

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
Global			Revise “Community Development Director” to “Community & Economic Development Director”	Corrects department name
20.05.010			Add Purpose: M. To establish procedures relating to compliance with the California Environmental Quality Review Act (CEQA) and Section 106 of the National Historic Preservation Act (NHPA).	Clarifies that one of the goals of Title 20 is to meet the State and Federal requirements related to Cultural Resources
20.10.020	<p>Powers and duties of Board</p> <p>A. The Cultural Heritage Board shall:</p> <ol style="list-style-type: none"> 1. Make recommendations to the City Council regarding surveys of cultural resources within the City, in conformance with State Office of Historic Preservation survey standards and guidelines; 2. Recommend to the City Council the designation of Landmarks, Historic Districts, Structures or Resources of Merit, and any additional matters pursuant to the provisions of this title; 3. Have discretionary authority to review and approve applications and actions to alter, relocate or demolish cultural resources pursuant to the provisions of this title; 4. Hear appeals from the Historic Preservation Officer or Qualified Designee's determinations on Administrative Certificates of Appropriateness or the Historic Preservation Fund Committee's recommendations; 5. Accept referrals from the Historic Preservation Officer or Qualified Designee; 	<p>Minor text revision incorporated into Subcommittee/Staff Discussed Modifications.</p>	<p>Powers and duties of Board</p> <p>C. The Cultural Heritage Board shall:</p> <ol style="list-style-type: none"> 1. Make recommendations to the City Council regarding surveys of cultural resources within the City, in conformance with State Office of Historic Preservation survey standards and guidelines; 2. Recommend to the City Council the designation of Landmarks, Historic Districts, Structures or Resources of Merit, and any additional matters pursuant to the provisions of this title; 3. Have discretionary authority to review and approve applications and actions to alter, relocate or demolish cultural resources pursuant to the provisions of this title; 4. Hear appeals from the Historic Preservation Officer or Qualified Designee's determinations on Administrative Certificates of Appropriateness or the Historic Preservation Fund Committee's recommendations; 5. Accept referrals from the Historic Preservation Officer or Qualified Designee; 	<p>Significant changes bolded, including:</p> <ul style="list-style-type: none"> • Revise applicability of guidelines • Add CHB Workshop Request. <p>Address Board Member Sisson’s concern regarding the review standards to be used by all decisionmakers.</p> <p>Address Board Member Tobin’s concern regarding workshop. Bolded & italicized</p>

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	<p>6. Hear appeals taken from formal interpretations made by the Historic Preservation Officer or Qualified Designee;</p> <p>7. Hear appeals from the Historic Preservation Fund Committee's recommendations;</p> <p>8. Adopt standards including preservation guidelines to be used by the Board in reviewing applications for permits to preserve, alter, relocate or demolish any cultural resource;</p> <p>9. Work for the continuing education of the citizens of Riverside about the heritage of the City and its cultural resources;</p> <p>10. At the direction of the City Council, seek means and resources to protect, retain and preserve cultural resources, such as suggesting legislation and seeking financial support from individuals and local, state and federal governments;</p> <p>11. Consult with and advise the City Council about the Board's duties and functions;</p> <p>12. Assume the responsibilities and duties assigned to it by the City Council under the Certified Local Government Provisions of the National Historic Preservation Act of 1966; such as National Environmental Protection Act ("NEPA") and California Environmental Quality Act ("CEQA") compliance;</p> <p>13. As part of the Board's CEQA review responsibilities, the Board shall identify</p>		<p>6. Hear appeals taken from formal interpretations made by the Historic Preservation Officer or Qualified Designee;</p> <p>7. Hear appeals from the Historic Preservation Fund Committee's recommendations;</p> <p>8. Adopt standards including preservation guidelines to be used by the approval authority, as defined in this Title, in reviewing applications for permits to preserve, alter, relocate or demolish any cultural resource;</p> <p>9. Work for the continuing education of the citizens of Riverside about the heritage of the City and its cultural resources;</p> <p>10. At the direction of the City Council, seek means and resources to protect, retain and preserve cultural resources, such as suggesting legislation and seeking financial support from individuals and local, state and federal governments;</p> <p>11. Consult with and advise the City Council about the Board's duties and functions;</p> <p>12. Assume the responsibilities and duties assigned to it by the City Council under the Certified Local Government Provisions of the National Historic Preservation Act of 1966; such as National Environmental Protection Act ("NEPA") and California Environmental Quality Act ("CEQA") compliance;</p>	

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	<p>and advise appropriate City departments and governmental entities of known historical, cultural and archaeological resources; assess and advise the City Council whether any proposed project would have an adverse effect on the significance of such Cultural Resources; and recommend to the City Council appropriate action in compliance with the City's adopted CEQA procedures; and</p> <p>14. Encourage public participation in the Cultural Resources program to identify and inventory significant cultural resources in the City;</p> <p>B. The Cultural Heritage Board may:</p> <ol style="list-style-type: none"> 1. Recommend zoning and general plan amendments for cultural resources preservation; 2. Conduct an awards program to recognize and encourage public participation in Cultural Resource efforts; and 3. Nominate eligible City-owned cultural resources to the National Register of Historic Places, and encourage, advise, and guide persons in nominating cultural resources to the National Register of Historic Places. 		<p>13. As part of the Board's CEQA review responsibilities, the Board shall identify and advise appropriate City departments and governmental entities of known historical, cultural and archaeological resources; assess and advise the City Council whether any proposed project would have an adverse effect on the significance of such Cultural Resources; and recommend to the City Council appropriate action in compliance with the City's adopted CEQA procedures; and</p> <p>14. Encourage public participation in the Cultural Resources program to identify and inventory significant cultural resources in the City;</p> <p>D. The Cultural Heritage Board may:</p> <ol style="list-style-type: none"> 1. Recommend zoning and general plan amendments for cultural resources preservation; 2. Conduct an awards program to recognize and encourage public participation in Cultural Resource efforts; and 3. Nominate eligible City-owned cultural resources to the National Register of Historic Places, and encourage, advise, and guide persons in nominating cultural resources to the National Register of Historic Places. 4. <i>By a consensus of the Board, request a workshop to discuss topics under the purview of this Title.</i> 	

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
20.15.010			Remove Land Use Committee from appeals process	Streamlines process to be consistent with other entitlements (Title 19) - remove from Definition chapter
20.15.010			Add Historic Preservation Fund Committee and Grant Application	Not currently included, added for clarity.
20.15.020	<p>California Environmental Quality Act (CEQA) Approval.</p> <p>A. If an Environmental Impact Report (EIR) is prepared for any Certificate of Appropriateness, designation, modification, or de-designation, or other action under this title, final approval of that action is with the City Council. In such cases, the Board shall review the Draft EIR, as it relates to cultural resources, and provide comments thereon, together with its recommendation that the project be approved or denied. The City Council shall consider the Board's comments and recommendation, and may accept, accept with modification, or decline the Board's recommendation.</p> <p>B. Where an EIR is not prepared, and a Negative Declaration (ND) or Mitigated Negative Declaration (MND) is prepared for a Certificate of Appropriateness or case where the Board is the final approval authority, the Board may adopt the ND or MND, and approve, approve with modification, or deny the project. If the Board's decision is not appealed, then the decision becomes final. If the decision is</p>	<p>California Environmental Quality Act (CEQA) and Projects Requiring Multiple Approvals.</p> <p>A. CEQA review. When the City is acting as lead agency for purpose of CEQA, the HPO and Board shall consider and determine the adequacy of CEQA review as it relates to Cultural Resources only when acting on any discretionary approval under this Title. This includes any level of CEQA review, including but not limited to an Environmental Impact Report (EIR), Negative Declaration (ND), Mitigated Negative Declaration (MND), exemption, or other form of CEQA clearance. The following shall apply:</p> <ol style="list-style-type: none"> 1. Board Final Approval Authority: The Board may adopt the CEQA clearance and approve, approve with modification, or deny the project. If the Board's decision is not timely appealed or referred, then the decision becomes final. If the decision is timely appealed or referred, it becomes final upon the City Council's disposition of the appeal, which will be held de novo. 2. Board Recommending Authority: When acting as a Recommending Authority, the Board shall review the CEQA clearance and 	<p>California Environmental Quality Act (CEQA) Approval.</p> <p>A. Environmental Impact Report (EIR) Required:</p> <ol style="list-style-type: none"> 1. If an EIR is prepared for any Certificate of Appropriateness, designation, modification, or de-designation, or other action under this Title, final approval of that action is with the City Council. 2. In such cases, the Board shall review the Draft EIR, as it relates to Cultural Resources, and shall make a recommendation to the City Council regarding the following items: <ol style="list-style-type: none"> a) Whether the Draft EIR has been completed in compliance with CEQA; b) Whether the project will have a significant effect on Cultural Resources; and, if so; c) Whether the changes or alterations proposed for the project, together with any changes or alterations that come forth as a part of the public hearing on the Draft EIR, will avoid or substantially lessen the significant environmental effects as identified in the Draft EIR. 	<p>Clarifies process for non-EIR CEQA documents</p> <p>Currently no direction on Negative Declarations & Mitigated Negative Declarations which have an associated Planning entitlement for City Council consideration.</p> <p>Other substantial changes may require amendments to the CEQA resolution.</p> <p>Incorporates language from the City's CEQA Resolution to clarify CHB's recommendation on a Draft EIR.</p> <p>Incorporates language regarding CEQA Appeals, as recommended by Board Member Sisson.</p>

