

Exhibit M

17.94 - Site and Architectural Review

17.94.010 - Purpose

The purpose of this Chapter is to establish the requirements for Administrative, Minor, and Major Site and Architectural Review permits; to establish the procedures for approving, conditionally approving, or denying a Site and Architectural Review; and to ensure that all projects meet the following objectives:

- A. To ensure that the proposed development or improvement is well-designed to enhance the site where it is located and is compatible with the surrounding area.
- B. To ensure the design of the project complies with the requirements of any adopted design guidelines, specific plan, or the General Plan.
- C. To ensure compliance with development standards in the Zoning Ordinance.

17.94.020 – Administrative Site and Architectural Review

The Community Development Director or their designee may approve an Administrative Site and Architectural Review for the following types of improvements.

- A. **Single-Family and Two-Family Properties.** The following improvements are subject to review on properties that are developed with a single-family detached dwelling unit, duplex, or duet.
 - 1. **Accessory Structures.** The construction, demolition, or modifications of accessory structures which are greater than 120 square feet in size and less than 15 feet in height.
 - 2. **Additions.** Additions to a single-family detached dwelling unit, duplex, or duet.
 - 3. **Driveway Cuts.** Installation of new or modifications to existing driveway cuts.
 - 4. **Historic-Designated Structures.** Facade, roof, or other exterior modifications to properties which have been registered with the State of California or listed as a contributing building to the City's historic districts.
 - 5. **Single-Family New Construction.** New construction of one or more single-family units, unless the unit is both a part of a development of 11 or more total single-family units and Site and Architectural Review is required by a specific plan, planned development, or development agreement.

6. **Outdoor Space and Landscaping.** Removal or replacement of landscaping, play areas, or other improvements in a common open space area, or in a landscaped area
 7. **Removal of a Street Tree.** The removal and/or removal and replacement of a street tree that was part of the approved landscape plans for a residential subdivision. The removal of a tree and replacement with the same species is exempt from this requirement.
- B. **All Other Properties.** The following improvements on all other properties are subject to review.
1. **Administrative Minor Modification.** A minor modification, as determined by the Community Development Director, to an approved Site and Architectural Review (Minor or Major) where the Director determines the modification is consistent with the conditions of approval, the Zoning Ordinance, and the General Plan, where a record of the modification is necessary.
 2. **Accessory Structures.** The construction of or modification to an accessory structure that is less than 15 feet in height.
 3. **Parking Lot Restriping.** The restriping of all or a portion of a parking lot.
 4. **Roof.** Modifications to an existing roof material, parapet, or roof screen.
 5. **Mechanical Equipment.** Installation of new ground-level mechanical equipment or modifications to screening of existing equipment.
 6. **Murals and Artwork.** The painting of a mural or installation of artwork which is visible from the public right-of-way. Excludes murals or artwork containing a commercial message, which are subject to the regulations of Chapter 17.20, Signs.
 7. **Trash Enclosure Modifications.** Modifications to an existing trash enclosure.
 8. **Window and Door Modifications.** The addition or removal of up to two doors or windows.

9. **All Other Improvements.** All other improvements which the Community Development Director has determined to be minor in nature and requiring review.

17.94.030 - Minor Site and Architectural Review

The Community Development Director or their designee may approve a Minor Site and Architectural Review for the following types of improvements:

- A. **Single-Family and Two-Family Properties.** The following improvements require Minor Site and Architectural Review on properties that are developed with a single-family detached dwelling, duplex, or duet:
 1. **Accessory Structures.** Construction of or modification to accessory structures which are over 15 feet in height.
 2. **Conversion.** The conversion of a single-family residence or part or all of a duplex or duet to create additional dwelling units (provided that the total number of dwelling units does not exceed 10) or to convert part of all of the residence into mixed-use or commercial space.
- B. **All Other Properties.** The following improvements on all other properties are subject to review.
 1. **Additions.** Additions to an existing building that are not visible from the right-of-way and less than 10,000 square feet.
 2. **Accessory Structures.** The construction, demolition, or modification to accessory structures which are over 15 feet in height.
 3. **Conversion.** The conversion of a building from mixed-use to residential only, the internal conversion of a building to create additional residential units, or the conversion of a building to mixed-use for development where the total number of new or converted dwelling units does not exceed 10.
 4. **Drive-Thru Modifications.** Modifications to an existing drive-thru.
 5. **Facade Modifications.** Facade modifications including arcades, modifications to building materials (i.e. stucco to wood siding), adding attached patio covers or trellises, modified architectural details, that are minor in nature, as determined by the Community Development Director.
 6. **Fences and Walls.** Any fences or walls over five feet in height.

