS AND TIME EXTENSIONS**

The final approval of a project by the NBAR shall expire two years from the date of approval, except that the Director of Planning & Development or designee may grant an extension of the approval if an active development application is being processed by Planning & Development.

## **5.7 APPEALS OF BAR DECISIONS**

The final approval or denial of a project by the NBAR may be appealed to the County Planning Commission by a person adversely affected by the decision. A letter stating the reasons for the appeal, along with the appropriate fee, must be filed with Planning & Development within the ten days following the final action. If the tenth day falls on a day that the Planning & Development offices are closed, the appeal period is extended until 5 p.m. on the following business day. Planning & Development will notify the NBAR as to the scheduled date of hearing on the appeal. The NBAR will designate a member to attend the hearings on the appeal. The decision of the Planning Commission of an appeal of a decision by the NBAR may be appealed to the Board of Supervisors. An application stating the reasons for the appeal, along with the appropriate fee, must be filed with the Clerk of the Board within the ten days following the final action.

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## **SECTION 6.0 DESIGN REVIEW PROCESS**

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### **6.1 ASPECTS CONSIDERED IN REVIEW**

The BARs review shall include:

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

### **6.2 REQUIRED FINDINGS FOR APPROVAL**

In order to grant final approval to a project, County Code Section 2.33.15 requires the BAR to determine whether the buildings, structures, and signs are appropriate and of good design in relation to other buildings, structures, and signs, on-site or in the immediately affected area. Such determination shall be based on the following findings, as well additional findings required pursuant to the County Zoning Ordinances (Article III Inland Zoning Ordinance Section 35-329.6,):

- Overall building shapes, as well as parts of any structure (buildings, walls, fences, screens, towers or signs) are in proportion to and in scale with other existing or permitted structures on the same site and in the vicinity surrounding the property.
- Mechanical and electrical equipment is well integrated in the total design concept.
- There is a harmonious palette of colors.
- A limited number of materials will be on the exterior face of the building or structure.
- 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.

- Site layout, orientation, and location of structures, buildings, and signs are in an appropriate and well-designed relationship to one another, and to the environmental qualities, open spaces and topography of the property.
- Adequate landscaping is provided in proportion to the project and the site with due regard to preservation of specimen and landmark trees, existing native vegetation, selection of planting which is appropriate to the project and its environment, and adequate provisions have been made for maintenance of all planting.
- Signs, including their lighting, are well designed and are appropriate in size and location.
- All visible onsite utility services are appropriate in size and location.
- All exterior site, structure and building lighting is well-designed and appropriate in size and location.
- There is harmony of material, color, and composition of all sides of a structure or buildings.
- Consistency and unity of composition and treatment of exterior elevation.
- The proposed development is consistent with any additional design standards as expressly adopted by the Board of Supervisors for a specific local community, area, or district.

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

The county 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 NBAR, and granted preliminary approval before the modification is considered by the County Zoning Administrator. In order to grant preliminary approval, the NBAR must find that the modification is minor in nature and will result in a better site or architectural design (; Article III, §35-321.6;).

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## **SECTION 7.0 SPECIFIC AREA DESIGN GUIDELINES REFERENCES**

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

### **7.1 OLD TOWN ORCUTT AREA**

The Old Town Orcutt Design Guidelines are intended to guide both public and private development of prominent Old Town parcels. The purpose of these guidelines is to provide guidance to an applicant for the administration of locally appropriate architectural and historic design of features to assure that a proposal will harmonize with and compliment the character of Old Town Orcutt.

### **7.2 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 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.