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	<p>appealed, it becomes final upon the City Council's disposition of the appeal.</p>	<p>provide comments, together with its recommendation that the project be approved, approved with modifications, or denied. The City Council shall consider the Board's comments and recommendation, and may accept, accept with modification, or decline the Board's recommendation.</p> <p>3. CEQA Appeals. To the extent this Title authorizes a non-elected decisionmaker to take action on the adequacy of the CEQA review, said action shall be appealable to the City Council consistent with Pub. Res. Code § 21151(c) provided that: (1) all administrative appeals were exhausted; (2) appeal is filed within ten (10) days of the decision becoming final; and (3) the appeal is filed in a form and manner required by the Planning Division.</p> <p>B. Multiple Approvals. If a project requires multiple discretionary approvals, those required under Title 20 shall occur prior to all others including but not limited to those required under Title 19 (e.g., conditional use permits, variances, zone changes, etc.). The HPO or Board shall act on those approvals authorized under Title 20 prior to further processing as necessary under the Code. Nothing herein shall limit the City's ability to schedule joint hearings of the Cultural Heritage Board and other decision-making bodies (e.g., Planning Commission). This subsection does not create any additional appeal or level of appeal in connection with any land use approval, nor does it limit or expand who may file an appeal as identified in each discretionary land use application process.</p>	<p>d) A recommendation that the project be approved or denied.</p> <p>3. The City Council shall consider the Board's comments and recommendation, and may accept, accept with modification, or decline the Board's recommendation.</p> <p>B. Environmental Impact Report (EIR) Not Required:</p> <p>1. If an EIR is not prepared, and a Negative Declaration (ND) or Mitigated Negative Declaration (MND) is prepared, the following shall apply:</p> <p>a) Board Final Approval Authority:</p> <ul style="list-style-type: none"> i. The Board may adopt the ND or MND, and approve, approve with modification, or deny the project. ii. If the Board's decision is not timely appealed or referred, then the decision becomes final. iii. If the decision is timely appealed or referred, it becomes final upon the City Council's disposition of the appeal. <p>b) City Council Final Approval Authority:</p> <ul style="list-style-type: none"> i. The Board shall review the Draft ND or MND, as it relates to Cultural Resources only, and provide comments, together with its recommendation that the project be approved, approved with modifications, or denied. ii. The City Council shall consider the Board's comments and recommendation, and may accept, accept with modification, or 	<p>Refer to Section 20.25.020 for language regarding multiple approvals. Bolded & italicized</p>

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
			<p align="center">decline the Board’s recommendation.</p> <p>C. CEQA Appeals. To the extent this Title authorizes a non-elected decisionmaker to take action on the adequacy of the CEQA review, said action shall be appealable to the City Council consistent with Pub. Res. Code § 21151(c) provided that: (1) all administrative appeals were exhausted; (2) appeal is filed within ten (10) days of the decision becoming final; and (3) the appeal is filed in a form and manner required by the Planning Division.</p>	
<p>20.15.030</p>	<p>Public Hearing and Notice.</p> <p>A. All designations, modifications of designations, and/or dedesignations require a public hearing ("hearing").</p> <p>B. Upon the filing of a complete application, a matter shall be set for hearing before the Board within 90 days. The Board may continue a hearing.</p> <p>C. Notice of hearing.</p> <p>1. Notice of the hearing shall be mailed or delivered at least ten days prior to the hearing to:</p> <p> a) The owner of the subject real property or the owner's duly authorized agent, and the project applicant; and</p> <p> b) All owners of real property on the latest records of the County Assessor within 300 feet of the real property. If the number of owners to whom notice would be mailed or delivered is greater than 1,000, the City may, in lieu of mailing or delivering the notice,</p>	<p>Public Hearing and Notice.</p> <p>A. All designations, modifications of designations, and/or de-designations require a public hearing ("Hearing").</p> <p>B. All recognitions and derecognitions require a Public Hearing.</p> <p>C. Upon the filing of a complete application, a matter shall be set for hearing before the Board within 90 days. The Board may continue a hearing.</p> <p>D. Notice of Hearing.</p> <p>1. Notice of the hearing shall be mailed or delivered at least ten (10) days prior to the Hearing to:</p> <p> a) The owner of the subject real property or the owner's duly authorized agent, and the project applicant; and</p> <p> b) All owners and occupants of real property on the latest records of the County Assessor within 300 feet of the real property. If the number of owners to whom notice would be mailed or</p>	<p>Public Hearing and Notice.</p> <p>A. All designations, modifications of designations, and/or de-designations require a public hearing ("Hearing").</p> <p>B. All recognitions and derecognitions require a Public Hearing.</p> <p>C. Upon the filing of a complete application, a matter shall be set for hearing before the Board within 90 days. The Board may continue a hearing.</p> <p>D. Notice of Hearing.</p> <p>1. Notice of the hearing shall be mailed or delivered at least ten (10) days prior to the Hearing to:</p> <p> a) The owner of the subject real property or the owner's duly authorized agent, and the project applicant; and</p> <p> b) All owners and occupants of real property on the latest records of the County Assessor within 300 feet of the real property. If the number of owners to whom notice would be mailed or</p>	<p>Significant changes bolded, including:</p> <ul style="list-style-type: none"> • Adding Points of Cultural Interest • Adding occupants to noticing • Adding noticing request <p>Add Recognition of Points of Cultural Interest to Public Hearings; Not currently included in noticing</p> <p>Addresses Board Member Sisson’s concerns regarding lack of noticing. Bolded & italicized</p>

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	provide notice by placing an advertisement of a least one-eighth page in at least one newspaper of general circulation within the City at least ten days prior to the hearing.	delivered is greater than 1,000, the City may, in lieu of mailing or delivering the notice, provide notice by placing an advertisement of a least one-eighth page in at least one newspaper of general circulation within the City at least ten (10) days prior to the hearing. c) Any person or entity that has filed a request for notice to either the Historic Preservation Officer or Qualified Designee or CCED. To the extent permitted under state and local law, the City may use electronic mail as a means to providing notice. The City may require requests for notices to be annually renewed.	delivered is greater than 1,000, the City may, in lieu of mailing or delivering the notice, provide notice by placing an advertisement of a least one-eighth page in at least one newspaper of general circulation within the City at least ten (10) days prior to the hearing. c) <i>Any person or entity that has filed a request for notice to the Planning Division. To the extent permitted under state and local law, the City may use electronic mail as a means to providing notice. The City may require requests for notices to be annually renewed.</i>	
20.15.040	Meeting and notice for Certificates of Appropriateness by Board. A. No public hearings are required. The application shall be set as a discussion calendar item for the Board meeting. B. Upon the filing or referral of a complete application, a matter shall be set for a Board meeting within 90 days. The Board may continue a matter as it deems appropriate. C. Notice shall be given to the property owner and to the owners of adjacent properties or those across a street or alley.	Meeting and Notice for Certificates of Appropriateness by Board. A. Public hearings are required. The application shall be set as a discussion calendar item for the Board meeting. B. Upon the filing or referral of a complete application, a matter shall be set for a Board meeting within ninety (90) days. The Board may continue a matter as it deems appropriate. C. Notice shall be given to: (a) the property owner; (b) all owners and occupants of real property abutting, adjacent, across a street or alley, and within 300 feet of the subject property; (c) Ward Office representing the site; and (d) any other interested person or person requesting notice. To the extent permitted under state and local law, the City	Meeting and notice for Certificates of Appropriateness by Board. A. No public hearings are required. The application shall be set as a discussion calendar item for the Board meeting. B. Upon the filing or referral of a complete application, a matter shall be set for a Board meeting within 90 days. The Board may continue a matter as it deems appropriate. C. <i>Notice shall be mailed or delivered, at least ten days prior to the meeting, to:</i> <i>1. The owner of the subject real property or the owner's duly authorized agent, and the project applicant.</i> <i>2. All owners and occupants of real property within 300 feet of the real property. If the number of owners to whom notice would be mailed or delivered is greater than 1,000, the City may, in lieu of mailing or delivering the notice, provide notice by</i>	Significant changes bolded , including: <ul style="list-style-type: none">• Increase noticing to 300 ft radius.• Add noticing requests.• Add referrals from Council City Council referral back to CHB not currently addressed Addresses Board Member Sisson's concerns regarding noticing. Bolded & Italicized

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
		<p>may use electronic mail as a means to providing notice.</p> <p>D. If a Board Certificate of Appropriateness is referred to the Board by the City Council, failure of the Board to report to the City Council within 90 days, or within the time specified by the City Council, shall be deemed as an approval by the Board.</p>	<p><i>placing an advertisement of at least one-eighth page in at least one newspaper of general circulation within the City at least ten days prior to the meeting.</i></p> <p>3. Any person or entity that has filed a request for notice to the Planning Division. To the extent permitted under state and local law, the City may use electronic mail as a means to providing notice.</p> <p>D. If a Board Certificate of Appropriateness is referred to the Board by the City Council, failure of the Board to report to the City Council within 90 days, or within the time specified by the City Council, shall be deemed as an approval by the Board.</p>	
<p>20.15.050</p>	<p>Meeting and notice for Administrative Certificates of Appropriateness.</p> <p>A. No public hearings are required. The application shall be considered by the Historic Preservation Officer or Qualified Designee administratively.</p> <p>B. Within 60 days, the Historic Preservation Officer or Qualified Designee must act upon a complete application or refer the application to the Board.</p> <p>C. Except as otherwise provided in this title, notice shall be given to the property owner and to the owners of adjacent properties or those across a street or alley.</p>	<p>Meeting and notice for Administrative Certificates of Appropriateness and other Quasi-Adjudicatory Actions.</p> <p>A. No public hearings are required. The application for an Administrative Certificates of Appropriateness and other quasi-adjudicatory actions (e.g., demolition permits) shall be considered by the Historic Preservation Officer or Qualified Designee administratively.</p> <p>B. Within 60 days, the Historic Preservation Officer or Qualified Designee must act upon a complete application or refer the application to the Board.</p> <p>C. Notice shall be given to: (a) the property owner; (b) the owners and occupants of real property abutting, adjacent, across a street or alley, and within 300 feet of the subject property; (c) the Board; (d) the Ward Office representing the site; properties or those across a street or alley(e) any other interested</p>	<p>Meeting and notice for Administrative Certificates of Appropriateness.</p> <p>A. No public hearings are required. The application shall be considered by the Historic Preservation Officer or Qualified Designee administratively.</p> <p>B. Within 60 days, the Historic Preservation Officer or Qualified Designee must act upon a complete application or refer the application to the Board.</p> <p>C. Except as otherwise provided in this Title, notice shall be mailed or delivered, at least ten days prior action to:</p> <ol style="list-style-type: none"> 1. The property owner of the subject real property or the owner's duly authorized agent, and the project applicant. 2. Owners and occupants of adjacent properties or those across a street or alley. 	<p>Significant changes bolded</p> <p>Addresses Board Member Sisson's concerns regarding noticing . Bolded & italicized</p>

