



CITY OF
RIVERSIDE



Historic Preservation Fund Committee

Funding Plan Grant Cycle IV – October 17, 2016

Community & Economic Development Department

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**Historic Preservation
Fund Committee**

**Funding Plan
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I. **Executive Summary**

The City Council created the Historic Preservation Fund Committee (HPFC) in April 2013 by amending and adding to the preservation incentives chapter included in Riverside Municipal Code Title 20—Cultural Resources to allow for a new type of incentive, Historic Preservation Fund Grants. The HPFC consists of 5 members and was established by the Mayor’s Nominating and Screening Committee and the Cultural Heritage Board. The HPFC met regularly to establish the application and criteria for fund disbursement, which was reviewed and approved by City Council in December of 2014.

The Historic Preservation Trust Fund (Fund) was initiated in 2013 with \$600,100 and subsequently gained interest and book sales for a total of \$618,307.55 available to be awarded as of the writing of this report. The HPFC began awarding grant funds in April of 2015. The framework for decision making is found in numerous sources, including: the purpose of Title 20, the description of the Historic Preservation Fund in Title 20, the priority ranking and criteria for use of the fund described in the application, and the further refinement of criteria based upon the preferences and patterns of the HPFC.

Including the grant cycle reviewed in this report there have been four grant cycles to date. The projects approved vary greatly but focus mostly on preservation oriented projects of single family rehabilitations (25) in addition to a Museum, Pubic street features, a Multi-Family, apartment building, a Commercial building, and a Public Park facility will have been rehabilitated. The projects include a variety of types including: roof replacement (5), buildings repainted (7), electrical systems repaired or replaced (2), exterior siding and stucco repaired (7), historic windows rehabilitated (5), porches will have been repaired (5), foundations stabilized (5), Wood Streets monument signs repaired (7), pergolas repaired (4), plumbing repaired (1), rain gutters installed or repaired (2), historic waterfall repaired, and 1000 Landmark Legacy books have been printed.

Twenty (20) applications were received during the August 2016 application period. Of the applications, two (2) were determined not to meet the minimum criteria and were rejected and two (2) were from previous grant awardees. Additionally, one (1) application was continued from the April 11, 2016 meeting for a total of 19 proposals reviewed this report. One application was for an interpretative program and the remaining applications were for repairs and rehabilitation of single family residences. Using the ranking system, staff provided recommendations for funding until the remaining balance of the fund was exhausted. The total amount of funds requested for this grant cycle was \$302,903.50. The total funds recommended for award is \$102,869.00.

As of the printing of this report, the Fund has been exhausted by the awards made to date, with \$2,596.89 remaining for future disbursement. The Fund will continue as book is reimbursed, as interest is accumulated and as grants are returned.

II. **Framework for Decision Making**

The City Council created the HPFC in April 2013 by amending and adding to the preservation incentives chapter included in Riverside Municipal Code Title 20—Cultural Resources to allow for a new type of incentive, Historic Preservation Fund Grants. Title 20 Section 20.30.020 (please see on the following pages) was developed and requires the Committee to develop criteria and a selection process for evaluating applications, including guidelines for matching funds and provisions for emergency grants, which went to City Council for review and approval. The framework for decision making is found in numerous sources, including: the purpose of Title 20, the description of the Historic Preservation Fund in Title 20, the priority ranking and criteria for use of the fund described in the application, and the further refinement of criteria based upon the preferences and patterns of the HPFC.

The application states:

“Preservation Priorities: Projects must promote and accomplish the preservation and acknowledgment of historic buildings, neighborhoods, and landmarks according to Riverside Municipal Code (RMC) Title 20, section 20.05.010, Purpose; maintain the historic authenticity of the structure and address any necessary structural integrity issues involved; contribute to the overall character of the neighborhood; comply with the RMC; and be approved as set forth in RMC Title 20. Active Code Enforcement will be taken into consideration by the HPFC and could make projects ineligible for funding.”

The Historic Preservation Fund priorities are further underscored in Title 20 Section 25.05.010, Purpose of the Cultural Heritage Board, the excerpt of which is on the following pages.

The HPFC developed the provisions shown in the attached application and further described in V. Priority ranking system, with the goal of remaining as flexible as possible to accommodate a broad range and number of preservation, restoration, rehabilitation and identification of Cultural Resource projects consistent with Title 20. The attached HPFC Grant General Provisions describe eligible applicants and activities; include priorities and criteria, as well as general grant conditions, matching fund provisions and how to apply; and provide for emergency grant requests.

The HPFC also, over time, developed refined criteria based upon the decision making patterns for approval and actions taken during the HPFC meetings. These refined criteria are also described in V. Priority Ranking System.

An HPFC meeting schedule was approved to meet quarterly by City Council, with the first regular meeting on January, 12, 2015. Grants were to be awarded twice each year in April and October; emergency grants may be awarded as needed at any HPFC regular or special meeting.

Chapter 20.30**PRESERVATION INCENTIVES****Sections:**

- 20.30.010 Preservation Incentives.**
- 20.30.020 Mills Act Program.**
- 20.30.030 Historic Preservation Fund.**

Section 20.30.010 Preservation Incentives.

The City Council may establish preservation incentives to encourage owners to designate, maintain, preserve, rehabilitate, and improve Cultural Resources. Only properties designated as Cultural Resources pursuant to the provisions of Riverside Municipal Code Title 20 shall be eligible to apply for preservation incentives. (Ord. 7108 §1, 2010; Ord. 6778 § 1, 2004; Ord. 6566 §2, 2001; Ord. 6263 §1 (part), 1996)

Section 20.30.020 Mills Act Program.

Pursuant to Government Code section 50280 *et seq.* ("the Mills Act"), the City Council has established, by Resolution 20825 (as amended) a Mills Act Program providing for contractual agreement with an owner of a historic property as designated by the City Council or listed on any official federal, state, or county register for the purpose of preservation, rehabilitation, and maintenance of a designated historic resource. A Mills Act Agreement allows an owner to receive a reduction in property taxes in exchange for the property owner's commitment to specific repair, restoration and/or rehabilitation improvements and satisfactory maintenance of the Historic Property. A Mills Act Agreement is for a minimum period of ten (10) years, renewed annually, unless a notice of non-renewal or cancellation is filed. Mills Act applications are accepted only during the month of June, and must be actually received by the Planning Division no later than the last business day of the month. A Mills Act application will be acted upon by the City Council before the end of the calendar year during which it was submitted. (Ord. 7206 §19, 2013; Ord. 7108 §1, 2010; Ord. 6566 §2, 2001; Ord. 6263 §1 (part), 1996)

Section 20.30.030 Historic Preservation Fund.

- A. A Historic Preservation Fund Program is hereby established to provide funding for the conservation, preservation, restoration, and rehabilitation of Cultural Resources consistent with the purposes of this Chapter.
- B. The Historic Preservation Fund is hereby established to provide funds for Historic Preservation projects within the City of Riverside.
 - 1. The funds shall be used solely for the conservation, preservation, restoration, and rehabilitation of historical resources as provided in this section.
 - 2. The Financial Administrator of the Historic Preservation Fund shall be the Community Development Director, or designee.
 - 3. All monies designated by the City of Riverside for this Program shall be deposited in the Fund, held and administered by the City's Finance Department.

Separate accounts may be established within the Fund according to origin or intended purpose.

4. In addition to any public moneys appropriated expressly for the Fund, the Program Administrator may apply for grants, gifts, donations, or other financial support, from private sources, pursuant to City policies.
- C. The Fund shall be administered by a Historic Preservation Fund Committee.
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 matching funds, for City Council review and approval.
 5. The Committee shall review and approve or deny applications for grants in accordance with the set criteria.
 6. A simple majority is needed for Committee action.
 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.
 8. Appeals shall follow the procedure in section 20.15.090 (C). City Council actions are final and non-appealable.
 9. No funds shall be made available until the time to appeal has expired, or until any appeals are final.
- D. Grants.

1. Money in the fund shall be available, for grants to public agencies, nonprofit organizations, and private entities to carry out the purposes of this section.
2. No grant shall be made except pursuant to an agreement with the City, and subject to terms and conditions in the grant that ensure that the grant carries out the purposes of this section. Grant agreements shall run with the land, and must be recorded with the County Recorder before any funds may be released.
3. Grants shall be awarded on a competitive basis, except that grants may occasionally be awarded on a noncompetitive basis for emergency purposes only. Provisions for emergency grants will be adopted by the City Council.
4. The Committee may consider and approve applications for grants up to \$25,000, but no more than \$25,000 for any one project, Cultural Resource, or program over any five consecutive years. Applications for grants exceeding those amounts must be considered and approved by the City Council, upon the Committee's recommendation.
5. Matching funds shall make applications more competitive.
6. Excess funds. After completion of a historic preservation project, the grant recipient shall return to the Fund any amount of the grant that exceeds the eligible project costs.

E. Authorized projects.

Grants are available for the following types of projects:

1. Development projects. These are projects that involve the preservation, restoration, or exterior rehabilitation of a historic property.
2. Acquisition of transferrable development rights (TDRs), conservation easements, and façade easements for the purposes of historic preservation.
3. Planning projects. These are projects that identify, document and record historic resources according to applicable local, state and federal standards, and/or contribute to the development of the City's historic context, and/or contribute to the development of a conservation or preservation plan.
4. Interpretive projects. These are projects that create interpretive media to educate the public on Riverside's history and/or cultural resources. For example, landmark plaques and/or historic district signage and other appropriate means of sharing interpretive information.
5. Designation applications. These are projects that prepare designation applications for state and/or national register designation.

6. All funds must be spent as represented in the application. Spending funds except as authorized shall be considered fraud or theft, and may be criminally prosecuted.
- F. Cultural Heritage Board staff shall assist the Committee in executing this Program. If the Cultural Heritage Board staff is unavailable or unable to do so, then the Program staff shall be provided by the City department then administrating the City's Historic Preservation Program.
- G. The City Council shall have the power to review, modify, approve, disapprove, or otherwise consider all Program and Committee actions or decisions, by appeal or on its own motion. (Ord. 7248 §4, 2014; Ord. 7206 §20, 2013)

Chapter 20.05

PURPOSE

Sections:

20.05.010 Purpose.

Section 20.05.010 Purpose.

The purpose of this Title is to promote the public health, safety and general welfare by providing for the identification, protection, enhancement, perpetuation and use of improvements, buildings, structures, signs, objects, features, sites, places, areas, districts, neighborhoods, streets, works of art, natural features and significant permanent landscaping having special historical, archaeological, cultural, architectural, community, aesthetic or artistic value in the City for the following reasons:

- A. To safeguard the City's heritage as embodied and reflected in such resources;
- B. To encourage public knowledge, understanding and appreciation of the City's past;
- C. To foster civic and neighborhood pride and a sense of identity based on the recognition and use of cultural resources;
- D. To promote the enjoyment and use of cultural resources appropriate for the education and recreation of the people of the City;
- E. To preserve diverse and harmonious architectural styles and design preferences reflecting phases of the City's history and to encourage complementary contemporary design and construction;
- F. To enhance property values and to increase economic and financial benefits to the City and its inhabitants;
- G. To protect and enhance the City's attraction to tourists and visitors, thereby stimulating business and industry;
- H. To identify as early as possible and resolve conflicts between the preservation of cultural resources and alternative land uses;
- I. To integrate the preservation of cultural resources and the extraction of relevant data from such resources into public and private land management and development processes;
- J. To conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment.
- K. To implement the City's General Plan.
- L. To work in concert with the City's Zoning Code. (Ord. 7108 §1, 2010; Ord. 6263 §1 (part), 1996)

II. Source of Funding

The Historic Preservation Trust account was started in April of 2013 and was to have a total of \$500,000 available. The initial startup of \$150,000 was in the 721 Fund and \$116,667 will be included annually as a part of the future years' annual budget process for the next three fiscal years. Another \$100,000 was deposited in the fund based upon sales proceeds of the historic former Marcy Library Landmark building for a total of \$600,001.

All monies designated by the City for this program are deposited in the HPF which is an interest bearing account. In addition, the Financial Administrator (the Community Development Director or designee) may apply for grants, gifts, donations, or other financial support, from private sources, pursuant to City policies to further replenish the HPF. The administration and maintenance of the HPF is accomplished with existing staff; therefore, the City will not incur any direct costs. The HPF provides for some increase in property values given the investment in the properties.

IV. Status of Funds

HP Trust Fund Cash	\$613,867.55	
Book Sales	<u>4,440.00</u>	
Funds Available for Awards		\$618,307.55
Previous Awarded Funds		
Cycle I: April 2015	121,520.00	
Cycle II: October 2015	186,000.00	
Cycle III: April 2016	173,702.00	
Special Meeting Sept 2016	<u>31,619.16</u>	
Total Awarded Funds		<u>512,841.16</u>
Available HP Trust Funds		<u><u>\$105,466.39</u></u>

GRANT STATISTICS

- 25 – Single-Family Residences will have been rehabilitated
- 3 – Museum facilities will have been rehabilitated
- 2 – Pubic street features will have been rehabilitated
- 1 – Multi-Family, apartment building will have been rehabilitated
- 1 – Commercial buildings will have been rehabilitated
- 1 – Public Park facility will have been rehabilitated

- 5 – **Roofs** will have been replaced
- 7 – Buildings will have been **repainted**
- 2 – Residences will have **electrical** systems repaired or replaced
- 7 – Buildings have had **exterior siding and stucco** repaired
- 5 – Buildings will have had **historic windows** rehabilitated
- 5 – **Porches** will have been repaired
- 5 – **Foundations** will have been stabilized
- 1 – Residence will have had **plumbing** repaired
- 2 – Residences will have had **rain gutters** installed or repaired
- 7 – Wood Streets **monument signs** will have been repaired
- 4 – **Pergolas** will have been repaired
- 1 – **Historic waterfall** will have been repaired
- 1000 – Landmark Legacy **Books** have been printed

V. PRIORITY RANKING SYSTEM

Projects have been ranked based on priorities and criteria established by the HPFC in the application (outlined below in detail), underscored by the purpose of Title 20 and the HP Fund establishment outlined in Title 20, and furthered by the Criteria Refined in the regular practice of the HPFC discussed at the end of this section.

Priority is given to the eligible projects, according to establishment of the HP Fund in Title 20, in order of importance as follow:

1. Historic Preservation construction projects
2. Acquisition of Transferrable Development Rights (TDRs), conservation easements, and façade easements for the purposes of historic preservation
3. Planning projects
4. Interpretive projects
5. Designation applications

The ranking criteria in the application are summarized in detail as follows:

CRITERIA – In order of importance.

Significance:	The significance of the project or resource. Cultural Resources with higher designation status and/or desperate need may be accorded higher priority consideration over those with lesser status and/or need.
Catalyst:	The degree to which the project furthers preservation priorities in Title 20, and may act as a model for future applicants to follow or catalyst to spur further preservation activities. In general, projects that improve the exterior of the property have a higher visual positive impact to the community and help to further the importance of maintaining, restoring, rehabilitating, and restoring historic properties.
Urgency:	The need for funding and the urgency of the project. Projects that are necessary for further deterioration prevention of the historic property are considered projects that improve the integrity of the property. Non-preservation or restoration project are considered to be less urgent.
Budget:	The project's budget feasibility. This includes whether or not any matching funds or improvements are proposed by the applicant.
Impact:	The long-term objectives or positive impact to be derived from the project. Project that repair the structure of a historic property are considered to have a greater long-term impact than project that are cosmetic or routine maintenance. Generally, the impact can be determined by average life-span of the proposed project.

Timeline:	The project's timeline. The project must be completed within one (1) year of recording of the executed contract. The feasibility of completing the project within this timeframe is a factor.
Qualifications:	The qualifications of the key personnel, including consultants and/or contractors. The personnel must be competent in completing the project appropriately.

CRITERIA REFINED

The criteria has been further refined by established preferences and decision making patterns of the HPFC in previous grant cycle public meetings.

Some of these preferences and decision making patterns include:

- Exterior projects preferred over interior projects because of visibility and impact.
- Projects that focus on building improvements of actual historic buildings and character defining features rather than site improvements or supporting new construction.
- Projects that are focused on physical preservation (often called bricks and mortar projects) rather than interpretative educational projects.

VI. PROJECT PROPOSALS

SUMMARY OF PROJECTS

Twenty (20) applications were received during the August 2016 application period. Of the applications, two (2) were determined not to meet the minimum criteria and were rejected and two (2) were from previous grant awardees. Additionally, one (1) application was continued from the April 11, 2016 meeting for a total of 19 proposals reviewed in the table below. One application was for an interpretative program and the remaining applications were for repairs and rehabilitation of single family residences. The total amount of funds requested for this grant cycle was \$302,903.50. The total fund recommended for award is \$102,869.00. The total fund remaining for future award is \$2596.89. The types of projects include: exterior repairs, such as re-roof and window repairs; interior repairs, such as cabinetry and flooring; structural foundation repairs; and upgrades to electrical and plumbing systems.

Each project was ranked using the previously described ranking system. Using the ranking system, staff provided recommendations for funding until the remaining balance of the fund was exhausted. The table below provides detailed information of the proposal and staff's funding recommendations.

List of Grant Proposals (in order of ranking)

1	Case# P16-0125	
	Address:	4159 Mission Inn Ave.
	Applicant:	Gladys Brown
	Priority Supported:	Preservation
	Amount Requested:	\$11,062.50
	Matching Funds:	\$11,062.50
	Recommended Award:	\$11,062.00
	Project Description:	The project will include repairs to the foundation and plaster walls, replace portions of exterior wood cladding that has rotted, rewire the residence, and replace switches and outlet receptacles.
	Property Description:	Single-story, Hipped Roof Cottage style, single family residence constructed in 1905. The residence is City Structure of Merit #232 and a Contributor to the Seventh Street Historic District.
2	Case# P16-0571	
	Address:	2490 Prince Albert Dr.
	Applicant:	Kathy Allavie
	Priority Supported:	Preservation
	Amount Requested:	\$25,000.00
	Matching Funds:	\$35,000.00
	Recommended Award:	\$25,000.00

	Project Description:	The project will include a like-for-like re-roofing of the residence and garage.
	Property Description:	Two-story Colonial Revival style, single family residence constructed in 1891. The residence is City Landmark # 89 and City Structure of Merit #76.
3	Case# P16-0583	
	Address:	3692 Larchwood Pl
	Applicant:	Michele Cary
	Priority Supported:	Preservation
	Amount Requested:	\$22,807.00
	Matching Funds:	\$0 – Hardship
	Recommended Award:	\$22,807.00
	Project Description:	The project will include a like-for-like re-roofing and exterior painting of the residence.
	Property Description:	Single-story Vernacular Cottage style, single family residence constructed in 1923. The residence is City Structure of Merit #814 and Contributor to the Wood Streets Neighborhood Conservation Area.
4	Case# P16-0577	
	Address:	3728 Rosewood Pl
	Applicant:	Shwu-Ying Jong
	Priority Supported:	Preservation
	Amount Requested:	\$10,000.00
	Matching Funds:	\$10,000.00
	Recommended Award:	\$10,000.00
	Project Description:	The project will include a like-for-like re-roofing of the residence.
	Property Description:	Single-story Normandy style, single family residence constructed in 1924. The residence is a Contributor to the Wood Street Neighborhood Conservation Area.
5	Case# P16-0588	
	Address:	4925 Brockton Ave
	Applicant:	Stephen Gaskins
	Priority Supported:	Preservation
	Amount Requested:	\$9,000.00
	Matching Funds:	\$9,000.00
	Recommended Award:	\$9,000.00
	Project Description:	The project will include a like-for-like re-roofing of the residence.
	Property Description:	Two-story California Bungalow style, single family residence constructed in 1911. The residence is a Contributor to the Wood Street Neighborhood Conservation Area.
6	Case# P16-0575	
	Address:	4957 Magnolia Ave
	Applicant:	Karen Stegmann
	Priority Supported:	Preservation
	Amount Requested:	\$25,800.00
	Matching Funds:	\$1,804 - Hardship
	Recommended Award:	\$25,000.00

	Project Description:	The project will include painting of the house and garage, repairing windows and screens, and like-for-like re-roofing.
	Property Description:	Two-story California Bungalow style, single family residence constructed in 1922. The residence is a Contributor to the Wood Street Neighborhood Conservation Area.
7	Case# P16-0596	
	Address:	3944 Fourth St
	Applicant:	Yung Yuan Koa
	Priority Supported:	Preservation
	Amount Requested:	\$25,000.00
	Matching Funds:	\$50,000.00
	Recommended Award:	\$0, the fund has been exhausted.
	Project Description:	The project will include the repair of the residence's brick foundation.
	Property Description:	A one and a half story Folk Victoria style, single family residence constructed in 1909. The residence is a Contributor to the Mile Square Northwest Potential Historic District.
8	Case# P16-0480	
	Address:	5643 Magnolia Ave
	Applicant:	Keith Townsend
	Priority Supported:	Preservation
	Amount Requested:	\$16,852.00
	Matching Funds:	\$16,852.00
	Recommended Award:	\$0, the fund has been exhausted.
	Project Description:	The project will include the repair of the exterior wood which has rotted on the house, garden house, and carriage house.
	Property Description:	Two-story Queen Anne style, single family residence constructed in 1885. A 1980 Intensive-Level survey determined the property was eligible as a local designation and it was given the California Historical Resources Code 5S1 (today's 5S2) – Individual property that is eligible for local listing or designation. This residence is known as the Rebecca Shaw house.
9	Case# P16-0591	
	Address:	4595 University Ave
	Applicant:	Barbara Pope
	Priority Supported:	Preservation
	Amount Requested:	\$25,000.00
	Matching Funds:	\$77,499.00
	Recommended Award:	\$0, the fund has been exhausted.
	Project Description:	The project will include a like-for-like re-roofing of the residence.
	Property Description:	Three-story Mission Revival style, single family residence constructed in 1913 and designed by G. Stanley Wilson. The residence is City Structure of Merit #346 and a Contributor to the Mount Rubidoux Historic District.
10	Case# P16-0548	
	Address:	4404 Ninth St
	Applicant:	Kaitlin Chell

	Priority Supported:	Preservation
	Amount Requested:	\$4,870.00
	Matching Funds:	\$4,870.00
	Recommended Award:	\$0, the fund has been exhausted.
	Project Description:	The project will include a like-for-like re-roofing of the residence, repair of the stucco exterior and exterior wood trim, landscaping, widow repair and rescreening, restoration of kitchen cabinets, restoration of kitchen tile and flooring, reconfiguration and restoration of bathroom cabinets and fixtures, restoration of fireplace, reconfiguration and restoration of mudroom, and restoration of the attic.
	Property Description:	Single-story Craftsman Bungalow style, single family residence constructed in 1923. The residence is a Contributor to the Evergreen Quarter Historic District.
11	Case# P16-0574	
	Address:	4458 Rosewood Pl
	Applicant:	Richard Savage
	Priority Supported:	Preservation
	Amount Requested:	\$5,000.00
	Matching Funds:	\$5,000.00
	Recommended Award:	\$0, the fund has been exhausted.
	Project Description:	The project will include earthquake retrofitting to secure the residence to the foundation.
	Property Description:	Single story Vernacular Bungalow style, single family residence constructed in 1911. The residence is City Structure of Merit #631 and a Contributor to the Rosewood Place Historic District and the Wood Streets Neighborhood Conservation Area.
12	Case# P16-0597	
	Address:	2691 Orange St
	Applicant:	Cherie Robinson
	Priority Supported:	Preservation
	Amount Requested:	\$11,257.50
	Matching Funds:	\$11,257.50
	Recommended Award:	\$0, the fund has been exhausted.
	Project Description:	The project will include the repair windows and doors at the residence.
	Property Description:	Two-story Prairie style, single family residence constructed in 1938. The residence is City Structure of Merit #193.
13	Case# P16-0595	
	Address:	4040 Fourth Street
	Applicant:	Mark Francisco
	Priority Supported:	Preservation
	Amount Requested:	\$25,000.00
	Matching Funds:	\$25,000.00
	Recommended Award:	\$0, the fund has been exhausted.
	Project Description:	The project will include an upgrade to the electrical panel and wiring as need and paint the exterior of the main residence.

	Property Description:	Two-story American Foursquare style, converted single family residence constructed in 1910. The residence is a Contributor to the Mile Square Northwest Potential Historic District. This property is an income producing property.
14	Case# P16-0594	
	Address:	3057 Locust Street
	Applicant:	Kathe Mate
	Priority Supported:	Preservation
	Amount Requested:	\$25,000.00
	Matching Funds:	\$0 – Hardship
	Recommended Award:	\$0, the fund has been exhausted.
	Project Description:	The project will include the upgrade of the electrical and plumbing of the residence.
	Property Description:	Single-story Craftsman Bungalow style, single family residence constructed in 1913. The residence is a Contributor to the Mile Square Northwest Potential Historic District.
15	Case# P16-0569	
	Address:	3746 Farnham Pl
	Applicant:	Rogelio Garcia
	Priority Supported:	Preservation
	Amount Requested:	\$25,000.00
	Matching Funds:	\$6,200.00
	Recommended Award:	\$0, the fund has been exhausted.
	Project Description:	The project will include the restoration of kitchen and bathrooms, repair of interior stair banister, replacement of existing flooring with wood flooring, refurbishment of old door, changing of windows and installation of screens, the repair of porch railings and painting, reinforcement of chimney, installation of awnings, upgrading plumbing, installation of a shower in second bathroom, painting of the interior, and the of repair eaves and gutters
	Property Description:	Two-story Dutch Colonial Revival style, single family residence constructed circa 1913. A 2003 Intensive-Level survey determined the property was eligible as for local designation and it was given the California Historical Resources Code 5S2 - Individual property that is eligible for local listing or designation.
16	Case# P16-0590	
	Address:	4414 Fourteenth St
	Applicant:	Evergreen Memorial – Kathy Allavie, President
	Priority Supported:	Interpretation
	Amount Requested:	\$15,000.00
	Matching Funds:	\$15,838.80
	Recommended Award:	\$0, the fund has been exhausted.
	Project Description:	The project is to create an interpretative program, which includes a website, informational signage, and tours at a historic cemetery.
	Property Description:	The property associated with this project is Evergreen Cemetery, Riverside’s first cemetery. It is City Landmark #67 and a Contributor to the Evergreen Quarter Historic District.

17	Case# P16-0587	
	Address:	3680 Ramona Dr
	Applicant:	Andria Kruse
	Priority Supported:	Preservation
	Amount Requested:	\$25,000.00
	Matching Funds:	\$0
	Recommended Award:	\$0, the fund has been exhausted.
	Project Description:	The project will include installation of hardwood floors, repair of bathroom floors, shower tile and plaster repair, ventilation system installation, counter and cabinet repair or replacement.
	Property Description:	Single-story California Bungalow style, single family residence constructed in 1920. The residence is City Structure of Merit #662 and a Contributor to the Wood Streets Historic District and the Wood Streets Neighborhood Conservation Area.
18	Case# P16-0592	
	Address:	5081 Magnolia Ave
	Applicant:	Jack MacPhetridge
	Priority Supported:	Preservation
	Amount Requested:	\$12,500.00
	Matching Funds:	\$16,000.00
	Recommended Award:	\$0, the fund has been exhausted.
	Project Description:	The project will include a like-for-like re-roofing of the residence.
	Property Description:	Two-story Queen Anne style, single family residence constructed circa 1900. The residence is a Contributor to the Wood Streets Neighborhood Conservation Area.
19	Case# P16-0593	
	Address:	4570 Beatty Dr
	Applicant:	Michelle Hong
	Priority Supported:	Preservation
	Amount Requested:	\$11,200.00
	Matching Funds:	\$12,460.00
	Recommended Award:	\$0, the fund has been exhausted.
	Project Description:	The project will include repairs to the exterior stucco of the residence and repairs to the driveway.
	Property Description:	Single-story Spanish Colonial Revival style, single family residence constructed in 1929. The residence is a Contributor to the Palm Heights Subdivision Historic District.

VII. ENVIRONMENTAL ASSESSMENT

The projects have been reviewed by staff and have been determined exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Guidelines Sections 15061(b)(3) or 15311.

Interpretative projects have no potential for a significant effect on the environment and as such are categorically exempt from the provisions of CEQA per Section 15061(b)(3) of the CEQA Guidelines.

Projects that are consistent with the Secretary of the Interiors Standards for the treatment of Historic Properties are categorically exempt from the provisions of CEQA per Section 15331 of the CEQA Guidelines.

VIII. PUBLIC NOTICE

Notice of the October 17, 2016 public meeting was completed pursuant to Section 20.15.085(B) of the Riverside Municipal Code. Which states, "Notice shall be given to property owner and to the owners of adjacent properties or those across a street or alley." Noticing occurred on September 30, 2016, seventeen (17) calendar days prior to the meeting.

APPENDIX

1. HPFG General Provisions
2. HPFG Application Form
3. Sample Contract
4. City Council Report - April 9, 2013
5. City Council Report - December 16, 2014



City of Arts & Innovation

COMMUNITY DEVELOPMENT DEPARTMENT HISTORIC PRESERVATION, NEIGHBORHOODS, & URBAN DESIGN DIVISION

HISTORIC PRESERVATION FUND GRANT GENERAL PROVISIONS

ELIGIBLE APPLICANTS AND ACTIVITIES

- Historic Preservation Fund (HPF) grants are awarded by the HPF Committee (HPFC). Grant proposers eligible to receive funds include public agencies, nonprofit organizations, private entities, and individuals. Property owner authorization and consent are required for projects affecting private property.
- Preservation Priorities: Projects must promote and accomplish the preservation and acknowledgment of historic buildings, neighborhoods, and landmarks according to Riverside Municipal Code (RMC) Title 20, section 20.05.010, Purpose; maintain the historic authenticity of the structure and address any necessary structural integrity issues involved; contribute to the overall character of the neighborhood; comply with the RMC; and be approved as set forth in RMC Title 20. Active Code Enforcement will be taken into consideration by the HPFC and could make projects ineligible for funding.
- Eligible projects include the following, listed in order of priority for funding:
 - Historic Preservation construction projects. These include projects that involve the preservation, restoration, or exterior rehabilitation of a historic property.
 - Acquisition of Transferrable Development Rights (TDRs), conservation easements, and façade easements for the purposes of historic preservation.
 - Planning projects. These are projects that identify, document and record historic resources according to applicable local, state, and federal standards, and/or contribute to the development of the City's historic context, and/or contribute to the development of a conservation or preservation plan.
 - Interpretive projects. These are projects that create interpretive media to educate the public on Riverside's history and/or cultural resources. For example, landmark plaques and/or historic district signage and other appropriate means of sharing interpretive information.
 - Designation applications. These are projects that prepare designation applications for state and/or national register designation.
- Priority and emergency projects include building envelope repairs that are publicly visible and those related to structural integrity, weather tightness, fire hazards, and other damage.
- Only one application per entity may be funded per grant cycle at the discretion of the HPFC. Grants may be awarded at an amount lower than proposed by the applicant, at the discretion of the HPFC.
 - No more than \$25,000 may be awarded by the HPFC for any one project, Cultural Resource, or program over any five consecutive years. Applications for grants exceeding those amounts must be considered and approved by the City Council, upon the HPFC's recommendation.¹

¹ Per RMC Title 20 section 20.30.030(D)(4)

- All grant-awarded projects must obtain any and all necessary approvals and permits required for the type of project, which may include but is not limited to Certificate of Appropriateness, other Planning entitlements, building permits, grading permits, encroachment permits and approvals from other departments and agencies, etc., when required.
- Applications may be submitted during scheduled semi-annual grant cycles (except that applications for bona fide emergency situations as determined by the Historic Preservation Officer may be submitted at any time).