7. **Lighting.** New parking lot light fixtures, new lighting on façade, new security lighting, light strings, or replacement of light fixtures with a fixture with a higher lumen than the existing.
8. **Major Landscape Modifications.** Major landscape modifications including the removal of any species, modifications to three or more plant species, increase or decrease in landscaped area, replacement of grass with plant materials, new play structures or modifications to common open space.
9. **Minor Modification.** A minor modification, which requires review by the City's Development Review Committee, to an approved Site and Architectural Review where the Director determines the modification is consistent with the conditions of approval, the Zoning Ordinance, and the General Plan, where a record of the modification is necessary.
10. **Projects Subject to Streamlined Review.** Any residential project which is eligible for a streamlined review by the State of California.
11. **Residential New Construction.** New residential development of 10 or fewer dwelling units.
12. **Mixed-Use New Construction.** New mixed-use development which includes 10 or fewer residential units.
13. **Roof.** Modifications to the roof pitch or to construct a new roof screen.
14. **SB-9.** All Urban Lot Splits and Two-Unit Residential Developments.
15. **Security Gates.** New or replacement security gates at the entrance(s) to a residential, commercial, industrial, or office development.
16. **Site Layout Modification.** A modification of the layout of the site including but not limited to an increase in paving areas, modification to the existing circulation, creation of an outdoor dining area, modification to the parking lot layout, modification to the number or size of parking stalls, or other similar improvements as determined by the Community Development Director.
17. **Trash Enclosure.** All new trash enclosures.
18. **All Other Improvements.** All other improvements or a combination of improvements that the Community Development Director determines that due to the nature of the total improvements requires a Minor Site and

Architectural Review instead of an Administrative Site and Architectural Review.

17.94.040 - Major Site and Architectural Review

The Planning Commission is the decision-making authority for all Major Site and Architectural Review which is required for the following types of improvements.

- A. **Single Family Residence and Two-Family Residences.** The following improvements require Minor Site and Architectural Review on properties that are developed with a single-family detached dwelling unit, duplex, or duet:
1. **Two-Family New Construction.** New duplex or duet construction which results in 11 or more total dwelling units on the project site.
 2. **Single-Family New-Construction.** New single-family development of 11 or more dwelling units when Site and Architectural Review approval is required by a specific plan, planned development, or development agreement.
- B. **All Other Properties.** The following improvements on all other properties are subject to review:
1. **Additions.** The addition of any space to an existing building that is visible from the public right-of-way or greater than 10,000 square feet.
 2. **New Drive-Thru.** All new drive-thrus or drive-ins.
 3. **New Construction.** All new non-residential development, new mixed-use development with 11 or more total dwelling units, and new residential development of 11 or more total dwelling units. Includes residential and mixed-use development where the number of new dwellings is 10 units or less, but where the project will have 11 or more total dwelling units within the development.
 4. **Conversion.** Any conversion of all or part of a building from an existing residential use to a non-residential use or from a non-residential use to a residential use, where the total number a new or converted dwelling units is equal to or greater than 11. Includes development where new or converted dwelling units may be less than 11, but where either the existing or resulting development includes 11 or more residential dwelling units.
 5. **Major Façade Remodels.** A major façade remodel or modification, as determined by the Community Development Director. Major remodels may include a modification to the overall architectural style or theme of the

building, significantly modifying the details and materials, and adding or removing significant architectural features.

6. **All Other Improvements.** All other improvements which due to their nature the Community Development Director has determined required review by the Planning Commission during a public hearing.

17.94.050 – Application

- A. **Application.** An application for a Site and Architectural Review shall be filed on the form prescribed by the City and filed with the Planning Division.
- B. **Fee.** The application for a Site and Architectural Review shall be accompanied by the fee listed on the City's Fee Schedule.
- C. **Materials.** The Applicant shall submit the information and plans listed on the City's checklist.