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
		<p>person or person requesting notice; and (f) conspicuously posted on the City’s website during any applicable appeal period. To the extent permitted under state and local law, the City may use electronic mail as a means to providing notice.</p>	<p>3. Any person or entity that has filed a request for notice to the Planning Division. To the extent permitted under state and local law, the City may use electronic mail as a means to providing notice.</p> <p>D. Projects mandated by state law to be reviewed ministerially are exempt from all noticing requirements.</p>	
20.15.090	<p>Appeals.</p> <p>A. Any person aggrieved or affected by an Administrative Certificate of Appropriateness decision may appeal that decision to the Board within ten days of the Historic Preservation Officer or Qualified Designee's decision. The appeal must be made by filing a letter of appeal with the Planning Division. The letter shall set forth the grounds for the appeal. The appeal shall be scheduled for the next available Board meeting. The Board may recommend to affirm, reverse or modify the underlying Historic Preservation Officer or Qualified Designee's decision to the City Council. Board decisions are final unless appealed as provided for in section 20.15.090.B (below).</p> <p>B. Appeal of Board action. Any person affected by the Board action may appeal to the City Council within ten calendar days after the date of the Board's decision. The appeal must be made by filing a letter of appeal with the Planning Division and shall set forth the grounds for the appeal. The appeal shall first be heard by the Land Use Committee</p>	<p>Appeals and Referrals.</p> <p>A. Appeals</p> <ol style="list-style-type: none"> 1. Administrative action. <ol style="list-style-type: none"> a) Any person aggrieved or affected by an Administrative Certificate of Appropriateness, demolition review, or other quasi-adjudicatory decision may appeal that decision to the Board within ten days of the Historic Preservation Officer or Qualified Designee’s decision. For quasi-adjudicatory actions, the appeal deadline shall start the following day after notice has been given pursuant to section 20.15.050. b) The appeal must be made by filing a letter of appeal with the Planning Division and shall be accompanied by a filing fee as established by City Council resolution. c) If the tenth day is on a weekend or holiday the appeal is extended to the end of the next regular business day d) The letter shall set forth the grounds for the appeal. 	<p>Appeals and Referrals.</p> <p>A. Appeals</p> <ol style="list-style-type: none"> 1. Administrative action. <ol style="list-style-type: none"> a) Any person aggrieved or affected by an Administrative Certificate of Appropriateness decision may appeal that decision to the Board within ten days of the Historic Preservation Officer, or Qualified Designee, decision. b) The appeal must be made by filing a letter of appeal with the Planning Division and shall be accompanied by a filing fee as established by City Council resolution. c) If the tenth day is on a weekend or holiday the appeal is extended to the end of the next regular business day. d) The letter shall set forth the grounds for the appeal. e) To the extent feasible, the appeal shall be scheduled for a Board meeting date mutually agreed upon by the person filing the appeal, the applicant and the City. 	<p>Revise Appeals Process and add Referral to meet current practices and consistency with Title 19 (Zoning)</p> <p>Significant changes bolded, including:</p> <ul style="list-style-type: none"> • Adding filing fee • Adding tenth day adjustment on weekends • Noticing moved into specific action • Specifying board appeals to go to Council • Specifies meeting date timing • Adding board referral

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	<p>at its next available meeting, which shall then make a recommendation to the City Council.</p> <p>C. Notice.</p> <ol style="list-style-type: none"> 1. Notice of the time and place of the Land Use Committee meeting shall be sent to the Applicant and Appellant. 2. The notice for the City Council action shall be the same as for the original action. 	<ol style="list-style-type: none"> e) To the extent feasible, the appeal shall be scheduled on a Board meeting date mutually agreed upon by the person filing the appeal, the applicant and the City. f) The Board may recommend affirming, reverse or modify the underlying Historic Preservation Officer or Qualified Designee’s decision to the City Council. g) Board decisions are final unless timely appealed or referred to City Council. h) For appeal of Administrative actions, notice of the time and place of the Cultural Heritage Board meeting shall be sent to the Applicant and Appellant, and as set forth in this Title <p>2. Board Action.</p> <ol style="list-style-type: none"> a) Any person affected by the Board action may appeal to the City Council within ten calendar days after the date of the Board’s decision. b) The appeal must be made by filing a letter of appeal with the Planning Division and shall be accompanied by a filing fee as established by City Council resolution. c) If the tenth day is on a weekend or holiday the appeal is extended to the end of the next regular business day. d) The letter shall set forth the grounds for the appeal. e) The appeal shall be scheduled for a City Council meeting date mutually agreed upon by the person filing the appeal, the applicant and the City. 	<ol style="list-style-type: none"> f) The Board may recommend that the City Council affirms, reverses or modifies the Historic Preservation Officer, or Qualified Designee, decision. g) Board decisions are final unless appealed or referred by City Council within ten days of the Board action. h) For appeal of Administrative actions, notice of the time and place of the Cultural Heritage Board meeting shall be sent to the Applicant and Appellant, and as set forth in this Title. <p>2. Board Action.</p> <ol style="list-style-type: none"> a) Any person affected by the Board action may appeal to the City Council within ten calendar days after the date of the Board’s decision. b) The appeal must be made by filing a letter of appeal with the Planning Division and shall be accompanied by a filing fee as established by City Council resolution. c) If the tenth day is on a weekend or holiday the appeal is extended to the end of the next regular business day. d) The letter shall set forth the grounds for the appeal. e) The appeal shall be scheduled for a City Council meeting date mutually agreed upon by the person filing the appeal, the applicant and the City. f) City Council decisions are final. g) For appeals of Cultural Heritage Board actions, notice of the time and place of the City Council meeting shall be the same as for the original action. 	

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
		<p>f) City Council decisions are final.</p> <p>g) For appeals of Cultural Heritage Board actions, notice of the time and place of the City Council meeting shall be the same as for the original action.</p> <p>B. Referral of Historic Preservation Officer and Board actions.</p> <p>1. HPO Actions: Any member of the Cultural Heritage Board may refer any action taken by the Historic Preservation Officer or Qualified Designee’s decision or other person acting on its behalf for consideration on the Board’s discussion calendar agenda by notifying the Historic Preservation Officer and Community & Economic Development Director. If not referred or otherwise appealed within ten days of the HPO action, the action of the HPO is final.</p> <p>2. Board Actions: The Mayor or any member of the City Council may refer any action taken by the Cultural Heritage Board the matter for consideration on the City Council’s discussion calendar agenda by notifying the Community & Economic Development Director. If not referred by the Mayor or City Council, or otherwise appealed within ten days of the Board action, the action of the Board is final.</p>	<p>B. Referral of Board action.</p> <p>1. The Mayor or any member of the City Council may refer any action taken by the Cultural Heritage Board for consideration on the City Council’s discussion calendar agenda by notifying the Community & Economic Development Director.</p> <p>2. If not referred by the Mayor or City Council, or otherwise appealed within ten days of the Board action, the action of the Board is final.</p>	
20.15.100	<p>Effective date.</p> <p>A. Certificates of Appropriateness shall be effective the first regular business day after the end of the ten day appeal period. Filing of an appeal stays the effective date pending action on the appeal.</p>	<p>Effective date.</p> <p>A. Certificates of Appropriateness, demolition review, and other quasi-adjudicatory decision shall be effective the first regular business day after the end of the ten-day appeal period.</p>	<p>Effective date.</p> <p>A. Certificates of Appropriateness shall be effective the first regular business day after the end of the ten-day appeal period. Filing of an appeal or referral stays the effective date pending action on the appeal.</p>	Add referral to effective date

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	...	Filing of an appeal or referral stays the effective date pending action on the appeal.	
20.20.020	<p>Designation application.</p> <p>The Board, City Council, or any person may apply for the designation, modification, or dedesignation of a landmark, structure or resource of merit, Historic District, or modification or dedesignation of Neighborhood Conservation Area status. Applications for designation, modification, or dedesignation shall be on forms provided by the Planning Division.</p> <p>No structure may be designated as a landmark or a structure or resource of merit, nor may any designation be modified or repealed (dedesignated), without the prior written consent of the owner.</p> <p>The City no longer allows designation of Neighborhood Conservation Areas.</p>	<p>Eliminate owner consent</p>	<p>Designation application.</p> <p>The Board, City Council, or any person may apply for the designation, modification, or dedesignation of a landmark, structure or resource of merit, Historic District, or modification or dedesignation of Neighborhood Conservation Area status. Applications for designation, modification, or dedesignation shall be on forms provided by the Planning Division.</p> <p>No structure may be designated as a landmark or a structure or resource of merit, nor may any designation be modified or repealed (dedesignated), without the prior written consent of the owner. <i>Based on the Board recommendation the City Council's may consider overriding a property owner objection with a 5/7 's majority vote, provided a finding can be made that the structure is of unique value.</i></p> <p>The City no longer allows designation of Neighborhood Conservation Areas.</p>	<p>Significant changes bolded</p> <p>Addresses CHB concerns regarding owner consent. Bolded & italicized</p>
20.20.080	<p>Overlay Zone.</p> <p>A. Pursuant to Title 19, upon any Designation, the Cultural Resources Overlay Zone applies to the subject property or parcel</p>		<p>Overlay Zone</p> <p>A. Pursuant to Title 19, upon any Designation, the Cultural Resources Overlay Zone applies to the subject property or parcel</p> <p>B. Upon adoption of a historic district resolution by the City Council, the Planning Division shall initiate a rezoning case to apply the CR-Cultural resources overlay zone to the properties within</p>	<p>Revise language to include rezoning that is currently in definitions chapter, not easily found</p>

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
			the district. This process shall follow the requirements outlined in Title 19.	
20.20.120	Designation Process in Flow Chart From		Remove flow chart.	Ordinance change would be required to update the flow chart with process changes. Can be accomplished with a counter handout.
20.22 (New Chapter Suggested)		<p>Chapter 20.22</p> <p>DEMOLITION REVIEW</p> <p>Sections:</p> <p>20.22.010 Title.</p> <p>20.22.020 Purpose and Intent.</p> <p>20.22.030 Applicability.</p> <p>20.22.040 Definitions.</p> <p>20.22.050 Demolition Permit Application</p> <p>20.22.060 Notice of Intent to Demolish Requirement.</p> <p>20.22.070 Demolition Permit Review.</p> <p>20.22.080 Mitigation Measures and Conditions of Approval.</p> <p>20.22.090. Exceptions.</p> <p>(See Attached redlines for full text.</p>		See Section 20.25.010 for new text to address demolition review.
20.23 (New Chapter Suggested)		<p>Chapter 20.23</p> <p>PRELIMINARY CONSULTATION</p> <p>Sections:</p> <p>20.23.010 Purpose and Intent.</p> <p>20.23.020 Applicability.</p>		See Section 20.25.021 for new text to address preliminary review. Additionally, staff preliminary review is included as part of Section 20.25.020, completeness review.

