

## Chapter 17.34 Landscaping

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### Sections:

- 17.34.010 Purpose
- 17.34.020 Applicability
- 17.34.030 Required Landscaping Areas
- 17.34.040 General Requirements
- 17.34.050 Materials
- 17.34.060 Landscape Plans

### 17.34.010 Purpose

The purpose of this Chapter is to:

- A. Improve the appearance of the community by requiring aesthetically pleasing landscaping on public and private sites, which is permanently maintained for the life of the project;
- B. Aid in energy conservation by providing shade in summer, and allowing sunlight passage in winter;
- C. Soften the appearance of parking lots and other development;
- D. Promote conservation of water resources through the use of native, drought-tolerant plants and water-conserving irrigation practices; and
- E. Minimize or eliminate conflicts between potentially incompatible, but otherwise permitted, land uses on adjoining lots through visual screening and promote the general welfare and prosperity in the City.

### 17.34.020 Applicability

The regulations of this Chapter apply to:

- A. **New Structures.** All new structures, except active agricultural buildings located further than 100 feet from public rights-of-way;
- B. **Additions.** Additions that require Design Review Board approval;
- C. **Changes in Use.** A change in use or building occupancy designation that results in increased parking requirements where sufficient parking to meet the increase does not exist on the site; and
- D. **Rehabilitation.** Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building permit.

### 17.34.030 Required Landscaping Areas

The following areas must be adequately screened and landscaped to meet the purpose of this Chapter.

- A. **Parking Areas.** Parking areas, as required pursuant to Chapter 17.38, Parking and Loading.

- B. **Unused Areas.** All visible, undeveloped areas of a project site not intended for a specific use, including areas planned for future phases of a phased development, must be landscaped or left in an undisturbed state provided there is adequate vegetation to prevent erosion and the area is adequately maintained for weed control and fuel maintenance.

#### **17.34.040 General Requirements**

- A. **Landscaped Areas.** Required landscaped areas must be maintained free from encroachment by any use, structure, vehicle, or feature not a part of the landscaping design, except for any fire hydrants and related fire protection devices, mailbox clusters, pedestals, poles, cabinets, utility-housing boxes, or other permanent fixtures as approved for emergency or service access, or as otherwise allowed by this Chapter.
- B. **Vision Clearance.** Landscaping must be planted and maintained so that it does not interfere with public safety or traffic safety sight areas; see Section 17.24.210, Regulations Applying to Multiple Districts – Vision Clearance.
- C. **Public Safety.** Landscaping must not encroach into the public road right-of-way, unless obtaining the required approvals from the City, nor be allowed to grow into public accessways, such as sidewalk or trails, so as to create an impediment, hazard, risk of injury, or public nuisance.

#### **17.34.050 Materials**

- A. **Public Landscaping.** Landscaping within City rights-of-way or on other City-owned facilities must comply with the City's Urban Forest Management Plan.
- B. **Private Landscaping.** Landscaping may consist of a combination of turf, groundcovers, shrubs, vines, trees, and incidental hardscaping, such as stepping stones, benches, sculptures, decorative stones, and other ornamental features placed within a landscaped setting.
  - 1. Plant materials must be selected from among native or non-invasive drought-tolerant species and varieties known to thrive in the region's climate.
  - 2. Recirculating water must be used for decorative water features.

#### **17.34.060 Landscape Plans**

A Landscape Plan must be submitted with the permit application whenever new or rehabilitated landscaping is required, pursuant Section 17.34.020, Landscaping – Applicability, and must contain all required elements of the State and City's Water Efficient Landscape Ordinances (WELO).

## Chapter 17.35 Lighting

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### Sections:

- 17.35.010 Purpose
- 17.35.020 Applicability
- 17.35.030 Prohibitions
- 17.35.040 General Requirements
- 17.35.050 Supplemental Requirements
- 17.35.060 Lighting Plans

### 17.35.010 Purpose

The purpose of this Chapter is to provide development standards to control outdoor lighting in order to maintain adequate visibility and safety, conserve energy, and also protect against direct glare, excessive lighting, and light trespass. In addition, this Chapter aims to preserve the community's character and enhance the ability to view the nighttime sky.

### 17.35.020 Applicability

The standards of this Chapter apply to all new development and to all exterior alterations and additions that involve replacement of exterior light fixtures or systems, except as provided below.

- A. **Exemptions.** The following types of lighting are exempt from the provisions of this Chapter.
1. **Interior Lighting.** All forms of interior lighting and light fixtures, unless directed toward or illuminating the exterior of the structure, creating a lantern effect or nighttime glow that impacts neighboring homes or public viewing areas.
  2. **Emergency Lighting.** Temporary emergency lighting needed by police, fire, or other emergency service providers.
  3. **City Facilities.** Lighting required pursuant to ordinance or law that are owned or operated by the City.
  4. **Federal and State Facilities or Requirements.** Lighting required pursuant to state or federal law or for facilities and lands owned or operated as protected by the U.S. Federal Government or the State of California.
  5. **Seasonal Lights.** Temporary lighting installed and operated for the time period commencing 30 days prior to the festivity or holiday and extending no later than 30 days afterwards, provided that no individual light fixture or lamp exceeds ten watts and 70 lumens.
  6. **Temporary Exemptions.** Any individual may submit a written request to the Director for a temporary exemption from one or more requirements of this Chapter. If approved, such exemption will be valid for up to 30 days, renewable at the discretion of the Director. Lighting associated with an approved Temporary Use Permit is considered an approved temporary exemption from the requirements of this Chapter. The request for a temporary exemption must describe:

- a. The reason and type of each specific exemption being requested;
- b. Type and use of exterior lighting involved;
- c. Duration of time for requested exemption;
- d. Type of lamp and calculated lumens;
- e. Total wattage of lamp or lamps;
- f. Proposed locations of exterior lighting;
- g. Previous temporary exemptions at the site, if any; and
- h. Physical size of exterior lighting and type(s) of shielding provided.

#### **17.35.030 Prohibitions**

The following types of exterior lighting are prohibited in all Zone Districts.

- A. **Searchlights.** The operation of searchlights for advertising or attention-getting purposes.
- B. **Nighttime Recreational Facility Lighting.** No outdoor recreational facility, public or private, may be illuminated after 11:00 p.m. unless a temporary use permit for a special event has been approved.
- C. **Uplighting.** Exterior lights directed upward to light up or otherwise illuminate structures, signage, or landscaping unless fully shielded to prevent any light trespass and approved by the Design Review Board.
- D. **Mercury Vapor.** Mercury vapor, fluorescent lights.
- E. **Other Types of Light.** Laser lights or any other lighting that flashes, blinks, alternates, or moves, and any form of lighting that does not comply with the requirements of this Chapter. This prohibition does not apply to lights that are exempt, pursuant to this Chapter, nor to digital displays, regulated in Chapter 17.40, Signs.

#### **17.35.040 General Requirements**

Outdoor lighting must be designed to be an integral part of the built environment, reflecting a balance for the lighting needs with the contextual ambient light level and surrounding nighttime characteristics of the community. Lighting for commercial installations adjacent to or near residential uses must be compatible with and not directly or purposely illuminate or unintentionally spill into nearby residential uses.

- A. **Design of Fixtures.** Fixtures must be appropriate to the style and scale of the architecture it is illuminating.
- B. **Timing Controls.**
  - 1. Outdoor lighting must be turned off during daylight hours and during any hours when the structure is not in use. Photocells or photocontrols must be used to automatically extinguish all outdoor lighting when sufficient daylight is available.
  - 2. Outdoor lighting that is not otherwise exempt from this Chapter may utilize automated control systems such as motion sensors in non-residential development. However, when

an automated control system is utilized, the timer switches must be programmed to keep any lights on for no more than ten minutes after activation.

- C. **Light Trespass.** To prevent light trespass or glare onto adjacent properties or protected ESHA, all lights must be directed downward, fully shielded, and full cutoff. The light level at property lines must not exceed 0.1 foot-candles and must be directed away from ESHAs.

### 17.35.050 Supplemental Requirements

- A. **Height of Wall Mounted Fixtures.** In pedestrian-oriented areas, no portion of a wall-mounted fixtures may be more than 12 feet in height above finished grade at the base of the wall, unless a greater height is approved by the Review Authority specifically for accentuating historic architectural features of a building, accentuating signage and/or landscape features, or for security.
- B. **Pedestrian Area Lighting.** Lighting of pedestrian areas shall be of minimum height and intensity to provide adequate illumination and safety and must not create glare or over-spill onto adjacent lots.
- C. **Parking Lot Lighting.** Parking lot lighting must be designed to provide the minimum lighting necessary to ensure adequate vision, comfort and safety in parking areas and to not cause glare or direct illumination onto adjacent properties or streets.
  - 1. Parking lot and pole-mounted security lighting must not exceed maximum mounting height of 14 feet to the top of the fixture including any base within 100 feet of an "R" Zone District. In all other areas, parking and security lighting must not exceed a maximum height of 20 feet. The Review Authority may allow light fixtures to exceed 20 feet in height in large parking lots that may require higher and fewer poles for aesthetic reasons, and to better accomplish lighting uniformity.
- D. **Exterior Display/Sales Areas.** Lighting levels on exterior display/sales areas must be adequate to facilitate the activities taking place in such locations and may not be used to attract attention to the business.
  - 1. Areas designated as exterior display/sales areas must be illuminated so that the average horizontal illuminance is no more than 5.0 foot-candles.
  - 2. Fixtures must be mounted no more than 20 feet above finished grade and the concrete pedestals used to protect the light pole must not exceed 24 inches in height and must be included in the overall height calculation.
- E. **Service and Gas Stations.** Lighting levels on gasoline station/convenience store aprons and under canopies must be adequate to facilitate the activities taking place in such locations.
  - 1. Fixtures must be mounted no more than 20 feet in height above finished grade.
  - 2. Light fixtures mounted on the bottom surface of canopies must be recessed so that the lens cover is recessed or flush with the bottom surface of the canopy and/or shielded by the fixture or the edge of the canopy.
  - 3. All other light sources must comply with all General Requirements of Section 17.35.040 above.

