

## ATTACHMENT B

### ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO. 4584 TO DELETE SECTION 14 OF THAT ORDINANCE THAT PROVIDES THAT THE ESTABLISHMENT OF THE NORTH, CENTRAL AND SOUTH BOARDS OF ARCHITECTURAL REVIEW WILL EXPIRE AS OF DECEMBER 31, 2013 UNLESS EXTENDED, TO AMEND ARTICLE V, PLANNING AND ZONING, OF CHAPTER 2, ADMINISTRATION, OF THE SANTA BARBARA COUNTY CODE REGARDING THE APPOINTMENT OF MEMBERS TO THE NORTH AND CENTRAL BOARDS OF ARCHITECTURAL REVIEW, AND MAKE OTHER MINOR CORRECTIONS AND REVISIONS.

Case No. 13ORD-00000-00012

The Board of Supervisors of the County of Santa Barbara, State of California, ordains as follows:

#### SECTION 1:

Ordinance No. 4584, adopted by the Board of Supervisors of the County of Santa Barbara on November 22, 2005, and amended on January 22, 2008 by Ordinance No. 4664, is hereby amended by delete Section 14 that provides for the expiration of the ordinance on December 31, 2013 unless extended.

#### SECTION 2:

Article V, Planning and Zoning, of Chapter 2, Administration, of the Santa Barbara County Code, is hereby amended to amend Section 2-33.3, North County, Central County, South County and Montecito board of architectural review - Members; appointments; quorums, to read as follows:

- (a) The NBAR shall be composed of five persons, residents of the county, appointed by the first, third, fourth and fifth district supervisors and approved by the board. The persons need not live in the district of the appointing supervisor; however, they shall reside within the boundaries of the NBAR. Three of the persons shall be licensed architects or licensed landscape architects. ~~These licensed members need not be residents of the county if their professional business is located within the boundaries of the NBAR.~~ The remaining two persons ~~may be a member of the county planning commission appointed by the fourth or fifth district supervisors and/or may be one or two persons, depending on whether a planning commissioner is appointed, who reside north of the southern boundary of the City of Lompoc~~ who shall 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 surrounding areas. Three persons shall constitute a quorum; one member of the quorum must be either a licensed architect or a licensed landscape architect. Two alternates may be appointed, one by the fourth district supervisor and one by the fifth district supervisor and approved by the board. The alternates, who shall reside within the boundaries of the NBAR, shall be licensed architects, licensed landscape architects or a community member skilled in reading plans. The alternates shall be available to fulfill the requirements of a quorum.
- (b) The CBAR shall be composed of five persons, residents of the county, appointed by the third district supervisor and approved by the board of supervisors. Three of the persons shall be licensed architects or licensed landscape architects. The persons need not live in the boundaries of the CBAR. The remaining two persons ~~may include a planning commissioner appointed by the~~

~~third district supervisor and/or may be one or two persons, depending on whether a planning commissioner is appointed, who shall reside in the area south of the City of Lompoc and west of Farren Road and north to the ridge of the mountain and shall 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 surrounding areas. Three persons shall constitute a quorum; one member of the quorum must be either a licensed architect or a licensed landscape architect. Two alternates may be appointed by the third district supervisor and approved by the board. The alternates shall be licensed architects, licensed landscape architects or a community member skilled in reading plans. The alternates shall be available to fulfill the requirements of a quorum.~~

- (c) The SBAR shall be composed of seven persons, residents of the county, appointed by the first, second and third district supervisors and approved by the board of supervisors pursuant to Section 2-33.4(b). Three of the persons shall be licensed architects. The persons need not live in the district of the appointing supervisor. The remaining four persons shall reside east of Farren Road and north to the ridge of the mountain, including Isla Vista, but outside the Montecito planning area, as designated in the Montecito community plan, and shall 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 surrounding areas, and shall include, at a minimum, two licensed landscape architects. Four members shall constitute a quorum; two members of the quorum must be either a licensed architect or a licensed landscape architect.
- (d) The MBAR shall be composed of seven persons who are residents of the county. The members of the MBAR shall be appointed by the supervisor of the first supervisorial district with approval of the board of supervisors. Five of the members shall be licensed architects or licensed landscape architects. The persons need not live in the district of the appointing supervisor. The remaining two members shall reside within the Montecito planning area as designated in the Montecito community plan, and shall 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 surrounding areas. Four persons shall constitute a quorum; two members of the quorum must be either a licensed architect or licensed landscape architect.

### SECTION 3:

Article V, Planning and Zoning, of Chapter 2, Administration, of the Santa Barbara County Code, is hereby amended to amend Section 2-33.4, North County, Central County, South County and Montecito board of architectural review - Term of office and reappointment of members, to read as follows:

- (a) The members of the BAR shall be appointed for four-year terms. Members shall serve until their successors are approved by the board of supervisors or they are removed or their term changed by a three-fifths vote of the board of supervisors. The district representative members' ~~and planning commissioners'~~ BAR term, other than the MBAR, shall coincide with the election years of the appointing supervisors for that district.
- (b) The current (those sitting as of the effective date of the ordinance codified in this section) BAR members' terms may be shorter than four years in order to align the BAR members' appointments with those of the board of supervisors' member whose district the BAR member represents as follows:

January 2006:

1st district: Appointments for three years for two members of SBAR;

2nd district: Appointments for one year for three members of SBAR;

3rd district: Appointments for three years for two members of SBAR and five members of CBAR. Two alternates for the CBAR may be appointed by the 3rd district;

4th and 5th districts: Mutually agreed upon appointments for five members of NBAR, three of whom will serve for three years and two of whom will serve for one year. Two alternates may be appointed, one by the 4th district and one by the 5th district.