GRANT CONDITIONS

- Although matching funds are not required, they may make applications more competitive in the grant award process at the discretion of the HPFC. Owner-occupied single family residential projects may be eligible for a waiver of matching fund rating with verified proof of a demonstrated financial need. Matching funds may include HERO or other rebates offered by the Public Utilities Department.
- HP Funds should not be used in lieu of other available programs.
- All projects must conform to the Secretary of the Interior's Standards, and be approved as set forth in RMC Title 20.
- All funds must be spent as represented in the application. Spending funds except as authorized shall be considered fraud or theft, and may be criminally prosecuted. Expenses incurred prior to the award of funds are not eligible.
- Contractors must be licensed for the type of work proposed and have demonstrated applicable experience. Consultants must meet applicable Secretary of the Interior's Professional Qualification Standards.
- Funds are awarded based upon the execution of a grant agreement for performance on non-construction projects or performance and maintenance for construction projects (which will be recorded on the property) between the City and the property owner.
- Grantees must sign a publicity release and allow the City to use the subject structure, project and/or organization in promotional materials.
- For construction projects, a Community Development Department Historic Preservation Fund sign, which will be provided at no cost to the grantee, must be displayed for the duration of the project construction in a location approved by CHB staff in order for any grant monies to be released.
- Within one year from the fund award date, a final report and financial accounting of the expenditure of the grant must be submitted, including the finalized building permit, if required, and a letter confirming that grant funded work is complete. If the project is not completed in accordance with the grant agreement, the grant may be reduced or revoked with corresponding reductions in reimbursement and/or requirement for repayment of any disbursed funds. Grants will typically be awarded on a reimbursement basis, but may be awarded by the HPFC in advance or some combination of advance and reimbursement, on a case by case basis.
- Construction projects must be documented with a photographic record before, during and after. For unique features and/or work processes, a written description of the process and tools used to complete the project shall be required. Final completion shall be documented by photographs with captions.

SELECTION CRITERIA

Grant recipients will be selected by considering, among other points, the following criteria:

- The significance of the project or resource. Cultural Resources with higher designation status and/or desperate need may be accorded higher priority consideration over those with lesser status and/or need.
- The degree to which the project furthers one of the preservation priorities mentioned above, and may act as a model for future applicants to follow or catalyst to spur further preservation activities.
- The need for funding and the urgency of the project.
- The project's budget feasibility, and whether any matching funds or improvements are proposed by the applicant.
- The project's timeline.
- The long-term objectives or positive impact to be derived from the project.
- The qualifications of the key personnel, including consultants and/or contractors.

HOW TO APPLY

You will need the following items as part of your HP Fund application:

- Completed application, which includes a budget section that outlines proposed expenses and revenue (grant funds and any other sources) for the project.
- Up to four digital images of high quality (300 dpi), with caption and credit information.
- A list of the applicant's current board of directors (nonprofit organizations and corporations/LLCs).
- If applicable, applicant's Internal Revenue Service determination letter of tax-exempt status. If tax-exempt status has not been fully approved by the IRS, please provide evidence of filing for certification and letter of opinion from an attorney concerning the applicant's tax status (nonprofit organizations).
- Resume/qualifications of consultant/contractor for construction project (if already chosen).
- Resume/experience of consultant and/or other personnel administering project.
- Up to three letters of endorsement.
- Complete applications must be received by the deadline for the applicable grant award cycle. Grant awards will typically be announced at the HPFC meeting approximately 45 days after the deadline (refer to schedule). However, emergency project applications will be considered at the next available HPFC meeting after a complete submittal.

G:\CHB\Project Files\HP_Fund_Committee\Criteria_12-14.docx



City of Arts & Innovation

COMMUNITY DEVELOPMENT DEPARTMENT
HISTORIC PRESERVATION, NEIGHBORHOODS,
& URBAN DESIGN DIVISION

HISTORIC PRESERVATION FUND GRANT APPLICATION FORM

SECTION I – TO BE COMPLETED FOR ALL REQUESTS

Property Owner Information (Attach current title report)

First Name:		Last Name:		Middle Initial:	
Address:		City:		Zip Code:	
Phone (Day):		Phone (cell):		Email:	

Applicant Information (If different from property owner)

First Name:		Last Name:		Middle Initial:	
Firm Name:		Title:		Professional License:	
Firm Address:		City:		Zip Code:	
Phone (day):		Phone (cell):		Email:	

Property Information

Street Address:		City Council Ward and Neighborhood:	
Cultural Resource Name:		Designation Date:	
Designation Level (Local, California, or National Register):		Is the property owned or leased?	
Date of Construction:		Lease Expiration Date: (attach lease)	
Construction materials:			

Property Existing Conditions (Submit photographic documentation of the project in its current state)

Use of building:	
Floor area (square feet):	

Property conditions which warrant the use of Historic Preservation Funds and reasons the conditions exist, if known (attach additional sheets as necessary):

Certificate of Appropriateness Case #		Plan Check/Building Permit #	
Planning Case #		Other	
Project Description (Submit an estimate of the cost and scope on the contractor's letterhead):			
Specific issues to be addressed with Historic Preservation Funds, and why the funds are needed (attach additional sheets as necessary):			
Funds will generally be awarded on a reimbursement basis. If the project will be phased or will have specific construction milestones, please provide an explanation (attach supporting documentation):			
HP Fund amount requested:			\$
Other funding (matching) sources and amounts:			\$
			\$
			\$
			\$
			\$
			\$
			\$
Total Project Cost:			\$
COMPLETE ADDITIONAL SECTIONS AS INDICATED. FOR OWNER-OCCUPIED SINGLE FAMILY RESIDENCES, SKIP TO SECTION V			
SECTION II – TO BE COMPLETED FOR EMERGENCY PROJECTS			
Describe what sudden, unexpected project is needed and how it impacts the cultural resource:			

SECTION III – TO BE COMPLETED FOR NONPROFIT OWNED PROPERTIES

Name of Entity:		IRS Recognition Date:	
Provide the exemption application and either Form 990, 990EZ or 990PF returns for the past three years or Form 8734.			
Is this property exempt from property taxation (Cal. Rev. & Tax Code, § 214 et seq.)?			
Website:			

SECTION IV – TO BE COMPLETED FOR COMMERCIAL AND INCOME PRODUCING PROPERTIES

Type of Business:		Business License Number:	
Describe funding gap that Historic Preservation Funds would meet (attach pro forma):			
Website:			

SECTION V – TO BE COMPLETED FOR ALL PROPERTIES

I have reviewed the Historic Preservation Fund Grant General Provisions and do hereby agree to comply with them to be eligible for program participation. All information provided herein is correct and complete to the best of my knowledge.

I understand that a grant proposal application or grant award does not constitute approval of the proposed project. A Certificate of Appropriateness, a Building Permit, and other entitlements may be required prior to commencement of work.

If a grant is awarded, execution of a separate performance covenant and agreement must be executed and recorded prior to commencement of work. A sample document, which will be tailored to fit the individual project, is available for review at this time. The property owner is encouraged to consult with their attorney prior to execution of the document. Failure to complete the entire project according to executed performance covenant and agreement requirements, including but not limited to industry standards for procedures, materials and workmanship, or failure to secure entitlements, or to comply with all approved plans, scopes of work, permits, and conditions of approval may result in enforcement of the covenant and agreement provisions, at the discretion of the City.

Property Owner Signature: <i>Required for all applications</i>		Date:	
Printed Name:			
Applicant Signature:		Date:	
Printed Name		Title:	

G:\CHB\HP_Fund_Committee\clean docs\HPFC Application-rev-01-06-15.docx

WHEN RECORDED MAIL TO:

City Clerk

City of Riverside

City Hall, 3900 Main Street

Riverside, CA 92522

Project: Insert Address Here

APN:

For Recorder's Office Use Only

AGREEMENT AND DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
(HISTORIC PRESERVATION FUND GRANT)

THIS AGREEMENT AND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made and entered into this ____ day of _____, 20__, by _____, a _____ {Insert entity type} _____ ("Grantee") and the City of Riverside, a California charter city and municipal corporation ("City"), with reference to the following facts:

A. Grantee is the fee owner of the real property in the City of Riverside, County of Riverside, State of California, located at _____ {Insert address} _____, Assessor's Parcel Number _____ (the "Property," legally described in Exhibit "A," attached hereto and incorporated within).

B. Grantee applied for a Historic Preservation Fund grant in order to perform a certain project (the "Project") for the conservation, preservation, restoration, and/or rehabilitation of a Cultural Resource consistent with the purposes of Riverside Municipal Code section 20.30.030.

C. The Historic Preservation Fund Committee reviewed the Project according to the criteria and selection process for evaluating applications and approved an award of _____ Dollars (\$_____) for _____ {Insert why we are giving them the money} _____ in exchange for this Agreement and Declaration of Covenants, Conditions and Restrictions ("Agreement").

D. In order to conserve, preserve, restore, and/or rehabilitate a Cultural Resource within the City, the City and Grantee desire to enter into this Agreement, which guarantees performance of the Project and places certain restrictions on the exterior property to ensure its continued maintenance.

E. Riverside Municipal Code section 20.30.030 requires that this Agreement, and its obligations, shall run with the land and be binding on future owners, and must be recorded with the County Recorder before any funds may be released.

F. Grantee desires to fulfill its obligations under the Agreement, and to put future owners on notice of the Agreement, so that the purposes of the Grant, and the terms of the Agreement, shall be effectuated in perpetuity.

NOW, THEREFORE, Grantee and City hereby agree as follows:

1. Disbursement of Grant Funds. Grant funds shall be disbursed after Project work has been completed. To receive Grant funds, Grantee shall have completed the Project, received all approvals, complied with all Grant requirements, and passed all inspections. No payment shall be made for work not listed in the Project Description. No advance payments shall be made. Grantee's failure to complete the Project, or to apply for payment according to the disbursement schedule within the Project Description, shall be a waiver of any right to Grant funds.

2. Project Description and Standard of Performance. Grantee shall perform the Project as described the "Project Description," attached hereto and incorporated within as Exhibit "B." The Project Description shall include: plans; description of the work and materials; milestones and reports as appropriate; a disbursement schedule; and, other elements as deemed appropriate by the City. No material deviation from the Project Description is allowed without the prior written consent of the City Council. All funds must be spent as represented in the application and shown in the Project Description.

3. Compliance with Laws, Codes, and Regulations. The Project is subject to the filing and approval of a Certificate of Appropriateness request and any resulting conditions, according to RMC Title 20. The Project shall comply with the applicable Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties, 1995. Grantee shall be responsible to obtain all required approvals, permits, and inspections, and complete the project as evidenced by a finalized building permit.

4. Equal Opportunity. Grantee agrees not to discriminate against any employee or applicant for employment because of actual or perceived race, color, national origin, creed, age, gender, marital status, sexual orientation, religion, mental and physical disabilities, sex (including pregnancy), personal appearance, gender identity or expression, family responsibilities, genetic information, matriculation, political affiliation or veteran status.

5. Retention of Records. Grantee shall maintain auditable records of all expenditures under this grant for three (3) years after completion of this grant assisted Project.

6. Planning for Preservation Work. Grantee shall ensure that any documents or plans for preservation work that result from the Project will conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties, as appropriate.

7. Publicity and Acknowledgement of Grant Assistance. Grantee shall list the City of Riverside Historic Preservation Fund as a supporter in any printed material and publicity releases. Should material emanating from this preservation activity be published for distribution,

appropriate acknowledgement of the Committee's participation shall be given using the following statement:

"This project has been funded by a grant from the Historic Preservation Fund of the City of Riverside"

Or

"This project has been funded [in part] by a grant from the Historic Preservation Fund of the City of Riverside"

as appropriate. In accepting this grant, Grantee agrees to provide the City of Riverside with a non-exclusive, royalty free license to use, and to allow others to use, any reports or other materials funded by the grant.

8. Project End Date. The Project shall be completed within one year, commencing ten days after the grant was awarded by the Historic Preservation Fund Committee, or the date any appeals are final. Should any problems arise, a written request for an extension of the project must be submitted to the Historic Preservation Fund Committee at least 30 days prior to the expiration date.

9. Final Report. Within 30 days of the Project end date, Grantee shall submit a final report and financial accounting on the use of the grant award, as well as any materials or reports emanating from the grant award to the HPFC.

10. Standard of Maintenance. Grantee shall maintain and keep the Property in good repair at its sole cost and expense according to RMC chapter 20.35, any other section(s) of the RMC, and any other applicable requirement.

11. Failure to Perform. If Grantee fails to perform the maintenance as required hereunder, Grantee shall reimburse the City for all Grant funds. Failure to reimburse the Agency within thirty (30) days from the date of invoicing shall entitle the Agency to record a notice of lien against the Property, and to take other actions including, in the City's discretion, enforcement of the lien through an action in foreclosure.

12. Enforcement. In addition to other available remedies and at the election of the City, failure to comply with this Agreement shall be deemed a violation of RMC section 20.35 relating to duty to maintain. Grantee hereby waives all protests, challenges, objections, claims and causes of action of whatever kind or nature including constitutional claims, if any, arising out of the City's enforcement of this Agreement. If the City elects to proceed against Grantee under the provisions of the RMC, such action will also include any and all rights to impose a special assessment lien against the Property.

13. This Agreement may only be amended by mutual writing, as approved by the Historic Preservation Fund Committee, or the City Council, as appropriate, and duly recorded.

IN WITNESS WHEREOF, Grantee has caused this Covenant and Agreement to be executed as of the day and year first written above.

City:

THE CITY OF RIVERSIDE,
a California Charter City and
municipal corporation

By: _____

Grantee and Declarant:

_____,
a _____

By: _____
Name:
Title:

By: _____
Name:
Title:

Certified as to Availability of Funds:

By: _____
Assistant City Manager/CFO

APPROVED AS TO FORM:

Deputy City Attorney

ACKNOWLEDGMENT

State of California

County of _____)

On _____, before me, _____, a notary public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SAMPLE

EXHIBIT "A"

LEGAL DESCRIPTION

SAMPLE

EXHIBIT "B"

PROJECT DESCRIPTION

SAMPLE



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: APRIL 9, 2013
FROM: COMMUNITY DEVELOPMENT DEPARTMENT WARD: ALL
SUBJECT: PLANNING CASE P12-0659 – TITLE 20 CODE AMENDMENT

ISSUE:

The issue for City Council consideration is a proposal by the Community Development Department to amend Title 20 Code to include additional Preservation Incentives and other minor updates.

RECOMMENDATIONS:

That the City Council:

1. Determine that the proposed case will not have a significant effect on the environment based on the findings set forth in the case record and recommend adoption of a Negative Declaration;
2. Approve Planning Case P12-0659, thereby adopting the Title 20 Code Amendment based on and subject to the findings, recommended conditions and text revisions; and
3. Introduce and subsequently adopt the appropriate Ordinance.

CULTURAL HERITAGE BOARD RECOMMENDATIONS:

Staff recommended approval subject to recommended conditions of approval. On February 20, 2013, the Cultural Heritage Board recommended approval of Planning Case P12-0659 by a vote of 6 ayes, 0 noes and 0 abstentions, based on and subject to the findings, recommended conditions and text revisions.

BACKGROUND:

Please refer to the February 20, 2013 Cultural Heritage Board staff report, recommended conditions and draft minutes.

FISCAL IMPACT:

The Historic Preservation Trust account will have a total of \$500,000 available. The initial start-up of \$150,000 is currently available in the 721 Fund and \$116,667 will be included annually as a part of the future years' annual budget process for the next three fiscal years.

Prepared by: Emilio Ramirez, Deputy Director
for Al Zelinka, FAICP, Community Development Director

Certified as to
availability of funds: Brent A. Mason, Finance Director/Treasurer

Approved by: Deanna Lorson Assistant City Manager
for Scott C. Barber, City Manager

Approved as to form: Gregory P. Priamos, City Attorney

Attachments:

1. Conditions
2. Cultural Heritage Board Staff Report – February 20, 2013
3. Cultural Heritage Board Minutes – February 20, 2013
4. Ordinance

CULTURAL HERITAGE BOARD
RECOMMENDED CONDITIONS

Planning Case P12-0659

CHB Meeting Date: February 20, 2013

CONDITIONS

Case Specific

1. The Cultural Resources Code (Title 20) shall be amended as shown in Exhibit 1.
2. The City Attorney's Office shall prepare the appropriate ordinance for City Council adoption of the Resources Code text amendments within 30 days.

GENERAL INFORMATION NOTES

1. Appeal Information
 - a. Actions by the Cultural Heritage Board, including any environmental finding, may be appealed to the City Council within 15 calendar days, after the date of decision.
 - b. Appeal filing and processing information may be obtained from the Community Development Department, Planning Division, Public Information Section, 3rd Floor, City Hall.



City of Arts & Innovation

COMMUNITY DEVELOPMENT DEPARTMENT Planning Division

Cultural Heritage Board *CULTURAL RESOURCES CODE AMENDMENT*

AGENDA ITEM NO.: 3

WARD: ALL

CULTURAL HERITAGE BOARD HEARING DATE: February 20, 2013

I. CASE NUMBER(S): P12-0659

II. PROJECT SUMMARY:

- 1) **Proposal:** Revision to Title 20 to include additional Preservation Incentives and other omnibus updates.
- 2) **Location:** Citywide
- 3) **Applicant:** Community Development Department
- 4) **Case Planner:** Erin Gettis, City Historic Preservation Officer and Principal Planner, (951) 826-5463
egettis@riversideca.gov

III. RECOMMENDATION:

That the Cultural Heritage Board:

1. **DETERMINE that Planning Case P12-0659 constitutes:**

- **Environmental Assessment:**

A project that is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, which is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15331 of the CEQA Guidelines. An initial Study of the Draft Negative Declaration is attached as Exhibit 2. Therefore the proposed code amendment will not have a significant effect on the environment based on the findings set forth in the case record and recommend that the City Council adopt a Negative Declaration; and

2. Recommend that the City Council **APPROVE** Planning Case **P12-0659** (Cultural Resources Code Amendment), thereby adopting Title 20 as shown in Exhibit 1 subject to the recommended conditions of approval based on the following findings:

- a. Cultural Resources are important to the historic fabric of the City or Riverside and creating a framework that assists in the documentation of such resources and promotes preservation of these resources is essential.
- b. The proposed amendments will provide a Preservation Fund, an incentive, which will allow for funding for cultural resources throughout the City of Riverside where currently none exists.
- c. The proposed amendments streamline the review and approval process for minor and insignificant projects.
- d. The proposed amendments will correct small inconsistencies throughout the document.
- e. The proposed amendments will further the stated purposes of Title 20 including the following:

“Section 20.05.010 Purpose.

- A. To safeguard the City's heritage as embodied and reflected in such resources;
- B. To encourage public knowledge, understanding and appreciation of the City's past;
- C. To foster civic and neighborhood pride and a sense of identity based on the recognition and use of cultural resources;”
- “E. To preserve diverse and harmonious architectural styles and design preferences reflecting phases of the City's history and to encourage complementary contemporary design and construction;
- F. To enhance property values and to increase economic and financial benefits to the City and its inhabitants;
- G. To protect and enhance the City's attraction to tourists and visitors, thereby stimulating business and industry;”
- “I. To integrate the preservation of cultural resources and the extraction of relevant data from such resources into public and private land management and development processes; and
- J. To conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment.”

- f. The proposed amendments will further the stated objectives and policies of the General Plan, including the following:

“Policy HP-1.1: The City shall promote the preservation of cultural resources to ensure that citizens of Riverside have the opportunity to understand and appreciate the City's unique heritage.”

“Policy HP-1.3: The City shall protect sites of archaeological and paleontological significance and ensure compliance with all applicable State and federal cultural resources protection and management laws in its planning and project review process.”

“Policy HP-1.4: The City shall protect natural resources such as geological features, heritage trees, and landscapes in the planning and development review process and in park and open space planning.”

“Objective HP-3.0: To promote the City's cultural resources as a means to enhance the City's identity as an important center of Southern California history.”

“Objective HP-4.0: To fully integrate the consideration of cultural resources as a major aspect of the City's planning, permitting and development activities.”

IV. BACKGROUND/HISTORY:

The last time Title 20 went through a major update was in 2010. In 2012 due to concern from the Historic Preservation Community and Historic Preservation staff that elimination of Redevelopment funds for the City's Development Department façade improvement program would negatively affect historic properties, the City engaged in a series of meetings with the Historic Preservation community to propose creation of a Historic Preservation Fund. The fund was to include seed money from the City as a result of a previous action involving a City-owned cultural resource.

The Historic Preservation community, included members from the Old Riverside Foundation Board, the Riverside Historical Society Board and other groups, participated in a series of meetings at City Hall from February 2012 through January 2013 to discuss the preparation of a Preservation Fund. The full text of the Historic Preservation Fund in the Preservation Incentives chapter proposed in this report has been reviewed in advance of this meeting with these groups. This chapter includes framework for formation of a committee that will oversee the fund, determine fund distribution and awards. The committee will determine the process and methodology for applicants to competitively apply for these funds with appropriate projects.

Other omnibus changes are proposed in this report as part of ongoing review of Title 20 since the major update in 2010. These omnibus changes correct inconsistencies in the current Title 20 as well as streamline the review process for minor and insignificant changes to a Cultural Resource as a customer and business friendly measure.

VIII. PUBLIC NOTICE AND COMMENTS:

A 1/8th page ad public hearing notice for the Cultural Heritage Board was published in the Press Enterprise. As of this writing, no comments have been received.

IX. EXHIBITS: [List all items, including items that will be included in PC packets or at hearing (not printed in report)]

1. Proposed Title 20 with redline strike out for modified text and highlighted text for Historic Preservation Fund section.
2. Draft Negative Declaration and Initial Study.

RECOMMENDED CONDITIONS AND GENERAL INFORMATION NOTES

Planning Case P12-0659

CHB Meeting Date: February 20, 2013

CONDITIONS

Case Specific

1. The Cultural Resources Code (Title 20) shall be amended as shown in Exhibit 1.
2. The City Attorney's Office shall prepare the appropriate ordinance for City Council adoption of the Resources Code text amendments within 30 days.

GENERAL INFORMATION NOTES

1. Appeal Information
 - a. Actions by the Cultural Heritage Board, including any environmental finding, may be appealed to the City Council within 15 calendar days, after the date of decision.
 - b. Appeal filing and processing information may be obtained from the Community Development Department, Planning Division, Public Information Section, 3rd Floor, City Hall.

Title 20

CULTURAL RESOURCES

Chapters:

20.05 PURPOSE

20.10 AUTHORITY AND RESPONSIBILITIES

20.15 APPROVALS AND HEARINGS

20.20 DESIGNATION

20.25 CERTIFICATES OF APPROPRIATENESS

20.30 PRESERVATION INCENTIVES

20.35 DUTY TO MAINTAIN

20.40 ENFORCEMENT AND PENALTIES

20.45 AMENDMENT AND SEVERABILITY

20.50 DEFINITIONS

Chapter 20.05

PURPOSE

Section 20.05.010

The purpose of this Title is to promote the public health, safety and general welfare by providing for the identification, protection, enhancement, perpetuation and use of improvements, buildings, structures, signs, objects, features, sites, places, areas, districts, neighborhoods, streets, works of art, natural features and significant permanent landscaping having special historical, archaeological, cultural, architectural, community, aesthetic or artistic value in the City for the following reasons:

- A. To safeguard the City's heritage as embodied and reflected in such resources;
- B. To encourage public knowledge, understanding and appreciation of the City's past;
- C. To foster civic and neighborhood pride and a sense of identity based on the recognition and use of cultural resources;
- D. To promote the enjoyment and use of cultural resources appropriate for the education and recreation of the people of the City;
- E. To preserve diverse and harmonious architectural styles and design preferences reflecting phases of the City's history and to encourage complementary contemporary design and construction;
- F. To enhance property values and to increase economic and financial benefits to the City and its inhabitants;
- G. To protect and enhance the City's attraction to tourists and visitors, thereby stimulating business and industry;
- H. To identify as early as possible and resolve conflicts between the preservation of cultural resources and alternative land uses;
- I. To integrate the preservation of cultural resources and the extraction of relevant data from such resources into public and private land management and development processes;
- J. To conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment.
- K. To implement the City's General Plan.
- L. To work in concert with the City's Zoning Code.

Chapter 20.10

AUTHORITY AND RESPONSIBILITIES

Section 20.10.010 Board Created--Membership.

Pursuant to the provisions of Article VIII of the City Charter, a Cultural Heritage Board has been created by the City Council. The Board shall be composed of nine (9) members appointed by the Mayor and the City Council. Board Members shall have the duties and functions set forth in this Title.

- A. All members must have a prior demonstrated interest, competence, or knowledge of historic preservation.
- B. No less than two members should be professionals in architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, landscape architecture, urban planning, American studies, American civilization or cultural geography, to the extent that such professionals are available in the community.
- C. The Board shall elect officers and establish its own rules and regulations which shall be consistent with the Charter, the City Council meeting rules, and this Code. The Planning Division shall provide the necessary staff and support to administer the activities of the Board. The Board shall keep a copy of its procedures with the Planning Division.

20.10.020 Powers and Duties of Board.

- A. The Cultural Heritage Board shall:
 - 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~~[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~~[Historic Preservation Officer or Qualified Designee](#);

6. Hear appeals taken from formal interpretations made by the ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee;
7. Hear appeals from the Historic Preservation Fund Committee's recommendations;
- ~~78.~~ 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;
- ~~89.~~ Work for the continuing education of the citizens of Riverside about the heritage of the City and its cultural resources;
- ~~910.~~ 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;
- ~~1011.~~ Consult with and advise the City Council about the Board's duties and functions;
- ~~1112.~~ 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;
- ~~1213.~~ 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
- ~~1314.~~ Encourage public participation in the Cultural Resources program to identify and inventory significant cultural resources in the City;

B. The Cultural Heritage Board may:

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.

20.10.030 Historic Preservation Officer.

The ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee, in concert with or at the direction of the ~~Planning Director~~Community Development Director, shall:

- A. Provide professional support to the Board;
- B. Administer the Cultural Resources program;
- C. Manage the Board's Certificate of Appropriateness process;
- D. Execute the Administrative Certificate of Appropriateness process;
- E. Coordinate its activities with Riverside County, the State of California, and the federal government;
- F. Compile and maintain a current inventory of all designated Cultural Resources;
- G. Advise the City Council on historic preservation easements, transfer of development rights, property tax incentives, or other Cultural Resource preservation mechanisms;
- H. Assist and support the Board in meeting Certified Local Government requirements; and
- I. Establish criteria for and provide a continuing comprehensive survey of Cultural Resources within the City, conforming with State office of Historic Preservation Survey Standards and guidelines, and to publicize and periodically update the survey results.
- J. Determine when Cultural Resource reports for specific projects are required for this Title and/or CEQA.

**Chapter 20.15
APPROVALS AND HEARINGS**

20.15.010 Approval Authority

Table 20.15.010 Approving and Appeal Authority						
Type of Permit or Action	Approving and Appeal Authority					
	City Historic Preservation Officer (HPO)	City Cultural Heritage Board	Land Use Committee of City Council	City Council Consent <small>(1, 2)</small>	City Council Discussion <small>(1)</small>	City Council Public Hearing <small>(1, 2)</small>
<i>Administrative Discretionary Permits/Actions (No Public Hearing Required)</i>						
Administrative Certificate of Appropriateness	F	AR/F	RR ⁽³⁾		A/F	
<i>Discretionary Permits and Actions (Public Meeting or Hearing Required)</i>						
Board Certificate of Appropriateness		F ⁽⁴⁾	RR ⁽³⁾		A/F	
<i>Legislative Actions (Public Hearing Required)</i>						
Mills Act Application				F		
Designation of a Structure or Resource of Merit		R	RR ⁽³⁾			A/F
Designation of a Landmark		R	RR ⁽³⁾			A/F
Designation of an Historic District		R	RR ⁽³⁾			A/F
R = Recommending Authority; F = Final Approving Authority (unless appealable); A = Appeal Authority; AR = Approving Authority as HPO on Referral; RR = Recommend and Referral Authority						
Notes:						
(1) Decisions of the City Council are final and cannot be appealed.						
(2) An item pulled from the City Council Consent Calendar which was originally heard at a public hearing will need to be re-advertised for a public hearing prior to being heard, otherwise it will be a discussion item.						
(3) Appeal of any Cultural Heritage Board action must first go to the City Council Land Use Committee with final action by the full City Council.						
(4) The Cultural Heritage Board is the final authority unless an EIR is being processed, in which case the final authority is City Council.						

20.15.020 California Environmental Quality Act (CEQA) Approval

For any action taken under this Title:

- A. If an Environmental Impact Report (EIR) is prepared for any Certificate of Appropriateness, designation, modification, or dedesignation, 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.
- 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 ~~Negative Declaration~~ND or ~~Mitigated Negative Declaration~~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 appealed, it becomes final upon the City Council's disposition of the appeal.

20.15.030 Public Hearing and Notice

- A. All designations, modifications of designations, and/or dedesignations, ~~and Certificates of Appropriateness where an EIR, MND or ND is prepared,~~ require a public hearing ("Hearing").
- B. Upon the filing of a complete application, a matter shall be set for hearing before the Board within ninety (90) days. The Board may continue a ~~h~~Hearing as it deems appropriate.
- C. Notice of Hearing.
 - 1. Notice of the ~~h~~Hearing shall be mailed or delivered at least ten (10) days prior to the ~~h~~Hearing (unless a longer period is required by CEQA) to:
 - a. The owner of the subject real property or the owner's duly authorized agent, and the project applicant; and
 - 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, 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.
 - 2. The notice shall be published in at least one newspaper of general circulation within the City at least ten (10) days (unless a longer period is required by CEQA) prior to the ~~h~~Hearing.

3. Neither failure to send any notice by mail to any property owner whose address is not a matter of public record, nor the non-receipt of any notice mailed pursuant to this chapter, shall invalidate that ~~h~~Hearing or any part of the proposed designation.

20.15.040 Meeting and Notice for Non-CEQA 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 ninety (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.