- F. **Signs.** Lighting of signs must comply with all applicable standards for signage specified in Chapter 17.40, Signs.

### 17.35.060 Lighting Plans

An outdoor lighting plan must be submitted with the permit application whenever exterior lighting is proposed or required as a part of any development not otherwise specifically listed as exempt from the requirement of this Chapter, pursuant to Section 17.35.020, Lighting – Applicability.

- A. **General Requirements.** A required Lighting Plan must be depicted on a separate plan sheet and at a minimum must contain the following information:
1. The location of each existing and proposed outdoor light fixture within the development area. This information must be shown on the landscape plan to demonstrate coordination of fixtures and tree plantings. The location of light fixtures and landscaping on adjacent properties and on the street right of way that effect lighting/landscaping on the project is also necessary;
  2. Lighting manufacturer-supplied specifications ("cut sheets") that include photographs and manufacturer model number(s) of the fixtures, indicating the certified "cut off characteristics" of each fixture proposed;
  3. Lamp source type (e.g., bulb type, lumen output, wattage, etc.);
  4. Mounting height for each luminaire and depiction of the direction each fixture is aimed;
  5. Total lumens and light temperature for each fixture, and total square footage of areas to be illuminated; and
  6. Types of timing devices used to control the hours set for illumination, as well as the proposed hours when each fixture will be operated.
- B. **Additional Requirements.** A project that is subject to an approved lighting plan shall be subject to the following additional requirements:
1. No changes to approved outdoor light fixtures may occur without prior review and approval by the City.
  2. No additional exterior lighting may be added to the site without review and approval by the City.
  3. **Non-Single Unit Dwellings.** For all development except Single Unit Dwellings, the applicant must provide photometric diagrams and data, color rendering index of all lamps, and computer generated photometric grid showing foot-candle readings every ten feet within the property or site and ten feet beyond the property lines. The grid should also indicate maximum and minimum uniformity for each specific use area.

## Chapter 17.40 Signs

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### Sections:

- 17.40.010 Purpose
- 17.40.020 Applicability
- 17.40.030 Exempt Signs
- 17.40.040 Prohibited Signs
- 17.40.050 Sign Design Principles
- 17.40.060 General Provisions for All Sign Types
- 17.40.070 Signage Allowances for Specific Uses and Special Signs
- 17.40.080 Standards for Specific Sign Types
- 17.40.090 Overall Sign Plan
- 17.40.100 Nonconforming Signs

### 17.40.010 Purpose

The purpose of this Chapter is to regulate signs as an information system that preserves and enhances the aesthetic character and environmental values of the City, its residential neighborhoods, its visitor-oriented uses, and commercial/industrial areas, while also providing an effective means for members of the public to express themselves through the display of signs. More specifically, this Chapter is intended to:

- A. Promote communications through signs that provide information and orientation and also to promote economic activity and vitality to the community;
- B. Maintain and enhance the City's appearance by regulating the design, character, location, number, type, quality of materials, size, illumination, and maintenance of signs;
- C. Limit commercial signage to on-site locations to ensure that signage is primarily used as identification in order to protect the City's aesthetic environment from the visual clutter associated with the unrestricted proliferation of signs;
- D. Restrict signs that may create a nuisance to nearby properties, violate privacy, or create hazards or unreasonable distractions for pedestrians or drivers; and
- E. Ensure the protection of the rights of free speech and expression are guaranteed by the United States Constitution and State of California Constitution while setting local design standards and expectations.

### 17.40.020 Applicability

This Chapter regulates signs that are located or mounted on private property within the corporate limits of the City, as well as signs located or mounted on public property, over which the City has land use or zoning authority. The provisions in this Chapter apply in all zoning districts of the City. No sign within the regulatory scope of this Chapter may be erected or maintained anywhere in the City except in conformance with this Chapter.

**17.40.030 Exempt Signs**

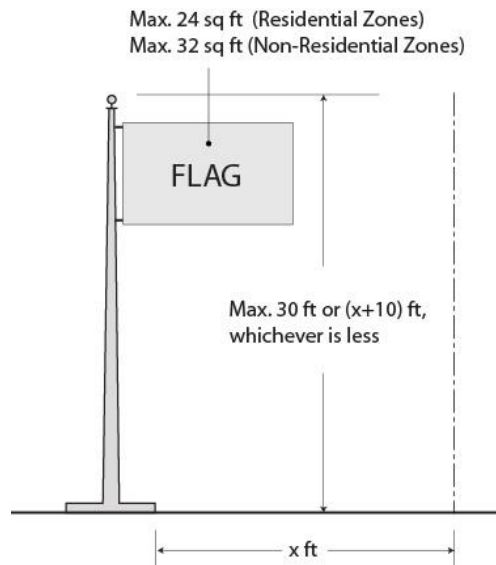
The following signs are exempt from the requirements of this Chapter, provided that they conform to the specified standards of this Chapter. Exempt signs do not count toward the total sign area limit for a site.

- A. **Address Signs.** Address identification and signage in conformance with all applicable Fire Department and Building Code requirements.
- B. **Change of Business Signs.** A temporary attachment or covering of wood, plastic, or canvas over a permitted permanent sign indicating a change of ownership or activity. The temporary sign may be displayed for no longer than 60 days following the change of ownership or activity for which the sign is intended. The temporary sign must be no larger than the previously permitted permanent sign.
- C. **Commemorative Signs.** Plaques, memorial signs or tablets, or other form of signage commemorating the site of a historical event, the residence or workplace of a historical figure, or a building whose architectural or historical character is recognized by the City as part of the City's cultural heritage. The signs may indicate the names of buildings or dates of building erection and may either be attached to or cut into the surfaces of buildings, provided that the signage does not exceed three square feet.
- D. **Construction Signs.** A temporary on-site construction sign may be erected for the duration of construction activities, provided it is immediately removed after issuance of Final Inspection Clearance for the project or if the construction is ceased and work on the site is abandoned. A temporary construction sign may not exceed 20 square feet and six feet in height within non-residential zones or eight square feet and four feet in height within residential zones unless a larger area is approved as part of the project's Development Plan approval.
- E. **Directional Signs.** Directional signs that do not exceed two square feet.
- F. **Directional Signs for Open Houses.** Off-site signs directing the public to "open house" events, for housing units that are listed for sale or for lease, provided they comply with the following standards:
  - 1. For an individual lot, up to three offsite directional signs are allowed;
  - 2. For two or more lots premises, dwellings or structures that are for sale, lease, or rent, are permitted on private land in the same development, up to a maximum of six directional signs are allowed;
  - 3. No sign exceeds five square feet per side and three feet in height, including support structure, from finished grade;
  - 4. The sign or signs may not be placed more than two hours before the start or remain more than two hours after the conclusion of the open house event; and
  - 5. No signage may be displayed within the public road right-of-way, nor impede or obstruct pedestrian use of public sidewalks or access ways.
- G. **Door Signs.**
  - 1. Signs displaying a business as open or closed and do not exceed one square foot.



2. Stickers or decals indicating accepted payment types (i.e., credit/debit cards) and do not exceed one square foot.
  3. Stickers, decals, or etching on glass that display store hours and do not exceed two square feet.
- H. **Flags.** Noncommercial flags may be erected and located on a property only in accordance with the following standards:
1. **Maximum Flagpole Height.** If a flag is on a flag pole, the pole height must not exceed 30 feet, or the distance from the base of the pole to the closest property line plus ten feet, whichever is less.
  2. **Maximum Size.** The maximum individual flag area on a lot is 24 square feet in Residential Zone Districts and 32 square feet in all other Zone Districts.