January 2007 Appointments for four years for five members by the 1st district for MBAR, for three members by the 2nd district for SBAR and for two members by the 5th district with the mutual agreement of the 4th district, for NBAR; (at this point the terms for the 2nd and 5th districts are aligned);

January 2009 Appointments for two members for the SBAR and five members for the CBAR by the 3rd district and appointments for three members of the NBAR by the 4th district with the mutual agreement of the 5th district; (at this point the terms for the 3rd and 5th districts are aligned) and appointments for two members for the MBAR (the first district staggers the appointments for the MBAR without consideration of alignment) and two members for the SBAR by the 1st district (at this point the terms of these appointments are aligned);

December 2013

The terms of the current regular and alternate members (those sitting as of December 12, 2013) of the NBAR shall expire on December 31, 2013.

January 2014

Members of the NBAR shall be appointed as follows:

1st district: Appointment for three years until December 31, 2016 for one member of the NBAR;

3rd district: Appointment for three years until December 31, 2016 for one member of the NBAR;

4th district: Appointment for three years until December 31, 2016 for two members of the NBAR and appointment for three years until December 31, 2016 for one alternate member of the NBAR;

5th district: Appointment for one year until December 31, 2014 for one member of the NBAR and appointment for one year until December 31, 2014 for one alternate member of the NBAR.

~~Once this alignment has been achieved, a~~Appointments (or reappointments) shall be made every four years, ~~with appointments (or reappointments) of the 4th and 5th districts to be mutually agreed upon by the supervisors of those districts.~~

#### SECTION 4:

Article V, Planning and Zoning, of Chapter 2, Administration, of the Santa Barbara County Code, is hereby amended to amend Subsection (1)(i) of Subsection (a), North County Board of Architectural Review, of Section 2-33.12, North County, Central County, South County and Montecito board of architectural review - Powers and duties, to read as follows:

- (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~~ pursuant to Chapter 35, Zoning, 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~~ pursuant to Chapter 35, Zoning, of this Code for projects located outside of the Montecito planning area as designated by the Montecito community plan.

#### SECTION 5:

Article V, Planning and Zoning, of Chapter 2, Administration, of the Santa Barbara County Code, is hereby amended to amend Subsection (1) of Subsection (b), Central County Board of Architectural Review, of Section 2-33.12, North County, Central County, South County and Montecito board of architectural review - Powers and duties, to read as follows:

- (1) Zoning clearance, sign certificates of conformance, land use permits, or coastal development permits for any development or use located south of the City of Lompoc and west of the City of Goleta requiring BAR approval ~~under Articles I through III of~~ pursuant to Chapter 35, Zoning, of this Code shall not be issued by the planning and development department until final BAR approvals have been obtained from the CBAR. The powers and duties shall also include those given to the BAR ~~in Articles I, II and III~~ pursuant to Chapter 35, Zoning, of this Code for projects located outside of the Montecito planning area as designated by the Montecito community plan.

#### SECTION 6:

Article V, Planning and Zoning, of Chapter 2, Administration, of the Santa Barbara County Code, is hereby amended to amend Subsection (1) of Subsection (c), South County Board of Architectural Review, of Section 2-33.12, North County, Central County, South County and Montecito board of architectural review - Powers and duties, to read as follows:

- (1) Zoning clearance, sign certificates of conformance, land use permits, or coastal development permits for any development or use located east of the City of Goleta, including Isla Vista, requiring BAR approval ~~under Articles I through III of~~ pursuant to Chapter 35, Zoning, of this Code shall not be issued by the planning and development department until final BAR approvals have been obtained from the SBAR. The powers and duties shall also include those given to the BAR ~~in Articles I, II and III~~ pursuant to Chapter 35, Zoning, of this Code for projects located outside of the Montecito planning area as designated by the Montecito community plan.

**SECTION 7:**

Article V, Planning and Zoning, of Chapter 2, Administration, of the Santa Barbara County Code, is hereby amended to amend Subsection (1) of Subsection (d), Montecito Board of Architectural Review, of Section 2-33.12, North County, Central County, South County and Montecito board of architectural review - Powers and duties, to read as follows:

- (1) Zoning clearance, sign certificates of conformance, land use permits, or coastal development permits for any development or use located within the Montecito planning area as designated by the Montecito community plan requiring MBAR approval ~~under Articles I through III of~~ pursuant to Chapter 35, Zoning, of this Code shall not be issued by the planning and development department until final MBAR approvals have been obtained. In addition, the MBAR shall assume the powers and duties given to the BAR ~~in Articles I, II and III~~ pursuant to Chapter 35, Zoning, of this Code for projects located within the Montecito planning area as designated in the Montecito community plan.

**SECTION 8:**

Except as amended by this Ordinance, Article V, Planning and Zoning, of Chapter 2, Administration, of the Santa Barbara County Code and Section 14 of Ordinance No. 4584 shall remain unchanged and shall continue in full force and effect.

**SECTION 9:**

This ordinance shall take effect and be in force 30 days from the date of its passage and before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 12<sup>th</sup> day of November, 2013, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

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SALUD CARBAJAL, CHAIR  
Board of Supervisors  
County of Santa Barbara

ATTEST:

TERRI MAUS-NISICH, INTERIM COUNTY EXECUTIVE OFFICER  
CLERK OF THE BOARD

By \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM:

DENNIS A. MARSHALL  
COUNTY COUNSEL

By \_\_\_\_\_  
Deputy County Counsel