20.15.050 Meeting and Notice for Administrative Certificates of Appropriateness

- A. No public hearings or any meetings are required. The application shall be considered by the ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee administratively.
- B. Within sixty (60) days, the ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee must act upon a complete application or refer the application to the Board.
- C. Except as otherwise provided in this Title, Nnotice shall be given to the property owner and to the owners of adjacent properties or those across a street or alley.

20.15.060 Meeting and Notice for Mills Act Applications

- A. No public hearing is required.
- B. The City Council shall approve or deny the application as a consent item or discussion item. (See also § 20.30.020.)
- C. Notice of the ~~Board and~~ City Council meeting shall be sent to the property owner.

20.15.070 Meeting and Notice for Structure Relocations

- A. Structure relocations require a Certificate of Appropriateness.
- B. Joint notices for any structure relocations shall made concurrently with and in the same manner required by Chapter 16.20. The area noticed shall be as required by Chapter 16.20, or a 450-foot radius at the destination site, whichever is greater.

20.15.080 Meeting and Notice for Cultural Resource Surveys

- A. No public hearing is required.

- B. The City Council shall approve or deny the Cultural Resource Survey findings as a consent item or discussion item.
- C. Notice of the City Council action taken shall be sent to owners of affected properties.

20.15.090-085 Meeting and Notice for Historic Preservation Fund Committee

- A. The Historic Preservation Committee meetings shall be held at City Hall, during regular business hours.
- B. Notice shall be given to the property owner and to the owners of adjacent properties or those across a street or alley.

20.15.090 Appeals

- A. Appeal of Administrative Certificate of Appropriateness

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~~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~~Historic Preservation Officer or Qualified Designee's decision to the City Council. Board decisions are final unless appealed as provided for in section 20.15.089 B (below).

- B. Appeal of Board action

1. 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 at its next available meeting, which shall then make a recommendation to the City Council.
2. Notice of the time and place of the Land Use Committee meeting shall be sent to the Applicant and Appellant.
3. The notice for the City Council action shall be the same as for the original action.

- C. Appeal of Historic Preservation Fund Committee action

1. A Fund applicant, unsuccessful in whole or in part, may appeal that Historic Preservation Fund Committee decision to the Cultural Heritage Board within ten calendar days of the Committee'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 affirm, reverse or modify the underlying Historic Preservation Fund Committee's decision.

2. The Cultural Heritage Board's decision may be appealed under 20.15.090(B).

20.15.100 Effective Date

- A. Certificates of Appropriateness shall be effective the first regular business day after the end of the 10 day appeal period. Filing of an appeal stays the effective date pending action on the appeal.
- B. Designation, modification, and dedesignation shall be effective on the next City business day following City Council Action.

20.15.110 Time Limits

Any Certificate of Appropriateness shall become null and void if not exercised within the time limit specified in the approving document or within one year if no time has been specified.

20.15.120 Time Extensions

The ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee may administratively extend the term of a Certificate of Appropriateness for one year, no more than twice.

20.15.130 Approvals to Run with Land

Certificates of Appropriateness and other approvals under this Title are transferred upon a change of ownership of the site, business, service, use or structures, provided that the conditions of the original Certificate or approval are fully complied with, and the project is not modified.

20.15.140 Approval(s) On Site During Construction

A copy of all Certificates of Appropriateness or any other approval under this Title shall be kept on site at all times during construction and made available upon request by an official of the City.

Chapter 20.20

DESIGNATION

20.20.010 Designation Criteria

The criteria to designate, modify the status of, or dedesignate Landmarks, Structures or Resources of Merit and Historic Districts, and to modify or dedesignate Neighborhood Conservation Areas, are set forth in their definitions in Chapter 20.50.

20.20.020 Designation Application

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.

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.

The City no longer allows designation of Neighborhood Conservation Areas.

20.20.030 Factual Investigation

The ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee and/or the Planning Division shall make a factual investigation for the designation, modification, or dedesignation as it deems appropriate.

20.20.040 Board ~~Action~~Recommendation

At a public hearing the Board shall make a written ~~findings-recommendation~~ based upon ~~of~~ the applicable criteria from Chapter 20.50. The Board shall forward its ~~findings-recommendation~~ to the City Council.

20.20.050 City Council; Resolution

Based upon the facts before it and the criteria in Chapter 20.50, the City Council may accept, modify, or reject the Board's ~~findings-recommendation~~. The City Council, in its discretion, based upon the facts and findings before it, shall designate, dedesignate, or modify the status of a Landmark, Structure or Resource of Merit, or Historic District, or modify or dedesignate a Neighborhood Conservation Area, by a numbered resolution setting forth the relevant facts, criteria and findings supporting its actions.

20.20.060 Notice of City Council Action

A notice of the City Council action shall be sent to the property owner(s). The Planning Division shall update the City's Historic Resources Inventory Database and maps to show the designation, modification, or dedesignation status.

20.20.070 Recording Resolutions

The City Clerk shall record all designation-, modification-, or dedesignation-related resolutions with the Riverside County Recorder.

20.20.080 Overlay Zone

Pursuant to Title 19, upon any Designation, the Cultural Resources Overlay Zone applies to the subject property or parcel.

20.20.090 Landmark Plaques and Covenants

All Landmarks shall display and maintain a plaque identifying the Landmark, as provided in a Covenant and Agreement, recorded with the County Recorder.

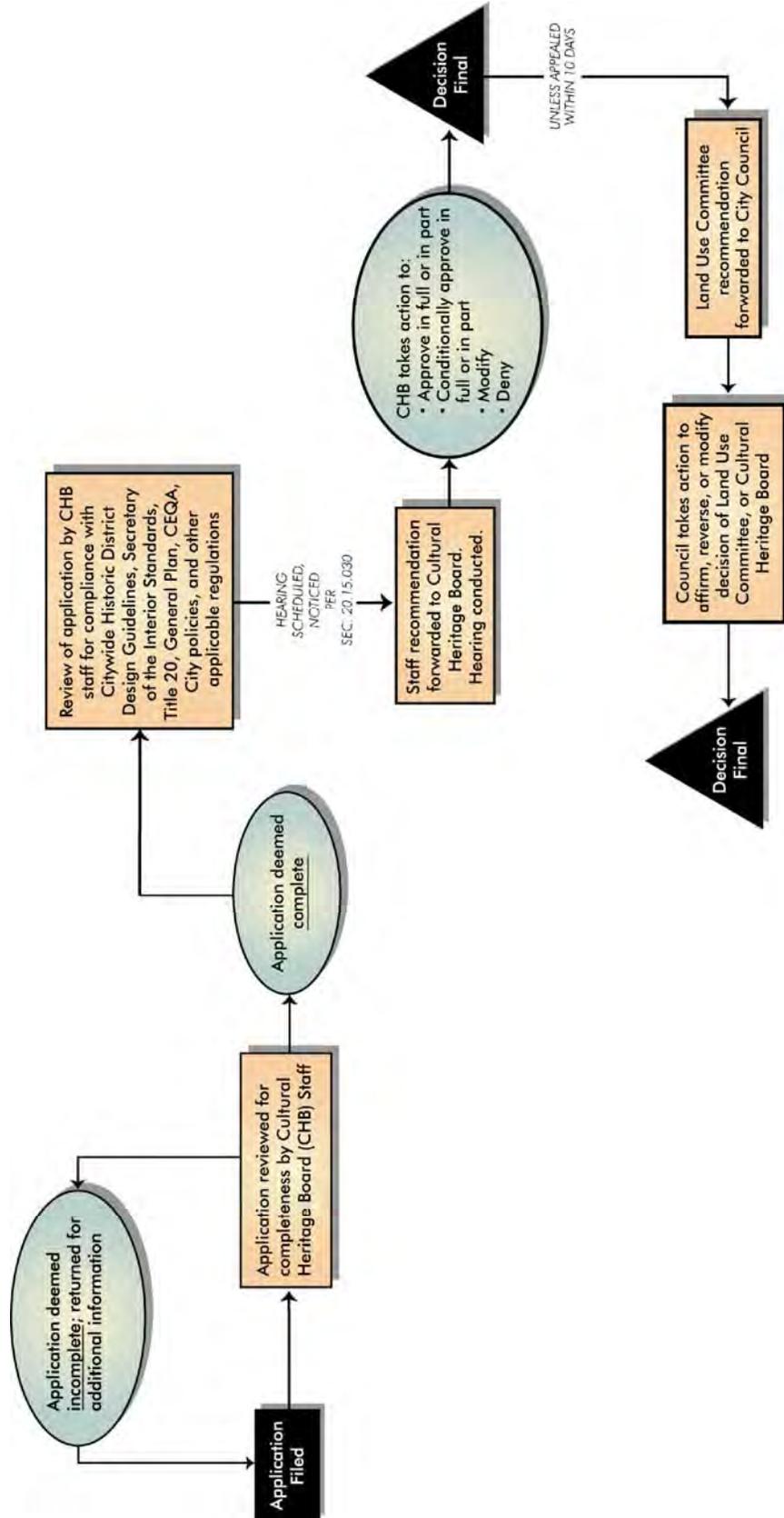
20.20.100 Dedesignation

The procedure to modify or repeal the designation of designated Landmarks, Structures or Resources of Merit, Historic Districts, and modify or repeal the designation of Neighborhood Conservation Areas is the same procedure used to designate those resources, as set forth in this Chapter.

20.20.110 Appeal

For appeals of a Board recommendation on any designation, modification, or dedesignation under this Chapter, see Section 20.15.0890(B). City Council actions are final and non-appealable.

20.20.120 Designation Process in Flow Chart Form



Chapter 20.25

CERTIFICATES OF APPROPRIATENESS

20.25.010 Certificates of Appropriateness, Generally

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.

Except as set forth in section 20.25.030, Certificates of Appropriateness shall be reviewed by the Cultural Heritage Board.

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 consult with the ~~Planning Director or its designated representative~~Historic Preservation Officer or Qualified Designee to seek feasible alternatives to the proposed action that will adequately protect the public health and safety.

20.25.020 Application

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.

20.25.030 Administrative Certificates of Appropriateness

The ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee may administratively approve, approve with conditions, refer to the Board, or deny a Certificate of Appropriateness as follows:

- A. For all Cultural Resources, including Landmarks (designated and eligible):
 1. The in-kind replacement of historically-correct architectural features or building elements, including windows, doors, exterior siding, roofs, porches, cornices, balustrades, stairs, and the like, that are deteriorated, damaged beyond restoration, or previously removed.

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.

B. For all Cultural Resources, except designated Landmarks:

1. One-story ~~residential room~~ additions, auxiliary structures or similar (excluding attached garages); less than 50% of the size of the existing main ~~residence structure~~ (or 1000 square feet in 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.
7. The removal of inappropriate additions or alterations to restore the original appearance of a structure.
8. Demolition of a, or the replacement of a previously existing, one-story, detached ~~single-car~~ 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.

C. For Non-contributing Features and Non-contributors in a Historic District, all actions except:

1. Demolition.
2. New and in-fill construction.
3. Large additions (increasing floor area by 100% or more).

4. Increasing the number of stories (e.g., adding a second story to a single-story structure).

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.

20.25.040 Referral to the Cultural Heritage Board

The ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee may, in its sole discretion, decline to administratively review any application and refer the application to the Board.

20.25.050 Principles and Standards of Site Development and Design Review

The Board and ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee shall make findings of the following standards when applicable to approving or denying a Certificate of Appropriateness.

- A. The application proposal is consistent or compatible with the architectural period and the character-defining elements of the historic building;
- B. The application proposal is compatible with existing adjacent or nearby Cultural Resources and their character-defining elements;
- 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;
- 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;
- E. The proposed change does not destroy or adversely affect an important architectural, historical, cultural or archaeological feature or features;
- F. The project is consistent with the Citywide Residential Historic District Design Guidelines, ~~and the separate~~approved guidelines for each Historic District, and/or any other applicable Design Guidelines; and
- G. The project is consistent with the Principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties.

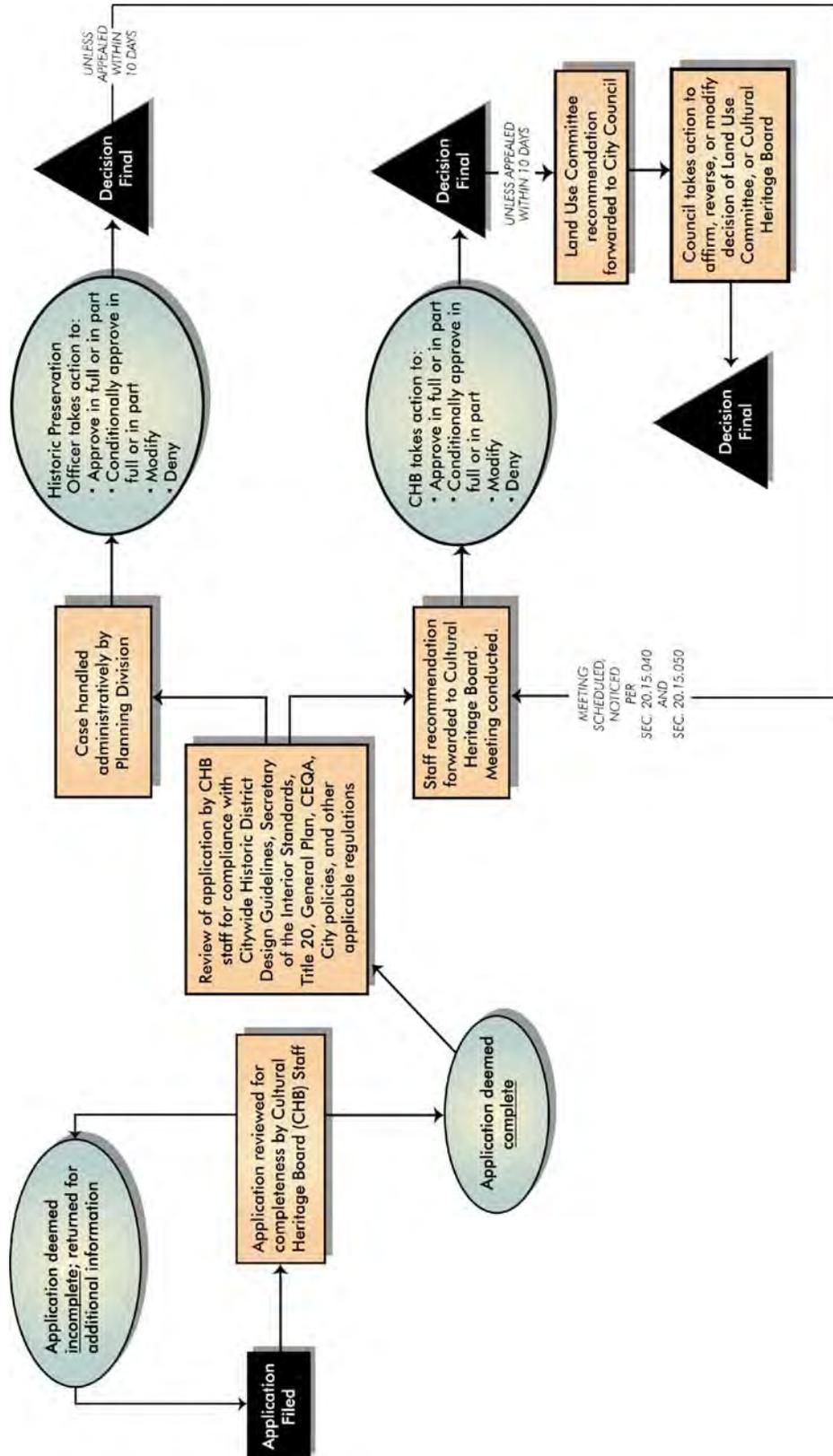
20.25.060 Appeals

For appeals of any ~~designation, modification, or dedesignation approval, conditional approval or denial of a Certificate of Appropriateness~~ under this Chapter, see Section 20.15.080090(A) and/or 20.15.090(B) as applicable.

20.25.070 Application of the State Historic Building Code

Pursuant to the California Health and Safety Code, the Building Official may apply the State Historic Building Code in permitting repairs, alterations and additions necessary for the preservation, restoration, rehabilitation, moving, or continued use of a designated Cultural Resource.

20.25.080 Certificate of Appropriateness Process in Flow Chart Form



Chapter 20.30

PRESERVATION INCENTIVES

20.30.010 Preservation Incentives

The City Council may establish preservation incentives to encourage owners to designate, maintain, preserve, rehabilitate, and improve Cultural Resources. Only properties designated as Cultural Resources pursuant to the provisions of Riverside Municipal Code Title 20 shall be eligible to apply for preservation incentives.

20.30.020 Mills Act Program

Pursuant to Government Code section 50280 *et seq.* (“the Mills Act”), the City Council has established, by Resolution 20825 (as amended) a Mills Act Program providing for contractual agreement with an owner of a historic property as designated by the City Council or listed on any official federal, state, or county register for the purpose of preservation, rehabilitation, and maintenance of a designated historic [resource](#). A Mills Act Agreement allows an owner to receive a reduction in property taxes in exchange for the property owner's commitment to specific repair, restoration and/or rehabilitation improvements and satisfactory maintenance of the Historic Property. A Mills Act Agreement is for a minimum period of ten (10) years, renewed annually, unless a notice of non-renewal or cancellation is filed. Mills Act applications are accepted only during the month of June, and must be actually received by the Planning Division no later than the last business day of the month. A Mills Act application will be acted upon by the City Council before the end of the calendar year during which it was submitted.

20.30.030 Historic Preservation Fund

- A. A Historic Preservation Fund Program is hereby established to provide funding for the conservation, preservation, restoration, and rehabilitation of Cultural Resources consistent with the purposes of this Chapter.
- B. The Historic Preservation Fund is hereby established to provide funds for Historic Preservation projects within the City of Riverside.
1. The funds shall be used solely for the conservation, preservation, restoration, and rehabilitation of historical resources as provided in this section.
 2. The Financial Administrator of the Historic Preservation Fund shall be the Community Development Director, or ~~his~~ designee.
 3. All monies designated by the City of Riverside for this Program shall be deposited in the Fund, held and administered by the City's Finance Department. Separate accounts may be established within the Fund according to origin or intended purpose.
 4. In addition to any public moneys appropriated expressly for the Fund, the Program Administrator may apply for grants, gifts, donations, or other financial support, from private sources, pursuant to City policies.
- C. The Fund shall be administered by a Historic Preservation Fund Committee.
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 Chair of the Utility Services, Land Use, and Energy Development Committee shall be the City Council representative. The remaining two shall be City residents affiliated with separate Riverside-specific historic preservation organizations and appointed by the mayor's Nominating and Screening Committee (Council Committee). Interested persons must submit applications for appointment no later than 30 days before the meeting during which the City-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 matching funds, for City Council review and approval.
 5. The Committee shall review and approve or deny applications for grants in accordance with the set criteria.
 6. A simple majority is needed for Committee action.
 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.

8. Appeals shall follow the procedure in section 20.15.090 (C). City Council actions are final and non-appealable.
9. No funds shall be made available until the time to appeal has expired, or until any appeals are final.

D. Grants.

1. Money in the fund shall be available, for grants to public agencies, nonprofit organizations, and private entities to carry out the purposes of this section.
2. No grant shall be made except pursuant to an agreement with the City, and subject to terms and conditions in the grant that ensure that the grant carries out the purposes of this section. Grant agreements shall run with the land, and must be recorded with the County Recorder before any funds may be released.
3. Grants shall be awarded on a competitive basis, except that grants may occasionally be awarded on a noncompetitive basis for emergency purposes only. Provisions for emergency grants will be adopted by the City Council.
4. The Committee may consider and approve applications for grants up to \$25,000, but no more than \$25,000 for any one project, Cultural Resource, or program over any ~~5~~five consecutive years. Applications for grants exceeding those amounts must be considered and approved by the City Council, upon the Committee's recommendation.
5. Matching funds shall make applications more competitive.
6. Excess funds. After completion of a historic preservation project, the grant recipient shall return to the Fund any amount of the grant that exceeds the eligible project costs.

E. Authorized projects.

Grants are available for the following types of projects:

1. Development projects. These are projects that involve the preservation, restoration, or exterior rehabilitation of a historic property.
2. Acquisition of transferrable development rights (TDRs), conservation easements, and façade easements for the purposes of historic preservation.
3. Planning projects. These are projects that identify, document and record historic resources according to applicable local, state and federal standards, and/or contribute to the development of the City's historic context, and/or contribute to the development of a conservation or preservation plan.
4. Interpretive projects. These are projects that create interpretive media to educate the public on Riverside's history and/or cultural resources. For example, landmark plaques and/or historic district signage and other appropriate means of sharing interpretive information.
5. Designation applications. These are projects that prepare designation applications for state and/or national register designation.

6. All funds must be spent as represented in the application. Spending funds except as authorized shall be considered fraud or theft, and may be criminally prosecuted.

- F. Cultural Heritage Board staff shall assist the Committee in executing this Program. If the Cultural Heritage Board staff is unavailable or unable to do so, then the Program staff shall be provided by the City department then administrating the City's Historic Preservation Program.

- G. The City Council shall have the power to review, modify, approve, disapprove, or otherwise consider all Program and Committee actions or decisions, by appeal or on its own motion.

Chapter 20.35

DUTY TO MAINTAIN

20.35.010 Duty to Maintain

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 Development Department to the full extent permissible by law.

20.35.020 Relationship to Other Provisions

Any duties or obligations set forth in this Title are in addition to those set forth in Title 6, including Chapters 6.11 (“Maintenance and Rehabilitation of Vacant and Neglected Buildings”), 6.14 (“Property Maintenance”), and 6.15 (“Abatement of Public Nuisances”). If there is any conflict between this Title and any other provision of the Municipal Code, except as provided herein, Title 20 shall prevail.

Chapter 20.40

ENFORCEMENT AND PENALTIES

20.40.010 Violations

No person shall alter or demolish a Cultural Resource in violation of this Title, either actively or passively, including through neglect.

20.40.020 Criminal Penalties

Any person who violates a requirement of this Title or fails to obey an order issued by the City, including the ~~Historic Preservation Officer~~ Historic Preservation Officer or Qualified Designee and the Board, and/or or comply with a condition of approval of any certificate or permit issued under this Title, shall be guilty of a misdemeanor.

20.40.030 Nuisance

Any alteration or demolition of a Cultural Resource in violation of this Title is declared to be a nuisance.

20.40.040 Stop Work Orders

The ~~Planning Director, the~~ Community Development Director, or ~~their~~ designee have has the authority to issue a Stop Work Order for any violation or threatened violation of this Title. A Stop Work Order shall be written in the format deemed appropriate by the issuer. The Stop Work Order shall remain in effect until written notice of rescission by the ~~Planning Director or~~ Community Development Director or ~~their~~ designee, or until City Council action to remove or modify the order, in addition to any other enforcement under any other provision of the Municipal Code or law.

20.40.050 Remedies

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.

- A. Retroactive Compliance. Apply for and obtain a Certificate of Appropriateness as defined in Chapter 20.25, including compliance with all conditions.
- 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.
- 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, deposited in the Historic Preservation Fund, or both.

20.40.060 Moratoriums.

In addition to Section 20.40.050 above, the City Council may impose up to a 5-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.

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).

20.40.070 Legal Actions

The City Attorney may maintain an action for injunctive relief to restrain a violation, or seek restoration and/or penalties. The City Attorney may also pursue any other action or remedy authorized under the Municipal Code, state statutes and/or in equity for any violation of this Title. Civil remedies shall be in addition to any criminal prosecution and penalty, or any other remedy provided by law.

Chapter 20.45

AMENDMENT AND SEVERABILITY

20.45.010 Amendment

Amendments to this Title may be initiated in any one of the following manners:

- A. Upon Minute Action of the City Council.
- B. Upon Minute Action of the Cultural Heritage Board.
- C. Upon the written request of the ~~Planning Director~~Community Development Director or designee.
- D. Upon application by a property owner or owners of any parcel subject to this Title and subject to payment of a fee.

20.45.020 Procedures

- A. Recommendation and Approval. Any proposed amendment to this Title must first be sent to the Board for review and recommendation. The Board shall recommend that the City Council amend, not amend, or amend the proposal as modified by the Board. The City Council is the final approving authority.
- B. Notice. The Cultural Heritage Board shall hold a public hearing on any amendment. Notice of the hearing shall be published in at least one newspaper of general circulation within the City at least ten days prior to the hearing.
- C. Adoption. Amendments of this Title shall be adopted by ordinance of the City Council, which constitutes final action.
- D. Required Findings. In acting to approve an amendment to the Zoning Ordinance Text or Map, the City Council shall make the following findings:
 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.

20.45.030 Severability

If any section, sentence, clause, or phrase of this Title is for any reason held to be invalid by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Title. The City Council declares that it would have passed this ordinance and adopted this Title, and each section, sentence, clause, or phrase thereof,

irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Chapter 20.50

DEFINITIONS

Section 20.50.010. For the purposes of this Title, these terms are defined as follows:

- A. **"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 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.
- B. **"Board"** means the Cultural Heritage Board.
- C. **"Certificate of Appropriateness"** means a certificate, issued by the Board or ~~Historic Preservation Officer~~ Historic Preservation Officer or Qualified Designee that approves plans, specifications, or statements of work for any proposed alteration, removal, relocation or demolition of any Cultural Resource.
- D. **"Certified Local Government ('CLG')"** means a local government certified under federal law by the California State Office of Historic Preservation for the purpose of more direct participation in federal and State historic preservation programs.
- E. **"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.
- F. **"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.

- G. “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.
- H. “Cultural Landscape”** means a geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values.
- I. “Cultural Resource”** means improvements, natural features, sites, Cultural Landscapes, or other objects, which may reasonably be of scientific, aesthetic, educational, cultural, architectural, social, political, military, historical or archaeological significance. This includes Designated Cultural Resources, Eligible Cultural Resources, and Contributing Features to Historic Districts and Neighborhood Conservation Areas.
- J. “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.
- K. “Cultural Resources Survey”** means a project that surveys and identifies properties within the City according to the standards set forth in National Register Bulletin #24. Completed surveys shall have findings adopted by City Council, as a consent or discussion item.
- L. “Design Guidelines”** means the document approved by the Board which illustrates appropriate and inappropriate methods of alteration and construction. The purpose of design guidelines is to promote appropriate design and decision-making and to preserve the integrity and Character Defining Features of Cultural Resources. The Secretary of the Interior's Standards for the Treatment of Historic Properties shall serve as design guidelines where there exist no other established design guidelines.
- M. “Designated Cultural Resource”** means any cultural resource that has been designated a City Landmark, Structure or Resource of Merit, Historic District, or Neighborhood Conservation Area (prior to 2006); County Landmark, County Historic Preservation District, a California Point of Historical Interest or Historical Landmark; a National Heritage Landmark; or is listed in the National Register of Historic Places or the California Register of Historical Resources.
- N. “Eligible Cultural Resource”** means a cultural resource or historic district which has been determined by the ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee, Board, or City Council to meet the City’s designation criteria pursuant to a survey prepared by a professional meeting the Secretary of the Interior's standards which either documents the resource, records the resource on the State Department of Parks and Recreation survey forms, or has been so designated by the California State Historic Preservation Officer.

O. “Historic District” means an area which contains:

1. a concentration, linkage, or continuity of cultural resources, where at least fifty percent of the structures or elements retain significant historic integrity, (a “geographic Historic District”) or
2. a thematically-related grouping of cultural resources which contribute to each other and are unified aesthetically by plan or physical development, and which have been designated or determined eligible for designation as a historic district by the ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee, Board, or City Council or is listed in the National Register of Historic Places or the California Register of Historical Resources, or is a California Historical Landmark or a California Point of Historical Interest (a “thematic Historic District”).

In addition to either **1** or **2** above, the area also:

3. Exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history;
4. Is identified with persons or events significant in local, State, or national history;
5. 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;
6. Represents the work of notable builders, designers, or architects;
7. Embodies a collection of elements of architectural design, detail, materials or craftsmanship that represent a significant structural or architectural achievement or innovation;
8. 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;
9. Conveys a sense of historic and architectural cohesiveness through its design, setting, materials, workmanship or association; or
10. Has yielded or may be likely to yield, information important in history or prehistory.

P. “Historic Preservation Officer” is the person selected by the Community Development Director for the City of Riverside and appointed by the City Manager to administer the Cultural Resources program, including professional support to the Board, management of both the Board’s Certificate of Appropriateness process, and execution of the Administrative Certificate of Appropriateness process. The Historic Preservation Officer shall meet the requirements of the Department of the Interior, National Park Service as set forth in appendix A to Title 36, Part 61 (Professional Qualification Standards).

- Q.** **"Improvement"** means any building, structure, fence, gate, wall, landscaping, planted tree, work of art, or other man-made physical feature of real property, or any part of such feature which is not a Natural Feature.
- R.** **"In-kind Replacement"** means to match the old in material, design, color, and texture, when sufficient information is known about the original to be replaced. Refer to the Secretary of Interior Standards for Historic Properties for more specific information on in-kind replacement as applies to the appropriate level of treatment (i.e.: preservation, rehabilitation, restoration, or reconstruction). If sufficient information is not known about the original to be replaced, in-kind replacement is not possible.
- S.** **"Integrity"** means the ability of a cultural resource to convey its significance. To retain integrity a cultural resource must retain most of the aspects that closely relate to the resource's significance including location, design, setting, materials, workmanship, feeling, and association.
- T.** **"Land Use Committee"** means the Utility Services, Land Use and Energy Development Committee.
- U.** **"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:
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 the use of indigenous materials or craftsmanship;
 4. Represents the work of a notable builder, designer, or architect, or important creative individual;
 5. Embodies elements that possess high artistic values or represents a significant structural or architectural achievement or innovation;
 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;
 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
 8. Has yielded or may be likely to yield, information important in history or prehistory.

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).

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.

- V.** **“Moratorium”** means a suspension of an ongoing or planned development activity or permits.
- W.** **"Natural Feature"** means any naturally-occurring tree, plant life, habitat, geographical or geological site or feature, but does not include Improvements.
- X.** **“Neighborhood Conservation Area”** means an area that:
1. Provides a contextual understanding of the broader patterns of Riverside's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history;
 2. Represents established and familiar visual features of a neighborhood, community, or of the City;
 3. Reflects significant development or geographical patterns, including those associated with different eras of settlement and growth; or
 4. Conveys a sense of historic or architectural cohesiveness through its design, setting, materials, workmanship or association.

Designation of Neighborhood Conservation Areas is no longer allowed. Those designated prior to May 2006 shall remain in effect and subject to this Title, and may be modified or dedesignated.