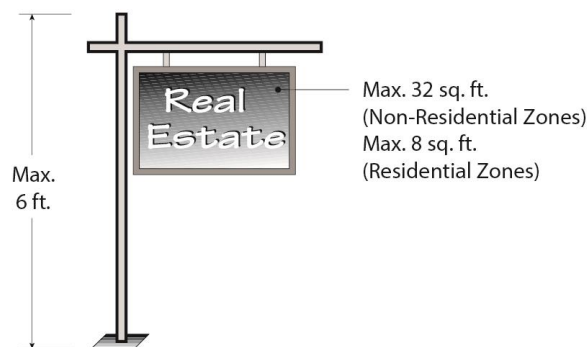
FIGURE 17.40.030(H): FLAGS



- I. **Government Signs.** Official notices issued by a court, public body, or office and posted in the performance of a public duty; informational signs posted by the City, notices posted by a utility or other quasi-public agency; signs erected by a governmental body to direct or regulate pedestrian or vehicular traffic; non-commercial bus stop signs erected by a public transit agency, or other signs required or authorized by law.
- J. **Interior Signs.** Signs that are located within interior areas of a building, not intended to attract outside attention, and are at least three feet from a window, door, or other exterior wall opening.
- K. **Menu Displays.** Menu displays, not exceeding a total of two square feet in cumulative area, mounted on a wall or in a window near the main entrance of establishments serving food to customers who eat on the premises.
- L. **Mobile Vendor Signs.** Signs fixed onto, but not extending more than one-foot from, mobile vending vehicles or equipment that identify or advertise the name, product, or service provided by a licensed vendor (e.g., vehicle wraps, magnets, and stickers; car toppers, such as for pizza delivery; taxi medallions, etc.).

- M. **Murals.** Murals that do not contain any advertising copy or function as advertising.
- N. **One-Time Event Sign.** One-Time Event signs with a maximum area of 40 square feet.
  - 1. One One-Time Event sign is allowed per street frontage.
  - 2. One-Time Event signs must not be posted more than seven days prior to the special event.
  - 3. One-Time Event signs must be removed within 24 hours of completion of the event.
- O. **On-Site Real Estate Signs.** Signs conveying information about the sale, rental, or lease of the subject lot, premises, dwelling, or structure, provided that they comply with the following provisions:
  - 1. **Illumination.** The sign or signs are not illuminated.
  - 2. **Removal.** The sign or signs are removed within seven days after the sale, lease, or rental of the property has been completed.
  - 3. **Freestanding Real Estate Signs.**
    - a. No more than one real estate sign is displayed at any one time per public street frontage per lot;
    - b. The sign or signs do not exceed an aggregate area of 32 square feet within non-residential zones or eight square feet in area within residential zones; and
    - c. The maximum height of the signs and supports is six feet.

**FIGURE 17.40.030(O): ON-SITE REAL ESTATE SIGNS**



- 4. **Real Estate Wall Signs.**
    - a. No more than one wall sign may be displayed at any one time per public street frontage;
    - b. Wall signs may not exceed six square feet in area; and
    - c. The maximum height of a wall sign is 12 feet.
- P. **Subdivision Signs.** A maximum of three, unlighted, double-faced temporary subdivision signs, not exceeding 40 square feet in area per display face and 15 feet in overall height, may be erected and maintained with a subdivision during sale of the lots. Such signs must be located within the

subdivision and also be a minimum distance of 300 feet apart from each other. All subdivision signs must be removed at the close of escrow of the model complex houses.

- Q. **Sponsorship Signs.** One temporary commercial sponsorship sign for each sponsor or one sign for all sponsors, who support and/or contribute to activities occurring on a premise open to the public. The signs must not to exceed an area of 36 square feet per site and may remain on the premises for a period determined by the host agency or owner not to exceed three months preceding the activity or event and removed within 15 days after the event or activity.
- R. **Vehicle and Vessel Insignia.** On properly licensed vehicles and watercraft: license plates and frames, registration stickers and insignia, and messages relating to the proposed sale, lease, or exchange of the vehicle or vessel.
- S. **Window Signs.** Window Signs in “R” zone districts and on residential uses, whether permanent or temporary, one non-illuminated window sign not exceeding three square feet on any building façade when not used to advertise a home occupation.
- T. **Protected Non-Commercial Speech Signs on Residential Uses.** Non-illuminated temporary signs displaying protected non-commercial messages that are no more than four feet in height and no more than six square feet in area may be displayed at any time. However, during the period of time beginning 60 days before a general, special, primary or runoff election, and ending 15 days after such election, the amount of display area may be doubled. All signage displayed under this Section must be removed 15 days after the corresponding election.
- U. **Protected Non-Commercial Speech Signs on Non-Residential Uses.** On commercial, business, industrial, and manufacturing uses, non-illuminated temporary signs displaying protected non-commercial messages, a maximum of six feet in height and totaling no more than 25 square feet in area, may be displayed at any time. However, during the period of time beginning 60 days before a general, special, primary, or runoff election, and ending 15 days after such election, the amount of display area may be doubled.

#### 17.40.040 Prohibited Signs

Unless otherwise permitted by a specific provision of this Chapter, the following sign types are prohibited in all zones:

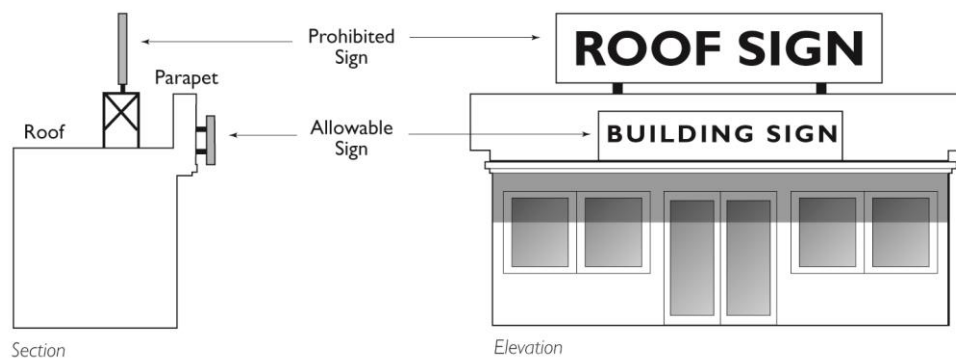
- A. **Animated Signs.** Signs that blink, flash, shimmer, glitter, rotate, oscillate, move, or which give the appearance of blinking, flashing, shimmering, glittering, rotating, or oscillating.
- B. **Cabinet or Can Signs.** Internally lit cabinet and can signs.
- C. **General Advertising for Hire.** Permanent or temporary billboards or signage that publicize or promote other off-site businesses or causes using methods of advertising (in contrast to self-promotion, on-site sales, or on-site advertising).
- D. **Human Directional Signs.** Sign holders, spinners, twirlers or other forms of advertising using human billboards.
- E. **Mobile Billboards.** Any sign carried or conveyed by a vehicle for the primary purpose of general advertising for hire, excluding signs on taxis and buses.

**FIGURE 17.40.040(E): PROHIBITED MOBILE BILLBOARD EXAMPLE**



- F. **Portable Signs.** Portable signs are prohibited in all City rights-of-way unless issued an Encroachment Permit.
- G. **Pole Signs.** A sign that is mounted on a freestanding pole or other support structure placed on or anchored to the ground that is independent from any building or other structure.
- H. **Roof Signs.**
  - 1. Signs that extend above the roofline or parapet (whichever is higher) of a building with a flat roof, including signs affixed to roof-top mechanical equipment.
  - 2. Signs that extend above the deck line of a mansard roof.
  - 3. Signs on roof-tops that are only visible from above.

**FIGURE 17.40.040(H): ROOF SIGNS**



- I. **Signs Located in the Public Right-of-Way or on Public Property.** Other than official government signs or warning signs required by law, no inanimate sign can be placed in public right-of-way, on any public utility pole or fire hydrant, or on public property unless authorized by a City Encroachment Permit.
- J. **Signs Affixed to Trees.** No sign may be affixed to or cut into any public or private tree or other living vegetation.

- K. **Signs on Terrain.** No sign may be cut, burned, marked, or displayed in any manner on a street, sidewalk, rock, outcropping, cliff, or hillside.
- L. **Search Lights and Klieg Lights.** When used as attention-attracting devices for commercial sales or special events.
- M. **Signs Creating Traffic Hazards or Affecting Pedestrian Safety.** No signs may be placed, located, or situated in such a manner as to constitute a safety hazard or to impede the public use of the public right-of-way, such as:
  1. Signs placed, mounted, erected, or installed in any manner that obstructs use of any door, window or fire escape;
  2. Signs mounted or displayed in such a manner that blocks or impedes the normal pedestrian use or public sidewalks. A minimum unobstructed width of four feet must be maintained on sidewalks at all times;
  3. Signs located in such a manner as to constitute a traffic hazard or obstruct the view of traffic, fire hydrants, any authorized traffic sign, or signal device;
  4. Signs that may create confusion with any authorized traffic sign, signal, or device because their color, location, or wording, or use of any phrase, symbol, or character interferes with, misleads, or confuses vehicular drivers in their use of roads or conflicts with any traffic control sign or device; or
  5. Signs at or near any street intersection that distract or will obstruct the free and clear vision of drivers and pedestrians. Other than traffic control signals, no sign may be installed or displayed in the visibility triangle at intersections, as determined by the City.
- N. **Signs for Prohibited Uses.** A sign displaying a commercial message promoting a business that is either a prohibited use or has not been established as a legally permitted use.
- O. **Signs that Produce Noise or Emissions.** Signs that produce visible smoke, vapor, particles, odor, noise, or sounds that can be heard at the property line, excluding voice units at menu board signs and devices for servicing customers from their vehicles, such as drive-up windows at banks.
- P. **Wind Movement Devices.** Balloons, inflatable signs, streamers, banners, pennants, and other attention-getting devices, made of plastic, light-weight fabric, or similar material, designed to rotate or move with the wind. Such devices are prohibited unless permitted by the City as a Temporary Use, pursuant to Section 17.41.260, Standards for Specific Uses and Activities – Temporary Uses.