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
		<p>20.23.010 Purpose and Intent. The early consultation is established to provide a means of reviewing development projects to ensure that these projects are compatible with applicable rules and guidelines affecting cultural resources and Title 20, including architectural design, massing and scale, context, color palette, signage and landscaping. Early consultation serves the City and applicant in identifying key issues, concerns, and objective early in the planning/entitlement process, including but not limited to:</p> <ol style="list-style-type: none"> 1. Achieve better projects through early consultation between City staff and applicants; 2. Coordinate reviews of projects among City staff and City departments; 3. Familiarize applicants for the projects with the regulations and procedures that apply to the projects; 4. Avoid significant investment in the design of a project without preliminary - directions from City staff; 5. Identify issues that may arise during review of the projects (e.g., conformance with any applicable design guidelines, conformance with the goals, policies, and objectives of the Title 20 and the purpose and intent of any applicable specific plan, environmental requirements and possible recommended mitigation measures, possible recommended conditions of approval, requirements for public improvements, 		

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
		<p>and possible concerns from adjoining neighborhoods);</p> <ol style="list-style-type: none"> 6. Provide opportunities for discussion about the projects and an exchange of information on potential issues between City staff and the applicants for the projects; and 7. Inform the Council and the public of proposed development projects defined in the administrative guidelines to be of communitywide significance, by presenting the predevelopment plan review report at a Council meeting. This presentation shall only be for the purpose of informing the Council and the public of a proposed project, and not for the purpose of discussing the merits of the proposed project. <p>20.23.020 Applicability. All projects subject to Title 20 are required to seek early consultation from either the HPO or Board, subject to the following:</p> <ol style="list-style-type: none"> A. Informal Consultation. At minimum, informal early consultation with HPO is required prior to or subsequent to an applicant filing an application required under Title 20. At its sole discretion, the HPO may notify and forward the application and relevant documents to the Board for its comments. Alternatively, the HPO may refer a matter for a formal consultation before the Board. B. Formal Consultation. Significant projects involving major alterations (as defined below), early consultation shall be conducted by the 		

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
		<p>Board subject to a public hearing consistent with section 20.15.030. The matter shall be scheduled for the Board’s discussion calendar. The HPO shall prepare a report including conceptual site plan, application materials, renderings, and any other relevant documents provided by the applicant. The HPO report should identify the relevant approvals, guidelines, and criteria applicable to any future approval or action taken by the HPO or Board. The Applicant shall have an opportunity to present its project to the Board, followed by public comment, followed by questions and feedback from the Board and staff. No formal action or commitment to any specific project alternative shall be taken at said hearing.</p> <p>C. Major Projects/Alterations. Significant projects involving major alterations requiring formal consultation before the Board shall include but not limited to the following:</p> <ol style="list-style-type: none"> 1. New construction on vacant land within a Historic District; 2. For Designated or Eligible Cultural Resource or Contributors to a Historic District or NCA: (a) demolition, relocation, and/or replacement; (b) addition to structures exceed 50% of its square footage; (c) alterations to 50 % of its exterior walls and/or roof facing a public street; and/or (d) construction of an additional story; 3. Proposed work exceeding \$250,000 in value involving a public, commercial, or non-residential project. 4. Multi-family projects consisting of ten or more dwelling units. 		

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
		<p>D. Voluntary Formal Consultation. Any applicant may request formal consultation before the Board regardless of the project size.</p> <p>E. Coordination. Nothing herein shall prevent the City from coordinating early consultation with other requirements under the Code, including but not limited to Design Review (RMC § 19.710 et seq.).</p>		
20.25.010	<p>Certificates of Appropriateness, generally.</p> <p>A Certificate of Appropriateness is required before any person restores, rehabilitates, alters, develops, constructs, demolishes, removes or changes the appearance of any designated Cultural Resource, eligible Cultural Resource, any element in a geographic Historic District (contributing and non-contributing), or a contributing feature or contributor to a Neighborhood Conservation Area. The requirements of this chapter are in addition to any and all other City permit requirements.</p> <p>Except as set forth in Section 20.25.030, Certificates of Appropriateness shall be reviewed by the Cultural Heritage Board.</p> <p>No Certificate of Appropriateness is required for a historic structure if the Building Official has determined that structure presents an unsafe or dangerous condition constituting an imminent threat as defined in the California Building Code, or a dangerous building as defined by the Uniform Code for the abatement of dangerous buildings, and the proposed action is necessary to mitigate the unsafe or dangerous condition. Before any physical work on any such unsafe structure, the Building Official shall make all reasonable efforts to</p>		<p>Certificates of Appropriateness Required.</p> <p>A. In addition to any and all City permit requirements, a Certificate of Appropriateness is required before any person restores, rehabilitates, alters, develops, constructs, demolishes, removes, or changes the appearance of any:</p> <ol style="list-style-type: none"> 1. Designated Cultural Resource; 2. Eligible Cultural Resource; or 3. Any element in a geographic Historic District (contributing and non-contributing) or Neighborhood Conservation Area. <p>B. Alterations include changes to the exterior, unless otherwise designated per the designating resolution or per the requirements of the Secretary of Interior's Standards for the Treatment of Historic Properties.</p> <p>C. <i>For the demolition of structures not previously identified as Eligible Cultural Resources, the Community & Economic Development Director and Historic Preservation Officer may require a Cultural Resources Report be prepared pursuant to Section 20.26.010 to determine if the structure is eligible for designation. If the subject property is found eligible for</i></p>	<p>Reorganized to clearly define when a COA is required</p> <p>Substantive changes bolded, including:</p> <ul style="list-style-type: none"> • Move language regarding alteration from definitions chapter. • Move language regarding non-contributors from the definitions chapter. <p>Text added to address concerns regarding demolition. Bolded & italicized</p>

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	consult with the Historic Preservation Officer or Qualified Designee to seek feasible alternatives to the proposed action that will adequately protect the public health and safety.		<p><i>designation, a Certificate of Appropriateness and associated CEQA review is required pursuant to this chapter.</i></p> <p>D. Non-contributors and Non-contributing Features in Historic Districts and individually significant properties are subject to the Certificate of Appropriateness requirements; however, the principles, issues and standards are different than for Contributing features.</p>	
<p>20.25.015 (New Section)</p>			<p>Certificates of Appropriateness Not Required.</p> <p>No Certificate of Appropriateness is required for:</p> <p>A. Dangerous Condition:</p> <ol style="list-style-type: none"> 1. Cultural Resource if the Building Official has determined that structure presents an unsafe or dangerous condition constituting an imminent threat as defined in the California Building Code; or 2. A dangerous building as defined by the Uniform Code for the Abatement of Dangerous Buildings, and the proposed action is necessary to mitigate the unsafe or dangerous condition. 3. Before any physical work on any such unsafe structure, the Building Official shall make all reasonable efforts to consult with the Historic Preservation Officer, or Qualified Designee, to seek feasible alternatives to the proposed action that will adequately protect the public health and safety. <p>B. Structures found ineligible for historic designation in an adopted Cultural resource survey, Section 20.50.010, or a Cultural Resource Report, Section 20.26.010.</p>	<p>Reorganized to clearly identify when a COA is not required; moved from 20.25.010</p>

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
20.25.020	<p>Application.</p> <p>Applications for a Certificate of Appropriateness shall be made on forms provided by the Planning Division. Applications shall include plans and specifications showing the design, materials, colors, landscaping, and irrigation relating to the proposed improvements. Where required, applications shall also show the relationship of the proposed work to the surrounding environs. Applications for new construction in a Historic District or Neighborhood Conservation Area shall also include such relevant information as how the new improvement relates to the existing architectural style, scale, massing, site, streetscape, landscaping, and signage. The Planning Division may require any additional information deemed necessary to make an informed judgment of the proposed work according to the standards of this chapter.</p>	<p>Application</p> <p>....</p> <p>4. City inactivity determination.</p> <p>a) The City, at its discretion, may deem any application inactive if it remains incomplete for 180 calendar days from the date of the original submittal and no meaningful progress has been taken by the applicant in response to deficiencies with the application.</p> <p>b) The City shall notify the applicant in writing of its intention to deem the application inactive at least 30 calendar days prior to determination.</p> <p>c) Subsequent to an application being deemed complete, the City may terminate an application due to inactivity consistent with the above procedures.</p>	<p>C. Non-contributors and Non-contributing features in Neighborhood Conservation Areas are not subject to the Certificate of Appropriateness requirements.</p> <p>Application.</p> <p>A. Submittal requirements.</p> <p>1. Applications for a Certificate of Appropriateness shall be made on forms provided by the Planning Division. Applications shall include:</p> <p>a) Plans and specifications showing the design, materials, colors, landscaping, and irrigation relating to the proposed improvements.</p> <p>b) Where required, applications shall also show the relationship of the proposed work to the surrounding environs.</p> <p>c) Applications for new construction in a Historic District or Neighborhood Conservation Area shall also include such relevant information as how the new improvement relates to the existing architectural style, scale, massing, site, streetscape, landscaping, and signage.</p> <p>d) The Planning Division may require any additional information deemed necessary to make an informed judgment of the proposed work according to the standards of this Chapter.</p> <p>2. Signature and fees required.</p>	<p>Clearly identify the application process, codify current practice, consistency with Title 19 (Zoning)</p> <p>Substantive changes bolded, including:</p> <ul style="list-style-type: none"> • Signatures and fees • Indemnification • Applicant requested workshops • Application completeness review <p>Inactivity text revised to address Board Member Sisson’s concerns.</p> <p>Multiple review language added to address Board Member Sisson concerns. Bolded & italicized</p>

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
			<ul style="list-style-type: none"> a) Applications will not be accepted by the Planning Division without required signed application forms and permit. b) Any owner, owner's authorized representative or the City Manager, or his/her designee, may sign an application. c) Applicable fees shall be those established by City Council Resolution and published in the Schedule of Fees available from the Planning Division. <p>3. Indemnification.</p> <ul style="list-style-type: none"> a) With the submittal of any application, the owner and/or applicant agrees that upon approval of its application the owner and/or applicant shall defend, indemnify, including reimbursement, and hold harmless the City of Riverside, its agents, officers and employees from any claim, action or proceeding against the City of Riverside, its agents, officers or employees, that attacks, set asides, voids, or annuls, any approval by the City concerning: <ul style="list-style-type: none"> i. Any such approval of the City: and/or ii. An action taken to provide environmental clearance under CEQA by its advisory agencies, appeal boards or City Council. b) The owner and/or applicant shall execute an indemnification agreement in a form acceptable to the City Attorney. 	