- Y.** **"Non-contributing Feature”** of a Historic District, Neighborhood Conservation Area, or individually significant property means a site, improvement, or natural feature within a Historic District or Neighborhood Conservation Area that does not provide appropriate historic context, historic architecture, historic association or historic value, or is not capable of yielding important information about the period, because that element:
1. Was not present during the district’s or area's period of historic significance; or
 2. No longer possesses integrity due to alterations, disturbances, additions, or other changes; and
 3. Does not independently meet the designation criteria as defined in this Title.

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. Non-contributing features in Neighborhood Conservation Areas are not subject to the Certificate of Appropriateness requirements.

Z. “**Non-contributor**” to either a Historic District or a Neighborhood Conservation Area means a building structure within a Historic District or Neighborhood Conservation Area that does not provides appropriate historic context, historic architecture, historic association or historic value, or is not capable of yielding important information about the period, because that building structure:

1. Was not present during the district’s or area's period of historic significance; or
2. No longer possesses integrity due to alterations, disturbances, additions, or other changes; and
3. Does not independently meet the designation criteria as defined in this Title.

Non-contributors in Historic Districts are subject to the Certificate of Appropriateness requirements; however, the principles, issues and standards are different than for Contributors. Non-contributors in Neighborhood Conservation Areas are not subject to the Certificate of Appropriateness requirements.

AA. “**Person**” means any natural person, property owner, or occupant; association, company, corporation or other legal entity; local, city, county, or federal agency.

BB. “**Preservation**” means the identification, study, protection, restoration, rehabilitation, and/or acquisition of cultural resources.

CC. “**Qualified Designee**” means the person(s) designated by the Historic Preservation Officer who meets the requirements of the Department of the Interior, National Park Service as set forth in appendix A to Title 36, Part 61 (Professional Qualification Standards).

CCDD. “**Resource of Merit**” see “Structure or Resource of Merit,” below.

DDEE. “**Secretary of Interior's Standards for the Treatment of Historic Properties**” means the guidelines prepared by the National Park Service for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings and the standards for historic preservation projects prepared by the National Park Service with the most current Guidelines for Applying the Standards.

EEFF. “**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:

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 cultural resource significance as a Structure or Resource of Merit.

Section 20.50.020.

The ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee has the discretion to interpret the above terms, in addition to any other term in applying this Title. In applying this Title, the ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee may, in its discretion, request from the Board a definition, interpretation, or an opinion regarding any defined term, or any other term.



City of Arts & Innovation

COMMUNITY DEVELOPMENT DEPARTMENT Planning Division

Negative Declaration

WARD: Citywide

1. **Case Number:** P12-0659
2. **Project Title:** Update to Title 20
3. **Hearing Date:** February 20, 2013
4. **Lead Agency:** City of Riverside
Community Development Department
Planning Division
3900 Main Street, 3rd Floor
Riverside, CA 92522
5. **Contact Person:** Erin Gettis, City Historic Preservation Officer and Principal Planner
Phone Number: (951) 826-5463
6. **Project Location:** Citywide
7. **Project Applicant/Project Sponsor's Name and Address:**
City of Riverside
8. **General Plan Designation:** Citywide Project
9. **Zoning:** Citywide Project
10. **Description of Project:** Revision to Title 20 to include additional Preservation Incentives and other omnibus updates.
11. **Surrounding land uses and setting: Surrounding land uses and setting:** Citywide
Adjacent Existing Land Use: Citywide
Adjacent zoning: Citywide
12. **Other public agencies whose approval is required (e.g., permits, financial approval, or participation agreement.):**
 - a. None.
13. **Other Environmental Reviews Incorporated by Reference in this Review:**
 - a. General Plan 2025
 - b. GP 2025 FPEIR

14. Acronyms

AICUZ -	Air Installation Compatible Use Zone Study
AQMP -	Air Quality Management Plan
AUSD -	Alvord Unified School District
CEQA -	California Environmental Quality Act
CMP -	Congestion Management Plan
EIR -	Environmental Impact Report
EMWD -	Eastern Municipal Water District
EOP -	Emergency Operations Plan
FEMA -	Federal Emergency Management Agency
FPEIR -	GP 2025 Final Programmatic Environmental Impact Report
GIS -	Geographic Information System
GhG -	Green House Gas
GP 2025 -	General Plan 2025
IS -	Initial Study
LHMP -	Local Hazard Mitigation Plan
MARB/MIP -	March Air Reserve Base/March Inland Port
MJPA-JLUS -	March Joint Powers Authority - Joint Land Use Study
MSHCP -	Multiple-Species Habitat Conservation Plan
MVUSD -	Moreno Valley Unified School District
NCCP -	Natural Communities Conservation Plan
OEM -	Office of Emergency Services
OPR -	Office of Planning & Research, State
PEIR -	Program Environmental Impact Report
PW -	Public Works, Riverside
RCALUC -	Riverside County Airport Land Use Commission
RCALUCP -	Riverside County Airport Land Use Compatibility Plan
RCP -	Regional Comprehensive Plan
RCTC -	Riverside County Transportation Commission
RMC -	Riverside Municipal Code
RPD -	Riverside Police Department
RPU -	Riverside Public Utilities
RTIP -	Regional Transportation Improvement Plan
RTP -	Regional Transportation Plan
RUSD -	Riverside Unified School District
SCAG -	Southern California Association of Governments
SCAQMD -	South Coast Air Quality Management District
SCH -	State Clearinghouse
SKR-HCP -	Stephens' Kangaroo Rat - Habitat Conservation Plan
SWPPP -	Storm Water Pollution Prevention Plan
USGS -	United States Geologic Survey
WMWD -	Western Municipal Water District
WQMP -	Water Quality Management Plan

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- Aesthetics
- Agriculture & Forest Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Service
- Recreation
- Transportation/Traffic
- Utilities/Service Systems
- Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation which reflects the independent judgment of the City of Riverside, it is recommended that:

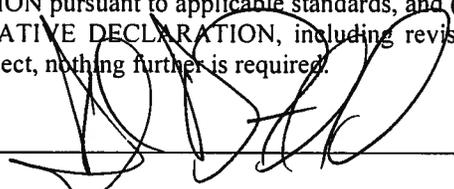
The City of Riverside finds that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

The City of Riverside finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

The City of Riverside finds that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

The City of Riverside finds that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

The City of Riverside finds that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature 

Date 2.20.13

Printed Name & Title John Field, Cultural Heritage Board Chair

For City of Riverside



City of Arts & Innovation

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Environmental Initial Study

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. **Earlier Analysis Used.** Identify and state where they are available for review.
 - b. **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. **Mitigation Measures.** For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measure which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significance.

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>1a. Response: <i>(Source: General Plan 2025 Figure CCM-4 – Master Plan of Roadways, General Plan 2025 FPEIR Figure 5.1-1 – Scenic and Special Boulevards and Parkways, Table 5.1-A – Scenic and Special Boulevards, and Table 5.1-B – Scenic Parkways)</i></p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will have no impacts to any scenic vista.</p>				
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>1b. Response: <i>(Source: General Plan 2025 Figure CCM-4 – Master Plan of Roadways, General Plan 2025 FPEIR Figure 5.1-1 – Scenic and Special Boulevards, Parkways, Table 5.1-A – Scenic and Special Boulevards, Table 5.1-B – Scenic Parkways, the City’s Urban Forest Tree Policy Manual, Title 20 – Cultural Resources and, Title 19 – Article V – Chapter 19.100 – Residential Zones - RC Zone)</i></p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) which protects such resources. Therefore the proposed amendments will have no impacts to scenic resources.</p>				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>1c. Response: <i>(Source: General Plan 2025, General Plan 2025 FPEIR, Zoning Code, Citywide Design and Sign Guidelines.)</i></p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) which will protect the visual character of the city by protecting cultural resources. Therefore the proposed amendments will have no impacts to existing visual character or the quality of the site and its surroundings.</p>				
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>1d. Response: <i>(Source: General Plan 2025, General Plan 2025 FPEIR Figure 5.1-2 – Mount Palomar Lighting Area, Title 19 – Article VIII – Chapter 19.556 – Lighting, Citywide Design and Sign Guidelines,)</i></p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not create new sources of light or glare and will have no impacts on day or nighttime views.</p>				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
2. AGRICULTURE AND FOREST RESOURCES:				
<p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effect, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
<p>a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>2a. Response</p>				
<p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction, nor will it facilitate in any way the conversion of farmland to non-agricultural uses. Therefore the proposed amendments will have no impacts to farmland of any type.</p>				
<p>b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>2b. Response: (Source: General Plan 2025 – Figure OS-3 - Williamson Act Preserves, General Plan 2025 FPEIR – Figure 5.2-4 – Proposed Zones Permitting Agricultural Uses, and Title 19)</p>				
<p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any zoning changes or changes in use which could conflict with a Williamson Act contract. Therefore the proposed amendments will have no impacts on zoning or a Williamson Act contract.</p>				
<p>c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>2c. Response: (Source: GIS Map – Forest Data)</p>				
<p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and so promotes the preservation of the existing historic built environment. Therefore the proposed amendments will have no impacts to the existing environment which could result in the rezoning of forest land or timberland.</p>				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>2d. Response: (Source: GIS Map – Forest Data) The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and so promotes the preservation of the existing historic built environment. Therefore the proposed amendments will have no impacts to the existing environment which could result in the conversion of forest land to non-forest use.</p>				
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>2e. Response: (Source: General Plan – Figure OS-2 – Agricultural Suitability, Figure OS-3 – Williamson Act Preserves, General Plan 2025 FPEIR – Appendix I – Designated Farmland Table Title 19 – Article V – Chapter 19.100 – Residential Zones – RC Zone and RA-5 Zone and GIS Map – Forest Data) The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and so promotes the preservation of the existing historic built environment. Therefore the proposed amendments will have no impacts to the existing environment which could result in the conversion of farmland to non-agricultural use.</p>				
3. AIR QUALITY.				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3a. Response: (Source: South Coast Air Quality Management District’s 2003 Air Quality Management Plan (AQMP)) The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and, as a cultural resources ordinance, will have no impact on any air quality plan.</p>				
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3b. Response: (Source: General Plan 2025 FPEIR Table 5.3-B SCAQMD CEQA Regional Significance Thresholds, South Coast Air Quality Management District’s 2003 AQMP), The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not violate any air quality standard or contribute to an existing or projected air quality violation.</p>				
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3c. Response: (Source: General Plan 2025 FPEIR Table 5.3-B SCAQMD CEQA Regional Significance Thresholds, South Coast Air Quality Management District’s 2003 Air Quality Management Plan) The proposed Code amendments will provide a comprehensive update of the existing Cultural</p>				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result in any way increase in pollutants of any type.				
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3d. Response: <i>(Source: General Plan 2025 FPEIR Table 5.3-B SCAQMD CEQA Regional Significance Thresholds, South Coast Air Quality Management District's 2003 Air Quality Management Plan)</i> The proposed code amendments will protect and preserve cultural resources only and will not create new construction or situations where sensitive receptors will be exposed to substantial pollutant concentrations.				
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3e. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) only and will not create objectionable odors.				
4. BIOLOGICAL RESOURCES.				
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4a. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction or the conversion of natural land and therefore will not modify any habitat or have any impact on any candidate, sensitive, or special status species.				
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor impact riparian habitat or identified sensitive natural community.				
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor impact federally protected wetlands directly, indirectly or through any other means, nor modify wetlands, any other similar type of marsh or vernal pool.				
d. Interfere substantially with the movement of any native	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
4d. Response The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor interfere in any way with the movement of migratory or wildlife species along established migratory pathways or corridors, impact migratory fish or use native wildlife nursery sites.				
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4e. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) which promotes the preservation of the existing historic built and natural environment. Therefore the proposed amendments will have no impacts to protection of biological resources, but in fact preserve the natural environment that contributes to the significance of a cultural resource or is itself a resource.				
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4f. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor conflict with any other approved conservation plan locally, regionally or statewide. It will have no impact on any existing Habitat or Natural Community Conservation plan.				
5. CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5a. Response: <i>(Source: GP 2025 FPEIR Table 5.5-A Historical Districts and Neighborhood Conservation Areas and Appendix D,)</i> The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and so promotes the preservation of the existing historic built and natural environment. Therefore the proposed amendments will have no impact to cultural resources, but in fact preserve cultural resources by providing an update to the code that calls for protection of cultural resources. Changes to the code have not removed criteria from eligibility as a cultural resource, but provided further clarity on the criteria for specific designation. Additional language was added to align the ordinance more specifically with CEQA and the Secretary of Interior Standards to provide standardization of the criteria.				
b. Cause a substantial adverse change in the significance of an archeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and so promotes the preservation of the existing archeological resources. Therefore the proposed amendments will have no impact to these resources, but in fact promote preservation by providing an update to the code that calls for protection of such				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
resources. Changes to the Code include adding criteria regarding archeological resources where none existed previously. Addition of these criteria will aid in the preservation and evaluation of archeological resources.				
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5c. Response: (Source: General Plan 2025 Policy HP-1.3)				
The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and so promotes the preservation of the existing archeological and paleontological resources. Therefore the proposed amendments will have no impact to cultural resources, but in fact promote preservation by providing an update to the code that calls for protection of such resources. Changes to the Code include adding criteria regarding archeological and paleontological resources where none existed previously. Addition of these criteria will aid in the preservation and evaluation of archeological and paleontological resources.				
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5d. Response:				
The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and so promotes the preservation of the existing archeological resources, including human remains. Therefore the proposed amendments will have no impact to these resources, but in fact promote preservation by providing an update to the code that calls for protection of such resources. Changes to the Code include adding criteria regarding archeological resources where none existed previously. Addition of these criteria will aid in the preservation and evaluation of archeological resources.				
6. GEOLOGY AND SOILS.				
Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6i. Response: (Source: General Plan 2025 Figure PS-1 – Regional Fault Zones & General Plan 2025 FPEIR Appendix E – Geotechnical Report)				
The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor expose people or structures to potential adverse effects, including the rupture of any known earthquake fault.				
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6ii. Response: (Source: General Plan 2025 FPEIR Appendix E – Geotechnical Report)				
The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor expose people or structures to potential adverse effects, including the effects of strong seismic shaking.				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>6iii. Response: (Source: General Plan 2025 Figure PS-1 – Regional Fault Zones, Figure PS-2 – Liquefaction Zones, General Plan 2025 FPEIR Figure PS-3 – Soils with High Shrink-Swell Potential, and Appendix E – Geotechnical Report)</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor expose people or structures to potential adverse effects, including ground failure or liquefaction.</p>				
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>6iv. Response: (Source: General Plan 2025 FPEIR Figure 5.6-1 – Areas Underlain by Steep Slope, Appendix E – Geotechnical Report,)</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor expose people or structures to potential adverse effects, including landslides or construction on steep slopes.</p>				
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>6b. Response: (Source: General Plan 2025 FPEIR Figure 5.6-1 – Areas Underlain by Steep Slope, Figure 5.6-4 – Soils, Table 5.6-B – Soil Types,)</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor expose people or structures to potential adverse effects, including soil erosion or loss of the topsoil.</p>				
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>6c. Response: (Source: General Plan 2025 Figure PS-1 – Regional Fault Zones, Figure PS-2 – Liquefaction Zones, General Plan 2025 FPEIR Figure PS-3 – Soils with High Shrink-Swell Potential, Figure 5.6-1 - Areas Underlain by Steep Slope, Figure 5.6-4 – Soils, Table 5.6-B – Soil Types, and Appendix E – Geotechnical Report)</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor expose people or structures to potential adverse effects, including: on and off site landslides, lateral spreading subsidence, liquefaction or collapse.</p>				
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>6d. Response: (Source: General Plan 2025 FPEIR Figure 5.6-4 – Soils, Figure 5.6-4 – Soils, Table 5.6-B – Soil Types, Figure 5.6-5 – Soils with High Shrink-Swell Potential, Appendix E – Geotechnical Report)</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor expose people or structures to potential adverse effects, including location on expansive soils.</p>				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>6e. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor expose people or structures to potential adverse effects, including soils incapable of supporting septic tanks and alternative waste water disposal systems where sewers are not available.</p>				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
7. GREENHOUSE GAS EMISSIONS.				
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7a. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) which promotes the preservation of the existing historic built and natural environment. Therefore the proposed amendments will have no impacts to generation of greenhouse gas emissions in any way.				
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor conflict with any adopted policies, plans or regulations that reduce greenhouse gases. The proposed project works in concert with the City's General Plan and the Historic Preservation Element thereof.				
8. HAZARDS & HAZARDOUS MATERIALS.				
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8a. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will have no impacts on hazards or hazardous materials or the transport thereof.				
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will have no impacts on hazards or hazardous materials or the upset or accidental release thereof.				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will have no impacts on hazards or hazardous materials nor the emissions thereof.				
d. Be located on a site which is included on a list of hazardous	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				
<p>8d. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will have no impacts on hazards or hazardous materials nor be located near such materials that would create a hazard to the public or the environment.</p>				
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>8e. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will have no impacts on airport land use plans nor result in any safety hazards.</p>				
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>8f. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will have no impacts on private landing strips nor result in any safety hazards.</p>				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>8g. ResponseThe proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will have no impacts on implementation of an adopted emergency response or evacuation plan.</p>				
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>8h. ResponseThe proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will have no impacts on wildland fires nor expose people or structures to the dangers thereof.</p>				
<p>9. HYDROLOGY AND WATER QUALITY.</p>				
<p>Would the project:</p>				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>9a. Response: <i>(Source: GP 2025 FPEIR Table 5.8-A – Beneficial Uses Receiving Water)</i> The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not violate any water quality standards nor impact waste discharge requirements.</p>				
<p>b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>9b. ResponseThe proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not deplete groundwater supplies, interfere with groundwater recharge, nor impact the local ground water table level.</p>				
<p>c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>9c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not alter existing drainage, alter the course of a stream or river, nor result in any erosion on or off site.</p>				
<p>d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>9d. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not alter existing drainage, alter the course of a stream or river, nor result in any flooding on or off site.</p>				
<p>e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>9e. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not create or contribute water runoff, which would impact existing or planned stormwater drainage systems, nor provide additional sources of polluted runoff.</p>				
<p>f. Otherwise substantially degrade water quality?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>9f. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not substantially degrade water quality in any way.</p>				
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>8g. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not place any new housing within a 100-year flood hazard area, flood insurance rate map area nor any other flood hazard delineation map.</p>				
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>9h. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not place any new structures within a 100-year flood hazard area.</p>				
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>9i. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not expose people to significant risk involving flooding as a result of the failure of a levee or dam.</p>				
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>9j. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not expose people to significant risk involving flooding as a result of a seiche, tsunami or mudflow.</p>				
<p>10. LAND USE AND PLANNING:</p>				
<p>Would the project:</p>				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>10a. Response: (<i>Source: General Plan 2025 Land Use and Urban Design Element, City of Riverside GIS/CADME map layers</i>) The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not physically divide an established community in any way.</p>				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>10b. Response: (Source: General Plan 2025, General Plan 2025 Figure LU-10 – Land Use Policy Map, Table LU-5 – Zoning/General Plan Consistency Matrix, Figure LU-7 – Redevelopment Areas.)</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction or conflict with any applicable land use plan, policy or regulation, nor the City’s general plan, specific plan, local coastal program or zoning ordinance locally, regionally or statewide. The proposed project works in concert with the City’s General Plan Historic Preservation Element, the Secretary of Interior Standards, and provides criteria that mirror CEQA and NEPA sections for Cultural Resources.</p>				
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>10c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor conflict with any other approved conservation plan locally, regionally or statewide. It will have no impact on any existing Habitat or Natural Community Conservation plan.</p>				
<p>11. MINERAL RESOURCES.</p>				
<p>Would the project:</p>				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>11a. Response:</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result in the loss of known mineral resources that would be of potential value to the region or the state’s residents.</p>				
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>11b. Response:</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result in the loss of locally-important mineral resource recovery sites delineated in any land use related plan.</p>				
<p>12. NOISE.</p>				
<p>Would the project result in:</p>				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>12a. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction</p>				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
nor will it facilitate any new development. Therefore the proposed amendments will not expose people to generation of noise exceeding standard levels locally or under any other jurisdiction.				
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not expose people to generation of excessive groundborne vibration or groundborne noise levels.				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not expose people to a permanent increase in generation of ambient noise levels in any way.				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12d. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not expose people to a substantial temporary or periodic increase in generation of ambient noise levels in any way.				
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12e. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not impact residents nor those working in an airport land use area by exposure to excessive noise levels.				
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12f. Response: (There are no private airstrips in the City nor in the vicinity of the City. Therefore the proposed amendments will not impact residents nor those working near a private air strip by exposure to excessive noise levels.				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
13. POPULATION AND HOUSING. Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13a. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not induce substantial population growth in the area directly or indirectly, as the project would only be applicable to existing infrastructure.				
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not displace substantial numbers of existing housing nor necessitate construction of replacement housing.				
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not displace substantial numbers of people nor necessitate construction of replacement housing.				
14. PUBLIC SERVICES.				
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14a. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not adversely impact any services related to fire protection.				
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not adversely impact police protection.				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not adversely impact schools.				
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14d. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not adversely impact parks.				
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14e. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not adversely impact any physical government facility, necessitate a new facility, nor impact maintenance of acceptable service ratios or other performance objectives related to any other public facility.				
15. RECREATION.				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15a. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not adversely impact nor increase the use of existing neighborhood and regional parks or other recreational facilities.				
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction or expansion of recreational facilities. Therefore the proposed amendments will not adversely impact recreational				
16. TRANSPORTATION/TRAFFIC.				
Would the project:				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16a. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction				

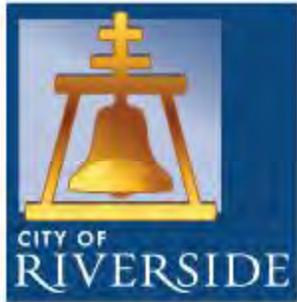
ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
nor will it facilitate any new development. Therefore the proposed amendments will not increase traffic in any way nor the capacity of the street system as the project applies to existing infrastructure only.				
b. Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not exceed any level of service nor increase traffic in any way.				
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result in a change of air traffic patterns and will not increase air traffic levels, nor change locations of air traffic that result in substantial safety risks.				
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16d. Response) The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not increase hazards from design features in any way nor introduce incompatible uses as the project applies to existing infrastructure only.				
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16e. Response The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result in inadequate emergency access in any way.				
f. Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16f. Response The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor conflict with any adopted policies, plans or programs that support alternative transportation. The proposed project works in concert with the City's General Plan and the Historic Preservation Element thereof.				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
17. UTILITIES AND SYSTEM SERVICES. Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17a. Response: (The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result in excess wastewater treatment requirements of the Regional Water Quality Control Board.				
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result in the construction of new water or wastewater treatment facilities nor expansion of existing facilities in any way.				
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result in the construction of new storm water drainage facilities nor expansion of existing facilities in any way.				
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17d. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result in impacts to available water supplies nor expand entitlements and resources thereof.				
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17e. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result any impact to the wastewater treatment provider nor impact the capacity of the provider to serve the community in any way.				
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17f. Response: The proposed Code amendments will provide a comprehensive update of the existing				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result any impact to the capacity of landfills nor necessitate any solid waste disposal needs in any way.				
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17g. Response:) The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result any compliance with federal, state and local statutes and regulations related to solid waste in any way.				
18. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or an endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18a. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result any degradation of the quality of the environment, substantially reduce habitat of any fish or wildlife species, diminish any fish or wildlife population, threaten to eliminate a plant or animal community nor reduce or restrict the range of an endangered plant or animal. The project does not eliminate important examples of the major periods of California history and prehistory as it seeks the protection of such resources.				
b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18b. Response The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result any impacts that are individually limited but cumulatively considerable. While the proposed project does eliminate criteria by which a property can become designated in the City of Riverside it provides consistency with CEQA and NEPA and now includes criteria for archeological resources where none existed before.				
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
nor will it facilitate any new development. Therefore the proposed amendments will not result any environmental effects on human beings, either directly or indirectly.				

Note: Authority cited: Sections 21083 and 21087, Public Resources Code. Reference: Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.3, 21093, 21094, 21151, Public Resources Code; Sundstrom v. County of Mendocino, 202 Cal.App.3d 296 (1988); Leonoff v. Monterey Board of Supervisors, 222 Cal.App.3d 1337 (1990).



City of Arts & Innovation

CULTURAL HERITAGE BOARD MINUTES

WEDNESDAY, FEBRUARY 20, 2013, 3:30 P.M.
ART PICK COUNCIL CHAMBERS, CITY HALL
3900 MAIN STREET

Cultural Heritage Board Members

		MURRIETA	VAN WART	FIELD	GARAFALO	VACANT	TREEN	VACANT	PRESTON-CHAVEZ	GILLECE
WARDS	1	2	3	4	5	6	7	8	9	
<p>the Title 20 Code Amendment based on and subject to the findings and recommended conditions of approval.</p> <p><u>MISCELLANEOUS PLANNING AND ZONING ITEMS</u></p> <p>BRIEF REPORT FROM THE HISTORIC PRESERVATION OFFICER ON RECENT CITY COUNCIL ACTIONS There were no recent City Council actions related to historic preservation, to report.</p> <p>ITEMS FOR FUTURE AGENDAS Erin Gettis, Historic Preservation Officer, noted that the reports today reflect the new report format which will be in compliance with the Planning Commission's report format.</p> <p>Board Member Garafalo suggested a workshop to give the Cultural Heritage Board a broader understanding of the Board's role with respect to the Riverside Arts and Innovation program.</p> <p>Kristi Smith, Supervising Deputy City Attorney, and Ms. Gettis suggested addressing this through a workshop of the Downtown Specific Plan that would also include participation from someone from Seizing our Destiny group. She indicated this would be agendized at a future date.</p> <p>UPDATE ON STATUS OF MAJOR DEVELOPMENT PROJECTS There were no major development projects to update.</p> <p><u>MINUTES</u></p> <p>The Minutes of January 16, 2013 were approved as presented.</p> <p><u>ADJOURNMENT</u></p> <p>The meeting was adjourned at 4:18 p.m. to the meeting of March 20, 2013 at 3:30 pm.</p>									X	X
Motion Second All Ayes										

The minutes of February 20, 2013 were approved as presented at the March 20, 2013 meeting.

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ORDINANCE NO.

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING TITLE 20, CULTURAL RESOURCES, OF THE RIVERSIDE MUNICIPAL CODE TO CREATE A HISTORIC PRESERVATION FUND AND OTHER REVISIONS.

The City Council of the City of Riverside does ordain as follows:

Section 1: Section 20.10.020 entitled “Powers and Duties of Board”, paragraph A, of the Riverside Municipal Code is amended in part to add new section 7 and re-number the remaining sections as follows:

“20.10.020 Powers and Duties of Board.

A. The Cultural Heritage Board shall:

...

- “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;**
- 6. Hear appeals taken from formal interpretations made by the Historic Preservation Officer **or Qualified Designee;**
- 7. Hear appeals from the Historic Preservation Fund Committee’s recommendations;**
- 7.8.** 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;
- 8.9.** Work for the continuing education of the citizens of Riverside about the heritage of the City and its cultural resources;
- 9.10.** 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;

1 ~~10.~~11. Consult with and advise the City Council about the Board's duties and
2 functions;

3 ~~11.~~12. Assume the responsibilities and duties assigned to it by the City
4 Council under the Certified Local Government Provisions of the
5 National Historic Preservation Act of 1966; such as National
6 Environmental Protection Act (“NEPA”) and California
7 Environmental Quality Act (“CEQA”) compliance;

8 ~~12.~~13. As part of the Board's CEQA review responsibilities, the Board shall
9 identify and advise appropriate City departments and governmental
10 entities of known historical, cultural and archaeological resources;
11 assess and advise the City Council whether any proposed project
12 would have an adverse effect on the significance of such Cultural
13 Resources; and recommend to the City Council appropriate action in
14 compliance with the City's adopted CEQA procedures; and

15 ~~13.~~14. Encourage public participation in the Cultural Resources program to
16 identify and inventory significant cultural resources in the City;”

17 Section 2: Section 20.10.030 entitled “Historic Preservation Officer”, of the Riverside
18 Municipal Code is amended in part as follows:

19 **“20.10.030 Historic Preservation Officer.**

20 “The Historic Preservation Officer or Qualified Designee, in concert with or at the
21 direction of the ~~Planning Director~~ Community Development Director, shall:”

22 ...

23 Section 3: Section 20.15.020 entitled “CEQA Approval”, of the Riverside Municipal
24 Code is amended in its entirety and the section title changed as follows:

25 **“20.15.020 California Environmental Quality Act (CEQA) Approval.**

26 A. If an Environmental Impact Report (EIR) is prepared for any Certificate of
27 Appropriateness, designation, modification, or dedesignation, or other action
28 under this Title, final approval of that action is with the City Council. In such
29 cases, the Board shall review the Draft EIR, as it relates to cultural resources,
30 and provide comments thereon, together with its recommendation that the
31 project be approved or denied. The City Council shall consider the Board’s
32 comments and recommendation, and may accept, accept with modification, or
33 decline the Board’s recommendation.

34 B. Where an EIR is not prepared, and a Negative Declaration (ND) or Mitigated
35 Negative Declaration (MND) is prepared for a Certificate of Appropriateness
36 or case where the Board is the final approval authority, the Board may adopt

1 the ~~Negative Declaration~~ **ND** or ~~Mitigated Negative Declaration~~ **MND**, and
2 approve, approve with modification, or deny the project. If the Board's
3 decision is not appealed, then the decision becomes final. If the decision is
4 appealed, it becomes final upon the City Council's disposition of the
5 appeal."

6 Section 4: Section 20.15.030 entitled "Public Hearing and Notice", of the Riverside
7 Municipal Code is amended in part as follows:

8 **"20.15.030 Public Hearing and Notice.**

9 ...

10 "B. Upon the filing of a complete application, a matter shall be set for hearing
11 before the Board within ninety (90) days. The Board may continue a
12 ~~h~~**H**earing.

13 C. Notice of Hearing.

14 1. Notice of the ~~h~~**H**earing shall be mailed or delivered at least ten (10)
15 days prior to the ~~h~~**H**earing to:

16 ...

17 2. The notice shall be published in at least one newspaper of general
18 circulation within the City at least ten (10) days prior to the ~~h~~**H**earing.

19 3. Neither failure to send any notice by mail to any property owner
20 whose address is not a matter of public record, nor the non-receipt of
21 any notice mailed pursuant to this chapter, shall invalidate that
22 ~~h~~**H**earing or any part of the proposed designation."

23 Section 5: Section 20.15.050 entitled "Meeting and Notice for Administrative
24 Certificates of Appropriateness", of the Riverside Municipal Code is amended in its entirety as
25 follows:

26 **"20.15.050 Meeting and Notice for Administrative Certificates of Appropriateness.**

27 "A. No public hearings are required. The application shall be considered by the
28 Historic Preservation Officer or Qualified Designee administratively.

B. Within sixty (60) days, the Historic Preservation Officer or Qualified
Designee must act upon a complete application or refer the application to the
Board.