#### 17.40.050 Sign Design Principles

The following sign design principles will be used as criteria for review and approval a permit for individual signs and for Overall Sign Plans.

- A. **Architectural Compatibility.** A sign, including its supporting structure, should be designed as an integral design element of a building's architecture and be architecturally compatible, in terms of color, materials, and scale, with the building the sign is attached to as well as with surrounding structures to the maximum extent feasible. A sign that covers a window, spills over "natural" boundaries or architectural features, or obliterates parts of upper floors of buildings is

detrimental to visual order and would not be compatible. Common indicators of compatibility include:

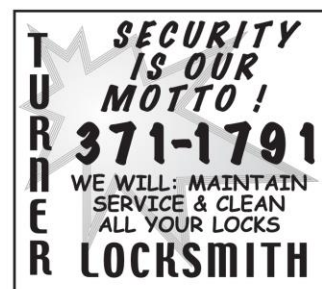
1. Quality sign design and construction;
  2. Proportional size and scale; and
  3. Use of materials, shapes and colors that complement the building's architectural style and the surrounding environment.
- B. **Legibility.** The size, length, and proportion of the elements of the sign's message, including logos, letters, icons and other graphic images, should be selected based on the average distance and average travel speed of the intended viewer. Sign messages oriented towards pedestrians may be smaller than those oriented towards automobile drivers. Colors and materials chosen for the sign text and/or graphics should have sufficient contrast with the sign background in order to be easily read during both day and night.
- C. **Placement.** The architectural details of a building often create logical places for signage. Signs should not cover or interrupt architectural details or ornaments of a building's façade. On buildings with a monolithic or plain façade, signs can establish or continue appropriate design rhythm, scale and proportion. Well-designed and well-located retail signs create visual interest and continuity with other storefronts on the same or adjacent buildings and should not obscure windows or doors.
- D. **Readability.** A sign message should be easily recognized and designed in a clear, unambiguous and concise manner, so that a viewer can understand or make sense of what appears on the sign.

**FIGURE 17.40.050(D): SIGN READABILITY**

This:



Not This:



This:



Not This:



- E. **Visibility.** A sign should be conspicuous and readily distinguishable from its surroundings, so a viewer can easily see the information it communicates. Appropriate illumination can add to visibility, but the type and strength must be carefully considered.

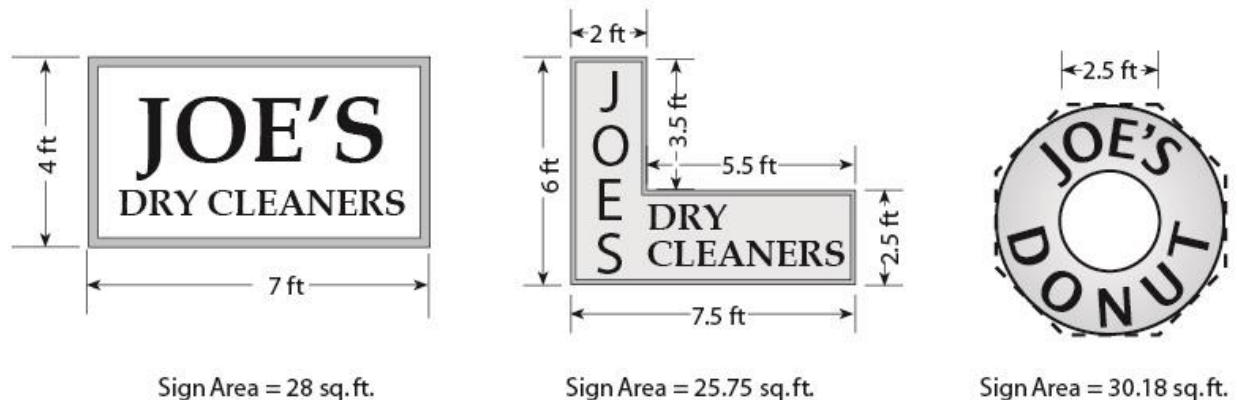
#### 17.40.060 General Provisions for All Sign Types

- A. **Permit Required.** Except as otherwise expressly provided in this Chapter, it is unlawful for any person to affix, place, erect, suspend, attach, construct, structurally or electrically alter, move, or display any temporary or permanent sign within the City without first obtaining a Design Review Board approval and issuance of a Zoning Clearance. No Design Review Board approval and Zoning Clearance is required for exempt signs and for cleaning and other normal maintenance of a properly approved sign, unless a structural or electrical change is made.
- B. **Design Review.**
  - 1. Applications for individual signs that are not subject to Section 17.40.090, Signs – Overall Sign Plan, but are submitted in accordance with the applicable standards of this Chapter will be subject to Design Review by the Design Review Board.
  - 2. Applications for individual signs submitted in accordance with the applicable standards of this Chapter on property with an approved Overall Sign Plan will be subject to Administrative Design Review.
- C. **Owner's Consent Required.** The expressed or written consent of the property owner or business owner is required before any sign may be displayed on any real or personal property within the City.
- D. **Non-commercial Signs.** Non-commercial signs are allowed wherever commercial signage is permitted and are subject to the same standards and total maximum allowances per site or building of each sign type specified in this Chapter. A Zoning Clearance for signage is required only if the sign qualifies as a structure and is subject to a building permit under the Building Code. For purposes of this Chapter, all non-commercial speech messages are considered "on-site," regardless of location.
- E. **Maximum Sign Area.** The maximum allowable sign area for permanent signs, exclusive of area of exempt signs, is based on the Zoning District in which the sign is located and the type of sign to be used. These standards are established in subsequent sections of this Chapter. These standards are maximums permitted and may be reduced during the Design Review process due to site context, visibility needs, and sign design, as determined by the Review Authority.
- F. **Applicable Codes.** In addition to complying with the provisions of this Chapter, all signs must be constructed in accordance with the Uniform Building Code, the Uniform Sign Code, the Electrical Code, and all other applicable laws, rules, regulations, and policies.
- G. **Encroachment Permits.** Signs mounted on private property may project into or above public property or the public right-of-way only with approval of an Encroachment Permit or exemption by the Public Works Director. Violations of this provision shall result in the removal and confiscation of the sign by the City staff.
- H. **Measuring Sign Area.** The area of a sign face includes the entire area within the periphery of the sign, which is established by drawing not more than eight straight lines encompassing the extremities of the sign within the smallest possible area. Supporting structures, such as sign bases

and columns, are not included in sign area provided that they contain no lettering or graphics except for addresses or required tags. The area of an individual sign must be calculated as follows:

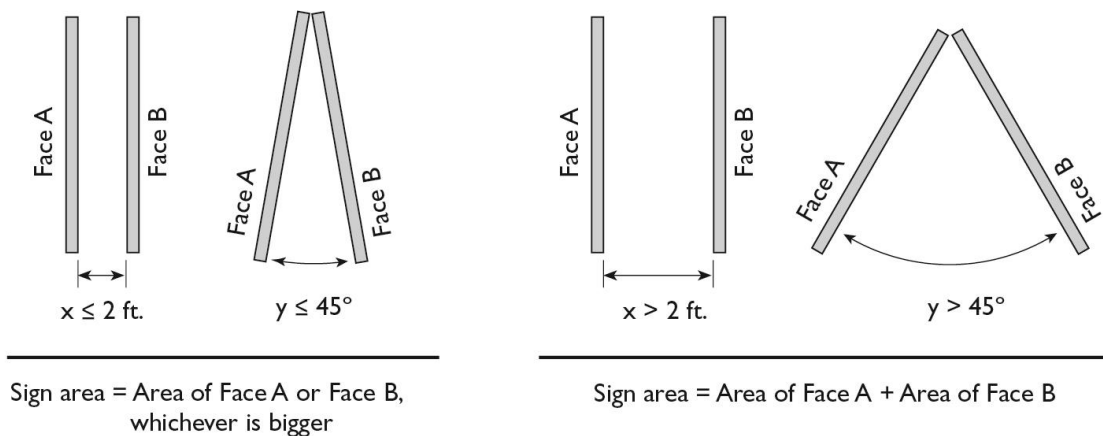
1. **Single-Faced Signs.** Sign area of single-faced signs is the area of the sign face;

**FIGURE 17.40.060(H)(1): SINGLE-FACED SIGNS**



2. **Double-Faced Signs.** Where two faces of a double-faced sign are located two feet or less from one another at all points or located at an interior angle of 45 degrees or less from one another, the sign area of double-faced signs is computed as the area of one face. Where the two faces are not equal in size, the larger sign face will be used. Where two faces of a double-faced sign are located more than two feet or greater than 45 degrees from one another, both sign faces are counted toward the total sign area;