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
			<p>c) In the event any claim, action or proceeding is brought, the City shall promptly notify the owner and/or applicant of the existence of the proceeding and the City will cooperate fully in the defense of the proceeding. Nothing in this Section shall prohibit the City from participating in the defense of any proceeding.</p> <p>d) If the applicant is required to defend the City in connection with any proceeding described in this Section, the City shall retain the right to approve:</p> <ul style="list-style-type: none"> i. The counsel to so defend the City; ii. All significant decisions concerning the manner in which defense is conducted; and iii. Any and all settlements, which approval shall not be unreasonably withheld. <p>The City shall also have the right not to participate in the defense, except that the City agrees to cooperate with the applicant in the defense of the proceeding. If the City chooses to have counsel of its own defend any proceeding where the applicant has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the City.</p> <p>B. Preliminary Review: Prior to an application being deemed complete a workshop before</p>	

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
			<p>the Board may be held as specified in Section 20.25.021.</p> <p>C. Application Completeness Review: All applications filed with the Planning Division in compliance with this Title shall be initially reviewed by the Historic Preservation Officer, or Qualified Designee. The application shall be processed as follows:</p> <ol style="list-style-type: none"> 1. Complete applications. The applicant shall be notified in writing of the determination either that all the submittal requirements have been satisfied and that the application has been accepted as complete, this may include any suggested modifica 2. Incomplete applications. The applicant shall be notified in writing of the determination that specific information and or materials are still necessary to complete the application. The letter may also identify preliminary information regarding the areas in which the submitted plans are not in compliance with City standards and requirements. 3. Withdrawals. <ol style="list-style-type: none"> a) Submittal of withdrawals. All withdrawal requests shall be submitted in writing to the Planning Division, identifying the application being withdrawn. b) Resubmittal of withdrawn applications. Any resubmittal of a withdrawn application shall require submittal of a new application along with the appropriate fees and a new case number will be assigned. 	

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
			<p>4. City inactivity determination.</p> <p>a) The City, at its discretion, may deem any application inactive if it remains incomplete for 180 calendar days from the date of the original submittal and no meaningful progress has been taken by the applicant in response to deficiencies with the application.</p> <p>b) The City shall notify the applicant in writing of its intention to deem the application inactive at least 30 calendar days prior to determination.</p> <p>c) Subsequent to an application being deemed complete, the City may terminate an application due to inactivity consistent with the above procedures.</p> <p>5. Mutual agreement to extension of time. Nothing in this Section precludes the applicant and the City from mutually agreeing to an extension of any time limit provided by this Section.</p> <p><i>D. Relationship to other Discretionary Approvals: If a project requires other Planning Entitlements under Title 19, the Certificate of Appropriateness review shall occur concurrent with or prior to the review of the associated entitlements, by the appropriate approval authority.</i></p>	
<p>20.25.021 (New Section)</p>			<p>Preliminary Review</p> <p>A. Purpose and intent: Identify concern that may arise during review of the projects, including suggestion for obtaining consistency with the</p>	<p>Added to address Board Members concerns regarding preliminary review.</p>

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
			<p>Principles and Standards of Site Development and Design Review, as included in Section 20.25.050.</p> <p>B. Applicability:</p> <ol style="list-style-type: none"> 1. Landmarks & Structures of Merit: Prior to complete application for a project at a designated City Landmark, Structure of Merit, or any determined eligible pursuant to a Cultural Resources Report requiring Board review, the project shall be submitted to the Board as a workshop to seek input and direction on the proposed project as authorized under Title 20. 2. All Other Projects: Prior to an application being deemed complete, an applicant may request a workshop before the Board to seek input and direction on a proposed project. 	
<p>20.25.025 (New Section)</p>			<p>Board Certificate of Appropriateness. Except as set forth in this Chapter, Certificates of Appropriateness shall be reviewed by the Cultural Heritage Board.</p>	<p>Clearly identify when a Board COA is required, relocate text from section 20.25.010</p>
<p>20.25.030</p>	<p>Administrative Certificates of Appropriateness.</p> <p>The Historic Preservation Officer or Qualified Designee may administratively approve, approve with conditions, refer to the Board, or deny a Certificate of Appropriateness as follows:</p> <p>A. For all cultural resources, including landmarks (designated and eligible):</p> <ol style="list-style-type: none"> 1. The in-kind replacement of historically-correct architectural features or building elements, including windows, doors, exterior siding, roofs, porches, cornices, 	<p>Administrative Certificates of Appropriateness.</p> <p>C. For Non-contributing Features and Non-contributors in a Historic District, all actions except:</p> <ol style="list-style-type: none"> 1. Demolition. 2. New and in-fill construction. 3. Large additions (increasing floor area by 50% or more). 4. Increasing the number of stories (e.g., adding a second story to a single-story structure). 	<p>Administrative Certificates of Appropriateness.</p> <p>The Historic Preservation Officer, or Qualified Designee, may administratively approve, approve with conditions, refer to the Board, or deny a Certificate of Appropriateness as follows:</p> <p>A. For any Cultural Resource, including Landmarks:</p> <ol style="list-style-type: none"> 1. New or replacement fences, walls, awnings, signs, and/or exterior lighting. 2. The in-kind replacement of historically correct architectural features or building 	<p>Reorganized to clearly identify administrative COAs.</p> <p>Revised COA list for process streamlining</p> <p>Substantive changes bolded, including:</p> <ul style="list-style-type: none"> • City Landmarks to include:

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	<p>balustrades, stairs, and the like, that are deteriorated, damaged beyond restoration, or previously removed.</p> <ol style="list-style-type: none"> 2. The in-kind replacement of historically correct site, or landscape features that are deteriorated, damaged beyond restoration, or previously removed. 3. Exterior painting of commercial properties, designated landmarks, and landmarks determined eligible for designation. Surfaces allowed to be painted include only those that were originally intended to be painted and exclude all other surfaces, such as brick, concrete, and stone. <p>B. For all cultural resources, except designated landmarks:</p> <ol style="list-style-type: none"> 1. One-story additions, auxiliary structures or similar (excluding attached garages) less than 50 percent of the size of the existing main structure (or 1,000 square feet area, whichever is smaller, for residential), with limited or no visibility from public streets. 2. Fences and walls. 3. Awnings and signs. 4. Removal or alteration of landscape features, such as walkways, planter walls, fountains, and in certain circumstances mature foliage, that contribute to the historic character of the property but are not designated or listed as contributing to a designated resource. 5. Paving for driveways, walkways and/or patios, and the addition of or alteration to driveway approaches, subject to WQMP requirements. 6. Exterior lighting. 	<p>D. Under A, B and C above, the Historic Preservation Officer or Qualified Designee may waive meeting requirements and/or formal application forms for cases that are immediately determined to meet all required findings because involve alterations deemed insignificant or having no impact on the significance or integrity of the Cultural Resources. However, notice of the administrative action must be provided in accordance with section 20.15.050.</p>	<p>elements, including windows, doors, exterior siding, roofs, porches, cornices, balustrades, stairs, and the like, that are deteriorated, damaged beyond restoration, or previously removed.</p> <ol style="list-style-type: none"> 3. The in-kind replacement of historically correct site, or contributing landscape features that are deteriorated, damaged beyond restoration, or previously removed. 4. Removal or alteration of non-contributing landscape features, such as walkways, planter walls, fountains, and in certain circumstances mature foliage, that contribute to the historic character of the property but are not designated or listed as contributing to a designated resource. 5. The removal of inappropriate additions or alterations to restore the original appearance of a structure. 6. New paving for driveways, walkways and/or patios, and the addition of or alteration to driveway approaches, subject to WQMP requirements. 7. Exterior painting of designated commercial properties and/or designated landmarks, including only those surfaces that were originally intended to be painted and excluding all other surfaces, such as brick, concrete, and stone <p>B. For any Cultural Resource, excluding Landmarks:</p> <ol style="list-style-type: none"> 1. One-story additions to a single-story structures less than 50% of the size of the existing main structure (or 1000 square feet area, whichever is smaller, for 	<ul style="list-style-type: none"> ○ Minor projects, such as fencing, ○ Landscape ○ Removal of inappropriate additions ○ Driveways and walkways <p>Additional language added to address concerns regarding over-the-counter reviews. Bolded & italicized</p>

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	<p>7. The removal of inappropriate additions or alterations to restore the original appearance of a structure.</p> <p>8. Demolition of a, or the replacement of a previously existing, one-story, detached garage and construction of a new one-story, detached garage that is architecturally compatible with the existing residence and character-defining features of the existing neighborhood and the area devoted to parking does not exceed 400 square feet, or the minimum size for a two-car garage as required by the City Zoning Code, whichever is greater. Maximum size of the structure shall not exceed City Zoning Code requirements.</p> <p>C. For non-contributing features and non-contributors in a Historic District, all actions except:</p> <ol style="list-style-type: none"> 1. Demolition. 2. New and in-fill construction. 3. Large additions (increasing floor area by 100 percent or more). 4. Increasing the number of stories (e.g., adding a second story to a single-story structure). <p>D. Under A, B and C above, the Historic Preservation Officer or Qualified Designee may waive noticing requirements and/or formal application forms for cases that are immediately determined to meet all required findings because they are so minor in nature or involve alterations deemed insignificant.</p>		<p>residential), with limited or no visibility from public streets.</p> <p>2. Two-story Accessory Dwelling Unit (ADU) and second-story additions to existing single-story auxiliary structures (excluding attached garages) for an ADU, when the main residence is at least two-stories in height.</p> <p>3. Demolition or the replacement of a previously existing, one-story, detached garage and construction of a new one-story, detached garage that is architecturally compatible with the existing residence and character-defining features of the existing neighborhood.</p> <p>C. For non-contributing features and non-contributors in a Historic District, all actions except:</p> <ol style="list-style-type: none"> 1. Demolition. 2. New and in-fill construction. 3. Large additions (increasing floor area by 50% or more). 4. Increasing the number of stories (e.g., adding a second story to a single-story structure). <p>D. Under A, B, and C above, the Historic Preservation Officer, or Qualified Designee, may waive noticing requirements and/or formal application forms for cases that are immediately determined to meet all required findings because they involve alterations deemed insignificant or having no impact on the significance or integrity of the Cultural Resource, such as fences, landscaping, like-for-like repairs, or similar.</p>	