1 C. **Except as otherwise provided in this Title,** Notice shall be given to the property
2 owner and to the owners of adjacent properties or those across a street or alley.”

3 Section 6: Section 20.15.060 entitled “Meeting and Notice for Mills Act Applications”,
4 paragraph C, of the Riverside Municipal Code is amended in part as follows:

5 **“20.15.060 Meeting and Notice for Mills Act Applications.**

6 ...

7 “C. Notice of the ~~Board~~ and City Council meeting shall be sent to the property
8 owner.”

9 Section 7: Section 20.15.085 entitled “Meeting and Notice for Historic Preservation
10 Fund Committee”, is added to the Riverside Municipal Code as follows:

11 **“20.15.085 Meeting and Notice for Historic Preservation Fund Committee.**

12 **“A. The Historic Preservation Fund Committee meetings shall be held at City Hall,**
13 **during regular business hours.**

14 **B. Notice shall be given to property owner and to the owners of adjacent properties**
or those across a street or alley.”

15 Section 8: Section 20.15.090 entitled “Appeals”, paragraph A, of the Riverside
16 Municipal Code is amended in part as follows:

17 **“20.15.090 Appeals.**

18 A. Any person aggrieved or affected by an Administrative Certificate of
19 Appropriateness decision may appeal that decision to the Board within ten
20 days of the Historic Preservation Officer **or Qualified Designee’s** decision.
21 The appeal must be made by filing a letter of appeal with the Planning
22 Division. The letter shall set forth the grounds for the appeal. The appeal
23 shall be scheduled for the next available Board meeting. The Board may
24 recommend to affirm, reverse or modify the underlying Historic
25 Preservation Officer **or Qualified Designee’s** decision to the City Council.
26 Board decisions are final unless appealed as provided for in section
27 20.15.0890 B (below).”

28 ...

29 Section 9: Section 20.15.120 entitled “Time Extensions”, of the Riverside
30 Municipal Code is amended in its entirety as follows:

31 **“20.15.120 Time Extensions.**

1 “The Historic Preservation Officer **or Qualified Designee** may administratively extend the
2 term of a Certificate of Appropriateness for one year, no more than twice.”

3 Section 10: Section 20.20.030 entitled “Factual Investigation”, of the Riverside

4 Municipal Code is amended in its entirety as follows:

5 **“20.20.030 Factual Investigation.**

6 “The Historic Preservation Officer **or Qualified Designee** and/or the Planning
7 Division shall make a factual investigation for the designation, modification, or
8 dedesignation as it deems appropriate.”

9 Section 11: Section 20.20.040 entitled “Board Action”, of the Riverside

10 Municipal Code is amended in its entirety and section title changed as follows:

11 **“20.20.040 Board Action-Recommendation.**

12 At a public hearing the Board shall make a written ~~findings~~ **recommendation** based
13 upon ~~of~~ the applicable criteria from Chapter 20.50. The Board shall forward its
14 ~~findings~~ **recommendation** to the City Council.”

15 Section 12: Section 20.20.050 entitled “City Council; Resolution”, of the

16 Riverside Municipal Code is amended in its entirety as follows:

17 **“Section 20.20.050 City Council; Resolution.**

18 “Based upon the facts before it and the criteria in Chapter 20.50, the City Council
19 may accept, modify, or reject the Board’s ~~findings~~ **recommendation**. The City
20 Council, in its discretion, based upon the facts and findings before it, shall designate,
21 dedesignate, or modify the status of a Landmark, Structure or Resource of Merit, or
22 Historic District, or modify or dedesignate a Neighborhood Conservation Area, by a
23 numbered resolution setting forth the relevant facts, criteria and findings supporting
24 its actions.”

25 Section 13: Section 20.20.110 entitled “Appeal”, of the Riverside Municipal Code

26 is amended in its entirety as follows:

27 **“Section 20.20.110 Appeal.**

28 “For appeals of **a Board recommendation on** any designation, modification, or
dedesignation under this Chapter, see Section 20.15.0890(B). City Council actions
are final and non-appealable.”

Section 14: Section 20.25.010 entitled “Certificates of Appropriateness,

1 Generally”, of the Riverside Municipal Code is amended in its entirety as follows:

2 **“Section 20.25.010 Certificates of Appropriateness, Generally.**

3 “A Certificate of Appropriateness is required before any person restores, rehabilitates,
4 alters, develops, constructs, demolishes, removes or changes the appearance of any
5 designated Cultural Resource, eligible Cultural Resource, any element in a
6 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.

7 Except as set forth in section 20.25.030, Certificates of Appropriateness shall be
8 reviewed by the Cultural Heritage Board.

9 No Certificate of Appropriateness is required for a historic structure if the Building
10 Official has determined that structure presents an unsafe or dangerous condition
11 constituting an imminent threat as defined in the California Building Code, or a
12 dangerous building as defined by the Uniform Code for the Abatement of Dangerous
13 Buildings, and the proposed action is necessary to mitigate the unsafe or dangerous
14 condition. Before any physical work on any such unsafe structure, the Building
15 Official shall make all reasonable efforts to consult with the ~~Planning Director or its
designated representative~~ **Historic Preservation Officer or Qualified Designee** to
16 seek feasible alternatives to the proposed action that will adequately protect the public
17 health and safety.”

18 Section 15: Section 20.25.030 entitled “Administrative Certificates of

19 Appropriateness”, of the Riverside Municipal Code is amended in part and a new section

20 D added as follows:

21 **“Section 20.25.030 Administrative Certificates of Appropriateness.**

22 “The Historic Preservation Officer **or Qualified Designee** may administratively
23 approve, approve with conditions, refer to the Board, or deny a Certificate of
24 Appropriateness as follows:

25 ...

26 B. For all Cultural Resources, except designated Landmarks:

- 27 1. One-story ~~residential room~~ additions, **auxiliary structures or similar**
28 **(excluding attached garages)** less than 50% of the size of the existing
main residence **structure** (or 1,000 square feet **in** area, (whichever is
smaller), **for residential**), with limited or no visibility from public
streets.

...

5. Paving for driveways, walkways and/or patios, and the addition of or
alteration to driveway approaches, **subject to WQMP requirements.**

...

1 7. The removal of inappropriate additions **or alterations** to restore the
2 original appearance of a structure.

3 8. Demolition **of a, or the replacement** of a **previously existing**, one-
4 story, detached ~~single-car~~ garage and construction of a new one-story,
5 detached garage that is architecturally compatible with the existing
6 residence and character-defining features of the existing neighborhood
7 and **the area devoted to parking** does not exceed 400 square feet, or
8 the minimum size for a two-car garage as required by the City Zoning
9 Code, whichever is greater. **Maximum size of the structure shall not**
10 **exceed City Zoning Code requirements.**

11 ...

12 **D. Under A, B and C above, the Historic Preservation Officer or Qualified**
13 **Designee may waive noticing requirements and/or formal application**
14 **forms for cases that are immediately determined to meet all required**
15 **findings because they are so minor in nature or involve alterations**
16 **deemed insignificant.**

17 Section 16: Section 20.25.040 entitled “Referral to the Cultural Heritage Board”,
18 of the Riverside Municipal Code is amended in its entirety as follows:

19 **“20.25.040 Referral to the Cultural Heritage Board.**

20 “The Historic Preservation Officer **or Qualified Designee** may, in its sole discretion,
21 decline to administratively review any application and refer the application to the
22 Board.”

23 Section 17: Section 20.25.050 entitled “Principles and Standards of Site
24 Development and Design Review”, of the Riverside Municipal Code is amended in part as
25 follows:

26 **“20.25.050 Principles and Standards of Site Development and Design Review.**

27 “The Board and Historic Preservation Officer **or Qualified Designee** shall make
28 findings of the following standards when applicable to approving or denying a
Certificate of Appropriateness.

...

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;

...

1 F. The **project is consistent with the** Citywide Residential Historic District
2 Design Guidelines, ~~and the separate **approved** guidelines for each Historic~~
3 District, **and/or any other applicable Design Guidelines**; and

4 G. The **project is consistent with the** Principles of the Secretary of the
5 Interior's Standards for the Treatment of Historic Properties."

6 Section 18: Section 20.25.060 entitled "Appeals", of the Riverside Municipal

7 Code is amended in its entirety as follows:

8 **"Section 20.25.060 Appeals.**

9 "For appeals of any ~~designation, modification, or dedesignation~~ **approval,**
10 **conditional approval or denial of a Certificate of Appropriateness** under this
11 Chapter, see Section 20.15.080**090(A) and/or 20.15.090(B) as applicable.**"

12 Section 19: Section 20.30.020 entitled "Mills Act Program", of the Riverside

13 Municipal Code is amended in its entirety as follows:

14 **"Section 20.30.020 Mills Act Program.**

15 "Pursuant to Government Code section 50280 *et seq.* ("the Mills Act"), the City
16 Council has established, by Resolution 20825 (as amended) a Mills Act Program
17 providing for contractual agreement with an owner of a historic property as
18 designated by the City Council or listed on any official federal, state, or county
19 register for the purpose of preservation, rehabilitation, and maintenance of a
20 designated historic **resource**. A Mills Act Agreement allows an owner to receive a
21 reduction in property taxes in exchange for the property owner's commitment to
22 specific repair, restoration and/or rehabilitation improvements and satisfactory
23 maintenance of the Historic Property. A Mills Act Agreement is for a minimum
24 period of ten (10) years, renewed annually, unless a notice of non-renewal or
25 cancellation is filed. Mills Act applications are accepted only during the month of
26 June, and must be actually received by the Planning Division no later than the last
27 business day of the month. A Mills Act application will be acted upon by the City
28 Council before the end of the calendar year during which it was submitted."

24 Section 20: Section 20.30.030 entitled "Historic Preservation Fund" is added to the

25 Riverside Municipal Code as follows:

26 **"Section 20.30.030 Historic Preservation Fund.**

1 **“A. A Historic Preservation Fund Program is hereby established to provide funding**
2 **for the conservation, preservation, restoration, and rehabilitation of Cultural**
3 **Resources consistent with the purposes of this Chapter.**

4 **B. The Historic Preservation Fund is hereby established to provide funds for**
5 **Historic Preservation projects within the City of Riverside.**

6 **1. The funds shall be used solely for the conservation, preservation,**
7 **restoration, and rehabilitation of historical resources as provided in this**
8 **section.**

9 **2. The Financial Administrator of the Historic Preservation Fund shall be**
10 **the Community Development Director, or designee.**

11 **3. All monies designated by the City of Riverside for this Program shall be**
12 **deposited in the Fund, held and administered by the City’s Finance**
13 **Department. Separate accounts may be established within the Fund**
14 **according to origin or intended purpose.**

15 **4. In addition to any public moneys appropriated expressly for the Fund,**
16 **the Program Administrator may apply for grants, gifts, donations, or**
17 **other financial support, from private sources, pursuant to City policies.**

18 **C. The Fund shall be administered by a Historic Preservation Fund Committee.**

19 **1. The Committee membership shall consist of five members, serving two-**
20 **year terms. The Cultural Heritage Board shall designate two of its**
21 **members to serve as representatives, and the Chair of the Utility**
22 **Services, Land Use, and Energy Development Committee shall be the**
23 **City Council representative. The remaining two shall be City residents**
24 **affiliated with separate Riverside- specific historic preservation**
25 **organizations and appointed by the Mayor’s Nominating and Screening**
26 **Committee (Council Committee). Interested persons must submit**
27 **applications for appointment no later than 30 days before the meeting**
28 **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 matching funds, for
City Council review and approval.

- 1 **5. The Committee shall review and approve or deny applications for grants**
2 **in accordance with the set criteria.**
- 3
- 4 **6. A simple majority is needed for Committee action.**
- 5
- 6 **7. If the Committee cannot agree upon an action, the matter shall be**
7 **forwarded to the Cultural Heritage Board for review and**
8 **recommendation to the Land Use Committee. Land Use Committee**
9 **recommendations will be considered by the City Council in making its**
10 **decision.**
- 11 **8. Appeals shall follow the procedure in section 20.15.090 (C). City Council**
12 **actions are final and non-appealable.**
- 13
- 14 **9. No funds shall be made available until the time to appeal has expired, or**
15 **until any appeals are final.**

16 **D. Grants.**

- 17
- 18 **1. Money in the fund shall be available, for grants to public agencies,**
19 **nonprofit organizations, and private entities to carry out the purposes of**
20 **this section.**
- 21 **2. No grant shall be made except pursuant to an agreement with the City,**
22 **and subject to terms and conditions in the grant that ensure that the**
23 **grant carries out the purposes of this section. Grant agreements shall run**
24 **with the land, and must be recorded with the County Recorder before**
25 **any funds may be released.**
- 26 **3. Grants shall be awarded on a competitive basis, except that grants may**
27 **occasionally be awarded on a noncompetitive basis for emergency**
28 **purposes only. Provisions for emergency grants will be adopted by the**
 City Council.
- 4. The Committee may consider and approve applications for grants up to**
 \$25,000, but no more than \$25,000 for any one project, Cultural
 Resource, or program over any five consecutive years. Applications for
 grants exceeding those amounts must be considered and approved by the
 City Council, upon the Committee's recommendation.
- 5. Matching funds shall make applications more competitive.**
- 6. Excess funds. After completion of a historic preservation project, the**
 grant recipient shall return to the Fund any amount of the grant that
 exceeds the eligible project costs.

1 **E. Authorized projects.**

2 **Grants are available for the following types of projects:**

3 **1. Development projects. These are projects that involve the preservation,**
4 **restoration, or exterior rehabilitation of a historic property.**

5 **2. Acquisition of transferrable development rights (TDRs), conservation**
6 **easements, and façade easements for the purposes of historic**
7 **preservation.**

8 **3. Planning projects. These are projects that identify, document and record**
9 **historic resources according to applicable local, state and federal**
10 **standards, and/or contribute to the development of the City's historic**
11 **context, and/or contribute to the development of a conservation or**
12 **preservation plan.**

13 **4. Interpretive projects. These are projects that create interpretive media**
14 **to educate the public on Riverside's history and/or cultural resources. For**
15 **example, landmark plaques and/or historic district signage and other**
16 **appropriate means of sharing interpretive information.**

17 **5. Designation applications. These are projects that prepare designation**
18 **applications for state and/or national register designation.**

19 **6. All funds must be spent as represented in the application. Spending**
20 **funds except as authorized shall be considered fraud or theft, and may be**
21 **criminally prosecuted.**

22 **F. Cultural Heritage Board staff shall assist the Committee in executing this**
23 **Program. If the Cultural Heritage Board staff is unavailable or unable to**
24 **do so, then the Program staff shall be provided by the City department**
25 **then administrating the City's Historic Preservation Program.**

26 **G. The City Council shall have the power to review, modify, approve,**
27 **disapprove, or otherwise consider all Program and Committee actions or**
28 **decisions, by appeal or on its own motion.**

Section 21: Section 20.40.020 entitled "Criminal Penalties", of the Riverside Municipal

Code is amended in its entirety as follows:

“Section 20.40.020 Criminal Penalties.

“Any person who violates a requirement of this Title or fails to obey an order issued by the City, including the Historic Preservation Officer **or Qualified Designee** and the Board, and/or or comply with a condition of approval of any certificate or permit issued under this Title, shall be guilty of a misdemeanor.”

1 Section 22: Section 20.40.040 entitled “Stop Work Orders”, of the Riverside
2 Municipal Code is amended in its entirety as follows:

3 **“Section 20.40.040 Stop Work Orders.**

4 “The ~~Planning Director, the~~ Community Development Director, or ~~their~~ designee
5 have **has** the authority to issue a Stop Work Order for any violation or threatened
6 violation of this Title. A Stop Work Order shall be written in the format deemed
7 appropriate by the issuer. The Stop Work Order shall remain in effect until written
8 notice of rescission by the ~~Planning Director or~~ Community Development Director or
9 ~~their~~ designee, or until City Council action to remove or modify the order, in addition
10 to any other enforcement under any other provision of the Municipal Code or law.”

11 Section 23: Section 20.45.010 entitled “Amendment”, paragraph C, of the
12 Riverside Municipal Code is amended in part as follows:

13 **“Section 20.45.010 Amendment.**

14 ...

15 “C. Upon the written request of the ~~Planning Director~~ **Community Development**
16 **Director or designee.**”

17 Section 24: Chapter 20.50, Definitions, Section 20.50.010 of the Riverside
18 Municipal Code is amended in part, adds a new paragraph “CC” and re-letters the remaining
19 paragraphs as follows:

20 **“Section 20.50.010 Definitions.**

21 ...

22 “C. **“Certificate of Appropriateness”** means a certificate, issued by the Board or
23 Historic Preservation Officer **or Qualified Designee** that approves plans,
24 specifications, or statements of work for any proposed alteration, removal,
25 relocation or demolition of any Cultural Resource.

26 ...

27 N. **“Eligible Cultural Resource”** means a cultural resource or historic district
28 which has been determined by the Historic Preservation Officer **or Qualified**
Designee, Board, or City Council to meet the City’s designation criteria
pursuant to a survey prepared by a professional meeting the Secretary of the
Interior's standards which either documents the resource, records the resource
on the State Department of Parks and Recreation survey forms, or has been so
designated by the California State Historic Preservation Officer.

- 1 O. **“Historic District”** means an area which contains:
- 2 1. a concentration, linkage, or continuity of cultural resources, where at
- 3 least fifty percent of the structures or elements retain significant
- 4 historic integrity, (a “geographic Historic District”) or
- 5 2. a thematically-related grouping of cultural resources which contribute
- 6 to each other and are unified aesthetically by plan or physical
- 7 development, and which have been designated or determined eligible
- 8 for designation as a historic district by the Historic Preservation
- 9 Officer or Qualified Designee, Board, or City Council or is listed in
- 10 the National Register of Historic Places or the California Register of
- 11 Historical Resources, or is a California Historical Landmark or a
- 12 California Point of Historical Interest (a “thematic Historic District”).

13 ...

14 **CC. “Qualified Designee” means the person(s) designated by the Historic**

15 **Preservation Officer who meets the requirements of the Department of**

16 **the Interior, National Park Service as set forth in appendix A to Title 36,**

17 **Part 61 (Professional Qualification Standards).**

18 ~~CCDD.~~ **“Resource of Merit”** see “Structure or Resource of Merit,” below.

19 ~~DDDEE.~~ **“Secretary of Interior’s Standards for the Treatment of Historic**

20 **Properties”** means the guidelines prepared by the National Park Service for

21 Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings

22 and the standards for historic preservation projects prepared by the National

23 Park Service with the most current Guidelines for Applying the Standards.

24 ~~EEEFF.~~ **“Structure or Resource of Merit”** means any Improvement or Natural

25 Feature which contributes to the broader understanding of the historical,

26 archaeological, cultural, architectural, community, aesthetic or artistic heritage

27 of the City, retains sufficient integrity, and:”

28 ...

Section 25: Section 20.50.020 of the Riverside Municipal Code is amended in its entirety as follows:

“Section 20.50.020.

“The Historic Preservation Officer or Qualified Designee has the discretion to interpret the above terms, in addition to any other term in applying this Title. In applying this Title, the Historic Preservation Officer or Qualified Designee may, in its discretion, request from the Board a definition, interpretation, or an opinion regarding any defined term, or any other term.”



City of Arts & Innovation

City Council Memorandum

.....

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: DECEMBER 16, 2014

FROM: COMMUNITY DEVELOPMENT DEPARTMENT WARDS: ALL

SUBJECT: PLANNING SPECIAL PROJECT CASE PSP14-0019 – HISTORIC PRESERVATION FUND COMMITTEE CRITERIA AND SELECTION PROCESS FOR EVALUATING APPLICATIONS, INCLUDING GUIDELINES FOR MATCHING FUNDS AND PROVISIONS FOR EMERGENCY GRANTS

ISSUE:

The issue for City Council consideration is approval of the criteria and selection process for Historic Preservation Fund (HPF) grants developed by the Historic Preservation Fund Committee (HPFC), a City Council Subcommittee.

RECOMMENDATIONS:

That the City Council approve the HPFC Grant General Provisions as attached.

BACKGROUND:

The City Council created the HPFC in April 2013 by amending the preservation incentives included in Title 20 (Cultural Resources) of the Riverside Municipal Code. Title 20 Section 20.30.030 (Historic Preservation Fund) requires the HPFC to develop criteria and a selection process for evaluating applications, including guidelines for matching funds and provisions for emergency grants, all for City Council review and approval.

The HPFC developed the attached provisions with the goal of remaining as flexible as possible to accommodate a broad range and number of preservation, restoration, rehabilitation and identification of Cultural Resource projects consistent with Title 20. The attached HPFC Grant General Provisions describe eligible applicants and activities; include priorities and criteria, as well as general grant conditions, matching fund provisions and how to apply; and provide for emergency grant requests.

An HPFC meeting schedule has been approved to meet quarterly, with the first regular meeting on January 12, 2015. Grants will be awarded twice each year in April and October; emergency grants may be awarded as needed at any HPFC regular or special meeting. Notice of HPFC actions will be transmitted to the City Council, which has the authority to review, modify, approve, disapprove or otherwise consider all Program and HPFC actions or decisions by appeal or on its own motion.

FISCAL IMPACT:

All monies designated by the City for this program are deposited in the Historic Preservation Fund (HPF). In addition, the Financial Administrator (the Community Development Director or his designee) may apply for grants, gifts, donations or other financial support from private sources, pursuant to City policies to further replenish the HPF. The administration and maintenance of the HPF is accomplished with existing staff; therefore, the City will not incur any direct costs. The HPF provides for some increase in property values given the investment in the properties.

Prepared by: Emilio Ramirez, Deputy Director
for Al Zelinka, FAICP, Community Development Director

Certified as to availability
of funds: Brent A. Mason, Finance Director/Treasurer

Approved by: Deanna Lorson, Assistant City Manager
for Scott C. Barber, City Manager

Approved as to form: Cristina Talley, Interim City Attorney

Attachment: HPFC Grant General Provisions



City of Arts & Innovation

COMMUNITY DEVELOPMENT DEPARTMENT HISTORIC PRESERVATION, NEIGHBORHOODS, & URBAN DESIGN DIVISION

HISTORIC PRESERVATION FUND GRANT GENERAL PROVISIONS

ELIGIBLE APPLICANTS AND ACTIVITIES

- Historic Preservation Fund (HPF) grants are awarded by the HPF Committee (HPFC). Grant proposers eligible to receive funds include public agencies, nonprofit organizations, private entities, and individuals. Property owner authorization and consent are required for projects affecting private property.
- Preservation Priorities: Projects must promote and accomplish the preservation and acknowledgment of historic buildings, neighborhoods, and landmarks according to Riverside Municipal Code (RMC) Title 20, section 20.05.010, Purpose; maintain the historic authenticity of the structure and address any necessary structural integrity issues involved; contribute to the overall character of the neighborhood; comply with the RMC; and be approved as set forth in RMC Title 20. Active Code Enforcement will be taken into consideration by the HPFC and could make projects ineligible for funding.
- Eligible projects include the following, listed in order of priority for funding:
 - Historic Preservation construction projects. These include projects that involve the preservation, restoration, or exterior rehabilitation of a historic property.
 - Acquisition of Transferrable Development Rights (TDRs), conservation easements, and façade easements for the purposes of historic preservation.
 - Planning projects. These are projects that identify, document and record historic resources according to applicable local, state, and federal standards, and/or contribute to the development of the City's historic context, and/or contribute to the development of a conservation or preservation plan.
 - Interpretive projects. These are projects that create interpretive media to educate the public on Riverside's history and/or cultural resources. For example, landmark plaques and/or historic district signage and other appropriate means of sharing interpretive information.
 - Designation applications. These are projects that prepare designation applications for state and/or national register designation.
- Priority and emergency projects include building envelope repairs that are publicly visible and those related to structural integrity, weather tightness, fire hazards, and other damage.
- Only one application per entity may be funded per grant cycle at the discretion of the HPFC. Grants may be awarded at an amount lower than proposed by the applicant, at the discretion of the HPFC.
 - No more than \$25,000 may be awarded by the HPFC for any one project, Cultural Resource, or program over any five consecutive years. Applications for grants exceeding those amounts must be considered and approved by the City Council, upon the HPFC's recommendation.¹

¹ Per RMC Title 20 section 20.30.030(D)(4)

- All grant-awarded projects must obtain any and all necessary approvals and permits required for the type of project, which may include but is not limited to Certificate of Appropriateness, other Planning entitlements, building permits, grading permits, encroachment permits and approvals from other departments and agencies, etc., when required.
- Applications may be submitted during scheduled semi-annual grant cycles (except that applications for bona fide emergency situations as determined by the Historic Preservation Officer may be submitted at any time).

GRANT CONDITIONS

- Although matching funds are not required, they may make applications more competitive in the grant award process at the discretion of the HPFC. Owner-occupied single family residential projects may be eligible for a waiver of matching fund rating with verified proof of a demonstrated financial need. Matching funds may include HERO or other rebates offered by the Public Utilities Department.
- HP Funds should not be used in lieu of other available programs.
- All projects must conform to the Secretary of the Interior's Standards, and be approved as set forth in RMC Title 20.
- All funds must be spent as represented in the application. Spending funds except as authorized shall be considered fraud or theft, and may be criminally prosecuted. Expenses incurred prior to the award of funds are not eligible.
- Contractors must be licensed for the type of work proposed and have demonstrated applicable experience. Consultants must meet applicable Secretary of the Interior's Professional Qualification Standards.
- Funds are awarded based upon the execution of a grant agreement for performance on non-construction projects or performance and maintenance for construction projects (which will be recorded on the property) between the City and the property owner.
- Grantees must sign a publicity release and allow the City to use the subject structure, project and/or organization in promotional materials.
- For construction projects, a Community Development Department Historic Preservation Fund sign, which will be provided at no cost to the grantee, must be displayed for the duration of the project construction in a location approved by CHB staff in order for any grant monies to be released.
- Within one year from the fund award date, a final report and financial accounting of the expenditure of the grant must be submitted, including the finalized building permit, if required, and a letter confirming that grant funded work is complete. If the project is not completed in accordance with the grant agreement, the grant may be reduced or revoked with corresponding reductions in reimbursement and/or requirement for repayment of any disbursed funds. Grants will typically be awarded on a reimbursement basis, but may be awarded by the HPFC in advance or some combination of advance and reimbursement, on a case by case basis.
- Construction projects must be documented with a photographic record before, during and after. For unique features and/or work processes, a written description of the process and tools used to complete the project shall be required. Final completion shall be documented by photographs with captions.

CRITERIA

Grant recipients will be selected by considering, among other points, the following criteria:

- The significance of the project or resource. Cultural Resources with higher designation status and/or desperate need may be accorded higher priority consideration over those with lesser status and/or need.
- The degree to which the project furthers one of the preservation priorities mentioned above, and may act as a model for future applicants to follow or catalyst to spur further preservation activities.
- The need for funding and the urgency of the project.
- The project's budget feasibility, and whether any matching funds or improvements are proposed by the applicant.
- The project's timeline.
- The long-term objectives or positive impact to be derived from the project.
- The qualifications of the key personnel, including consultants and/or contractors.

HOW TO APPLY

You will need the following items as part of your HP Fund application:

- Completed application, which includes a budget section that outlines proposed expenses and revenue (grant funds and any other sources) for the project.
- Up to four digital images of high quality (300 dpi), with caption and credit information.
- A list of the applicant's current board of directors (nonprofit organizations and corporations/LLCs).
- If applicable, applicant's Internal Revenue Service determination letter of tax-exempt status. If tax-exempt status has not been fully approved by the IRS, please provide evidence of filing for certification and letter of opinion from an attorney concerning the applicant's tax status (nonprofit organizations).
- Resume/qualifications of consultant/contractor for construction project (if already chosen).
- Resume/experience of consultant and/or other personnel administering project.
- Up to three letters of endorsement.
- Complete applications must be received by the deadline for the applicable grant award cycle. Grant awards will typically be announced at the HPFC meeting approximately 45 days after the deadline (refer to schedule). However, emergency project applications will be considered at the next available HPFC meeting after a complete submittal.



City of Arts & Innovation

COMMUNITY DEVELOPMENT DEPARTMENT HISTORIC PRESERVATION, NEIGHBORHOODS, & URBAN DESIGN DIVISION

HISTORIC PRESERVATION FUND GRANT GENERAL PROVISIONS

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 - Acquisition of Transferrable Development Rights (TDRs), conservation easements, and façade easements for the purposes of historic preservation.
 - Planning projects. These are projects that identify, document and record historic resources according to applicable local, state, and federal standards, and/or contribute to the development of the City's historic context, and/or contribute to the development of a conservation or preservation plan.
 - Interpretive projects. These are projects that create interpretive media to educate the public on Riverside's history and/or cultural resources. For example, landmark plaques and/or historic district signage and other appropriate means of sharing interpretive information.
 - Designation applications. These are projects that prepare designation applications for state and/or national register designation.
- Priority and emergency projects include building envelope repairs that are publicly visible and those related to structural integrity, weather tightness, fire hazards, and other damage.
- Only one application per entity may be funded per grant cycle at the discretion of the HPFC. Grants may be awarded at an amount lower than proposed by the applicant, at the discretion of the HPFC.
 - No more than \$25,000 may be awarded by the HPFC for any one project, Cultural Resource, or program over any five consecutive years. Applications for grants exceeding those amounts must be considered and approved by the City Council, upon the HPFC's recommendation.¹

¹ Per RMC Title 20 section 20.30.030(D)(4)

- All grant-awarded projects must obtain any and all necessary approvals and permits required for the type of project, which may include but is not limited to Certificate of Appropriateness, other Planning entitlements, building permits, grading permits, encroachment permits and approvals from other departments and agencies, etc., when required.
- Applications may be submitted during scheduled semi-annual grant cycles (except that applications for bona fide emergency situations as determined by the Historic Preservation Officer may be submitted at any time).

GRANT CONDITIONS

- Although matching funds are not required, they may make applications more competitive in the grant award process at the discretion of the HPFC. Owner-occupied single family residential projects may be eligible for a waiver of matching fund rating with verified proof of a demonstrated financial need. Matching funds may include HERO or other rebates offered by the Public Utilities Department.
- HP Funds should not be used in lieu of other available programs.
- All projects must conform to the Secretary of the Interior's Standards, and be approved as set forth in RMC Title 20.
- All funds must be spent as represented in the application. Spending funds except as authorized shall be considered fraud or theft, and may be criminally prosecuted. Expenses incurred prior to the award of funds are not eligible.
- Contractors must be licensed for the type of work proposed and have demonstrated applicable experience. Consultants must meet applicable Secretary of the Interior's Professional Qualification Standards.
- Funds are awarded based upon the execution of a grant agreement for performance on non-construction projects or performance and maintenance for construction projects (which will be recorded on the property) between the City and the property owner.
- Grantees must sign a publicity release and allow the City to use the subject structure, project and/or organization in promotional materials.
- For construction projects, a Community Development Department Historic Preservation Fund sign, which will be provided at no cost to the grantee, must be displayed for the duration of the project construction in a location approved by CHB staff in order for any grant monies to be released.
- Within one year from the fund award date, a final report and financial accounting of the expenditure of the grant must be submitted, including the finalized building permit, if required, and a letter confirming that grant funded work is complete. If the project is not completed in accordance with the grant agreement, the grant may be reduced or revoked with corresponding reductions in reimbursement and/or requirement for repayment of any disbursed funds. Grants will typically be awarded on a reimbursement basis, but may be awarded by the HPFC in advance or some combination of advance and reimbursement, on a case by case basis.
- Construction projects must be documented with a photographic record before, during and after. For unique features and/or work processes, a written description of the process and tools used to complete the project shall be required. Final completion shall be documented by photographs with captions.