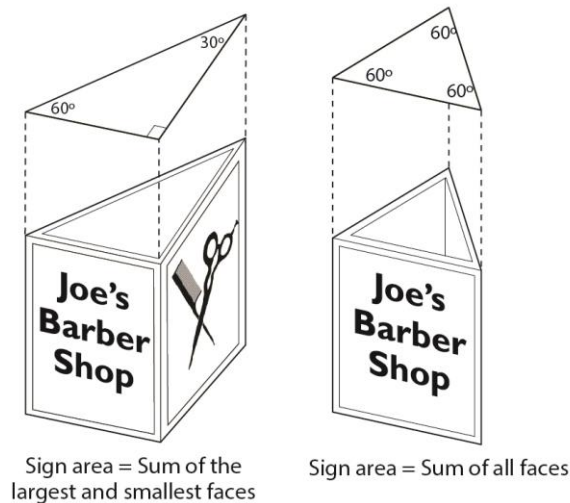
**FIGURE 17.40.060(H)(2): DOUBLE-FACED SIGNS**





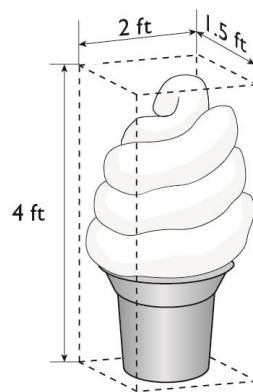
3. **Multi-Faced Signs.** On a three-faced sign, where at least one interior angle is 45 degrees or less, the area of two faces (the largest and smallest face) must be summed to determine sign area. In all other situations involving a sign with three or more sides, sign area will be calculated as the sum of all faces; and

**FIGURE 17.40.060(H)(3): MULTI-FACED SIGNS**



4. **Three-Dimensional Signs.** Signs that consist of, or have attached to them, one or more three-dimensional objects (e.g., balls, cubes, clusters of objects, sculpture, or statue-like trademarks such as a barberpole, etc.), may have a sign area that is the sum of all areas using the four or more vertical sides of the smallest rectangular prism that will encompass the sign.

**FIGURE 17.40.060(H)(4): THREE-DIMENSIONAL SIGNS**



Sign area = 28 sq. ft.

- I. **Changeable Copy.** The use of changeable copy on signage is subject to Design Review and may only be permitted in accordance with the following regulations.
  1. **Electronic Copy.** Electronic changeable copy is only allowed in non-residential districts and as follows:
    - a. *Location.* Electronic copy may only be used for the following with approval of a Major Conditional Use Permit.
      - i. Fuel price signs at service and gas station sites.
      - ii. Indoor theaters to display current and future showings.
      - iii. Public/Quasi-Public uses on land with at least 400 feet of continuous street frontage.
    - b. *Maximum Number.* One per legal lot or permitted use.
    - c. *Maximum Height.* Ten feet.
    - d. *Maximum Area.* Electronic copy can represent no more than 50 percent of the maximum allowable sign area.
    - e. *Display Duration.* Changes to copy are limited to a maximum of twice per day.
    - f. *Light Color.* Light color shall be static and must not give the appearance of animation. No changes in light color is permitted without review and approval by the Design Review Board.
    - g. *Light Intensity.* The intensity of the sign lighting may not exceed 0.3 foot-candles over ambient lighting conditions when measured at the nearest property line. All electronic copy must be equipped with a sensor or other device that automatically determines the ambient illumination and programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 foot-candle limitation.
  2. **Non-Electronic Copy.** Non-electronic changeable copy is allowed in all districts and can represent no more than 20 percent of the total allowable sign area, except for the following uses which are allowed up to 75 percent of the maximum allowable sign area to be changeable copy: all Public/Quasi-Public uses, indoor theaters and cinemas, and fuel price signs.
- J. **Message Substitution.** On permitted signs, a commercial message of any type may be substituted, in whole or in part, with a non-commercial message. Additionally, any commercial message may be substituted, in whole or in part, with another commercial message.
  1. **No Additional Approval.** Such message substitution may be made without any additional approval, permitting, registration, or notice to the City. The purpose of this provision is to allow for the updating of information and to prevent any inadvertent favoring of commercial speech over non-commercial speech or favoring of any particular non-commercial message over any other noncommercial message.
  2. **Limitations.** This message substitution provision does not:
    - a. Create a right to increase the total amount of signage on a parcel, lot or land use;

- b. Affect the requirement that a sign structure or mounting device be properly permitted;
  - c. Allow a change in the physical structure of a sign or its mounting device; or
  - d. Authorize the substitution of an off-site commercial message in place of an on-site commercial message or in place of a non-commercial message.
- K. **Materials.** Sign materials must be appropriate for the type, location, size, and purpose of the sign, whether intended to be a permanent or temporary sign.
- L. **Illumination.** The illumination of signs, from either an internal or external source, must be designed to avoid negatively impacting surrounding properties and roadways. The following standards apply to all illuminated signs:
  - 1. Sign lighting must not be of an intensity or brightness that will create a nuisance for residential buildings in a direct line of sight to the sign;
  - 2. Signs using exposed light sources, such as neon and other gas-filled tubing, or any interior lighted sign with transparent or translucent faces may be approved by the Design Review Board, provided that the Board determines that the light from the sign would not cause unreasonable glare, annoyance to passersby or neighbors, or create any safety hazards. Unshielded light bulbs are prohibited for the illumination of signs;
  - 3. Light sources must be hard-wired fluorescent or compact fluorescent lamps, or other lighting technology that is of equal or greater energy efficiency. Incandescent bulbs or lamps are prohibited, except when used in signs of historic character as part of the architectural design; and
  - 4. External light sources must be directed, shielded, and filtered to limit direct illumination of any object other than the sign, according to Chapter 17.35, Lighting.
- M. **Maintenance.** Sign must be maintained in a secure and safe condition and must be cleaned, painted, and replaced as necessary to present a neat appearance. If the City determines that a sign is not secure, safe, or in a good state of repair, it must give written notice of this fact to the property owner and specify a time period for correcting the defect. If the defect is not corrected within the time specified by the City, the City may cause such sign to be removed, or altered to correct the defect, at the expense of the sign owner or owner of the property upon which it is located.
- N. **Abandonment.** An on-premises sign advertising an activity, business, service or product must be removed within 90 days following the actual discontinuance of the activity, business, service or product. If the sign is not so removed, the Code Enforcement Officer may have the sign removed in accordance with the public nuisance abatement provisions of the Goleta Municipal Code.
- O. **Allowable Sign Area.**
  - 1. **Maximum Sign Area.** Table 17.40.060(O) establishes the maximum sign area per zoning district, exclusive of exempt signs and signage allowances for specific uses.

<b>TABLE 17.40.060(O): TOTAL MAXIMUM SIGN AREA BY DISTRICT</b>				
<i>Zoning District:</i>	<i>Commercial</i>	<i>Office</i>	<i>Industrial</i>	<i>Public and Quasi Public</i>
Total Sign Area Allowed (sq. ft.)	1 per lineal foot of street frontage	0.5 per lineal foot of street frontage	0.5 per lineal foot of street frontage	0.5 per lineal foot of street frontage

2. **Individual Tenants.** When a parcel contains two or more tenants and there is no approved Overall Sign Plan for the site, each individual tenant is limited in overall sign area based on the lineal feet of the façade of that tenant space.
- P. **Flag Lots.** In all zoning districts, signage for a flag lot may be grouped with the signage for businesses on either of the neighboring properties. If signage is combined, the total allowed sign area of the sign may be increased to accommodate all properties and permitted uses.

### **17.40.070 Signage Allowances for Specific Uses and Special Signs**

This Section establishes signage allowances for specific uses.

- A. **Agricultural Operations.** Signs for agricultural operations and accessory use(s) may be erected subject to the following standards:
1. **Maximum Number.** One sign per street frontage.
  2. **Location.** A minimum of five feet from the edge of the public right-of-way.
  3. **Maximum Sign Area.** 25 square feet in area per sign.
- B. **Open Space Uses.** Signs within the OSAR and OSPR Districts may be erected subject to the following standards:
1. **Maximum Number.** One sign per street frontage.
  2. **Maximum Sign Area.** 25 square feet in area per sign.
- C. **Non-Residential Uses in Residential Zoning Districts.** Signs for non-residential uses in “R” Zone Districts are allowed subject to the following standards:
1. **Maximum Number.** One freestanding sign and one wall sign.
  2. **Maximum Sign Area.** Freestanding signs must not exceed 32 square feet in area per sign. Wall signs must not exceed ten square feet in area.
  3. **Location.** Signs must be a minimum of ten feet from the edge of the public right-of-way or five feet from any interior lot line.
  4. **Maximum Height.** Six feet for freestanding signs. Wall signs must not be more than 12 feet above grade.
- D. **Residential and Mixed-Use Developments.** Identification signs for residential and mixed-use developments with more than ten residential units or parcels are permitted for the purpose of identifying a development subject to the following standards:
1. **Maximum Number of Signs.** One sign per street frontage.
  2. **Maximum Sign Area.** 40 square feet per sign.

