

## Authorization for Use of Copyright Protected Architectural Drawings<sup>1</sup>

The County of Ventura Planning Division strives for transparency and efficient review and processing of development applications. Materials submitted with development applications may be posted on the Internet with the agenda packets for public meetings and made available for unrestricted public copying and distribution pursuant to the Public Records Act. Pursuant to Government Code Section 65103.5, a design professional, or owner of the copyright for "architectural drawings" that contain "protected information" subject to copyright protection has the right to either grant or withhold authorization for the County to publicly post or authorize unrestricted public copying and distribution of the architectural drawings.

If the design professional and/or copyright owner elects to withhold such authorization, they are required to prepare and submit a "massing diagram" or alternate "site plan" to the County in lieu of the copyrighted architectural drawings, for posting and unrestricted public copying and distribution. Failure to submit a "massing diagram" or alternate "site plan" prior to the issuance of a zoning clearance for ministerial applications or prior to a discretionary application being deemed complete automatically grants the County permission to post and authorize unrestricted public copying and distribution of the official architectural drawings. Even if a "massing diagram" or alternate "site plan" is submitted, the County is authorized to utilize the official architectural drawings for the purposes stated in Government Code section 65103.5(c), including making copies for internal official review, sharing with the Board of Supervisors, Planning Commission, or other government bodies or agencies responsible for official review, and displaying a copy on the internet and a copy physically on the premises during a public hearing where the application is being considered.

<sup>&</sup>lt;sup>1</sup> Failure to have this form signed and completed by the design professional and/or copyright owner prior to the issuance of a zoning clearance for ministerial applications or prior to a discretionary application being deemed complete constitutes authorization for the County to post and authorize unrestricted public copying and distribution of the architectural drawings for all purposes.

<sup>&</sup>lt;sup>2</sup> The definitions of all terms shown in quotation marks are stated below on the last page of this form.



Please select only one option and have the appropriate design professional and/or owner of the *copyright protected architectural drawings* sign the certification below to confirm the election:

Authorization for County to Distribution of Architectural	Post and Allow Unrestricted Public Copying and Drawings
development application described authorize unrestricted public copying	, hereby certify that I am the design professiona he architectural drawings being submitted for the below. I grant the County authorization to post and and distribution of the architectural drawings for all bers of the public will have unrestricted access to awings.
	OR
Election to Withhold Author Required)	ization (Alternate Site Plan or Massing Diagram
and/or owner of the copyright of the development application described or authorize the unrestricted public containing "protected information 65103.5(f)(2). Pursuant to Government submit a "massing diagram" of and unrestricted public copying and submission of the official architecture clearance for ministerial applications complete and that, if I fail to timely described to the complete and that, if I fail to timely described to the copyright of the copyright o	he architectural drawings being submitted for the below. I do not grant the County permission to postopying and distribution of the architectural drawings on as defined in Government Code section nent Code section 65103.5(e), I acknowledge that or an alternate "site plan" to the County, for posting distribution in lieu of the architectural drawings, upor ral drawings and prior to the issuance of a zoning or prior to a discretionary application being deemed o so, my election will not take effect and instead, the prestricted public copying and distribution of the ess.
Signature	Date



## **Project Information**

Project Address:	
Project Number:	
	Owner's Contact Information (required)
First Name (Printed)	Last Name (Printed)
License Number (if applicable)	
Email	
Phone	
Mailing Address:	



## **Definitions**

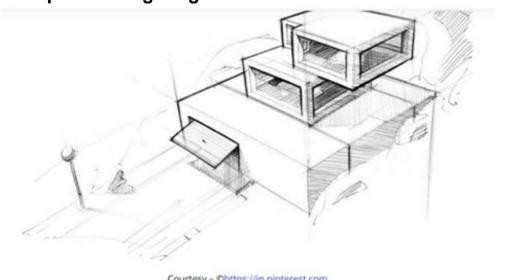
"Architectural Drawings" is used as an umbrella term for materials that are tangible expressions of design, including but not limited to, detailed site plans, elevations, renderings, photos, models, etc.

"Massing Diagram" means a document that displays the three-dimensional form of a building and describes the general profile, bulk, setbacks, and size of the building, but does not contain specific architectural detail. (Gov. Code, § 65103.5(f)(1).) See below example of a massing diagram:

"Protected Information" means an architectural drawing that meets both of the following conditions: (A) it is protected by the federal Copyright Act of 1976 (Public Law 94-553) as amended by the federal Architectural Works Copyright Protection Act of 1990 (Public Law 101-650); and (B) It contains a copyright annotation indicating it is protected by the federal Copyright Act of 1976 (Public Law 94-553). (Gov. Code, § 65103.5(f)(2).)

"Site Plan" means a document for a project that is drawn to scale and displays all of the following as applicable to the project: 1) property lines; 2) setback lines; 3) easements; 4) utilities; 5) driveways; 6) surrounding streets and traffic flow; 7) parking lots and parking spaces; 8) landscaping area; 9) setbacks between buildings and property lines; 10) outline of existing and proposed buildings and structures. (Gov. Code, § 65103.5(f)(3).)

## **Example Massing Diagram**



Courtesy - Ohttps://in.pinterest.com