SELECTION CRITERIA

Grant recipients will be selected by considering, among other points, the following criteria:

- The significance of the project or resource. Cultural Resources with higher designation status and/or desperate need may be accorded higher priority consideration over those with lesser status and/or need.
- The degree to which the project furthers one of the preservation priorities mentioned above, and may act as a model for future applicants to follow or catalyst to spur further preservation activities.
- The need for funding and the urgency of the project.
- The project's budget feasibility, and whether any matching funds or improvements are proposed by the applicant.
- The project's timeline.
- The long-term objectives or positive impact to be derived from the project.
- The qualifications of the key personnel, including consultants and/or contractors.

HOW TO APPLY

You will need the following items as part of your HP Fund application:

- Completed application, which includes a budget section that outlines proposed expenses and revenue (grant funds and any other sources) for the project.
- Up to four digital images of high quality (300 dpi), with caption and credit information.
- A list of the applicant's current board of directors (nonprofit organizations and corporations/LLCs).
- If applicable, applicant's Internal Revenue Service determination letter of tax-exempt status. If tax-exempt status has not been fully approved by the IRS, please provide evidence of filing for certification and letter of opinion from an attorney concerning the applicant's tax status (nonprofit organizations).
- Resume/qualifications of consultant/contractor for construction project (if already chosen).
- Resume/experience of consultant and/or other personnel administering project.
- Up to three letters of endorsement.
- Complete applications must be received by the deadline for the applicable grant award cycle. Grant awards will typically be announced at the HPFC meeting approximately 45 days after the deadline (refer to schedule). However, emergency project applications will be considered at the next available HPFC meeting after a complete submittal.

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City of Arts & Innovation

COMMUNITY DEVELOPMENT DEPARTMENT
HISTORIC PRESERVATION, NEIGHBORHOODS,
& URBAN DESIGN DIVISION

HISTORIC PRESERVATION FUND GRANT APPLICATION FORM

SECTION I – TO BE COMPLETED FOR ALL REQUESTS

Property Owner Information (Attach current title report)

First Name:		Last Name:		Middle Initial:	
Address:		City:		Zip Code:	
Phone (Day):		Phone (cell):		Email:	

Applicant Information (If different from property owner)

First Name:		Last Name:		Middle Initial:	
Firm Name:		Title:		Professional License:	
Firm Address:		City:		Zip Code:	
Phone (day):		Phone (cell):		Email:	

Property Information

Street Address:		City Council Ward and Neighborhood:	
Cultural Resource Name:		Designation Date:	
Designation Level (Local, California, or National Register):		Is the property owned or leased?	
Date of Construction:		Lease Expiration Date: (attach lease)	
Construction materials:			

Property Existing Conditions (Submit photographic documentation of the project in its current state)

Use of building:	
Floor area (square feet):	

Property conditions which warrant the use of Historic Preservation Funds and reasons the conditions exist, if known (attach additional sheets as necessary):

Certificate of Appropriateness Case #		Plan Check/Building Permit #	
Planning Case #		Other	
Project Description (Submit an estimate of the cost and scope on the contractor's letterhead):			
Specific issues to be addressed with Historic Preservation Funds, and why the funds are needed (attach additional sheets as necessary):			
Funds will generally be awarded on a reimbursement basis. If the project will be phased or will have specific construction milestones, please provide an explanation (attach supporting documentation):			
HP Fund amount requested:			\$
Other funding (matching) sources and amounts:			\$
			\$
			\$
			\$
			\$
			\$
			\$
Total Project Cost:			\$
COMPLETE ADDITIONAL SECTIONS AS INDICATED. FOR OWNER-OCCUPIED SINGLE FAMILY RESIDENCES, SKIP TO SECTION V			
SECTION II – TO BE COMPLETED FOR EMERGENCY PROJECTS			
Describe what sudden, unexpected project is needed and how it impacts the cultural resource:			

SECTION III – TO BE COMPLETED FOR NONPROFIT OWNED PROPERTIES

Name of Entity:		IRS Recognition Date:	
Provide the exemption application and either Form 990, 990EZ or 990PF returns for the past three years or Form 8734.			
Is this property exempt from property taxation (Cal. Rev. & Tax Code, § 214 et seq.)?			
Website:			

SECTION IV – TO BE COMPLETED FOR COMMERCIAL AND INCOME PRODUCING PROPERTIES

Type of Business:		Business License Number:	
Describe funding gap that Historic Preservation Funds would meet (attach pro forma):			
Website:			

SECTION V – TO BE COMPLETED FOR ALL PROPERTIES

I have reviewed the Historic Preservation Fund Grant General Provisions and do hereby agree to comply with them to be eligible for program participation. All information provided herein is correct and complete to the best of my knowledge.

I understand that a grant proposal application or grant award does not constitute approval of the proposed project. A Certificate of Appropriateness, a Building Permit, and other entitlements may be required prior to commencement of work.

If a grant is awarded, execution of a separate performance covenant and agreement must be executed and recorded prior to commencement of work. A sample document, which will be tailored to fit the individual project, is available for review at this time. The property owner is encouraged to consult with their attorney prior to execution of the document. Failure to complete the entire project according to executed performance covenant and agreement requirements, including but not limited to industry standards for procedures, materials and workmanship, or failure to secure entitlements, or to comply with all approved plans, scopes of work, permits, and conditions of approval may result in enforcement of the covenant and agreement provisions, at the discretion of the City.

Property Owner Signature: <i>Required for all applications</i>		Date:	
Printed Name:			
Applicant Signature:		Date:	
Printed Name		Title:	

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WHEN RECORDED MAIL TO:

City Clerk

City of Riverside

City Hall, 3900 Main Street

Riverside, CA 92522

Project: Insert Address Here

APN:

For Recorder's Office Use Only

AGREEMENT AND DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
(HISTORIC PRESERVATION FUND GRANT)

THIS AGREEMENT AND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made and entered into this ____ day of _____, 20__, by _____, a _____ {Insert entity type} _____ ("Grantee") and the City of Riverside, a California charter city and municipal corporation ("City"), with reference to the following facts:

A. Grantee is the fee owner of the real property in the City of Riverside, County of Riverside, State of California, located at _____ {Insert address} _____, Assessor's Parcel Number _____ (the "Property," legally described in Exhibit "A," attached hereto and incorporated within).

B. Grantee applied for a Historic Preservation Fund grant in order to perform a certain project (the "Project") for the conservation, preservation, restoration, and/or rehabilitation of a Cultural Resource consistent with the purposes of Riverside Municipal Code section 20.30.030.

C. The Historic Preservation Fund Committee reviewed the Project according to the criteria and selection process for evaluating applications and approved an award of _____ Dollars (\$_____) for _____ {Insert why we are giving them the money} _____ in exchange for this Agreement and Declaration of Covenants, Conditions and Restrictions ("Agreement").

D. In order to conserve, preserve, restore, and/or rehabilitate a Cultural Resource within the City, the City and Grantee desire to enter into this Agreement, which guarantees performance of the Project and places certain restrictions on the exterior property to ensure its continued maintenance.

E. Riverside Municipal Code section 20.30.030 requires that this Agreement, and its obligations, shall run with the land and be binding on future owners, and must be recorded with the County Recorder before any funds may be released.

F. Grantee desires to fulfill its obligations under the Agreement, and to put future owners on notice of the Agreement, so that the purposes of the Grant, and the terms of the Agreement, shall be effectuated in perpetuity.

NOW, THEREFORE, Grantee and City hereby agree as follows:

1. Disbursement of Grant Funds. Grant funds shall be disbursed after Project work has been completed. To receive Grant funds, Grantee shall have completed the Project, received all approvals, complied with all Grant requirements, and passed all inspections. No payment shall be made for work not listed in the Project Description. No advance payments shall be made. Grantee's failure to complete the Project, or to apply for payment according to the disbursement schedule within the Project Description, shall be a waiver of any right to Grant funds.

2. Project Description and Standard of Performance. Grantee shall perform the Project as described the "Project Description," attached hereto and incorporated within as Exhibit "B." The Project Description shall include: plans; description of the work and materials; milestones and reports as appropriate; a disbursement schedule; and, other elements as deemed appropriate by the City. No material deviation from the Project Description is allowed without the prior written consent of the City Council. All funds must be spent as represented in the application and shown in the Project Description.

3. Compliance with Laws, Codes, and Regulations. The Project is subject to the filing and approval of a Certificate of Appropriateness request and any resulting conditions, according to RMC Title 20. The Project shall comply with the applicable Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties, 1995. Grantee shall be responsible to obtain all required approvals, permits, and inspections, and complete the project as evidenced by a finalized building permit.

4. Equal Opportunity. Grantee agrees not to discriminate against any employee or applicant for employment because of actual or perceived race, color, national origin, creed, age, gender, marital status, sexual orientation, religion, mental and physical disabilities, sex (including pregnancy), personal appearance, gender identity or expression, family responsibilities, genetic information, matriculation, political affiliation or veteran status.

5. Retention of Records. Grantee shall maintain auditable records of all expenditures under this grant for three (3) years after completion of this grant assisted Project.

6. Planning for Preservation Work. Grantee shall ensure that any documents or plans for preservation work that result from the Project will conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties, as appropriate.

7. Publicity and Acknowledgement of Grant Assistance. Grantee shall list the City of Riverside Historic Preservation Fund as a supporter in any printed material and publicity releases. Should material emanating from this preservation activity be published for distribution,

appropriate acknowledgement of the Committee's participation shall be given using the following statement:

"This project has been funded by a grant from the Historic Preservation Fund of the City of Riverside"

Or

"This project has been funded [in part] by a grant from the Historic Preservation Fund of the City of Riverside"

as appropriate. In accepting this grant, Grantee agrees to provide the City of Riverside with a non-exclusive, royalty free license to use, and to allow others to use, any reports or other materials funded by the grant.

8. Project End Date. The Project shall be completed within one year, commencing ten days after the grant was awarded by the Historic Preservation Fund Committee, or the date any appeals are final. Should any problems arise, a written request for an extension of the project must be submitted to the Historic Preservation Fund Committee at least 30 days prior to the expiration date.

9. Final Report. Within 30 days of the Project end date, Grantee shall submit a final report and financial accounting on the use of the grant award, as well as any materials or reports emanating from the grant award to the HPFC.

10. Standard of Maintenance. Grantee shall maintain and keep the Property in good repair at its sole cost and expense according to RMC chapter 20.35, any other section(s) of the RMC, and any other applicable requirement.

11. Failure to Perform. If Grantee fails to perform the maintenance as required hereunder, Grantee shall reimburse the City for all Grant funds. Failure to reimburse the Agency within thirty (30) days from the date of invoicing shall entitle the Agency to record a notice of lien against the Property, and to take other actions including, in the City's discretion, enforcement of the lien through an action in foreclosure.

12. Enforcement. In addition to other available remedies and at the election of the City, failure to comply with this Agreement shall be deemed a violation of RMC section 20.35 relating to duty to maintain. Grantee hereby waives all protests, challenges, objections, claims and causes of action of whatever kind or nature including constitutional claims, if any, arising out of the City's enforcement of this Agreement. If the City elects to proceed against Grantee under the provisions of the RMC, such action will also include any and all rights to impose a special assessment lien against the Property.

13. This Agreement may only be amended by mutual writing, as approved by the Historic Preservation Fund Committee, or the City Council, as appropriate, and duly recorded.

IN WITNESS WHEREOF, Grantee has caused this Covenant and Agreement to be executed as of the day and year first written above.

City:

THE CITY OF RIVERSIDE,
a California Charter City and
municipal corporation

By: _____

Grantee and Declarant:

_____,
a _____

By: _____
Name:
Title:

By: _____
Name:
Title:

Certified as to Availability of Funds:

By: _____
Assistant City Manager/CFO

APPROVED AS TO FORM:

Deputy City Attorney

ACKNOWLEDGMENT

State of California

County of _____)

On _____, before me, _____, a notary public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SAMPLE

EXHIBIT "A"

LEGAL DESCRIPTION

SAMPLE

EXHIBIT "B"

PROJECT DESCRIPTION

SAMPLE



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: APRIL 9, 2013
FROM: COMMUNITY DEVELOPMENT DEPARTMENT WARD: ALL
SUBJECT: PLANNING CASE P12-0659 – TITLE 20 CODE AMENDMENT

ISSUE:

The issue for City Council consideration is a proposal by the Community Development Department to amend Title 20 Code to include additional Preservation Incentives and other minor updates.

RECOMMENDATIONS:

That the City Council:

1. Determine that the proposed case will not have a significant effect on the environment based on the findings set forth in the case record and recommend adoption of a Negative Declaration;
2. Approve Planning Case P12-0659, thereby adopting the Title 20 Code Amendment based on and subject to the findings, recommended conditions and text revisions; and
3. Introduce and subsequently adopt the appropriate Ordinance.

CULTURAL HERITAGE BOARD RECOMMENDATIONS:

Staff recommended approval subject to recommended conditions of approval. On February 20, 2013, the Cultural Heritage Board recommended approval of Planning Case P12-0659 by a vote of 6 ayes, 0 noes and 0 abstentions, based on and subject to the findings, recommended conditions and text revisions.

BACKGROUND:

Please refer to the February 20, 2013 Cultural Heritage Board staff report, recommended conditions and draft minutes.

FISCAL IMPACT:

The Historic Preservation Trust account will have a total of \$500,000 available. The initial start-up of \$150,000 is currently available in the 721 Fund and \$116,667 will be included annually as a part of the future years' annual budget process for the next three fiscal years.

Prepared by: Emilio Ramirez, Deputy Director
for Al Zelinka, FAICP, Community Development Director

Certified as to
availability of funds: Brent A. Mason, Finance Director/Treasurer

Approved by: Deanna Lorson Assistant City Manager
for Scott C. Barber, City Manager

Approved as to form: Gregory P. Priamos, City Attorney

Attachments:

1. Conditions
2. Cultural Heritage Board Staff Report – February 20, 2013
3. Cultural Heritage Board Minutes – February 20, 2013
4. Ordinance

CULTURAL HERITAGE BOARD
RECOMMENDED CONDITIONS

Planning Case P12-0659

CHB Meeting Date: February 20, 2013

CONDITIONS

Case Specific

1. The Cultural Resources Code (Title 20) shall be amended as shown in Exhibit 1.
2. The City Attorney's Office shall prepare the appropriate ordinance for City Council adoption of the Resources Code text amendments within 30 days.

GENERAL INFORMATION NOTES

1. Appeal Information
 - a. Actions by the Cultural Heritage Board, including any environmental finding, may be appealed to the City Council within 15 calendar days, after the date of decision.
 - b. Appeal filing and processing information may be obtained from the Community Development Department, Planning Division, Public Information Section, 3rd Floor, City Hall.



City of Arts & Innovation

COMMUNITY DEVELOPMENT DEPARTMENT Planning Division

Cultural Heritage Board *CULTURAL RESOURCES CODE AMENDMENT*

AGENDA ITEM NO.: 3

WARD: ALL

CULTURAL HERITAGE BOARD HEARING DATE: February 20, 2013

I. CASE NUMBER(S): P12-0659

II. PROJECT SUMMARY:

- 1) **Proposal:** Revision to Title 20 to include additional Preservation Incentives and other omnibus updates.
- 2) **Location:** Citywide
- 3) **Applicant:** Community Development Department
- 4) **Case Planner:** Erin Gettis, City Historic Preservation Officer and Principal Planner, (951) 826-5463
egettis@riversideca.gov

III. RECOMMENDATION:

That the Cultural Heritage Board:

1. **DETERMINE that Planning Case P12-0659 constitutes:**

- **Environmental Assessment:**

A project that is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, which is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15331 of the CEQA Guidelines. An initial Study of the Draft Negative Declaration is attached as Exhibit 2. Therefore the proposed code amendment will not have a significant effect on the environment based on the findings set forth in the case record and recommend that the City Council adopt a Negative Declaration; and

2. Recommend that the City Council **APPROVE** Planning Case **P12-0659** (Cultural Resources Code Amendment), thereby adopting Title 20 as shown in Exhibit 1 subject to the recommended conditions of approval based on the following findings:

- a. Cultural Resources are important to the historic fabric of the City or Riverside and creating a framework that assists in the documentation of such resources and promotes preservation of these resources is essential.
- b. The proposed amendments will provide a Preservation Fund, an incentive, which will allow for funding for cultural resources throughout the City of Riverside where currently none exists.
- c. The proposed amendments streamline the review and approval process for minor and insignificant projects.
- d. The proposed amendments will correct small inconsistencies throughout the document.
- e. The proposed amendments will further the stated purposes of Title 20 including the following:

“Section 20.05.010 Purpose.

- A. To safeguard the City's heritage as embodied and reflected in such resources;
- B. To encourage public knowledge, understanding and appreciation of the City's past;
- C. To foster civic and neighborhood pride and a sense of identity based on the recognition and use of cultural resources;”
- “E. To preserve diverse and harmonious architectural styles and design preferences reflecting phases of the City's history and to encourage complementary contemporary design and construction;
- F. To enhance property values and to increase economic and financial benefits to the City and its inhabitants;
- G. To protect and enhance the City's attraction to tourists and visitors, thereby stimulating business and industry;”
- “I. To integrate the preservation of cultural resources and the extraction of relevant data from such resources into public and private land management and development processes; and
- J. To conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment.”

- f. The proposed amendments will further the stated objectives and policies of the General Plan, including the following:

“Policy HP-1.1: The City shall promote the preservation of cultural resources to ensure that citizens of Riverside have the opportunity to understand and appreciate the City's unique heritage.”

“Policy HP-1.3: The City shall protect sites of archaeological and paleontological significance and ensure compliance with all applicable State and federal cultural resources protection and management laws in its planning and project review process.”

“Policy HP-1.4: The City shall protect natural resources such as geological features, heritage trees, and landscapes in the planning and development review process and in park and open space planning.”

“Objective HP-3.0: To promote the City's cultural resources as a means to enhance the City's identity as an important center of Southern California history.”

“Objective HP-4.0: To fully integrate the consideration of cultural resources as a major aspect of the City's planning, permitting and development activities.”

IV. BACKGROUND/HISTORY:

The last time Title 20 went through a major update was in 2010. In 2012 due to concern from the Historic Preservation Community and Historic Preservation staff that elimination of Redevelopment funds for the City's Development Department façade improvement program would negatively affect historic properties, the City engaged in a series of meetings with the Historic Preservation community to propose creation of a Historic Preservation Fund. The fund was to include seed money from the City as a result of a previous action involving a City-owned cultural resource.

The Historic Preservation community, included members from the Old Riverside Foundation Board, the Riverside Historical Society Board and other groups, participated in a series of meetings at City Hall from February 2012 through January 2013 to discuss the preparation of a Preservation Fund. The full text of the Historic Preservation Fund in the Preservation Incentives chapter proposed in this report has been reviewed in advance of this meeting with these groups. This chapter includes framework for formation of a committee that will oversee the fund, determine fund distribution and awards. The committee will determine the process and methodology for applicants to competitively apply for these funds with appropriate projects.

Other omnibus changes are proposed in this report as part of ongoing review of Title 20 since the major update in 2010. These omnibus changes correct inconsistencies in the current Title 20 as well as streamline the review process for minor and insignificant changes to a Cultural Resource as a customer and business friendly measure.

VIII. PUBLIC NOTICE AND COMMENTS:

A 1/8th page ad public hearing notice for the Cultural Heritage Board was published in the Press Enterprise. As of this writing, no comments have been received.

IX. EXHIBITS: [List all items, including items that will be included in PC packets or at hearing (not printed in report)]

1. Proposed Title 20 with redline strike out for modified text and highlighted text for Historic Preservation Fund section.
2. Draft Negative Declaration and Initial Study.

RECOMMENDED CONDITIONS AND GENERAL INFORMATION NOTES

Planning Case P12-0659

CHB Meeting Date: February 20, 2013

CONDITIONS

Case Specific

1. The Cultural Resources Code (Title 20) shall be amended as shown in Exhibit 1.
2. The City Attorney's Office shall prepare the appropriate ordinance for City Council adoption of the Resources Code text amendments within 30 days.

GENERAL INFORMATION NOTES

1. Appeal Information
 - a. Actions by the Cultural Heritage Board, including any environmental finding, may be appealed to the City Council within 15 calendar days, after the date of decision.
 - b. Appeal filing and processing information may be obtained from the Community Development Department, Planning Division, Public Information Section, 3rd Floor, City Hall.

Title 20

CULTURAL RESOURCES

Chapters:

20.05 PURPOSE

20.10 AUTHORITY AND RESPONSIBILITIES

20.15 APPROVALS AND HEARINGS

20.20 DESIGNATION

20.25 CERTIFICATES OF APPROPRIATENESS

20.30 PRESERVATION INCENTIVES

20.35 DUTY TO MAINTAIN

20.40 ENFORCEMENT AND PENALTIES

20.45 AMENDMENT AND SEVERABILITY

20.50 DEFINITIONS

Chapter 20.05

PURPOSE

Section 20.05.010

The purpose of this Title is to promote the public health, safety and general welfare by providing for the identification, protection, enhancement, perpetuation and use of improvements, buildings, structures, signs, objects, features, sites, places, areas, districts, neighborhoods, streets, works of art, natural features and significant permanent landscaping having special historical, archaeological, cultural, architectural, community, aesthetic or artistic value in the City for the following reasons:

- A. To safeguard the City's heritage as embodied and reflected in such resources;
- B. To encourage public knowledge, understanding and appreciation of the City's past;
- C. To foster civic and neighborhood pride and a sense of identity based on the recognition and use of cultural resources;
- D. To promote the enjoyment and use of cultural resources appropriate for the education and recreation of the people of the City;
- E. To preserve diverse and harmonious architectural styles and design preferences reflecting phases of the City's history and to encourage complementary contemporary design and construction;
- F. To enhance property values and to increase economic and financial benefits to the City and its inhabitants;
- G. To protect and enhance the City's attraction to tourists and visitors, thereby stimulating business and industry;
- H. To identify as early as possible and resolve conflicts between the preservation of cultural resources and alternative land uses;
- I. To integrate the preservation of cultural resources and the extraction of relevant data from such resources into public and private land management and development processes;
- J. To conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment.
- K. To implement the City's General Plan.
- L. To work in concert with the City's Zoning Code.

Chapter 20.10

AUTHORITY AND RESPONSIBILITIES

Section 20.10.010 Board Created--Membership.

Pursuant to the provisions of Article VIII of the City Charter, a Cultural Heritage Board has been created by the City Council. The Board shall be composed of nine (9) members appointed by the Mayor and the City Council. Board Members shall have the duties and functions set forth in this Title.

- A. All members must have a prior demonstrated interest, competence, or knowledge of historic preservation.
- B. No less than two members should be professionals in architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, landscape architecture, urban planning, American studies, American civilization or cultural geography, to the extent that such professionals are available in the community.
- C. The Board shall elect officers and establish its own rules and regulations which shall be consistent with the Charter, the City Council meeting rules, and this Code. The Planning Division shall provide the necessary staff and support to administer the activities of the Board. The Board shall keep a copy of its procedures with the Planning Division.

20.10.020 Powers and Duties of Board.

- A. The Cultural Heritage Board shall:
 - 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~~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~~Historic Preservation Officer or Qualified Designee;

6. Hear appeals taken from formal interpretations made by the ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee;
7. Hear appeals from the Historic Preservation Fund Committee's recommendations;
- ~~78.~~ 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;
- ~~89.~~ Work for the continuing education of the citizens of Riverside about the heritage of the City and its cultural resources;
- ~~910.~~ 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;
- ~~1011.~~ Consult with and advise the City Council about the Board's duties and functions;
- ~~1112.~~ 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;
- ~~1213.~~ 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
- ~~1314.~~ Encourage public participation in the Cultural Resources program to identify and inventory significant cultural resources in the City;

B. The Cultural Heritage Board may:

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.

20.10.030 Historic Preservation Officer.

The ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee, in concert with or at the direction of the ~~Planning Director~~Community Development Director, shall:

- A. Provide professional support to the Board;
- B. Administer the Cultural Resources program;
- C. Manage the Board's Certificate of Appropriateness process;
- D. Execute the Administrative Certificate of Appropriateness process;
- E. Coordinate its activities with Riverside County, the State of California, and the federal government;
- F. Compile and maintain a current inventory of all designated Cultural Resources;
- G. Advise the City Council on historic preservation easements, transfer of development rights, property tax incentives, or other Cultural Resource preservation mechanisms;
- H. Assist and support the Board in meeting Certified Local Government requirements; and
- I. Establish criteria for and provide a continuing comprehensive survey of Cultural Resources within the City, conforming with State office of Historic Preservation Survey Standards and guidelines, and to publicize and periodically update the survey results.
- J. Determine when Cultural Resource reports for specific projects are required for this Title and/or CEQA.

**Chapter 20.15
APPROVALS AND HEARINGS**

20.15.010 Approval Authority

Table 20.15.010 Approving and Appeal Authority						
Type of Permit or Action	Approving and Appeal Authority					
	City Historic Preservation Officer (HPO)	City Cultural Heritage Board	Land Use Committee of City Council	City Council Consent <small>(1, 2)</small>	City Council Discussion <small>(1)</small>	City Council Public Hearing <small>(1, 2)</small>
<i>Administrative Discretionary Permits/Actions (No Public Hearing Required)</i>						
Administrative Certificate of Appropriateness	F	AR/F	RR ⁽³⁾		A/F	
<i>Discretionary Permits and Actions (Public Meeting or Hearing Required)</i>						
Board Certificate of Appropriateness		F ⁽⁴⁾	RR ⁽³⁾		A/F	
<i>Legislative Actions (Public Hearing Required)</i>						
Mills Act Application				F		
Designation of a Structure or Resource of Merit		R	RR ⁽³⁾			A/F
Designation of a Landmark		R	RR ⁽³⁾			A/F
Designation of an Historic District		R	RR ⁽³⁾			A/F
R = Recommending Authority; F = Final Approving Authority (unless appealable); A = Appeal Authority; AR = Approving Authority as HPO on Referral; RR = Recommend and Referral Authority						
Notes:						
(1) Decisions of the City Council are final and cannot be appealed.						
(2) An item pulled from the City Council Consent Calendar which was originally heard at a public hearing will need to be re-advertised for a public hearing prior to being heard, otherwise it will be a discussion item.						
(3) Appeal of any Cultural Heritage Board action must first go to the City Council Land Use Committee with final action by the full City Council.						
(4) The Cultural Heritage Board is the final authority unless an EIR is being processed, in which case the final authority is City Council.						

20.15.020 California Environmental Quality Act (CEQA) Approval

For any action taken under this Title:

- A. If an Environmental Impact Report (EIR) is prepared for any Certificate of Appropriateness, designation, modification, or dedesignation, 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.
- 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 ~~Negative Declaration~~ND or ~~Mitigated Negative Declaration~~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 appealed, it becomes final upon the City Council's disposition of the appeal.

20.15.030 Public Hearing and Notice

- A. All designations, modifications of designations, and/or dedesignations, ~~and Certificates of Appropriateness where an EIR, MND or ND is prepared,~~ require a public hearing ("Hearing").
- B. Upon the filing of a complete application, a matter shall be set for hearing before the Board within ninety (90) days. The Board may continue a ~~h~~Hearing as it deems appropriate.
- C. Notice of Hearing.
 - 1. Notice of the ~~h~~Hearing shall be mailed or delivered at least ten (10) days prior to the ~~h~~Hearing (unless a longer period is required by CEQA) to:
 - a. The owner of the subject real property or the owner's duly authorized agent, and the project applicant; and
 - 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, 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.
 - 2. The notice shall be published in at least one newspaper of general circulation within the City at least ten (10) days (unless a longer period is required by CEQA) prior to the ~~h~~Hearing.

3. Neither failure to send any notice by mail to any property owner whose address is not a matter of public record, nor the non-receipt of any notice mailed pursuant to this chapter, shall invalidate that ~~h~~Hearing or any part of the proposed designation.

20.15.040 Meeting and Notice for Non-CEQA 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 ninety (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.

20.15.050 Meeting and Notice for Administrative Certificates of Appropriateness

- A. No public hearings or any meetings are required. The application shall be considered by the ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee administratively.
- B. Within sixty (60) days, the ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee must act upon a complete application or refer the application to the Board.
- C. Except as otherwise provided in this Title, Nnotice shall be given to the property owner and to the owners of adjacent properties or those across a street or alley.

20.15.060 Meeting and Notice for Mills Act Applications

- A. No public hearing is required.
- B. The City Council shall approve or deny the application as a consent item or discussion item. (See also § 20.30.020.)
- C. Notice of the ~~Board and~~ City Council meeting shall be sent to the property owner.

20.15.070 Meeting and Notice for Structure Relocations

- A. Structure relocations require a Certificate of Appropriateness.
- B. Joint notices for any structure relocations shall made concurrently with and in the same manner required by Chapter 16.20. The area noticed shall be as required by Chapter 16.20, or a 450-foot radius at the destination site, whichever is greater.

20.15.080 Meeting and Notice for Cultural Resource Surveys

- A. No public hearing is required.

- B. The City Council shall approve or deny the Cultural Resource Survey findings as a consent item or discussion item.
- C. Notice of the City Council action taken shall be sent to owners of affected properties.

20.15.090-085 Meeting and Notice for Historic Preservation Fund Committee

- A. The Historic Preservation Committee meetings shall be held at City Hall, during regular business hours.
- B. Notice shall be given to the property owner and to the owners of adjacent properties or those across a street or alley.

20.15.090 Appeals

- A. Appeal of Administrative Certificate of Appropriateness

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~~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~~Historic Preservation Officer or Qualified Designee's decision to the City Council. Board decisions are final unless appealed as provided for in section 20.15.089 B (below).

- B. Appeal of Board action

1. 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 at its next available meeting, which shall then make a recommendation to the City Council.
2. Notice of the time and place of the Land Use Committee meeting shall be sent to the Applicant and Appellant.
3. The notice for the City Council action shall be the same as for the original action.