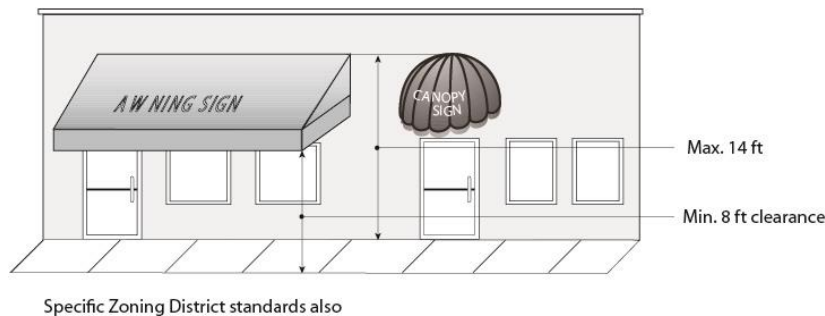
3. **Height Limit and Location.**
  - a. *Outside of all Setbacks:* Ten feet maximum height.
  - b. *Within a Setback:* Five feet maximum height.
- E. **Service and Gas Stations.**
  1. **Canopy Signs.** Signs on service and gas station canopies must not exceed 25 square feet on each side.
  2. **Gas Pump Signs.** Signage on gas pumps shall count toward overall allowable sign area.
- F. **Cinemas.** One square foot of signage for each linear foot of street frontage of the lot, up to a maximum of 150 square feet.
- G. **Murals.** Murals and other forms of art or artwork that are visible to the public and that contains advertising copy or functions as advertising are subject to zoning review and approval of a Zoning Clearance. Upon review, the Director may require Design Review by the Design Review Board.
- H. **Time and Temperature Devices.** Time and temperature devices, not taller in height than permitted signs or larger than 12 square feet, located wholly on private property and bearing no commercial message.
- I. **Vending Machines.** If visible from a public right-of-way, each of the following standards apply:
  1. Signage for outdoor vending machines shall be subject to Design Review;
  2. A single lot may not contain more than two outdoor vending machines visible from a public right-of-way; and
  3. In no case shall an outdoor vending machine contain any form of interior lighting or illumination.

#### 17.40.080 Standards for Specific Sign Types

- A. **A-Frame Signs.** A-Frame signs are allowed in Commercial zoning districts, subject to the following standards:
  1. **Maximum Number.** Each establishment is limited to no more than one sign.
  2. **Placement.** A-Frame signs must be placed on private property directly in front of the business it is identifying.
  3. **Hours of Display.** A-Frame signs must be removed during hours when the establishment is not open to the public and may not be displayed after the activity with which they are associated with is over.
  4. **Maximum Size.** Six square feet.
  5. **Maximum Height.** Four feet.
- B. **Awning and Canopy Signs.** Awning and canopy signs may be attached to or painted on the vertical edges or valance of awnings, canopies, arcades, or similar features or structures. Awning and canopy signs are also subject to the additional standards:

1. **Maximum Number.** One sign for each establishment per street frontage having an entrance under or offering service under the awning or canopy.
2. **Maximum Size.** Six square feet of sign area.
3. **Maximum Height.** Awning height is limited to 14 feet.
4. **Minimum Vertical Clearance.** The bottom of the awning must be a minimum of eight feet above the sidewalk.

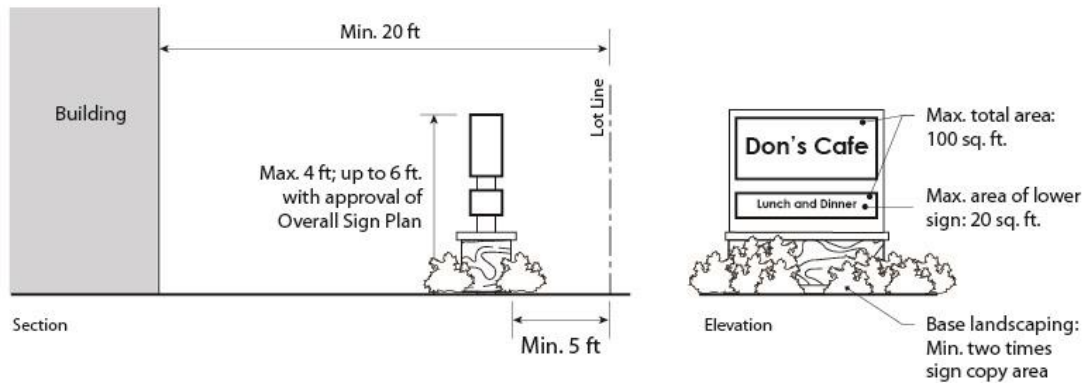
**FIGURE 17.40.080(B): AWNING AND CANOPY SIGNS**



C. **Freestanding Signs.** Freestanding signs are subject to the following standards:

1. **Where Allowed.** Freestanding signs are permitted only on a parcel of land with at least 125 feet of continuous street frontage and where the main building is set back at least 20 feet from the lot line. The base of the supporting structure must be set back at least five feet from the edge of the public right-of-way.
2. **Maximum Number.** One sign per street frontage. No more than two separate signs may be placed on each freestanding sign structure if being grouped with a flag lot.
3. **Maximum Height.** The standard allowable height for freestanding signs is four feet. An increased height allowance may be approved as part of an Overall Sign Plan, but in no case exceed six feet in height.
4. **Maximum Area.** 100 square feet. If two signs are placed on the same freestanding structure, the lower sign may not exceed 20 square feet and the areas of the two signs, added together, may not exceed 100 square feet in area.
5. **Landscaping Required.** All freestanding signs require landscaping at the base equivalent to two times the area of the sign if the area is not otherwise part of an approved landscape plan.

FIGURE 17.40.080(C): FREESTANDING SIGNS

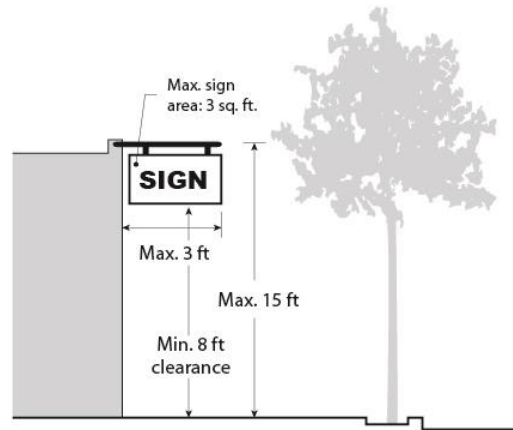


- D. **Menu Boards.** Any business proposing to include a Menu Board must conform to the following standards:
1. **Location.** Limited to adjacent vehicle queuing lane for the service point of the drive-through.
  2. **Maximum Number.** Not to exceed one single-faced sign.
  3. **Maximum Size.** Not to exceed 20 square feet and shall count toward the overall allowable sign area for the Use of the lot.
  4. **Maximum Height.**
    - a. *Freestanding:* Not to exceed eight feet.
    - b. *Wall Sign:* Not to exceed the height of the eave of the roof over the wall on which the sign is located.
  5. **Illumination.** Subject to Section 17.35.050(D)(1), Lighting – Exterior Display/Sales Areas.
  6. **Noise.** Subject to Section 17.39.070, Performance Standards – Noise.
- E. **Projecting Signs.** A sign may project horizontally from the exterior wall of a building or suspended beneath a marquee, covered walkway, canopy, or awning, provided that such projection conforms to the following standards:
1. **Maximum Number.** One sign per building or tenant space, whichever is greater.
  2. **Maximum Size.** Three square feet.
  3. **Maximum Height.** 15 feet measured from grade to the top of the sign.
  4. **Minimum Vertical Clearance.** Eight feet above the sidewalk.
  5. **Projection Allowed.** A projecting sign may not extend more than three feet from the building to which it is attached. If connected to a marquee or awning, the sign may not

extend further than the outer edge from what it is suspended from and must be designed and located so as to cause no harm to street trees.

6. **Illumination.** No special illumination is allowed for projecting signs.

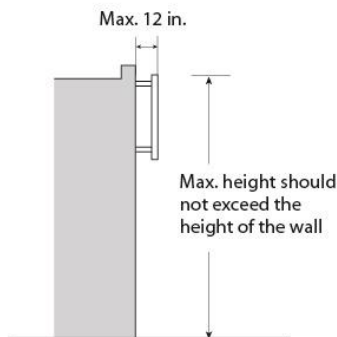
**FIGURE 17.40.080(E): PROJECTING SIGNS**



- F. **Wall Signs.** Wall signs are subject to the following standards:

1. **Maximum Number.** One per street frontage or one per tenant space, whichever is greater.
2. **Maximum Height.** Wall signs may be located up to, but must not exceed, the height of the wall to which they are attached.
3. **Maximum Size.** One-eighth of the building facade area of that portion of the first floor occupied by the tenant and upon which façade the wall sign is to be located, to a maximum of 100 square feet.
4. **Projection Allowed.** Wall signs may not extend more than 12 inches beyond the face of the wall to which they are attached.
5. **Placement.** No wall sign may cover, wholly or partially, any required wall opening.
6. **Orientation.** Unless a different orientation is specifically authorized, each wall-mounted sign must be placed flat against the wall of the building.