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
20.25.050	<p>Principles and standards of site development and design review.</p> <p>The Board and Historic Preservation Officer or Qualified Designee shall make findings of the following standards when applicable to approving or denying a Certificate of Appropriateness.</p> <p>A. The application proposal is consistent or compatible with the architectural period and the character-defining elements of the historic building;</p> <p>B. The application proposal is compatible with existing adjacent or nearby Cultural Resources and their character-defining elements;</p> <p>C. The colors, textures, materials, fenestration, decorative features, details, height, scale, massing and methods of construction proposed are consistent with the period and/or compatible with adjacent Cultural Resources;</p> <p>D. The proposed change does not adversely affect the context considering the following factors: grading; site development; orientation of buildings; off-street parking; landscaping; signs; street furniture; public areas; relationship of the project to its surroundings;</p> <p>E. The proposed change does not destroy or adversely affect an important architectural, historical, cultural or archaeological feature or features;</p> <p>F. The project is consistent with the Citywide Residential Historic District Design Guidelines, approved guidelines for each Historic District, and/or any other applicable Design Guidelines; and</p>	<p>Principles and Standards of Site Development and Design Review</p> <p>The Board and Historic Preservation Officer, or Qualified Designee, shall make findings of the following standards, when applicable, to approving or denying a Certificate of Appropriateness.</p> <p>A. For proposed projects involving individually significant Cultural Resources (i.e. City Landmarks, Structures of Merit, etc.), the proposed project should demonstrate:</p> <ol style="list-style-type: none"> 1. Consistency or compatibility with the architectural period and the character-defining elements of the Cultural Resource, such as colors, textures, materials, fenestration, decorative features, details, height, scale, or massing, and method of construction; 2. That the proposed project will not destroy or pose a substantial adverse change to an important architectural, historical, cultural, or archaeological feature or features of the Cultural Resource; 3. Compatibility with the site context of the Cultural Resource related to grading, site development, orientation of buildings, landscaping, signs, public areas or relationship with the surroundings; and 4. Consistency with the principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties. 4. Consistency with the principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties and other federal, state, and/or local guidelines. 	<p>Principles and Standards of Site Development and Design Review</p> <p>The Board and Historic Preservation Officer, or Qualified Designee, shall make findings of the following standards, when applicable, to approving or denying a Certificate of Appropriateness.</p> <p>A. For proposed projects involving individually significant Cultural Resources (i.e. City Landmarks, Structures of Merit, etc.), the proposed project should demonstrate:</p> <ol style="list-style-type: none"> 1. Consistency or compatibility with the architectural period and the character-defining elements of the Cultural Resource, such as colors, textures, materials, fenestration, decorative features, details, height, scale, or massing, and method of construction; 2. That the proposed project will not destroy or pose a substantial adverse change to an important architectural, historical, cultural, or archaeological feature or features of the Cultural Resource; 3. Compatibility with the site context of the Cultural Resource related to grading, site development, orientation of buildings, landscaping, signs, public areas or relationship with the surroundings; and 4. Consistency with the principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties. 5. <i>As applicable, consistency with other federal, state, and/or local guidelines.</i> 	<p>Create separate standards for Individual Resource and project within a historic district,</p> <p>Create project at non-contributors to historic district. Currently the definitions chapter states "Non-contributing features in Historic Districts and individually significant properties are subject to the Certificate of Appropriateness requirements; however, the principles, issues and standards are different than for contributing features." No standards have ever been created.</p> <p>Incorporate Board Member Sisson's language suggestion. Bolded & italicized</p>

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	<p>G. The project is consistent with the principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties.</p>	<p>.....</p>	<p>B. For proposed projects involving contributors or contributing feature within Historic Districts and Neighborhood Conservations Areas, the proposed project should demonstrate:</p> <ol style="list-style-type: none"> 1. Compatibility with the height, scale, or massing of the contributor (or contributing feature) to the Cultural Resource; 2. Compatibility with the colors, textures, materials and decorative features of the contributor (or contributing feature) to the Cultural Resource; 3. That the proposed project does not destroy or pose a substantial adverse change to an important architectural, historical, cultural, or archaeological feature or features within the Cultural Resource; 4. Compatibility within the context of the Cultural Resource related to grading, site development, orientation of buildings, landscaping, signs, or public areas; 5. Consistency with the Citywide Residential Historic District Design Guidelines, approved guidelines for each Historic District, and/or any other applicable Design Guidelines; and 6. Consistency with the principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties. <p>C. For Non-contributors in a Historic District, the proposed project should demonstrate:</p> <ol style="list-style-type: none"> 1. Compatibility with the height, scale, or massing of contributors within the Historic District, and as allowed by Title 19-Zoning; 2. Compatibility with the colors, textures, roof forms, and materials of contributors or 	

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
			architectural period within the Historic District; 3. That the proposed project does not pose an adverse change to the Historic District or its context; 4. Consistency with the Citywide Residential Historic District Design Guidelines and the Historic District guidelines; and 5. Consistency with the principles of the Secretary of the Interior’s Standards for the Treatment of Historic Properties.	
20.25.060	Appeals For appeals of any approval, conditional approval or denial of a Certificate of Appropriateness under this Chapter, see Section 20.15.090(A) and/or 20.15.090(B) as applicable		Appeals Section 20.15.090 shall apply for appeals of any approval, conditional approval or denial of a Certificate of Appropriateness under this Chapter.	Revise text references to appeals due to reorganization
20.25.080	Certificate of Appropriateness Process in Flow Chart From		Remove flow chart.	Ordinance change would be required to update the flow chart with process changes. Can be accomplished with a counter handout.
20.26 (New Chapter)			CHAPTER 20.26 ARCHAEOLOGICAL AND TRIBAL CULTURAL RESOURCES SECTIONS: 20.26.010 CULTURAL RESOURCES REPORT. 20.26.020 TRIBAL CONSULTATION. Section 20.26.010 Cultural Resources Reports. A Cultural Resources Report, meeting the requirements established by the Planning Division, may be required for any discretionary action that	Codify current practice related to Cultural Resources Reports to provide basis for requests.

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
			<p>meets at least one on the following criteria, as determined by the Historic Preservation Officer or Qualified Designee:</p> <ul style="list-style-type: none"> A. The proposed project has the potential to impact a Cultural Resource (designated or eligible) as defined in this Title. B. The proposed project has the potential to impact a structure that is over 50 years of age or may be eligible for City, State or National Designation. C. The project is located near a known archeological site such as: <ul style="list-style-type: none"> 1. Within 1,000 feet of a documented site; or 2. Within or adjacent to an area of high archeological sensitivity as defined by the City's General Plan. D. Contains site features such as: <ul style="list-style-type: none"> 1. Steep slopes that are undeveloped; 2. Canyons; 3. Arroyos; 4. Rivers or streams and/or adjacency; 5. Rock outcroppings: and/or 6. Undeveloped land at the base of steep slopes. 7. The Eastern Information Center determination that a Phase 1 Archeological Study is necessary. <p>Section 20.26.020 Tribal Consultation.</p> <p>When required, Tribal Consultation shall be completed in accordance with CEQA.</p>	
<p>20.30.030</p>	<p>Historic Preservation Fund. . .</p>		<p>Historic Preservation Fund. . .</p>	<p>Address HPFC request to modify meeting schedule. Revised language Bolded</p>

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	<p>B. The fund shall be administered by a Historic Preservation Fund Committee.</p> <ol style="list-style-type: none"> 1. The Committee membership shall consist of five members, serving two-year terms. The Cultural Heritage Board shall designate two of its members to serve as representatives, and the City Council representative shall be appointed by the Mayor's Nominating and Screening Committee ("Council Committee"). The remaining two shall be City residents affiliated with separate Riverside-specific historic preservation organizations and appointed by the Council Committee. Interested persons must submit applications for appointment no later than 30 days before the meeting during which the Council Committee selects the representatives. 2. The Committee shall undertake all discretionary program acts not in conflict with this section and title. The Committee, with City Council approval by resolution, may designate discretionary program approval authority. 3. The Committee shall establish meeting rules, application deadlines, and the frequency of meetings; however, the Committee shall meet at least quarterly and shall consider any submitted grant applications at least semiannually. 4. The Committee shall develop criteria and a selection process for evaluating applications, including guidelines for 		<p>B. The fund shall be administered by a Historic Preservation Fund Committee.</p> <ol style="list-style-type: none"> 1. The Committee membership shall consist of five members, serving two-year terms. The Cultural Heritage Board shall designate two of its members to serve as representatives, and the City Council representative shall be appointed by the Mayor's Nominating and Screening Committee ("Council Committee"). The remaining two shall be City residents affiliated with separate Riverside-specific historic preservation organizations and appointed by the Council Committee. Interested persons must submit applications for appointment no later than 30 days before the meeting during which the Council Committee selects the representatives. 2. The Committee shall undertake all discretionary program acts not in conflict with this section and title. The Committee, with City Council approval by resolution, may designate discretionary program approval authority. 3. The Committee shall establish meeting rules, application deadlines, and the frequency of meetings; however, the Committee shall schedule a meeting to be held at least once every quarter and shall consider any submitted grant applications semiannually, as needed 4. The Committee shall develop criteria and a selection process for evaluating applications, including guidelines for 	

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	<p>matching funds, for City Council review and approval.</p> <p>5. The Committee shall review and approve or deny applications for grants in accordance with the set criteria.</p> <p>6. A simple majority is needed for Committee action.</p> <p>7. If the Committee cannot agree upon an action, the matter shall be forwarded to the Cultural Heritage Board for review and recommendation to the Land Use Committee. Land Use Committee recommendations will be considered by the City Council in making its decision.</p> <p>8. Appeals shall follow the procedure in Section 20.15.090 (C). City Council actions are final and non-appealable.</p> <p>9. No funds shall be made available until the time to appeal has expired, or until any appeals are final.</p>		<p>matching funds, for City Council review and approval.</p> <p>5. The Committee shall review and approve or deny applications for grants in accordance with the set criteria.</p> <p>6. A simple majority is needed for Committee action.</p> <p>7. If the Committee cannot agree upon an action, the matter shall be forwarded to the Cultural Heritage Board for review and recommendation to the Land Use Committee. Land Use Committee recommendations will be considered by the City Council in making its decision.</p> <p>8. Appeals shall follow the procedure in Section 20.15.090 (C). City Council actions are final and non-appealable.</p> <p>No funds shall be made available until the time to appeal has expired, or until any appeals are final.</p>	
20.35.010	<p>Duty to Maintain.</p> <p>Every person in possession or control, and the owner, of a Cultural Resource shall maintain and keep in good repair the exterior of that resource, and all interior portions necessary to prevent loss or deterioration of any cultural or structural integrity. “Good repair” means that level of maintenance and repair which clearly furthers the continued viability of a resource and/or premises for lawful reasonable uses and prevents loss or deterioration of the resource and/or premises. In addition to any other remedies available to the City, this section shall also be enforceable by the Code Enforcement Division of the Community</p>	<p>Duty to Maintain.</p> <p>Every person in possession or control, and the owner, of a Cultural Resource or a building, structure, object or site within a Historic District shall maintain and keep in good repair the exterior of that resource, and all interior portions necessary to prevent loss or deterioration of any cultural or structural integrity. “Good repair” means that level of maintenance and repair which clearly furthers the continued viability of a resource and/or premises for lawful reasonable uses and prevents loss or deterioration of the resource and/or premises. Such maintenance shall be in compliance with all applicable codes, laws and regulations governing the maintenance of</p>	<p>Duty to Maintain.</p> <p>Every person in possession or control, and the owner, of a Cultural Resource or a building, structure, object or site within a Historic District shall maintain and keep in good repair the exterior of that resource, and all interior portions necessary to prevent loss or deterioration of any cultural or structural integrity. “Good repair” means that level of maintenance and repair which clearly furthers the continued viability of a resource and/or premises for lawful reasonable uses and prevents loss or deterioration of the resource and/or premises. Such maintenance shall be in compliance with all applicable codes, laws and regulations governing the maintenance of</p>	<p>Substantive changes bolded.</p> <p>Text revised to address concerns regarding features within a historic district.</p> <p>Text regarding remedies already addressed under Section 20.40.050.</p>

