



CITY OF MARTINEZ MUNICIPAL CODE TITLE 22 - ZONING EXCERPTS

NOTE: THIS SUMMARY OF DESIGN REVIEW REQUIREMENTS & ZONING CODE EXCERPTS FROM CHAPTER 34; "GENERAL REQUIREMENTS AND EXCEPTIONS," HAVE BEEN PROVIDED IN THIS DOCUMENT FOR EASE OF REFERENCE. ADDITIONAL REQUIREMENTS, SUCH AS RESIDENTIAL ZONING DISTRICT DEVELOPMENT STANDARDS WILL APPLY TO YOUR PROJECT. PLEASE REFER TO THE COMPLETE ZONING CODE FOR ADDITIONAL INFORMATION.

DESIGN REVIEW REQUIREMENTS

PRIOR TO ISSUANCE OF A BUILDING PERMIT, A DESIGN REVIEW APPLICATION IS REQUIRED FOR THE FOLLOWING :

- ***ALL NON-RESIDENTIAL AND MULTI-FAMILY PROJECTS,***
- ***SINGLE-FAMILY PROJECTS IN THE R- AND RR- DISTRICTS, WHEN ONE OR MORE OF THE FOLLOWING APPLIES:***
 1. *The natural grade of the permit site under the proposed structure has an average slope of ten (10) percent or greater, or*
 2. *The permit site is an undeveloped parcel adjoining one or more additional undeveloped parcels under the same ownership, including parcels separated by streets and nonexclusive easements, or*
 3. *The permit site is located in a visually significant area as identified on the "visual environment" map in the Open Space and Conservation Element of the General Plan., or*
 4. *The permit site is located within a seismic or geologic hazard area as identified on the "seismic and geologic hazards map" in the Open Space and Conservation Element of the General Plan.*

REFER TO THE CODE EXCEPTS ON THE FOLLOWING PAGES FOR MORE INFORMATION

22.34.030 Design Review--Applicability.

Each application made for a building permit to construct or alter the exterior of a structure shall be subject to architectural and site design review by the Planning Department prior to issuance of the permit, except as provided below relative to the R and RR Single Family Residential Districts.

Design Review required for single-family permits on certain sites

This section and Sections 22.34.040 through 22.34.070 shall apply to applications for building permits in the R and RR districts only when one or more of the following conditions exist:

- A. The permit site is an undeveloped parcel adjoining one or more additional undeveloped parcels under the same ownership, as shown on the current Tax Assessor's rolls. "Adjoining" for purposes of this section and Section 22.34.030 through 22.34.070 includes parcels separated by public rights-of-way, including streets and nonexclusive easements.
- B. The permit site is located in a visually significant area. "Visually significant" areas are those labeled as "visually significant hilltops and ridges," "visually significant hill-sides," "visually significant riparian vegetation" and "visually significant skyline vegetation" on the map entitled "visual environment" within the open space and conservation element of the General Plan.
- C. The permit site is located within a seismic or geologic hazard area. A permit site shall be considered as located within a seismic or geologic hazard area if it appears to lie on a fault trace or on "slopes, twenty (20) to thirty (30) percent having high landslide susceptibility" or on "slopes over thirty (30) percent in grade" as identified on the map entitled seismic and geologic hazards within the open space and conservation element of the General Plan.
- D. The natural grade of the permit site under the proposed structure has an average slope of ten (10) percent or greater. The method for computing slope shall be that specified in Section 22.12.170. (Ord. 845 C.S., 1976: Ord. 822 C.S. § 2 (part), 1975; prior code § 10,114.2(a).)

22.34.040 Design Review--Plan Submittal--Action by Planning Director.

Complete site plans and elevations shall be submitted to the Planning Department showing all proposed structural development, the relationship of existing structures and all other proposed improvements. Such drawings shall be considered by the Planning Director in an endeavor to insure that the architecture and general appearance of the site, structures and grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the City, and reflect City development policies and goals. The Planning Director may, at any time, withhold action and refer the matter directly to the Board of Adjustments. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,114.2(b).)

22.34.045 Criteria and Standards.

The Community Development Director shall not approve any Design Review application unless the proposed design and use conforms with the following criteria and standards by:

- A. Complying with all other applicable provisions of the Martinez Municipal Code involving the physical development of buildings, structures and property, including use restrictions;
- B. Providing desirable surroundings for occupants as well as for neighbors. Emphasis is placed upon exterior design with regard to height, bulk, and area openings; breaks in the facade facing on a public or private street; line and pitch of the roof; and arrangement of structures on the parcel;
- C. Having a harmonious relationship with existing and proposed neighboring developments avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;
- D. Using a limited palette of exterior colors; those colors must be harmonious and architecturally compatible with their surrounding environment;
- E. Using a limited number of materials on the exterior face of the building or structure. In addition, all interior surfaces normally visible from public property shall be finished;

- F. Having exterior lighting appropriately designed with respect to convenience, safety, and effect on occupants as well as neighbors;
- G. Effectively concealing work areas, both inside and outside of buildings, in the case of non-residential facilities;
- H. Undergrounding all utility boxes unless it can be shown that they can be effectively screened from the view of the general public.
- I. Designing the type and location of planting with respect to the preservation of specimen and landmark trees, water conservation as set forth in Chapter 22.35, and maintenance of all planting;
- J. Establishing a circulation pattern, parking layout and points of ingress and egress (both vehicular and pedestrian), designed to maximize pedestrian safety and convenience and to minimize traffic congestion resulting from the impediment of vehicular movement. When applicable, access for handicapped individuals should be considered;
- K. Ensuring that all signs be designed so that they are in scale with the subject development, and will not create a traffic hazard. Emphasis is placed upon the identification of the use or building rather than the advertising of same;
- L. Substantially preserving views from nearby properties where this can be done without severe or undue restrictions on the use of the site, balancing the property rights of the applicant and the affected property owner(s).

The Community Development Director may attach conditions, including requirements for dedications and offsite improvements, to the approval of any Design Review application when necessary to assure compliance with this section. Approval of Design Review shall expire in one year, in the same manner as set forth in Section 22.40.120 for use permits. (Ord. 1208 C.S. § 1, 1993; Ord. 1195 C.S. § 1, 1993; Ord. 1043 C.S. § I, 1985.)

22.34.050 Design Review--Appeal to Board of Adjustments.

The applicant may appeal a decision of the Planning Director to the Board of Adjustments in writing, within ten (10) days of the rendering of the decision. The Board of Adjustments shall review the staff decision within forty-five (45) days of receipt of said appeal and may affirm, modify or reverse the findings of the Planning Director. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,114.2(c).0)

22.34.060 Design Review--Appeal to Planning Commission.

Within ten days of an action taken by the Board of Adjustments, the applicant may appeal the decision in writing to the Planning Commission. The appeal shall be made in a form prescribed by the Planning Commission and filed with the Planning Department. The Planning Commission may affirm, modify or reverse a decision of the Board of Adjustments. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,114.2(d).)

22.34.070 Design Review--Appeal to City Council.

Within ten days of an action taken by the Planning Commission, the applicant may appeal the decision in writing to the City Council. The appeal shall be made in a form prescribed by the Council and filed with the City Clerk. The City Council may affirm, modify or reverse a decision of the Planning Commission. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,114.2(e).)