**FIGURE 17.40.080(F): WALL SIGNS**

G. **Window Signs.** Window signs are subject to the following standards:

1. **Percent of Window.** The total area of window sign shall not exceed ten percent of the window area.
2. **Maximum Size.** 24 square feet.

#### **17.40.090 Overall Sign Plan**

The purpose of an Overall Sign Plan is to allow coordinated review of all signage on a property for non-residential and/or mixed-use development subject to approval by the Design Review Board. An Overall Sign Plan allows some sign standards to be modified in order to allow design creativity and to simplify the review process for individual signs once the Overall Sign Plan is adopted. The total aggregate area of the signs permitted by the Sign Program may be up to ten percent larger than the total aggregate areas of all signs otherwise permitted by this Chapter.

A. **Applicability.** An Overall Sign Plan is required for the following:

1. New development in commercial, office, and industrial zoning districts with four or more occupancies in commercial or office developments, including mixed-use projects; and
2. All construction and renovation projects involving more than 40,000 square feet of land area where a previous Overall Sign Plan was not approved.

B. **Processing.**

1. New Overall Sign Plan shall be subject to Design Review approval by the Design Review Board prior to any subsequent, associated ministerial review by the Director for individual signs.
2. Subsequent individual signs on the Overall Sign Plan are not subject to further Design Review Board approval unless such a review is required based on a specific provision of the Plan. When no Design Review Board approval is required, applications for individual signs must be submitted to the Director and reviewed for conformance with the standards of the approved Overall Sign Plan. A Zoning Clearance must be issued if determined that a sign substantially conforms to the previously-approved Overall Sign Plan.

3. Applications for individual signs that are not in conformance with the standards of an approved Overall Sign Plan, are subject to a review and approval of a new or revised Overall Sign Plan before the Design Review Board.
- C. **Required Findings.** The Design Review Board will only approve a new Overall Sign Plan or changes to an approved Overall Sign Plan shall only be approved, if all of the following findings are made:
1. The proposed signage is in harmony with and visually related to the common design elements of the buildings the signage will identify.
  2. The proposed signage does not cover, alter, or otherwise obscure important associated architectural features of the building.
  3. The proposed signage does not have significant adverse effects on nearby properties.
  4. The choice of materials and colors enhance the overall project design.
  5. Any changes to dimensional or locational standards are appropriate from a design perspective.
  6. The proposed amount of signage conforms to all applicable development standards of this Title.

#### **17.40.100 Nonconforming Signs**

- A. **Applicability.** Except for illegal/unpermitted signs, all exempt and/or permitted signage that exists within the City on the date this Title becomes effective that is made nonconforming as to this Chapter shall be subject to Chapter 17.36, Nonconforming Uses and Structures.
- B. **Continuance and Maintenance.** Routine repair and maintenance may be performed on a nonconforming sign provided there is no expansion of nonconformity. Any repair of a damaged nonconforming sign may not exceed 50 percent of the sign area or a cost of \$2,000 or more without requiring the entire sign to be brought into conformity with all applicable zoning regulations, unless otherwise specified and allowed as part of this Title.
- C. **Abandonment of Nonconforming Sign.** Whenever a nonconforming sign has been abandoned, or the use of the property associated with the nonconforming sign has been discontinued for a period of 90 consecutive days, the sign shall lose its nonconforming status and associated allowances and must be removed. If not removed, the property owner will be in violation of this Section.
- D. **Restoration.** A nonconforming sign may only be restored if it meets the following criteria:
1. The sign has been recognized by the City as a local Historic Resource or is designated either locally, or by the State as a Historic Landmark or as having Historical Merit. Any repairs and restoration shall be subject to any applicable requirements, restrictions, and/or conditions associated with the historic designation, including any special permitting, CEQA, or Design Review requirements;
  2. If damaged by natural causes (e.g., fire, flood, earthquake, etc.) and the damage does not exceed 50 percent of the total sign area, including hardware and attachments, “in-kind” repairs would be exempt from Zoning Permits provided that the repairs are approved by the Building Department within 45 days and completed within 90 days of the date of damage; or

3. If damaged by natural causes (e.g., fire, flood, earthquake, etc.) and the damage exceeds 50 percent of the total sign area, including hardware and attachments, any repairs would be subject to Design Review and approval by the Design Review Board.

## Chapter 17.58 Design Review

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### Sections:

- 17.58.010 Purpose and Applicability
- 17.58.020 Exemptions
- 17.58.030 Scope of Design Review
- 17.58.040 Design Review Actions
- 17.58.050 Goal of Design Review
- 17.58.060 Design Review Board Levels of Review
- 17.58.070 Additional Design Review Procedures
- 17.58.080 Required Findings
- 17.58.090 Conditions of Approval
- 17.58.100 Time Limits of Approval and Time Extensions

### 17.58.010 Purpose and Applicability

Inappropriate or poor-quality design in the appearance of buildings, structures, and signs adversely affect the visual quality of the surrounding areas and neighborhoods. The purpose of Design Review is to encourage the highest quality of design, both visually and functionally, and to reduce or prevent the negative effects of development while also promoting the health, safety, and general welfare of the City's public. The City will conduct Design Review for proposed projects, except those exempt pursuant to Section 17.58.020, and make decisions to approve, approve with amendments, or deny the overall design of projects pursuant to this Title.

### 17.58.020 Exemptions

- A. The following developments are exempt from Design Review in all instances:
  - 1. All interior alterations and Tenant Improvements (TI);
  - 2. Solar energy systems;
  - 3. Alterations, additions, and repairs that do not substantially change the exterior appearance of a structure, including replacement in kind of existing features. To be considered "replacement in kind," the features must reasonably match the design, profile, material, and general appearance of the existing or original features;
  - 4. Required regulatory signage (e.g., ADA, City, County, etc.); and
  - 5. Signage on private property of two square feet or less conveying a message about the property (e.g., No Trespassing, For Sale, Garage Sale, etc.).
- B. The following development is exempt from Design Review, except when part of a larger development project under review by the City, which is subject to this Chapter:
  - 1. Decks that are less than 30 inches above grade;
  - 2. 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);

3. Hedges that are ten feet or less in height; and
4. Minor additions that do not significantly change the streetscape of the existing dwelling.
  - a. Ground floor additions of 750 square feet or less (based on an exterior footprint measurement) to a Single-Unit Dwelling or duplex unit;
  - b. Second story additions of less than 100 square feet to a Single-Unit Dwelling or duplex unit and provided the addition is to the rear of the structure;
  - c. Patios or porches of 100 square feet or less that use the same or similar materials as the existing dwelling.

#### **17.58.030 Scope of Design Review**

- A. The City must review proposed development for conformity with the following:
  1. The purpose of this Chapter;
  2. Applicable General Plan policies and guidelines;
  3. The Goleta Old Town Heritage District Architecture and Design Guidelines;
  4. The Highway 101 Corridor Design Guidelines;
  5. The Goleta Architecture and Design Standards for Commercial Projects; and
  6. Applicable City sign and zoning regulations.
- B. The scope of Design Review includes, but is not limited to the following:
  1. Size, bulk and scale of new structures;
  2. Colors and types of building materials and application;
  3. Relation to existing and proposed structures on the same site;
  4. Pedestrian and bicycle access and circulation;
  5. Site layout, orientation, and location of structures, and relationship to open areas and topography;
  6. Materials, colors, and variations in boundary walls, fences, or screen planting;
  7. Location and type of landscaping;
  8. Sign design and exterior lighting;
  9. Consideration of neighboring development;
  10. Consideration of energy efficient or environmentally-friendly design and materials; and
  11. Appropriate dark sky compliant exterior lighting.

#### **17.58.040 Design Review Actions**

- A. **Administrative Review.** The Director and shall make decisions to approve, approve with conditions, or deny, the following development:
  1. Decks that are 30 inches or more above grade;

2. Swimming pools, hot tubs, and spas that are not subject to Section 17.24.190, General Site Regulations – Swimming Pools and Spas, and are otherwise exempt from Zoning Permits;
3. Accessory Dwelling Units; and
4. Other accessory structures not subject to review by the Design Review Board;

**B. Design Review Board.**

1. The Design Review Board shall conduct Design Review and make decisions to approve, approve with conditions, or deny the following:
  - a. All projects for which a building and/or grading permit is required that involve new construction or development, the erection, replacement, or alteration of signage, or changes in landscaping that are not listed as exempt in Section 17.58.020, Design Review – Exemptions;
  - b. New construction or development that would otherwise be exempt, but is associated with a project previously subject to Design Review;
  - c. Any project where Design Review Board review is specified by action of the City Council or Planning Commission or the Director of Planning and Environmental Review;
  - d. Projects referred by the Director to the Design Review Board for review;
  - e. Exterior changes to the main structure that result from an additional residential unit in a single-unit home or in a multiple-unit residential building; and
  - f. Applications for permits which, if combined with other permits applied for on the same property within the previous four years, meets the criteria established above to avoid the “piecemeal” review of development.
2. The Design Review Board must conduct Design Review and make a recommendation to approve, approve with conditions, or deny the following:
  - a. Development requiring Discretionary Review by the Zoning Administrator, Planning Commission, or City Council.
3. The Design Review Board shall be responsible for Final Design Review for all projects subject to this Chapter.