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	Development Department to the full extent permissible by law.	<p>property. In addition to any other remedies available to the City, this section shall also be enforceable by the Code Enforcement Division of the Community & Economic Development Department to the full extent permissible by law.</p> <p>Failure to maintain a Cultural Resource may result in a Determination of Nuisance and Summary Abatement. Any and all remedies are subject to Certificate of Appropriateness requirements as set forth in this title. Retroactive Certificate of Appropriateness requirements shall apply to any emergency remediation undertaken due to legal, illegal, or inadvertent demolition of a Cultural Resource or a building, structure, object, or site within a Historic District.</p>	<p>property. In addition to any other remedies available to the City, this section shall also be enforceable by the Code Enforcement Division of the Community & Economic Development Department to the full extent permissible by law.</p> <p>Failure to maintain a Cultural Resource may result in a Determination of Nuisance and Summary Abatement.</p>	
20.40.010	<p>Violations</p> <p>No person shall alter or demolish a cultural resource in violation of this title, either actively or passively, including through neglect.</p>	<p>Violations</p> <p>It shall be unlawful for any person to permit or maintain violations of any of the provisions of this article by undertaking the alteration, grading, removal, demolition or partial demolition of a Cultural Resource or a building, structure, object or site within a Historic District without first obtaining written approval as provided in this article, or to defy any order or decision rendered by the Historic Preservation Officer or Qualified Designee and the Board.</p>	<p>Violations.</p> <p>No person shall alter or demolish a Cultural Resource or a building, structure, object or site within a Historic District in violation of this title, either actively or passively, including through neglect.</p>	Text revised to address concerns regarding features within a historic district.
20.40.050	<p>Remedies.</p> <p>The City may impose one or more of the following remedies to address any violation of this Title. Selection is in the sole discretion of the City.</p> <p>A. Retroactive Compliance. Apply for and obtain a Certificate of Appropriateness as defined in</p>		<p>Remedies.</p> <p>A. Remedies shall apply to any violation of this Title. All remedies shall be cumulative to each other and not exclusive.</p> <p>B. Remedies are at the sole discretion of the City and may include one or more of the following:</p> <ol style="list-style-type: none"> Administrative Issued Certificate of 	<p>Reorganize to clearly define remedies.</p> <p>Substantive changes bolded, include:</p> <ul style="list-style-type: none"> Admin COAs Board COAs

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	<p>Chapter 20.25, including compliance with all conditions.</p> <p>B. Restoration. A violation may be abated by restoring or reconstructing the Cultural Resource to its original condition prior to the violation. The violator must obtain a Certificate of Appropriateness prior to restoration. Restoration shall use as much of the original material as possible. The City can compel the violator to perform or provide for the restoration, or the City may perform or provide the restoration and recover all of its costs from the violator. The City may place a lien on the property as provided for in Municipal Code chapter 6.15.</p> <p>C. Civil Penalty. If, in the sole judgment of the City, Restoration is not feasible, the City Council may impose a civil penalty equal to the cost of restoring the Cultural Resource to its pre-violation condition, and all administrative and enforcement fees. The City shall fix the costs through appraisals or by soliciting bids. All collected funds shall be set aside and used only for CLG duties and required responsibilities.</p>		<p>Appropriateness:</p> <p>a) A retroactive Certificate of Appropriateness as defined in this Title shall be required; and</p> <p>b) All conditions of the Certificate of Appropriateness shall be satisfied.</p> <p>2. Board Issued Certificate of Appropriateness:</p> <p>a) Retroactive compliance.</p> <p>i. A retroactive Certificate of Appropriateness as defined in this Title shall be required; and</p> <p>ii. All conditions of the Certificate of Appropriateness shall be satisfied.</p> <p>3. Restoration.</p> <p>a) A violation may be abated by restoring or reconstructing the Cultural Resource to its original condition prior to the violation.</p> <p>b) The violator must obtain a Certificate of Appropriateness prior to restoration.</p> <p>c) Restoration shall use as much of the original material as possible. The City can compel the violator to perform or provide for the restoration, or the City may perform or provide the restoration and recover all of its costs from the violator.</p> <p>d) The City may place a lien on the property as provided for in Municipal Code chapter 6.15.</p> <p>4. Civil Penalty.</p> <p>a) If, in the sole judgment of the City, Restoration is not feasible, the City Council may impose a civil penalty equal to the cost of restoring the</p>	<p>Added language to address suggestions by Vice-Chair McDoniel regarding remedies being cumulative. Bolded & italicized</p>

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
			<p>Cultural Resource to its pre-violation condition, and all administrative and enforcement fees.</p> <p>b) The City shall fix the costs through appraisals or by soliciting bids.</p> <p>c) All collected funds shall be set aside and used only for CLG duties and required responsibilities.</p>	
20.40.060	<p>Moratoriums.</p> <p>In addition to Section 20.40.050 above, the City Council may impose up to a five-year moratorium on any City approvals and permits in response to a violation. The purpose of the moratorium is to provide the City an opportunity to study and determine appropriate mitigation measures for the alteration or removal of the Cultural Resource, and to ensure measures are incorporated into any future development plans and approvals for the subject property. Mitigation measures as determined by the City shall be imposed as a condition of any subsequent permit for development of the subject property. All time periods are calculated from the date the City actually learns of the violation. Permits for City-approved restoration of the resource or property are exempt from the moratorium.</p> <p>If a project is proposed for a site under a moratorium, the City Council may reconsider and expunge or modify the moratorium. Expungement will require, at a minimum, retroactive compliance with the Certificate of Appropriateness Process, and CEQA (including mitigation), and an expungement levy of up to treble damages of the penalty defined in Section 20.40.050.C.</p>	<p>Loss of Further Entitlement.</p> <p>Alteration or demolition of a historic structure in violation of this title shall eliminate the eligibility of the structure's lot for any transfer of development rights. Such lot, if it is the site of an unlawfully demolished historic structure from which development rights have been transferred, shall not be issued a Building Permit for any new development for a period of five years from the date the violation occurs, other than as may be required to comply with applicable health and safety requirements and regulations.</p> <p>Any property that remains undeveloped pursuant to this section shall be maintained in such a manner so as to not constitute a public or private nuisance, or otherwise violate this Code. The property shall be maintained in a clean and orderly manner free of junk, trash, debris, litter, abandoned or inoperable vehicles, stagnant water, abandoned excavations, appliances and furniture, storage containers, vegetation that is not in a healthy or living state, and overgrown vegetation. Living vegetation, including trees and shrubs, shall be retained and fully maintained, including necessary watering and trimming, during the construction prohibition period. Living grasses and</p>		Policy decision

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
		<p>groundcovers shall also be retained and fully maintained and new grass and/or groundcover shall be planted at any areas of bare soil to control dust and erosion. All grasses and groundcovers shall not exceed an overall height of six (6) inches. Additionally, vehicles of any type shall not be parked or stored on the property and no remunerative use of any kind shall be allowed. In addition, no permits or use of the property as a parking area shall be allowed during the five years if plans or other evidence for reconstruction or restoration of a demolished structure do not exist, or if the reconstruction or restoration is not completed for any reason.</p> <p>After such time, in no event shall any permit authorize the new construction to exceed the building footprint, height, and square footage, lot coverage, and use of the original structure for a period of twenty years from the unlawful demolition.</p> <p>No Certificate of Appropriateness or permit to demolish a landmark or structure designated pursuant to this title may be issued unless: (1) a building permit has been issued for a replacement structure or project for the property involved; and (2) the applicant has submitted evidence to the satisfaction of the Cultural Heritage Board that a financial commitment has been obtained by the applicant to assure the completion of the structure or project.</p> <p>In addition to any other remedies provided herein, in the event a designated historic resource, a resource pending designation as a historic</p>		

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
		<p>resource, or an eligible historic resource is partially demolished through removal of one or more character defining features in violation of this chapter, the missing features shall be reconstructed and/or replaced in kind to match the original in terms of size, proportions, design, details, materials, and overall appearance. In the event that aspects of the original features cannot be discerned through documentary and/or physical evidence, the Historic Preservation Office shall determine the preferred method of reconstruction or replacement, contingent upon approval by the Board.</p>		
<p>20.40.080 (New Section)</p>		<p>Board Enforcement Referrals</p> <p>Upon minute action of the Cultural Heritage Board, the Board may request a report back from the HPO regarding any matter subject to an enforcement action pursuant to this Chapter. The HPO shall report back within 60 days regarding the matter during the Board’s discussion calendar. The HPO shall provide notice in accordance with section 20.15.030, including any applicable land owner which shall be granted an opportunity to be heard, present evidence, and afforded all due process rights under the law. At the conclusion of said hearing, the Board may: (a) receive and file the report and take no further action on the matter; or (b) make findings supported by substantial evidence of the likelihood of a violation under Title 20 and recommendation on appropriate remedies, if any, to be forwarded for City Council consideration. It shall be the sole discretion of the City Council to take any further action on any enforcement matter referred by the Board.</p>	<p>Code Enforcement Updates</p> <p>The Board may request an update from the HPO regarding any matter subject to an enforcement action pursuant to this Chapter.</p>	<p>Added to address suggestion by Vice-Chair McDoniel, language simplified as Code Enforcement and/or Building & Safety as the enforcement arms of the City, Chapter 1.17 of the RMC.</p>

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
20.40.090 (Suggested new section)		<p>Private Right of Action</p> <p>A. Any violation of this Title may be enforced by a civil action, as provided by law in a court of competent jurisdiction, by any interested person on behalf of the public. In order to maintain such an action, the plaintiff must plead, show and prove that: (a) all administrative remedies have been exhausted; (b) at least thirty days prior to filing suit, plaintiff provided written notice to the property owner or permittee and to the City of: (1) the address of the subject real property, and (2) the specific violation at issue.</p> <p>B. Any person who prevails in such an action shall be entitled to recover from the violator those damages, costs, attorneys' fees, legal or equitable relief, and such other relief as determined by the court. In addition to all other damages, the court may award to the aggrieved person a civil penalty between \$50.00 and \$250.00 for each day of violation.</p> <p>C. The remedies provided by this section are in addition to any other legal or equitable remedies the aggrieved person may have and are not intended to be exclusive.</p>		Private Action already covered in state law. Policy decision
20.40.100 (Suggested new section)		<p>Remedies Cumulative</p> <p>The remedies provided for in this chapter shall be cumulative to each other and not exclusive.</p>		Refer to 20.40.050 for incorporation.