17.94.060– Review Procedures

- A. **Administrative Site and Architectural Review Procedures.**
 1. **Review.** The Community Development Director or their designee shall review all Administrative Site and Architectural Review applications for compliance with applicable code requirements.
 2. **Determination.** The Community Development Director or their designee shall provide a written determination approving or denying the project to the Applicant following project review.
 - a. The approval of an Administrative Site and Architectural Review shall include any applicable conditions to which the project may be subject to ensure compliance with all local and state regulations.
 - b. The denial of an Administrative Site and Architectural Review shall include the findings which resulted in the denial.
- B. **Minor Site and Architectural Review.**
 - A. **Review.** Minor Site and Architectural Review applications shall be reviewed in accordance with Section 17.74.060, Application Review, and Chapter 17.76, Environmental Review.

- B. **Notice.** A notice shall be given ten days prior to action on the project in accordance with Section 17.74.080, Notice of Community Development Decision.
- C. **Determination.** The Community Development Director or their designee will make a written determination on the project following the close of the notice period.
- D. **Effective Date.** The permit shall become effective eleven days after the Community Development Director's decision if no appeals have been filed.

C. **Major Site and Architectural Review**

- 1. **Review.** Major Site and Architectural Review applications shall be reviewed in accordance with Section 17.74.060, Application Review and Chapter 17.76, Environmental Review.
- 2. **Notice.** Following project review, the Community Development Director shall schedule the application for review by the Planning Commission and provide a notice in accordance with Section 17.74.090, Notice of Public Hearing, and shall prepare a staff report in accordance with Section 17.74.100, Staff Reports.
- 3. **Public Hearing.** The Planning Commission shall review an application in accordance with Section 17.74.120 and provide a decision. For projects that also require City Council approval, the Planning Commission shall make a recommendation to the City Council who shall act on the application during a public hearing.

17.94.070 – Findings for Site and Architectural Reviews

In approving or denying a Site and Architectural Review, the decision-making authority shall make the following findings.

ALL PROJECTS. The following findings shall apply to all project types:

- A. The proposed project, as conditioned, is consistent with the goals and policies of the General Plan and any applicable Specific Plan.
- B. The proposed project, as conditioned, is consistent with the provisions of Title 17, Zoning, and any other applicable section of the Hollister Municipal Code.
- C. The proposed project, as conditioned, is consistent with the City of Hollister Objective Design Standards and any applicable design guidelines.

D. The project is consistent with the California Environmental Quality Act.

NO NET LOSS FINDINGS. The following finding shall apply to all project types.

E. The project site meets one of the following:

1. The site is not identified in the City of Hollister Housing Element Candidate Sites Inventory;
2. The site is identified in the City of Hollister Housing Element Candidate Sites Inventory and is providing greater than or equal to the identified number of units, at each income level, than is identified in the Housing Element, and “no net loss” findings are not required;
3. The site is identified in the City of Hollister Housing Element Candidate Sites Inventory and though fewer units are being developed than identified in the Housing Element, or at different income levels, the City is maintaining enough sites to accommodate the RHNA; or
4. The site is identified in the City of Hollister Housing Element Candidate Sites Inventory and approval of the project requires the City to identify additional sites to accommodate the RHNA. The City shall identify additional candidate sites to accommodate the RHNA within 180 days of approval of the project.

RESIDENTIAL PROJECTS. The following findings shall apply to any project with a residential component:

F. The project would not result in a specific, adverse impact to public health or safety.

COMMERCIAL AND INDUSTRIAL PROJECTS. The following findings shall apply to any project with a commercial component:

- G. Architectural considerations, including the character, scale, and quality of the design, site layout, screening of unsightly uses, lighting, building materials, and colors result in a project that is harmonious with its surroundings and that is compatible with other developments in the vicinity.
- H. The project is consistent with requirements related to landscaping and screening, including the location, type, size, water efficiency, and coverage of plant materials to ensure visual relief, adequate screening, and an attractive environment for the public.

- I. The project would not be detrimental to the health, safety, and welfare of persons residing or working in the neighborhood or to the general welfare of the City.