

ARTICLE 5.

ARCHITECTURAL REVIEW COMMITTEE

Sections:

§ 2-5.00. Architectural Review Committee.

§ 2-5.01. Special powers and duties.

(Ord. 3646 § 4, 2022; Ord. 3599 § 5, 2019; Ord. 3572 §§ 2, 3, 2017. Formerly 4)

Sec. 2-5.00. Architectural Review Committee.

The Architectural Review Committee shall consist of seven members. At least one of the members shall be an architect or person professionally competent in a field related to architecture, unless no such person is available for appointment when the vacancy arises. (Ord. 3646 § 4, 2022; Ord. 3599 § 5, 2019. Formerly 2-4.00)

Sec. 2-5.01. Special powers and duties.

The Architectural Review Committee shall be empowered to:

- a. Review projects to ensure the promotion of orderly development, ensure high quality design that is harmonious with project surroundings, implement the General Plan as well as neighborhood plans, and to preserve and promote the visual character of the City.
- b. Review and oversee minimum submittal requirements for administering architectural review. (Ord. 3646 § 4, 2022; Ord. 3599 § 5, 2019. Formerly 2-4.01)

ARTICLE 25.

ARCHITECTURAL REVIEW

Sections:

§ 38-187. Purpose.

§ 38-188. Applicability.

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§ 38-190. Submittal Requirements.

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§ 38-192. Maintenance, Duration and Extension, Appeals.

(Ord. 3458, 2010)

Sec. 38-187. Purpose.

The purpose of architectural review is to promote orderly development, to ensure high quality design that is harmonious with its surroundings, to implement the General Plan, as well as area or neighborhood plans, and to preserve and promote the visual character of the City. (Ord. 3458 § 1, 2010)

Sec. 38-188. Applicability.

A. Architectural review is required for the following projects:

1. New construction or exterior alterations in the C-1, C-2, C-3, CO, CR, VAF, I-R, O, or P zoning district;
2. New construction or exterior alterations in any R-E, R-1, R-2, or R-3 zoning district with a D-1 (Design Control) or D-2 (Design and Development Control) overlay;
3. New construction of, or exterior alterations to, a nonresidential building or site in an R-1, R-2, or R-3 zoning district, including multifamily apartment buildings;
4. New construction of a two-story single-family dwelling or a second-story addition to a single-family dwelling in any residential zone;
5. Any other project subject to architectural review, as established by Planning Commission or City Council action, or as stated in the Municipal Code, General Plan, area or neighborhood plan, or any other adopted land use document.

B. The following projects are exempt from architectural review:

1. Building or site maintenance;
2. Painting of single-family residential buildings;
3. Painting of nonresidential buildings, including multifamily apartment buildings, in the same or similar color;
4. Repair or replacement of windows, siding, roofs, or other building material, when same or similar materials are used;
5. Replacement of individual plants, shrubs or trees with comparable types and quantity;
6. Reconstruction of features, in kind, that does not change the physical appearance;

7. Exterior alterations that are not visible beyond the property lines, from an adjacent parcel, or from a public right-of-way;
8. Projects approved by the Historic Preservation Commission, unless specifically delegated. (Ord. 3458 § 1, 2010)

Sec. 38-189. Review Procedures.

A. *Two Phases of Review.* Applications for architectural review shall be subject to the following review types:

1. *Preliminary Review.* An evaluation of the project's general siting, form, mass and architectural style.
2. *Final Review.* An evaluation of the project's exterior finishes, colors, materials, landscaping, lighting, fencing and any other exterior feature.

B. *Minor and Major Architectural Review.* The Architectural Review Committee shall adopt and maintain a list of project types that are eligible for either minor or major architectural review. Minor and major architectural review shall be conducted as follows:

1. Major architectural review shall be conducted by the Architectural Review Committee at a public meeting.
2. Minor architectural review shall be conducted administratively by the City Manager or designee. The following process shall apply to all administrative reviews:
 - a. *Pre-Decision Referral.* At the specific request of any interested party or at their discretion, City staff shall refer any project to the Architectural Review Committee for consideration prior to administrative decision.
 - b. *Post-Decision Referral.* If specifically requested by any interested party within 10 days of an administrative decision, a project shall be referred to the Architectural Review Committee for consideration. These proceedings shall not be considered an appeal, but a formal referral and standard findings for decision shall apply.