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
20.45.020	<p>Procedures</p> <p>...</p> <p>D. Required Findings. In acting to approve an amendment to the Zoning Ordinance Text or Map, the City Council shall make the following findings:</p> <ol style="list-style-type: none"> 1. The proposed Amendment is generally consistent with the goals, policies, and objectives of the General Plan; 2. The proposed Amendment will not adversely affect surrounding properties; and; 3. The proposed Amendment complies with the purposes of this Title as set forth in Chapter 20.05. 		<p>Procedures</p> <p>...</p> <p>D. Required Findings. In acting to approve an amendment the City Council shall make the following findings:</p> <ol style="list-style-type: none"> 1. The proposed Amendment is generally consistent with the goals, policies, and objectives of the General Plan; and 2. The proposed Amendment complies with the purposes of this Title. 	Remove references to Title 19 (Zoning Code) amendments. Findings should apply to Title 20 as amendments to Zoning Code are addressed in that Title.
20.50.010 (Global)			Remove all bullet points and quotation marks	Simplify as this is unnecessary
20.50.010 (Global)			Remove all processes discussed in definitions, which are found elsewhere in Title 20, for example COA process requirements. Relocate as discussed in section recommendations.	Clearly identify process requirements in other Chapters, reduce conflicts
20.50.010	<p>"Alteration" means any change, modification, or demolition, through public or private action, to the character-defining or significant physical features of properties affected by this Title. In the case of Cultural Resources that are buildings or structures, "alteration" shall include changes to the exterior unless otherwise designated per the designating resolution or per the requirements of the Secretary of Interior's Standards for the Treatment of Historic Properties. Such changes may be: changes to, or modifications of, structural or architectural details, or visual characteristics; grading; surface paving; the addition of new structures; the cutting or removal of designated trees, landscapes or other</p>		<p>"Alteration" means any change, modification, or demolition, through public or private action, to the character-defining or significant physical features of properties affected by this Title. Such changes may be: changes to, or modifications of, structural or architectural details, or visual characteristics; grading; surface paving; the addition of new structures; the cutting or removal of designated trees, landscapes or other natural features; the disturbance of archaeological sites or areas; or the placement or removal of any significant objects such as signs, plaques, light fixtures, street furniture, walls, fences, steps, plantings, or landscape accessories affecting the significant</p>	Move text regarding alteration being exterior to Chapter 20.25

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	natural features; the disturbance of archaeological sites or areas; or the placement or removal of any significant objects such as signs, plaques, light fixtures, street furniture, walls, fences, steps, plantings, or landscape accessories affecting the significant visual and/or historical qualities of the Cultural Resource.		visual and/or historical qualities of the Cultural Resource.	
20.50.010	“Character Defining Features” means the following natural or manmade elements of a Cultural Resource: design general arrangement or components of an improvement, such as site placement, height, scale, and setback; the type, color, and texture of the building materials; construction method; the type and style of windows, doors, lights, signs, and other fixtures. Character Defining Features of buildings or structures are generally external.		Character Defining Features means the overall shape of the building, its materials, craftsmanship, decorative details, architectural features, and the various aspects of its site and environment.	Simplify definition to be similar to the definition provided by the National Parks Service.
20.50.010	“Contributing Feature” to a Historic District, Neighborhood Conservation Area, or individually significant property means a site, improvement, or natural feature that provides appropriate historic context, historic architecture, historic association or historic value, or is capable of yielding important information about the period. Examples of Contributing Features include, but are not limited to: streets, curbs, sidewalks, streetlights, street furniture, signs, landscaping, monuments, and works of art, gutters, setbacks, signage, parkway, alleys, walls, fencing, and gates. Contributing Features in Historic Districts, Neighborhood Conservation areas, or individually significant properties are subject to the Certificate of Appropriateness process.		Contributing Feature means a site, improvement, or natural feature within a Historic District, Neighborhood Conservation Area, or individually significant property that provides appropriate historic context, historic architecture, historic association, or historic value, or is capable of yielding important information about the period including, but not limited to, streets, curbs, sidewalks, streetlights, street furniture, signs, landscaping, monuments, and works of art, gutters, setbacks, signage, parkway, alleys, walls, fencing, and gates	Simplify definition, remove references to COA as this found in Chapter 20.25

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	<p>“Contributor” to either a Historic District or a Neighborhood Conservation Area means a building structure within a Historic District or Neighborhood Conservation Area that provides appropriate historic context, historic architecture, historic association or historic value, or is capable of yielding important information about the period. Contributors in Historic Districts and Neighborhood Conservation areas are subject to the Certificate of Appropriateness Process.</p>		<p>Contributor means a building or structure within a Historic District or Neighborhood Conservation Area that provides appropriate historic context, historic architecture, historic association or historic value, or is capable of yielding important information about the period</p>	<p>Simplify definition, remove references to COA as this found in Chapter 20.25</p>
	<p>“Cultural Resources Overlay Zone” means a zoning category applied to a Historic District to notify the owner and the public. Upon adoption of a historic district resolution by the City Council, the Planning Division shall initiate a rezoning case to apply the CR-Cultural resources overlay zone to the properties within the district. This process shall follow the requirements outlined in Title 19.</p>		<p>Cultural Resources Overlay Zone means a Title 19 zoning category applied to a property identified as a Designated Cultural Resource.</p>	<p>Simplify, refer to Title 19(Zoning)</p>
	<p>“Landmark” means any Improvement or Natural Feature that is an exceptional example of a historical, archaeological, cultural, architectural, community, aesthetic or artistic heritage of the City, retains a high degree of integrity, and meets one or more of the following criteria:</p> <ol style="list-style-type: none"> 1. Exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history; 2. Is identified with persons or events significant in local, state or national history; 3. Embodies distinctive characteristics of a style, type, period or method of construction, or is a valuable example of 		<p>Landmark means:</p> <ol style="list-style-type: none"> A. Any Improvement or Natural Feature that is an exceptional example of a historical, archaeological, cultural, architectural, community, aesthetic or artistic heritage of the City, retains a high degree of integrity: and B. Meets one or more of the following criteria: <ol style="list-style-type: none"> 1. Exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history; 2. Is identified with persons or events significant in local, state or national history; 	<p>Revise to match proposed formatting of Structure of Merit.</p>

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	<p>the use of indigenous materials or craftsmanship;</p> <p>4. Represents the work of a notable builder, designer, or architect, or important creative individual;</p> <p>5. Embodies elements that possess high artistic values or represents a significant structural or architectural achievement or innovation;</p> <p>6. Reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning, or cultural landscape;</p> <p>7. Is one of the last remaining examples in the City, region, State, or nation possessing distinguishing characteristics of an architectural or historical type or specimen; or</p> <p>8. Has yielded or may be likely to yield, information important in history or prehistory.</p> <p>An Improvement or Natural Feature meeting one or more of the above criteria, yet not having the high degree of integrity to qualify as a Landmark, may qualify as a Structure or Resource of Merit (see subsection EE, below).</p>		<p>3. Embodies distinctive characteristics of a style, type, period or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship;</p> <p>4. Represents the work of a notable builder, designer, or architect, or important creative individual;</p> <p>5. Embodies elements that possess high artistic values or represents a significant structural or architectural achievement or innovation;</p> <p>6. Reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning, or cultural landscape;</p> <p>7. Is one of the last remaining examples in the City, region, State, or nation possessing distinguishing characteristics of an architectural or historical type or specimen; or</p> <p>8. Has yielded or may be likely to yield, information important in history or prehistory.</p> <p>An Improvement or Natural Feature meeting one or more of the above criteria, yet not having the high degree of integrity to qualify as a Landmark, may qualify as a Structure (or Resource) of Merit</p>	

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	<p>An Improvement or Natural Feature meeting one or more of the above criteria, yet not formally designated as a Landmark by the City Council, may be an eligible Landmark.</p>		<p>An Improvement or Natural Feature meeting one or more of the above criteria, yet not formally designated as a Landmark by the City Council, may be an eligible Landmark.</p>	
	<p>“Structure or Resource of Merit” means any Improvement or Natural Feature which contributes to the broader understanding of the historical, archaeological, cultural, architectural, community, aesthetic or artistic heritage of the City, retains sufficient integrity, and:</p> <ol style="list-style-type: none"> 1. Has a unique location or singular physical characteristics or is a view or vista representing an established and familiar visual feature of a neighborhood community or of the City 2. Is an example of a type of building which was once common but is now rare in its neighborhood, community or area; 3. Is connected with a business or use which was once common but is now rare; 4. A Cultural Resource that could be eligible under Landmark Criteria no longer exhibiting a high level of integrity, however, retaining sufficient integrity to convey significance under one or more of the Landmark Criteria; 5. Has yielded or may be likely to yield, information important in history or prehistory; or 6. An improvement or resource that no longer exhibits the high degree of integrity sufficient for Landmark designation, yet still retains sufficient integrity under one or more of the Landmark criteria to convey 		<p>Structure (or Resource) of Merit means:</p> <ol style="list-style-type: none"> A. Any Improvement or Natural Feature which contributes to the broader understanding of the historical, archaeological, cultural, architectural, community, aesthetic, or artistic heritage of the City while retains sufficient integrity: and B. Meets on or more of the following criteria: <ol style="list-style-type: none"> 1. Has a unique location, embodies a singular physical characteristic, or contains a view or vista representing an established and familiar visual feature within a neighborhood, community or area. 2. Is an example of a type of building which was once common but is now rare in its neighborhood, community, or area; 3. Is connected with a business or use which was once common but is now rare; 4. Has yielded or may be likely to yield, information important in history or prehistory; or 5. Represents an improvement or Cultural Resource that no longer exhibits the high degree of integrity sufficient for Landmark designation, yet still retains necessary integrity under one or more of the Landmark criteria to convey cultural resource significance as a Structure or Resource of Merit 	<p>Clarify and remove redundant criteria</p>

Title 20 Modifications (May 17, 2023)

Section	Current Title 20 text	Sisson-McDoniel Modification	Subcommittee/Staff Discussed Modification	Purpose
	cultural resource significance as a Structure or Resource of Merit.			