**C. Higher Review Authorities.** In compliance with Chapter 17.50, Review Authorities, the Planning Commission or City Council shall conduct Design Review and make decisions to approve, approve with conditions, or deny the following projects:

1. Appeals of the Final Approval of the Design Review Board.
2. Projects requiring both Design Review and Discretionary Review.

<b>TABLE 17.58.040: DESIGN REVIEW AUTHORITIES</b>				
	<i>Design Review Board</i>	<i>Zoning Administrator</i>	<i>Planning Commission</i>	<i>City Council</i>
<b>Design Review Accompanying the Following:</b>				
Zoning Permits (LUP, CDP, ZC)	Decision		Appeal	Appeal
Small Discretionary Projects (Minor CUP, CDH, MOD, VAR)	Recommendation	Decision		Appeal
Large Discretionary Projects (Major CUP, DP)	Recommendation		Decision	Appeal
All Projects with Legislative Actions	Recommendation		Recommendation	Decision

### **17.58.050 Goal of Design Review**

The goal of the Design Review Board to work in partnership with property owners and developers to help implement the City's adopted plans and design guidelines as well as to identify and help resolve any design issues that may be of concern to the broader community. To assist project proponents, the Design Review Board offers three levels of collaborative review prior to taking action on Ministerial Permits or providing a recommendation on Discretionary Actions that will go to a higher Review Authority.

### **17.58.060 Design Review Board Levels of Review**

The Design Review Board holds public hearings as part of the standard three-step process described below:

- A. **Conceptual Review.** All development subject to review by the Design Review Board will be reviewed at the conceptual level.
1. Conceptual Review provides an opportunity for the City to review and comment on a project's concept or theme when it is still in the early stages of development before the applicant has committed to and significantly invested in a particular design.
  2. At Conceptual Review, the applicant and the Design Review Board discuss and consider only broad issues such as site planning, general architectural style, and the project's relationship to its site and the surrounding neighborhood.
  3. Applicants may bring sketches and/or conceptual drawings, including schematic 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, etc.).
  4. No formal action is taken by the Design Review Board at a conceptual level; however, comments may be offered that give the applicant general direction for future review. Additionally, the Design Review Board, the Director, or Planning staff may determine during the Conceptual Review that a site visit and/or story-poles will be required, and/or that the preparation of other plans will be needed in order to determine project compatibility with the neighborhood or compliance with applicable development standards (e.g., landscape, lighting, grading and drainage, etc.).

- B. **Preliminary Review.** Preliminary Review is a formal review of an application in order to confirm that the proposed development complies with all applicable design standards. Fundamental design issues such as precise size of all built elements, site plan, floor plan, elevations, landscaping, and hardscaping are resolved at this stage of review. The Review Authority's decision at Preliminary Review is the formal action for Design Review, which may be appealed.
1. ***Design Review Accompanying Zoning Permits.***
    - a. A project may receive Preliminary Approval only if the accompanying Zoning Permit, pursuant to Section 17.51.030, Actions and Permits – Zoning Permits, for a project has been reviewed by Planning staff and the Design Review Board has been authorized to take formal action to approve, approve with conditions, or deny the design of a project.
    - b. To be approved at the Preliminary level, all significant elements of the project's appearance, landscaping and site and/or building orientation must be found to be consistent with the applicable design standards within the scope of Design Review.
    - c. If a project is granted Preliminary approval, the Design Review Board is indicating that all fundamental design issues have been resolved and that it can make the required Findings for Approval.
  2. ***Design Review Accompanying Discretionary Actions.***
    - a. The Design Review Board will review proposed development at the Conceptual level as many times as deemed necessary prior to authorizing the project to proceed to the higher Review Authority with jurisdiction over the entire proposed project. The higher Review Authority will conduct Preliminary Design Review and consider the requested Discretionary Action, pursuant to Section 17.51.020, Actions and Permits – Discretionary Actions.
    - b. For development subject to a higher Review Authority, pursuant to Chapter 17.52, Common Procedures, the Design Review Board may request additional specific plans or special studies to provide the required information and evidence needed to make draft Preliminary Review findings for the project and transmit a recommended action to the subsequent Review Authority.
    - c. The Design Review Board action to provide draft findings is not subject to Appeal.
    - d. The higher Review Authority's Discretionary Action on both Design Review and the accompanying permits is subject to Section 17.52.120, Common Procedures – Appeals.
- C. **Final Review.** Final Review is the last level of Design Review of the completed working drawings for a project, excluding electrical, plumbing, mechanical and structural drawings, unless components of these plans would affect the exterior of the building or are requested earlier in the process by a Review Authority.
1. All details, color samples, material samples, door hardware, fenestration and exterior light fixtures, final site grading and drainage, and final landscaping must be included in the plans submitted for Final Review.



2. Plans submitted for Final Review must conform to those plans that received Preliminary Approval. If changes to the plans are proposed at this stage by the applicant, a new Preliminary Approval may be required.
3. The Design Review Board may grant Final Approval to a project as proposed or may add a condition that the Director confirm or verify that minor items (e.g., notations, verification of a color code or plant type, etc.) are added to the plan sheets.
4. An action of the Design Review Board to grant Final Approval is not subject to Appeal, pursuant to this Title.

#### **17.58.070 Additional Design Review Procedures**

- A. **Multiple Levels of Review at a Single Meeting.** The Director may accept and process applications for Conceptual / Preliminary / Final Design Review and approval at a single meeting when appropriate for the project, all required information is submitted, and the project is properly noticed and agendized for such multiple levels of approval.
- B. **CEQA Review.** Decisions by the Design Review Board or any higher Review Authority at Preliminary Review are discretionary actions and are therefore subject to environmental review under the provisions of CEQA.
- C. **Project Changes Requiring Additional Review.**
  1. ***Revised Preliminary Review.*** Revised Preliminary Review is used when a project has already received Preliminary approval and the applicant wishes to make substantial changes that would require further Design Review and approval prior to Final Approval.
    - a. Plans submitted should include all information on drawings that reflect and call out the proposed revisions.
    - b. If the revisions are not clearly delineated and identified, they shall not be construed as being a part of the revised approval.
    - c. Substantial changes after a project has received approval at Preliminary Approval require a new Preliminary Design Review by the original Review Authority in order to review those changes against the required Findings for Approval.
  2. ***Revised Final Review.*** Revised Final Review is used when a project has already received Final Approval and the applicant wishes to make minor changes that require further Design Review by either the Design Review Board or the Director, but do not change any of the development entitlements previously granted by the City that would require additional review and analysis.
    - a. Plans submitted must include all information on drawings that reflect and call out the proposed revisions.
    - b. If the revisions are not clearly delineated, they shall not be construed as approved.
    - c. Substantial changes after a project has received Final Approval will require Revised Preliminary Review.
    - d. Revised Final Review is not subject to Appeal, pursuant to this Title.

**17.58.080 Required Findings**

The Review Authority may only grant Final Design Review Approval if it is determined that the proposed project is consistent with the standards of this Chapter and all of the following findings can be made:

- A. The development will be compatible with the neighborhood, and its size, bulk and scale will be appropriate to the site and the neighborhood.
- B. Site layout, orientation, and location of structures, including any signage and circulation, are in an appropriate and harmonious relationship to one another and the property.
- C. The development demonstrates a harmonious relationship with existing adjoining development, avoiding both excessive variety as well as monotonous repetition, but allowing similarity of style, if warranted.
- D. There is harmony of material, color, and composition on all sides of structures.
- E. Any outdoor mechanical or electrical equipment is well integrated in the total design and is screened from public view to the maximum extent practicable.
- F. The site grading is minimized and the finished topography will be appropriate for the site.
- G. Adequate landscaping is provided in proportion to the project and the site with due regard to preservation of specimen and protected trees, and existing native vegetation.
- H. The selection of plant materials is appropriate to the project and its environment, and adequate provisions have been made for long-term maintenance of the plant materials.
- I. All exterior lighting, including for signage, is well designed, appropriate in size and location, and dark-sky compliant.
- J. The project architecture will respect the privacy of neighbors, is considerate of private views, and is protective of solar access off site.
- K. The proposed development is consistent with any additional design standards as expressly adopted by the City Council.

**17.58.090 Conditions of Approval**

The Review Authority may impose reasonable conditions on a Design Review approval that is related and proportionate to what is being requested by the application, as deemed necessary or appropriate in order to ensure that the standards and requirements of this Title are met, including, without limitation:

- A. Modification of materials and/or design elements;
- B. Additional landscaping;
- C. Walls, fences, and screening devices;
- D. Noise-attenuation construction and/or devices; or
- E. Any other conditions that are found to be necessary to ensure that the provisions of the General Plan and this Title are met.

**17.58.100 Time Limits of Approval and Time Extensions**

- A. Design Review approval shall expire one year from the date of Preliminary Approval, unless the project receives Final Approval.
  - 1. Prior to expiration of such one-year period, the Director may grant one extension of up to one year.
- B. The Design Review approval shall expire three years from the date of Final Approval, unless the associated Zoning Permit has been approved.
  - 1. Prior to the expiration of such three-year period, the Director may grant one extension of up to two years.