C. *Multiple Entitlements.* When a project requires architectural review and a use permit, variance, or other review or approval from the Planning Commission, a joint meeting of the Architectural Review Committee and Planning Commission may be convened at the discretion of the City Manager or designee. The purpose of these joint meetings is to foster discussion about the project as a whole, and help both boards make more informed decisions. In the course of these joint meetings, requested entitlements shall be considered individually by the Planning Commission or the Architectural Review Committee, as appropriate, and separate actions, findings, and conditions of approval shall be made and assigned for each considered entitlement. The Planning Commission shall take all actions prior to the Architectural Review Committee.

D. *Noticing Requirements.* When an application for architectural review includes construction of a new building, an increase in height, or addition of floor area, written notices shall be sent by U.S. Mail at least 10 days prior to the public meeting or administrative decision to all owners of property located within 100 feet of the perimeter of the project site. In addition, story poles and netting shall be installed at least 10 days before the public meeting or administrative decision for the following project types:

1. Construction greater than one story;
2. Projects that involve an increase in height; or
3. As directed by the Architectural Review Committee, Planning Commission or City Council.
4. If safety concerns or other issues preclude installation of story poles and netting, alternative means of illustrating a project may be used at the discretion of the City Manager or designee. Said concerns or issues shall be clearly identified and the alternative means provided in the written notice. (Ord. 3458 § 1, 2010)

Sec. 38-190. Submittal Requirements.

Submittal requirements for architectural review applications shall be developed, maintained, and adopted by the Planning, Engineering and Environmental Compliance Division, shall be made available to the public at City Hall, and shall be subject to review and oversight by the Architectural Review Committee on an annual basis, or as requested by the public or the Architectural Review Committee. (Ord. 3458 § 1, 2010)

Sec. 38-191. Required Findings for Approval.

The Architectural Review Committee or the City Manager, as applicable, shall make the following written findings for each approval of an architectural review application:

A. Preliminary Review.

1. The proposed siting, form, mass, and architectural style are appropriate for the project site, the immediate area, and the City;
2. The proposed project will not unreasonably impair the views, privacy, or living environment currently enjoyed by other properties in the vicinity;
3. The proposed project is substantially consistent with the Monterey General Plan, as well as all applicable and adopted area or neighborhood plans, design guidelines, or similar documents.

B. Final Review.

1. The proposed exterior finish, colors, materials, landscaping, lighting, fencing, and all other exterior features are appropriate for the project site, the immediate area, and the City;

2. The proposed project is substantially consistent with the Monterey General Plan, as well as all applicable and adopted area or neighborhood plans, design guidelines, or similar documents.

In the event of a conflict between the General Plan and area or neighborhood plans, the General Plan is the controlling document; however, area or neighborhood plan policies and programs that are more precise but consistent with the General Plan have the same standing as General Plan policies. (Ord. 3458 § 1, 2010)

Sec. 38-192. Maintenance, Duration and Extension, Appeals.

- A. *Construction and Maintenance.* The approved project shall be constructed and maintained indefinitely as shown on the approved plans unless a formal request for revision or a subsequent application is approved by the Architectural Review Committee or City Manager, as applicable. Approvals by any other department, division, board, or agency, within the City of Monterey or otherwise, that are inconsistent with the approved conditions shall not be considered to supersede or negate the Architectural Review Committee approval. Failure to maintain the project in its approved condition constitutes a violation of the Municipal Code.
- B. *Duration and Extension.* If a building or grading permit has not been granted, or if a project not requiring a building or grading permit has not been completed within two years of the date of final review approval, or if a complete application for final review is not submitted within two years of the date of preliminary review approval, the approval shall be null and void, unless extended by the Architectural Review Committee or the City Manager or designee, whomever granted the original approval. Requests for extensions shall be made in writing prior to the expiration date.
- C. *Effective Date and Appeals.* Architectural Review Committee decisions shall become effective on the tenth day after the date of a decision, unless appealed by the applicant or other interested party under the provisions of Article 27. (Ord. 3458 § 1, 2010)

The Monterey City Code is current through Ordinance 3659, passed March 21, 2023.

Disclaimer: The City Clerk's office has the official version of the Monterey City Code. Users should contact the City Clerk's office for ordinances passed subsequent to the ordinance cited above.

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