- C. Appeal of Historic Preservation Fund Committee action

1. A Fund applicant, unsuccessful in whole or in part, may appeal that Historic Preservation Fund Committee decision to the Cultural Heritage Board within ten calendar days of the Committee'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 affirm, reverse or modify the underlying Historic Preservation Fund Committee's decision.

2. The Cultural Heritage Board's decision may be appealed under 20.15.090(B).

20.15.100 Effective Date

- A. Certificates of Appropriateness shall be effective the first regular business day after the end of the 10 day appeal period. Filing of an appeal stays the effective date pending action on the appeal.
- B. Designation, modification, and dedesignation shall be effective on the next City business day following City Council Action.

20.15.110 Time Limits

Any Certificate of Appropriateness shall become null and void if not exercised within the time limit specified in the approving document or within one year if no time has been specified.

20.15.120 Time Extensions

The ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee may administratively extend the term of a Certificate of Appropriateness for one year, no more than twice.

20.15.130 Approvals to Run with Land

Certificates of Appropriateness and other approvals under this Title are transferred upon a change of ownership of the site, business, service, use or structures, provided that the conditions of the original Certificate or approval are fully complied with, and the project is not modified.

20.15.140 Approval(s) On Site During Construction

A copy of all Certificates of Appropriateness or any other approval under this Title shall be kept on site at all times during construction and made available upon request by an official of the City.

Chapter 20.20

DESIGNATION

20.20.010 Designation Criteria

The criteria to designate, modify the status of, or dedesignate Landmarks, Structures or Resources of Merit and Historic Districts, and to modify or dedesignate Neighborhood Conservation Areas, are set forth in their definitions in Chapter 20.50.

20.20.020 Designation Application

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.

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.

The City no longer allows designation of Neighborhood Conservation Areas.

20.20.030 Factual Investigation

The ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee and/or the Planning Division shall make a factual investigation for the designation, modification, or dedesignation as it deems appropriate.

20.20.040 Board ~~Action~~Recommendation

At a public hearing the Board shall make a written ~~findings-recommendation~~ based upon ~~of~~ the applicable criteria from Chapter 20.50. The Board shall forward its ~~findings-recommendation~~ to the City Council.

20.20.050 City Council; Resolution

Based upon the facts before it and the criteria in Chapter 20.50, the City Council may accept, modify, or reject the Board's ~~findings-recommendation~~. The City Council, in its discretion, based upon the facts and findings before it, shall designate, dedesignate, or modify the status of a Landmark, Structure or Resource of Merit, or Historic District, or modify or dedesignate a Neighborhood Conservation Area, by a numbered resolution setting forth the relevant facts, criteria and findings supporting its actions.

20.20.060 Notice of City Council Action

A notice of the City Council action shall be sent to the property owner(s). The Planning Division shall update the City's Historic Resources Inventory Database and maps to show the designation, modification, or dedesignation status.

20.20.070 Recording Resolutions

The City Clerk shall record all designation-, modification-, or dedesignation-related resolutions with the Riverside County Recorder.

20.20.080 Overlay Zone

Pursuant to Title 19, upon any Designation, the Cultural Resources Overlay Zone applies to the subject property or parcel.

20.20.090 Landmark Plaques and Covenants

All Landmarks shall display and maintain a plaque identifying the Landmark, as provided in a Covenant and Agreement, recorded with the County Recorder.

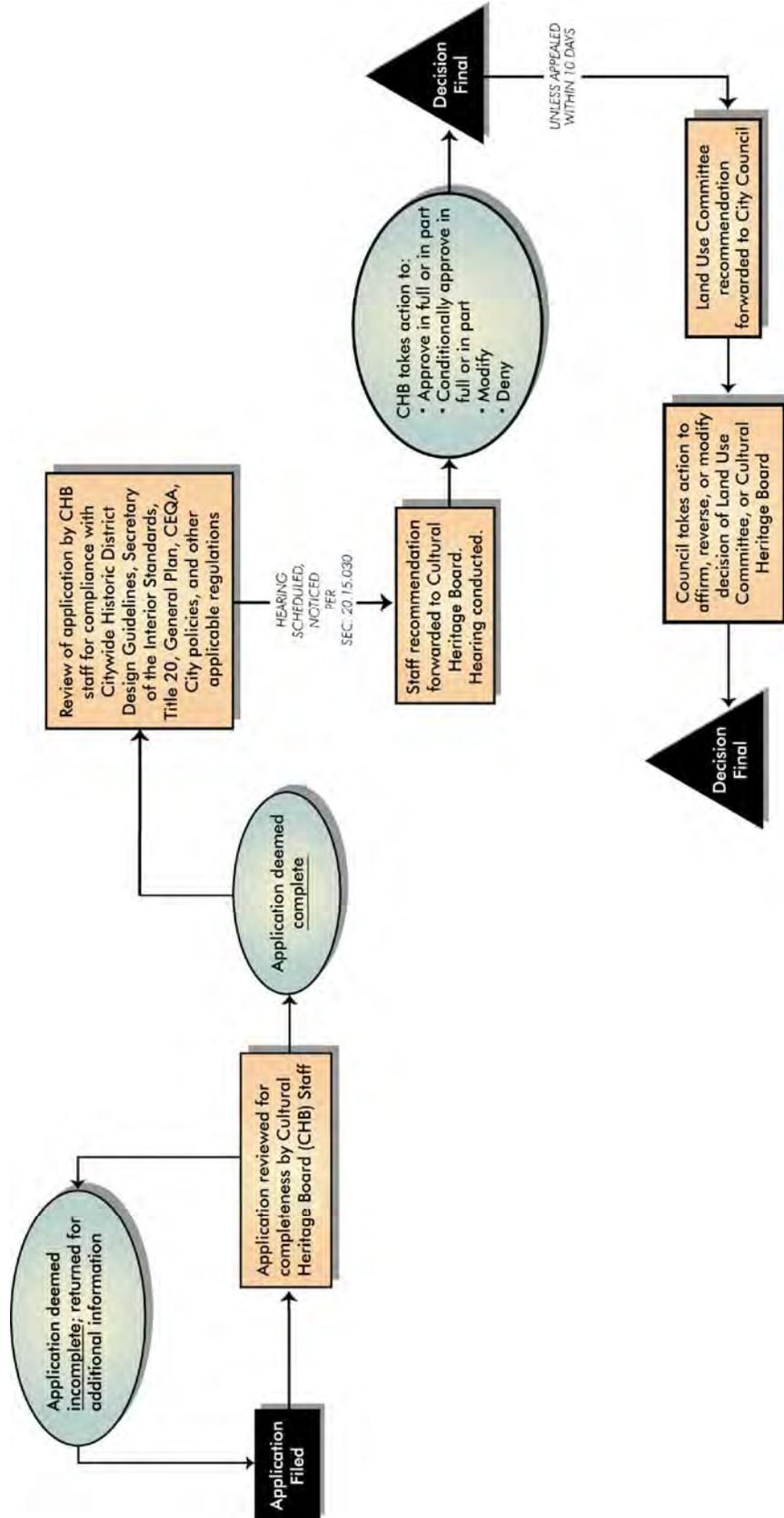
20.20.100 Dedesignation

The procedure to modify or repeal the designation of designated Landmarks, Structures or Resources of Merit, Historic Districts, and modify or repeal the designation of Neighborhood Conservation Areas is the same procedure used to designate those resources, as set forth in this Chapter.

20.20.110 Appeal

For appeals of a Board recommendation on any designation, modification, or dedesignation under this Chapter, see Section 20.15.0890(B). City Council actions are final and non-appealable.

20.20.120 Designation Process in Flow Chart Form



Chapter 20.25

CERTIFICATES OF APPROPRIATENESS

20.25.010 Certificates of Appropriateness, Generally

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.

Except as set forth in section 20.25.030, Certificates of Appropriateness shall be reviewed by the Cultural Heritage Board.

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 consult with the ~~Planning Director or its designated representative~~Historic Preservation Officer or Qualified Designee to seek feasible alternatives to the proposed action that will adequately protect the public health and safety.

20.25.020 Application

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.

20.25.030 Administrative Certificates of Appropriateness

The ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee may administratively approve, approve with conditions, refer to the Board, or deny a Certificate of Appropriateness as follows:

- A. For all Cultural Resources, including Landmarks (designated and eligible):
 - 1. The in-kind replacement of historically-correct architectural features or building elements, including windows, doors, exterior siding, roofs, porches, cornices, balustrades, stairs, and the like, that are deteriorated, damaged beyond restoration, or previously removed.

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.

B. For all Cultural Resources, except designated Landmarks:

1. One-story ~~residential room~~ additions, auxiliary structures or similar (excluding attached garages); less than 50% of the size of the existing main ~~residence structure~~ (or 1000 square feet in 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.
7. The removal of inappropriate additions or alterations to restore the original appearance of a structure.
8. Demolition of a, or the replacement of a previously existing, one-story, detached ~~single-car~~ 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.

C. For Non-contributing Features and Non-contributors in a Historic District, all actions except:

1. Demolition.
2. New and in-fill construction.
3. Large additions (increasing floor area by 100% or more).

4. Increasing the number of stories (e.g., adding a second story to a single-story structure).

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.

20.25.040 Referral to the Cultural Heritage Board

The ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee may, in its sole discretion, decline to administratively review any application and refer the application to the Board.

20.25.050 Principles and Standards of Site Development and Design Review

The Board and ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee shall make findings of the following standards when applicable to approving or denying a Certificate of Appropriateness.

- A. The application proposal is consistent or compatible with the architectural period and the character-defining elements of the historic building;
- B. The application proposal is compatible with existing adjacent or nearby Cultural Resources and their character-defining elements;
- 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;
- 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;
- E. The proposed change does not destroy or adversely affect an important architectural, historical, cultural or archaeological feature or features;
- F. The project is consistent with the Citywide Residential Historic District Design Guidelines, ~~and the separate~~approved guidelines for each Historic District, and/or any other applicable Design Guidelines; and
- G. The project is consistent with the Principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties.

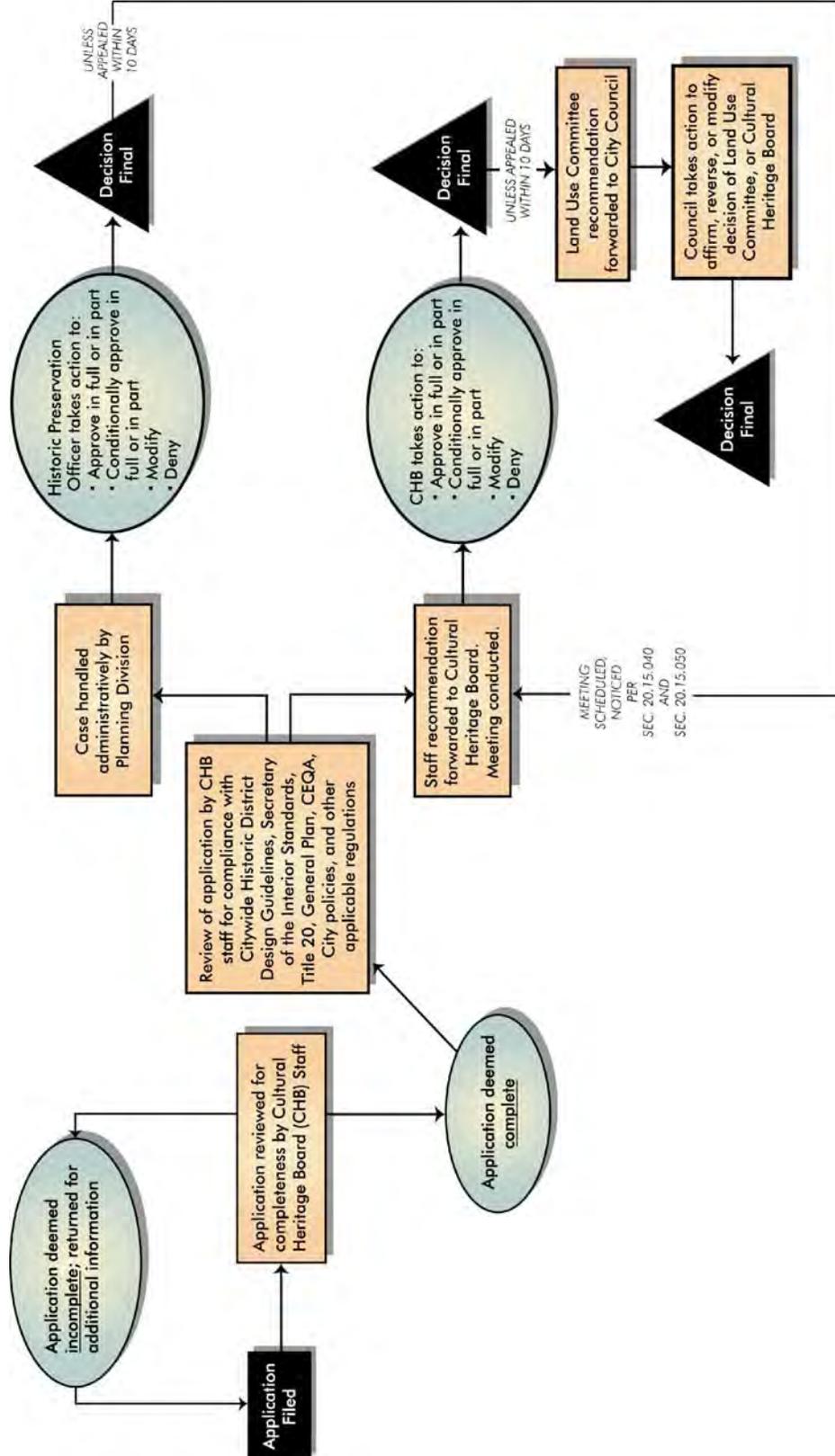
20.25.060 Appeals

For appeals of any ~~designation, modification, or dedesignation approval, conditional approval or denial of a Certificate of Appropriateness~~ under this Chapter, see Section 20.15.080090(A) and/or 20.15.090(B) as applicable.

20.25.070 Application of the State Historic Building Code

Pursuant to the California Health and Safety Code, the Building Official may apply the State Historic Building Code in permitting repairs, alterations and additions necessary for the preservation, restoration, rehabilitation, moving, or continued use of a designated Cultural Resource.

20.25.080 Certificate of Appropriateness Process in Flow Chart Form



Chapter 20.30

PRESERVATION INCENTIVES

20.30.010 Preservation Incentives

The City Council may establish preservation incentives to encourage owners to designate, maintain, preserve, rehabilitate, and improve Cultural Resources. Only properties designated as Cultural Resources pursuant to the provisions of Riverside Municipal Code Title 20 shall be eligible to apply for preservation incentives.

20.30.020 Mills Act Program

Pursuant to Government Code section 50280 *et seq.* (“the Mills Act”), the City Council has established, by Resolution 20825 (as amended) a Mills Act Program providing for contractual agreement with an owner of a historic property as designated by the City Council or listed on any official federal, state, or county register for the purpose of preservation, rehabilitation, and maintenance of a designated historic [resource](#). A Mills Act Agreement allows an owner to receive a reduction in property taxes in exchange for the property owner's commitment to specific repair, restoration and/or rehabilitation improvements and satisfactory maintenance of the Historic Property. A Mills Act Agreement is for a minimum period of ten (10) years, renewed annually, unless a notice of non-renewal or cancellation is filed. Mills Act applications are accepted only during the month of June, and must be actually received by the Planning Division no later than the last business day of the month. A Mills Act application will be acted upon by the City Council before the end of the calendar year during which it was submitted.

20.30.030 Historic Preservation Fund

- A. A Historic Preservation Fund Program is hereby established to provide funding for the conservation, preservation, restoration, and rehabilitation of Cultural Resources consistent with the purposes of this Chapter.
- B. The Historic Preservation Fund is hereby established to provide funds for Historic Preservation projects within the City of Riverside.
1. The funds shall be used solely for the conservation, preservation, restoration, and rehabilitation of historical resources as provided in this section.
 2. The Financial Administrator of the Historic Preservation Fund shall be the Community Development Director, or ~~his~~ designee.
 3. All monies designated by the City of Riverside for this Program shall be deposited in the Fund, held and administered by the City's Finance Department. Separate accounts may be established within the Fund according to origin or intended purpose.
 4. In addition to any public moneys appropriated expressly for the Fund, the Program Administrator may apply for grants, gifts, donations, or other financial support, from private sources, pursuant to City policies.
- C. The Fund shall be administered by a Historic Preservation Fund Committee.
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 Chair of the Utility Services, Land Use, and Energy Development Committee shall be the City Council representative. The remaining two shall be City residents affiliated with separate Riverside-specific historic preservation organizations and appointed by the mayor's Nominating and Screening Committee (Council Committee). Interested persons must submit applications for appointment no later than 30 days before the meeting during which the City-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 matching funds, for City Council review and approval.
 5. The Committee shall review and approve or deny applications for grants in accordance with the set criteria.
 6. A simple majority is needed for Committee action.
 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.

8. Appeals shall follow the procedure in section 20.15.090 (C). City Council actions are final and non-appealable.
9. No funds shall be made available until the time to appeal has expired, or until any appeals are final.

D. Grants.

1. Money in the fund shall be available, for grants to public agencies, nonprofit organizations, and private entities to carry out the purposes of this section.
2. No grant shall be made except pursuant to an agreement with the City, and subject to terms and conditions in the grant that ensure that the grant carries out the purposes of this section. Grant agreements shall run with the land, and must be recorded with the County Recorder before any funds may be released.
3. Grants shall be awarded on a competitive basis, except that grants may occasionally be awarded on a noncompetitive basis for emergency purposes only. Provisions for emergency grants will be adopted by the City Council.
4. The Committee may consider and approve applications for grants up to \$25,000, but no more than \$25,000 for any one project, Cultural Resource, or program over any ~~5~~five consecutive years. Applications for grants exceeding those amounts must be considered and approved by the City Council, upon the Committee's recommendation.
5. Matching funds shall make applications more competitive.
6. Excess funds. After completion of a historic preservation project, the grant recipient shall return to the Fund any amount of the grant that exceeds the eligible project costs.

E. Authorized projects.

Grants are available for the following types of projects:

1. Development projects. These are projects that involve the preservation, restoration, or exterior rehabilitation of a historic property.
2. Acquisition of transferrable development rights (TDRs), conservation easements, and façade easements for the purposes of historic preservation.
3. Planning projects. These are projects that identify, document and record historic resources according to applicable local, state and federal standards, and/or contribute to the development of the City's historic context, and/or contribute to the development of a conservation or preservation plan.
4. Interpretive projects. These are projects that create interpretive media to educate the public on Riverside's history and/or cultural resources. For example, landmark plaques and/or historic district signage and other appropriate means of sharing interpretive information.
5. Designation applications. These are projects that prepare designation applications for state and/or national register designation.

6. All funds must be spent as represented in the application. Spending funds except as authorized shall be considered fraud or theft, and may be criminally prosecuted.

- F. Cultural Heritage Board staff shall assist the Committee in executing this Program. If the Cultural Heritage Board staff is unavailable or unable to do so, then the Program staff shall be provided by the City department then administrating the City's Historic Preservation Program.

- G. The City Council shall have the power to review, modify, approve, disapprove, or otherwise consider all Program and Committee actions or decisions, by appeal or on its own motion.

Chapter 20.35

DUTY TO MAINTAIN

20.35.010 Duty to Maintain

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 Development Department to the full extent permissible by law.

20.35.020 Relationship to Other Provisions

Any duties or obligations set forth in this Title are in addition to those set forth in Title 6, including Chapters 6.11 (“Maintenance and Rehabilitation of Vacant and Neglected Buildings”), 6.14 (“Property Maintenance”), and 6.15 (“Abatement of Public Nuisances”). If there is any conflict between this Title and any other provision of the Municipal Code, except as provided herein, Title 20 shall prevail.

Chapter 20.40

ENFORCEMENT AND PENALTIES

20.40.010 Violations

No person shall alter or demolish a Cultural Resource in violation of this Title, either actively or passively, including through neglect.

20.40.020 Criminal Penalties

Any person who violates a requirement of this Title or fails to obey an order issued by the City, including the ~~Historic Preservation Officer~~ Historic Preservation Officer or Qualified Designee and the Board, and/or or comply with a condition of approval of any certificate or permit issued under this Title, shall be guilty of a misdemeanor.

20.40.030 Nuisance

Any alteration or demolition of a Cultural Resource in violation of this Title is declared to be a nuisance.

20.40.040 Stop Work Orders

The ~~Planning Director, the~~ Community Development Director, or ~~their~~ designee have has the authority to issue a Stop Work Order for any violation or threatened violation of this Title. A Stop Work Order shall be written in the format deemed appropriate by the issuer. The Stop Work Order shall remain in effect until written notice of rescission by the ~~Planning Director or~~ Community Development Director or ~~their~~ designee, or until City Council action to remove or modify the order, in addition to any other enforcement under any other provision of the Municipal Code or law.

20.40.050 Remedies

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.

- A. Retroactive Compliance. Apply for and obtain a Certificate of Appropriateness as defined in Chapter 20.25, including compliance with all conditions.
- 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.
- 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, deposited in the Historic Preservation Fund, or both.

20.40.060 Moratoriums.

In addition to Section 20.40.050 above, the City Council may impose up to a 5-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.

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).

20.40.070 Legal Actions

The City Attorney may maintain an action for injunctive relief to restrain a violation, or seek restoration and/or penalties. The City Attorney may also pursue any other action or remedy authorized under the Municipal Code, state statutes and/or in equity for any violation of this Title. Civil remedies shall be in addition to any criminal prosecution and penalty, or any other remedy provided by law.

Chapter 20.45

AMENDMENT AND SEVERABILITY

20.45.010 Amendment

Amendments to this Title may be initiated in any one of the following manners:

- A. Upon Minute Action of the City Council.
- B. Upon Minute Action of the Cultural Heritage Board.
- C. Upon the written request of the ~~Planning Director~~Community Development Director or designee.
- D. Upon application by a property owner or owners of any parcel subject to this Title and subject to payment of a fee.

20.45.020 Procedures

- A. Recommendation and Approval. Any proposed amendment to this Title must first be sent to the Board for review and recommendation. The Board shall recommend that the City Council amend, not amend, or amend the proposal as modified by the Board. The City Council is the final approving authority.
- B. Notice. The Cultural Heritage Board shall hold a public hearing on any amendment. Notice of the hearing shall be published in at least one newspaper of general circulation within the City at least ten days prior to the hearing.
- C. Adoption. Amendments of this Title shall be adopted by ordinance of the City Council, which constitutes final action.
- D. Required Findings. In acting to approve an amendment to the Zoning Ordinance Text or Map, the City Council shall make the following findings:
 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.

20.45.030 Severability

If any section, sentence, clause, or phrase of this Title is for any reason held to be invalid by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Title. The City Council declares that it would have passed this ordinance and adopted this Title, and each section, sentence, clause, or phrase thereof,

irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Chapter 20.50

DEFINITIONS

Section 20.50.010. For the purposes of this Title, these terms are defined as follows:

- A. **"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 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.
- B. **"Board"** means the Cultural Heritage Board.
- C. **"Certificate of Appropriateness"** means a certificate, issued by the Board or ~~Historic Preservation Officer~~ Historic Preservation Officer or Qualified Designee that approves plans, specifications, or statements of work for any proposed alteration, removal, relocation or demolition of any Cultural Resource.
- D. **"Certified Local Government ('CLG')"** means a local government certified under federal law by the California State Office of Historic Preservation for the purpose of more direct participation in federal and State historic preservation programs.
- E. **"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.
- F. **"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.

- G. “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.
- H. “Cultural Landscape”** means a geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values.
- I. “Cultural Resource”** means improvements, natural features, sites, Cultural Landscapes, or other objects, which may reasonably be of scientific, aesthetic, educational, cultural, architectural, social, political, military, historical or archaeological significance. This includes Designated Cultural Resources, Eligible Cultural Resources, and Contributing Features to Historic Districts and Neighborhood Conservation Areas.
- J. “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.
- K. “Cultural Resources Survey”** means a project that surveys and identifies properties within the City according to the standards set forth in National Register Bulletin #24. Completed surveys shall have findings adopted by City Council, as a consent or discussion item.
- L. “Design Guidelines”** means the document approved by the Board which illustrates appropriate and inappropriate methods of alteration and construction. The purpose of design guidelines is to promote appropriate design and decision-making and to preserve the integrity and Character Defining Features of Cultural Resources. The Secretary of the Interior's Standards for the Treatment of Historic Properties shall serve as design guidelines where there exist no other established design guidelines.
- M. “Designated Cultural Resource”** means any cultural resource that has been designated a City Landmark, Structure or Resource of Merit, Historic District, or Neighborhood Conservation Area (prior to 2006); County Landmark, County Historic Preservation District, a California Point of Historical Interest or Historical Landmark; a National Heritage Landmark; or is listed in the National Register of Historic Places or the California Register of Historical Resources.
- N. “Eligible Cultural Resource”** means a cultural resource or historic district which has been determined by the ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee, Board, or City Council to meet the City’s designation criteria pursuant to a survey prepared by a professional meeting the Secretary of the Interior's standards which either documents the resource, records the resource on the State Department of Parks and Recreation survey forms, or has been so designated by the California State Historic Preservation Officer.

O. “Historic District” means an area which contains:

1. a concentration, linkage, or continuity of cultural resources, where at least fifty percent of the structures or elements retain significant historic integrity, (a “geographic Historic District”) or
2. a thematically-related grouping of cultural resources which contribute to each other and are unified aesthetically by plan or physical development, and which have been designated or determined eligible for designation as a historic district by the ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee, Board, or City Council or is listed in the National Register of Historic Places or the California Register of Historical Resources, or is a California Historical Landmark or a California Point of Historical Interest (a “thematic Historic District”).

In addition to either **1** or **2** above, the area also:

3. Exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history;
4. Is identified with persons or events significant in local, State, or national history;
5. 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;
6. Represents the work of notable builders, designers, or architects;
7. Embodies a collection of elements of architectural design, detail, materials or craftsmanship that represent a significant structural or architectural achievement or innovation;
8. 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;
9. Conveys a sense of historic and architectural cohesiveness through its design, setting, materials, workmanship or association; or
10. Has yielded or may be likely to yield, information important in history or prehistory.

P. “Historic Preservation Officer” is the person selected by the Community Development Director for the City of Riverside and appointed by the City Manager to administer the Cultural Resources program, including professional support to the Board, management of both the Board’s Certificate of Appropriateness process, and execution of the Administrative Certificate of Appropriateness process. The Historic Preservation Officer shall meet the requirements of the Department of the Interior, National Park Service as set forth in appendix A to Title 36, Part 61 (Professional Qualification Standards).

- Q.** **"Improvement"** means any building, structure, fence, gate, wall, landscaping, planted tree, work of art, or other man-made physical feature of real property, or any part of such feature which is not a Natural Feature.
- R.** **"In-kind Replacement"** means to match the old in material, design, color, and texture, when sufficient information is known about the original to be replaced. Refer to the Secretary of Interior Standards for Historic Properties for more specific information on in-kind replacement as applies to the appropriate level of treatment (i.e.: preservation, rehabilitation, restoration, or reconstruction). If sufficient information is not known about the original to be replaced, in-kind replacement is not possible.
- S.** **"Integrity"** means the ability of a cultural resource to convey its significance. To retain integrity a cultural resource must retain most of the aspects that closely relate to the resource's significance including location, design, setting, materials, workmanship, feeling, and association.
- T.** **"Land Use Committee"** means the Utility Services, Land Use and Energy Development Committee.
- U.** **"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:
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 the use of indigenous materials or craftsmanship;
 4. Represents the work of a notable builder, designer, or architect, or important creative individual;
 5. Embodies elements that possess high artistic values or represents a significant structural or architectural achievement or innovation;
 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;
 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
 8. Has yielded or may be likely to yield, information important in history or prehistory.

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).

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.

- V. **“Moratorium”** means a suspension of an ongoing or planned development activity or permits.
- W. **"Natural Feature"** means any naturally-occurring tree, plant life, habitat, geographical or geological site or feature, but does not include Improvements.
- X. **“Neighborhood Conservation Area”** means an area that:
 1. Provides a contextual understanding of the broader patterns of Riverside's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history;
 2. Represents established and familiar visual features of a neighborhood, community, or of the City;
 3. Reflects significant development or geographical patterns, including those associated with different eras of settlement and growth; or
 4. Conveys a sense of historic or architectural cohesiveness through its design, setting, materials, workmanship or association.

Designation of Neighborhood Conservation Areas is no longer allowed. Those designated prior to May 2006 shall remain in effect and subject to this Title, and may be modified or dedesignated.

- Y. **"Non-contributing Feature”** of a Historic District, Neighborhood Conservation Area, or individually significant property means a site, improvement, or natural feature within a Historic District or Neighborhood Conservation Area that does not provide appropriate historic context, historic architecture, historic association or historic value, or is not capable of yielding important information about the period, because that element:
 1. Was not present during the district’s or area's period of historic significance; or
 2. No longer possesses integrity due to alterations, disturbances, additions, or other changes; and
 3. Does not independently meet the designation criteria as defined in this Title.

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. Non-contributing features in Neighborhood Conservation Areas are not subject to the Certificate of Appropriateness requirements.

Z. “**Non-contributor**” to either a Historic District or a Neighborhood Conservation Area means a building structure within a Historic District or Neighborhood Conservation Area that does not provides appropriate historic context, historic architecture, historic association or historic value, or is not capable of yielding important information about the period, because that building structure:

1. Was not present during the district’s or area's period of historic significance; or
2. No longer possesses integrity due to alterations, disturbances, additions, or other changes; and
3. Does not independently meet the designation criteria as defined in this Title.

Non-contributors in Historic Districts are subject to the Certificate of Appropriateness requirements; however, the principles, issues and standards are different than for Contributors. Non-contributors in Neighborhood Conservation Areas are not subject to the Certificate of Appropriateness requirements.

AA. “**Person**” means any natural person, property owner, or occupant; association, company, corporation or other legal entity; local, city, county, or federal agency.

BB. “**Preservation**” means the identification, study, protection, restoration, rehabilitation, and/or acquisition of cultural resources.

CC. “**Qualified Designee**” means the person(s) designated by the Historic Preservation Officer who meets the requirements of the Department of the Interior, National Park Service as set forth in appendix A to Title 36, Part 61 (Professional Qualification Standards).

CCDD. “**Resource of Merit**” see “Structure or Resource of Merit,” below.

DDEE. “**Secretary of Interior's Standards for the Treatment of Historic Properties**” means the guidelines prepared by the National Park Service for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings and the standards for historic preservation projects prepared by the National Park Service with the most current Guidelines for Applying the Standards.

EEFF. “**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:

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 cultural resource significance as a Structure or Resource of Merit.

Section 20.50.020.

The ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee has the discretion to interpret the above terms, in addition to any other term in applying this Title. In applying this Title, the ~~Historic Preservation Officer~~Historic Preservation Officer or Qualified Designee may, in its discretion, request from the Board a definition, interpretation, or an opinion regarding any defined term, or any other term.



City of Arts & Innovation

COMMUNITY DEVELOPMENT DEPARTMENT Planning Division

Negative Declaration

WARD: Citywide

1. **Case Number:** P12-0659
2. **Project Title:** Update to Title 20
3. **Hearing Date:** February 20, 2013
4. **Lead Agency:** City of Riverside
Community Development Department
Planning Division
3900 Main Street, 3rd Floor
Riverside, CA 92522
5. **Contact Person:** Erin Gettis, City Historic Preservation Officer and Principal Planner
Phone Number: (951) 826-5463
6. **Project Location:** Citywide
7. **Project Applicant/Project Sponsor's Name and Address:**
City of Riverside
8. **General Plan Designation:** Citywide Project
9. **Zoning:** Citywide Project
10. **Description of Project:** Revision to Title 20 to include additional Preservation Incentives and other omnibus updates.
11. **Surrounding land uses and setting: Surrounding land uses and setting:** Citywide
Adjacent Existing Land Use: Citywide
Adjacent zoning: Citywide
12. **Other public agencies whose approval is required (e.g., permits, financial approval, or participation agreement.):**
 - a. None.
13. **Other Environmental Reviews Incorporated by Reference in this Review:**
 - a. General Plan 2025
 - b. GP 2025 FPEIR

14. Acronyms

AICUZ -	Air Installation Compatible Use Zone Study
AQMP -	Air Quality Management Plan
AUSD -	Alvord Unified School District
CEQA -	California Environmental Quality Act
CMP -	Congestion Management Plan
EIR -	Environmental Impact Report
EMWD -	Eastern Municipal Water District
EOP -	Emergency Operations Plan
FEMA -	Federal Emergency Management Agency
FPEIR -	GP 2025 Final Programmatic Environmental Impact Report
GIS -	Geographic Information System
GhG -	Green House Gas
GP 2025 -	General Plan 2025
IS -	Initial Study
LHMP -	Local Hazard Mitigation Plan
MARB/MIP -	March Air Reserve Base/March Inland Port
MJPA-JLUS -	March Joint Powers Authority - Joint Land Use Study
MSHCP -	Multiple-Species Habitat Conservation Plan
MVUSD -	Moreno Valley Unified School District
NCCP -	Natural Communities Conservation Plan
OEM -	Office of Emergency Services
OPR -	Office of Planning & Research, State
PEIR -	Program Environmental Impact Report
PW -	Public Works, Riverside
RCALUC -	Riverside County Airport Land Use Commission
RCALUCP -	Riverside County Airport Land Use Compatibility Plan
RCP -	Regional Comprehensive Plan
RCTC -	Riverside County Transportation Commission
RMC -	Riverside Municipal Code
RPD -	Riverside Police Department
RPU -	Riverside Public Utilities
RTIP -	Regional Transportation Improvement Plan
RTP -	Regional Transportation Plan
RUSD -	Riverside Unified School District
SCAG -	Southern California Association of Governments
SCAQMD -	South Coast Air Quality Management District
SCH -	State Clearinghouse
SKR-HCP -	Stephens' Kangaroo Rat - Habitat Conservation Plan
SWPPP -	Storm Water Pollution Prevention Plan
USGS -	United States Geologic Survey
WMWD -	Western Municipal Water District
WQMP -	Water Quality Management Plan

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forest Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Service | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation which reflects the independent judgment of the City of Riverside, it is recommended that:

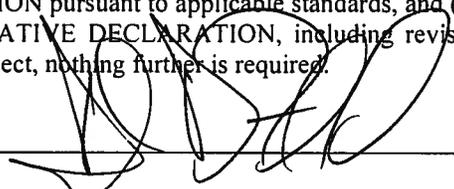
The City of Riverside finds that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

The City of Riverside finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

The City of Riverside finds that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

The City of Riverside finds that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

The City of Riverside finds that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature 

Date 2.20.13

Printed Name & Title John Field, Cultural Heritage Board Chair

For City of Riverside



City of Arts & Innovation

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Environmental Initial Study

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. **Earlier Analysis Used.** Identify and state where they are available for review.
 - b. **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. **Mitigation Measures.** For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measure which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significance.

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>1a. Response: <i>(Source: General Plan 2025 Figure CCM-4 – Master Plan of Roadways, General Plan 2025 FPEIR Figure 5.1-1 – Scenic and Special Boulevards and Parkways, Table 5.1-A – Scenic and Special Boulevards, and Table 5.1-B – Scenic Parkways)</i></p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will have no impacts to any scenic vista.</p>				
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>1b. Response: <i>(Source: General Plan 2025 Figure CCM-4 – Master Plan of Roadways, General Plan 2025 FPEIR Figure 5.1-1 – Scenic and Special Boulevards, Parkways, Table 5.1-A – Scenic and Special Boulevards, Table 5.1-B – Scenic Parkways, the City’s Urban Forest Tree Policy Manual, Title 20 – Cultural Resources and, Title 19 – Article V – Chapter 19.100 – Residential Zones - RC Zone)</i></p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) which protects such resources. Therefore the proposed amendments will have no impacts to scenic resources.</p>				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>1c. Response: <i>(Source: General Plan 2025, General Plan 2025 FPEIR, Zoning Code, Citywide Design and Sign Guidelines.)</i></p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) which will protect the visual character of the city by protecting cultural resources. Therefore the proposed amendments will have no impacts to existing visual character or the quality of the site and its surroundings.</p>				
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>1d. Response: <i>(Source: General Plan 2025, General Plan 2025 FPEIR Figure 5.1-2 – Mount Palomar Lighting Area, Title 19 – Article VIII – Chapter 19.556 – Lighting, Citywide Design and Sign Guidelines,)</i></p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not create new sources of light or glare and will have no impacts on day or nighttime views.</p>				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
2. AGRICULTURE AND FOREST RESOURCES:				
<p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effect, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
<p>a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>2a. Response</p>				
<p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction, nor will it facilitate in any way the conversion of farmland to non-agricultural uses. Therefore the proposed amendments will have no impacts to farmland of any type.</p>				
<p>b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>2b. Response: (Source: General Plan 2025 – Figure OS-3 - Williamson Act Preserves, General Plan 2025 FPEIR – Figure 5.2-4 – Proposed Zones Permitting Agricultural Uses, and Title 19)</p>				
<p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any zoning changes or changes in use which could conflict with a Williamson Act contract. Therefore the proposed amendments will have no impacts on zoning or a Williamson Act contract.</p>				
<p>c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>2c. Response: (Source: GIS Map – Forest Data)</p>				
<p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and so promotes the preservation of the existing historic built environment. Therefore the proposed amendments will have no impacts to the existing environment which could result in the rezoning of forest land or timberland.</p>				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>2d. Response: (Source: GIS Map – Forest Data)</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and so promotes the preservation of the existing historic built environment. Therefore the proposed amendments will have no impacts to the existing environment which could result in the conversion of forest land to non-forest use.</p>				
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>2e. Response: (Source: General Plan – Figure OS-2 – Agricultural Suitability, Figure OS-3 – Williamson Act Preserves, General Plan 2025 FPEIR – Appendix I – Designated Farmland Table Title 19 – Article V – Chapter 19.100 – Residential Zones – RC Zone and RA-5 Zone and GIS Map – Forest Data)</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and so promotes the preservation of the existing historic built environment. Therefore the proposed amendments will have no impacts to the existing environment which could result in the conversion of farmland to non-agricultural use.</p>				
3. AIR QUALITY.				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3a. Response: (Source: South Coast Air Quality Management District’s 2003 Air Quality Management Plan (AQMP))</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and, as a cultural resources ordinance, will have no impact on any air quality plan.</p>				
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3b. Response: (Source: General Plan 2025 FPEIR Table 5.3-B SCAQMD CEQA Regional Significance Thresholds, South Coast Air Quality Management District’s 2003 AQMP),</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not violate any air quality standard or contribute to an existing or projected air quality violation.</p>				
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3c. Response: (Source: General Plan 2025 FPEIR Table 5.3-B SCAQMD CEQA Regional Significance Thresholds, South Coast Air Quality Management District’s 2003 Air Quality Management Plan)</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural</p>				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result in any way increase in pollutants of any type.				
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3d. Response: <i>(Source: General Plan 2025 FPEIR Table 5.3-B SCAQMD CEQA Regional Significance Thresholds, South Coast Air Quality Management District's 2003 Air Quality Management Plan)</i> The proposed code amendments will protect and preserve cultural resources only and will not create new construction or situations where sensitive receptors will be exposed to substantial pollutant concentrations.				
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3e. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) only and will not create objectionable odors.				
4. BIOLOGICAL RESOURCES.				
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4a. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction or the conversion of natural land and therefore will not modify any habitat or have any impact on any candidate, sensitive, or special status species.				
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor impact riparian habitat or identified sensitive natural community.				
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor impact federally protected wetlands directly, indirectly or through any other means, nor modify wetlands, any other similar type of marsh or vernal pool.				
d. Interfere substantially with the movement of any native	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
4d. Response The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor interfere in any way with the movement of migratory or wildlife species along established migratory pathways or corridors, impact migratory fish or use native wildlife nursery sites.				
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4e. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) which promotes the preservation of the existing historic built and natural environment. Therefore the proposed amendments will have no impacts to protection of biological resources, but in fact preserve the natural environment that contributes to the significance of a cultural resource or is itself a resource.				
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4f. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor conflict with any other approved conservation plan locally, regionally or statewide. It will have no impact on any existing Habitat or Natural Community Conservation plan.				
5. CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5a. Response: <i>(Source: GP 2025 FPEIR Table 5.5-A Historical Districts and Neighborhood Conservation Areas and Appendix D,)</i> The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and so promotes the preservation of the existing historic built and natural environment. Therefore the proposed amendments will have no impact to cultural resources, but in fact preserve cultural resources by providing an update to the code that calls for protection of cultural resources. Changes to the code have not removed criteria from eligibility as a cultural resource, but provided further clarity on the criteria for specific designation. Additional language was added to align the ordinance more specifically with CEQA and the Secretary of Interior Standards to provide standardization of the criteria.				
b. Cause a substantial adverse change in the significance of an archeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and so promotes the preservation of the existing archeological resources. Therefore the proposed amendments will have no impact to these resources, but in fact promote preservation by providing an update to the code that calls for protection of such				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
resources. Changes to the Code include adding criteria regarding archeological resources where none existed previously. Addition of these criteria will aid in the preservation and evaluation of archeological resources.				
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>5c. Response: <i>(Source: General Plan 2025 Policy HP-1.3)</i></p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and so promotes the preservation of the existing archeological and paleontological resources. Therefore the proposed amendments will have no impact to cultural resources, but in fact promote preservation by providing an update to the code that calls for protection of such resources. Changes to the Code include adding criteria regarding archeological and paleontological resources where none existed previously. Addition of these criteria will aid in the preservation and evaluation of archeological and paleontological resources.</p>				
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>5d. Response:</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and so promotes the preservation of the existing archeological resources, including human remains. Therefore the proposed amendments will have no impact to these resources, but in fact promote preservation by providing an update to the code that calls for protection of such resources. Changes to the Code include adding criteria regarding archeological resources where none existed previously. Addition of these criteria will aid in the preservation and evaluation of archeological resources.</p>				
<p>6. GEOLOGY AND SOILS.</p> <p>Would the project:</p>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>6i. Response: <i>(Source: General Plan 2025 Figure PS-1 – Regional Fault Zones & General Plan 2025 FPEIR Appendix E – Geotechnical Report)</i></p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor expose people or structures to potential adverse effects, including the rupture of any known earthquake fault.</p>				
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>6ii. Response: <i>(Source: General Plan 2025 FPEIR Appendix E – Geotechnical Report)</i></p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor expose people or structures to potential adverse effects, including the effects of strong seismic shaking.</p>				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>6iii. Response: (Source: General Plan 2025 Figure PS-1 – Regional Fault Zones, Figure PS-2 – Liquefaction Zones, General Plan 2025 FPEIR Figure PS-3 – Soils with High Shrink-Swell Potential, and Appendix E – Geotechnical Report)</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor expose people or structures to potential adverse effects, including ground failure or liquefaction.</p>				
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>6iv. Response: (Source: General Plan 2025 FPEIR Figure 5.6-1 – Areas Underlain by Steep Slope, Appendix E – Geotechnical Report,)</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor expose people or structures to potential adverse effects, including landslides or construction on steep slopes.</p>				
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>6b. Response: (Source: General Plan 2025 FPEIR Figure 5.6-1 – Areas Underlain by Steep Slope, Figure 5.6-4 – Soils, Table 5.6-B – Soil Types,)</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor expose people or structures to potential adverse effects, including soil erosion or loss of the topsoil.</p>				
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>6c. Response: (Source: General Plan 2025 Figure PS-1 – Regional Fault Zones, Figure PS-2 – Liquefaction Zones, General Plan 2025 FPEIR Figure PS-3 – Soils with High Shrink-Swell Potential, Figure 5.6-1 - Areas Underlain by Steep Slope, Figure 5.6-4 – Soils, Table 5.6-B – Soil Types, and Appendix E – Geotechnical Report)</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor expose people or structures to potential adverse effects, including: on and off site landslides, lateral spreading subsidence, liquefaction or collapse.</p>				
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>6d. Response: (Source: General Plan 2025 FPEIR Figure 5.6-4 – Soils, Figure 5.6-4 – Soils, Table 5.6-B – Soil Types, Figure 5.6-5 – Soils with High Shrink-Swell Potential, Appendix E – Geotechnical Report)</p> <p>The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor expose people or structures to potential adverse effects, including location on expansive soils.</p>				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>6e. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor expose people or structures to potential adverse effects, including soils incapable of supporting septic tanks and alternative waste water disposal systems where sewers are not available.</p>				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
7. GREENHOUSE GAS EMISSIONS. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7a. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) which promotes the preservation of the existing historic built and natural environment. Therefore the proposed amendments will have no impacts to generation of greenhouse gas emissions in any way.				
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor conflict with any adopted policies, plans or regulations that reduce greenhouse gases. The proposed project works in concert with the City's General Plan and the Historic Preservation Element thereof.				
8. HAZARDS & HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8a. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will have no impacts on hazards or hazardous materials or the transport thereof.				
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will have no impacts on hazards or hazardous materials or the upset or accidental release thereof.				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will have no impacts on hazards or hazardous materials nor the emissions thereof.				
d. Be located on a site which is included on a list of hazardous	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				
8d. Response:				
The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will have no impacts on hazards or hazardous materials nor be located near such materials that would create a hazard to the public or the environment.				
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8e. Response:				
The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will have no impacts on airport land use plans nor result in any safety hazards.				
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8f. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will have no impacts on private landing strips nor result in any safety hazards.				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8g. Response The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will have no impacts on implementation of an adopted emergency response or evacuation plan.				
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8h. Response The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will have no impacts on wildland fires nor expose people or structures to the dangers thereof.				
9. HYDROLOGY AND WATER QUALITY.				
Would the project:				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>9a. Response: <i>(Source: GP 2025 FPEIR Table 5.8-A – Beneficial Uses Receiving Water)</i> The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not violate any water quality standards nor impact waste discharge requirements.</p>				
<p>b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>9b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not deplete groundwater supplies, interfere with groundwater recharge, nor impact the local ground water table level.</p>				
<p>c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>9c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not alter existing drainage, alter the course of a stream or river, nor result in any erosion on or off site.</p>				
<p>d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>9d. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not alter existing drainage, alter the course of a stream or river, nor result in any flooding on or off site.</p>				
<p>e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>9e. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not create or contribute water runoff, which would impact existing or planned stormwater drainage systems, nor provide additional sources of polluted runoff.</p>				
<p>f. Otherwise substantially degrade water quality?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>9f. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not substantially degrade water quality in any way.</p>				
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>8g. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not place any new housing within a 100-year flood hazard area, flood insurance rate map area nor any other flood hazard delineation map.</p>				
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>9h. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not place any new structures within a 100-year flood hazard area.</p>				
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>9i. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not expose people to significant risk involving flooding as a result of the failure of a levee or dam.</p>				
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>9j. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not expose people to significant risk involving flooding as a result of a seiche, tsunami or mudflow.</p>				
<p>10. LAND USE AND PLANNING:</p>				
<p>Would the project:</p>				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>10a. Response: (<i>Source: General Plan 2025 Land Use and Urban Design Element, City of Riverside GIS/CADME map layers</i>) The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not physically divide an established community in any way.</p>				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10b. Response: (Source: General Plan 2025, General Plan 2025 Figure LU-10 – Land Use Policy Map, Table LU-5 – Zoning/General Plan Consistency Matrix, Figure LU-7 – Redevelopment Areas,)				
The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction or conflict with any applicable land use plan, policy or regulation, nor the City’s general plan, specific plan, local coastal program or zoning ordinance locally, regionally or statewide. The proposed project works in concert with the City’s General Plan Historic Preservation Element, the Secretary of Interior Standards, and provides criteria that mirror CEQA and NEPA sections for Cultural Resources.				
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor conflict with any other approved conservation plan locally, regionally or statewide. It will have no impact on any existing Habitat or Natural Community Conservation plan.				
11. MINERAL RESOURCES.				
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11a. Response:				
The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result in the loss of known mineral resources that would be of potential value to the region or the state’s residents.				
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11b. Response:				
The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result in the loss of locally-important mineral resource recovery sites delineated in any land use related plan.				
12. NOISE.				
Would the project result in:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12a. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
nor will it facilitate any new development. Therefore the proposed amendments will not expose people to generation of noise exceeding standard levels locally or under any other jurisdiction.				
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not expose people to generation of excessive groundborne vibration or groundborne noise levels.				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12c. Response The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not expose people to a permanent increase in generation of ambient noise levels in any way.				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12d. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not expose people to a substantial temporary or periodic increase in generation of ambient noise levels in any way.				
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12e. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not impact residents nor those working in an airport land use area by exposure to excessive noise levels.				
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12f. Response: (There are no private airstrips in the City nor in the vicinity of the City. Therefore the proposed amendments will not impact residents nor those working near a private air strip by exposure to excessive noise levels.				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
13. POPULATION AND HOUSING. Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13a. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not induce substantial population growth in the area directly or indirectly, as the project would only be applicable to existing infrastructure.				
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not displace substantial numbers of existing housing nor necessitate construction of replacement housing.				
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not displace substantial numbers of people nor necessitate construction of replacement housing.				
14. PUBLIC SERVICES.				
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14a. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not adversely impact any services related to fire protection.				
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not adversely impact police protection.				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not adversely impact schools.				
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14d. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not adversely impact parks.				
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14e. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not adversely impact any physical government facility, necessitate a new facility, nor impact maintenance of acceptable service ratios or other performance objectives related to any other public facility.				
15. RECREATION.				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15a. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not adversely impact nor increase the use of existing neighborhood and regional parks or other recreational facilities.				
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction or expansion of recreational facilities. Therefore the proposed amendments will not adversely impact recreational				
16. TRANSPORTATION/TRAFFIC.				
Would the project:				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16a. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction				

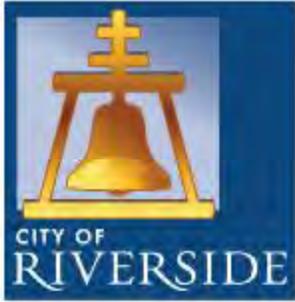
ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
nor will it facilitate any new development. Therefore the proposed amendments will not increase traffic in any way nor the capacity of the street system as the project applies to existing infrastructure only.				
b. Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not exceed any level of service nor increase traffic in any way.				
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result in a change of air traffic patterns and will not increase air traffic levels, nor change locations of air traffic that result in substantial safety risks.				
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16d. Response) The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not increase hazards from design features in any way nor introduce incompatible uses as the project applies to existing infrastructure only.				
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16e. Response The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result in inadequate emergency access in any way.				
f. Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16f. Response The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor conflict with any adopted policies, plans or programs that support alternative transportation. The proposed project works in concert with the City's General Plan and the Historic Preservation Element thereof.				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
17. UTILITIES AND SYSTEM SERVICES. Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17a. Response: (The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result in excess wastewater treatment requirements of the Regional Water Quality Control Board.				
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17b. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result in the construction of new water or wastewater treatment facilities nor expansion of existing facilities in any way.				
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result in the construction of new storm water drainage facilities nor expansion of existing facilities in any way.				
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17d. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result in impacts to available water supplies nor expand entitlements and resources thereof.				
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17e. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result any impact to the wastewater treatment provider nor impact the capacity of the provider to serve the community in any way.				
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17f. Response: The proposed Code amendments will provide a comprehensive update of the existing				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result any impact to the capacity of landfills nor necessitate any solid waste disposal needs in any way.				
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17g. Response:) The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result any compliance with federal, state and local statutes and regulations related to solid waste in any way.				
18. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or an endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18a. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result any degradation of the quality of the environment, substantially reduce habitat of any fish or wildlife species, diminish any fish or wildlife population, threaten to eliminate a plant or animal community nor reduce or restrict the range of an endangered plant or animal. The project does not eliminate important examples of the major periods of California history and prehistory as it seeks the protection of such resources.				
b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18b. Response The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction nor will it facilitate any new development. Therefore the proposed amendments will not result any impacts that are individually limited but cumulatively considerable. While the proposed project does eliminate criteria by which a property can become designated in the City of Riverside it provides consistency with CEQA and NEPA and now includes criteria for archeological resources where none existed before.				
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18c. Response: The proposed Code amendments will provide a comprehensive update of the existing Cultural Resources Code (Title 20 of the Municipal Code) and will not result in any new construction				

ISSUES (AND SUPPORTING INFORMATION SOURCES):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
nor will it facilitate any new development. Therefore the proposed amendments will not result any environmental effects on human beings, either directly or indirectly.				

Note: Authority cited: Sections 21083 and 21087, Public Resources Code. Reference: Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.3, 21093, 21094, 21151, Public Resources Code; Sundstrom v. County of Mendocino, 202 Cal.App.3d 296 (1988); Leonoff v. Monterey Board of Supervisors, 222 Cal.App.3d 1337 (1990).



City of Arts & Innovation

CULTURAL HERITAGE BOARD MINUTES

WEDNESDAY, FEBRUARY 20, 2013, 3:30 P.M.
ART PICK COUNCIL CHAMBERS, CITY HALL
3900 MAIN STREET

Cultural Heritage Board Members

	MURRIETA	VAN WART	FIELD	GARAFALO	VACANT	TREEN	VACANT	PRESTON-CHAVEZ	GILLECE
WARDS	1	2	3	4	5	6	7	8	9
<p>the Title 20 Code Amendment based on and subject to the findings and recommended conditions of approval.</p> <p><u>MISCELLANEOUS PLANNING AND ZONING ITEMS</u></p> <p>BRIEF REPORT FROM THE HISTORIC PRESERVATION OFFICER ON RECENT CITY COUNCIL ACTIONS There were no recent City Council actions related to historic preservation, to report.</p> <p>ITEMS FOR FUTURE AGENDAS Erin Gettis, Historic Preservation Officer, noted that the reports today reflect the new report format which will be in compliance with the Planning Commission's report format.</p> <p>Board Member Garafalo suggested a workshop to give the Cultural Heritage Board a broader understanding of the Board's role with respect to the Riverside Arts and Innovation program.</p> <p>Kristi Smith, Supervising Deputy City Attorney, and Ms. Gettis suggested addressing this through a workshop of the Downtown Specific Plan that would also include participation from someone from Seizing our Destiny group. She indicated this would be agendized at a future date.</p> <p>UPDATE ON STATUS OF MAJOR DEVELOPMENT PROJECTS There were no major development projects to update.</p> <p><u>MINUTES</u></p> <p>The Minutes of January 16, 2013 were approved as presented.</p> <p><u>ADJOURNMENT</u></p> <p>The meeting was adjourned at 4:18 p.m. to the meeting of March 20, 2013 at 3:30 pm.</p>								X	X
<p>Motion Second All Ayes</p>									

The minutes of February 20, 2013 were approved as presented at the March 20, 2013 meeting.

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ORDINANCE NO.

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA,
AMENDING TITLE 20, CULTURAL RESOURCES, OF THE RIVERSIDE
MUNICIPAL CODE TO CREATE A HISTORIC PRESERVATION FUND
AND OTHER REVISIONS.

The City Council of the City of Riverside does ordain as follows:

Section 1: Section 20.10.020 entitled “Powers and Duties of Board”, paragraph A, of the
Riverside Municipal Code is amended in part to add new section 7 and re-number the remaining
sections as follows:

“20.10.020 Powers and Duties of Board.

A. The Cultural Heritage Board shall:

...

- “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;**
- 6. Hear appeals taken from formal interpretations made by the Historic Preservation Officer **or Qualified Designee;**
- 7. Hear appeals from the Historic Preservation Fund Committee’s recommendations;**
- 7.8.** 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;
- 8.9.** Work for the continuing education of the citizens of Riverside about the heritage of the City and its cultural resources;
- 9.10.** 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;

1 ~~10.~~11. Consult with and advise the City Council about the Board's duties and
2 functions;

3 ~~11.~~12. Assume the responsibilities and duties assigned to it by the City
4 Council under the Certified Local Government Provisions of the
5 National Historic Preservation Act of 1966; such as National
6 Environmental Protection Act (“NEPA”) and California
7 Environmental Quality Act (“CEQA”) compliance;

8 ~~12.~~13. As part of the Board's CEQA review responsibilities, the Board shall
9 identify and advise appropriate City departments and governmental
10 entities of known historical, cultural and archaeological resources;
11 assess and advise the City Council whether any proposed project
12 would have an adverse effect on the significance of such Cultural
13 Resources; and recommend to the City Council appropriate action in
14 compliance with the City's adopted CEQA procedures; and

15 ~~13.~~14. Encourage public participation in the Cultural Resources program to
16 identify and inventory significant cultural resources in the City;”

17 Section 2: Section 20.10.030 entitled “Historic Preservation Officer”, of the Riverside
18 Municipal Code is amended in part as follows:

19 **“20.10.030 Historic Preservation Officer.**

20 “The Historic Preservation Officer or Qualified Designee, in concert with or at the
21 direction of the ~~Planning Director~~ Community Development Director, shall:”

22 ...

23 Section 3: Section 20.15.020 entitled “CEQA Approval”, of the Riverside Municipal
24 Code is amended in its entirety and the section title changed as follows:

25 **“20.15.020 California Environmental Quality Act (CEQA) Approval.**

26 A. If an Environmental Impact Report (EIR) is prepared for any Certificate of
27 Appropriateness, designation, modification, or dedesignation, or other action
28 under this Title, final approval of that action is with the City Council. In such
29 cases, the Board shall review the Draft EIR, as it relates to cultural resources,
30 and provide comments thereon, together with its recommendation that the
31 project be approved or denied. The City Council shall consider the Board’s
32 comments and recommendation, and may accept, accept with modification, or
33 decline the Board’s recommendation.

34 B. Where an EIR is not prepared, and a Negative Declaration (ND) or Mitigated
35 Negative Declaration (MND) is prepared for a Certificate of Appropriateness
36 or case where the Board is the final approval authority, the Board may adopt

1 the ~~Negative Declaration~~ **ND** or ~~Mitigated Negative Declaration~~ **MND**, and
2 approve, approve with modification, or deny the project. If the Board's
3 decision is not appealed, then the decision becomes final. If the decision is
4 appealed, it becomes final upon the City Council's disposition of the
5 appeal."

6 Section 4: Section 20.15.030 entitled "Public Hearing and Notice", of the Riverside
7 Municipal Code is amended in part as follows:

8 **"20.15.030 Public Hearing and Notice.**

9 ...

10 "B. Upon the filing of a complete application, a matter shall be set for hearing
11 before the Board within ninety (90) days. The Board may continue a
12 ~~h~~**H**earing.

13 C. Notice of Hearing.

14 1. Notice of the ~~h~~**H**earing shall be mailed or delivered at least ten (10)
15 days prior to the ~~h~~**H**earing to:

16 ...

17 2. The notice shall be published in at least one newspaper of general
18 circulation within the City at least ten (10) days prior to the ~~h~~**H**earing.

19 3. Neither failure to send any notice by mail to any property owner
20 whose address is not a matter of public record, nor the non-receipt of
21 any notice mailed pursuant to this chapter, shall invalidate that
22 ~~h~~**H**earing or any part of the proposed designation."

23 Section 5: Section 20.15.050 entitled "Meeting and Notice for Administrative
24 Certificates of Appropriateness", of the Riverside Municipal Code is amended in its entirety as
25 follows:

26 **"20.15.050 Meeting and Notice for Administrative Certificates of Appropriateness.**

27 "A. No public hearings are required. The application shall be considered by the
28 Historic Preservation Officer or Qualified Designee administratively.

B. Within sixty (60) days, the Historic Preservation Officer or Qualified
Designee must act upon a complete application or refer the application to the
Board.

1 C. **Except as otherwise provided in this Title,** Notice shall be given to the property
2 owner and to the owners of adjacent properties or those across a street or alley.”

3 Section 6: Section 20.15.060 entitled “Meeting and Notice for Mills Act Applications”,
4 paragraph C, of the Riverside Municipal Code is amended in part as follows:

5 **“20.15.060 Meeting and Notice for Mills Act Applications.**

6 ...

7 “C. Notice of the ~~Board and~~ City Council meeting shall be sent to the property
8 owner.”

9 Section 7: Section 20.15.085 entitled “Meeting and Notice for Historic Preservation
10 Fund Committee”, is added to the Riverside Municipal Code as follows:

11 **“20.15.085 Meeting and Notice for Historic Preservation Fund Committee.**

12 **“A. The Historic Preservation Fund Committee meetings shall be held at City Hall,**
13 **during regular business hours.**

14 **B. Notice shall be given to property owner and to the owners of adjacent properties**
or those across a street or alley.”

15 Section 8: Section 20.15.090 entitled “Appeals”, paragraph A, of the Riverside
16 Municipal Code is amended in part as follows:

17 **“20.15.090 Appeals.**

18 A. Any person aggrieved or affected by an Administrative Certificate of
19 Appropriateness decision may appeal that decision to the Board within ten
20 days of the Historic Preservation Officer **or Qualified Designee’s** decision.
21 The appeal must be made by filing a letter of appeal with the Planning
22 Division. The letter shall set forth the grounds for the appeal. The appeal
23 shall be scheduled for the next available Board meeting. The Board may
24 recommend to affirm, reverse or modify the underlying Historic
25 Preservation Officer **or Qualified Designee’s** decision to the City Council.
26 Board decisions are final unless appealed as provided for in section
27 20.15.0890 B (below).”

28 ...

29 Section 9: Section 20.15.120 entitled “Time Extensions”, of the Riverside
30 Municipal Code is amended in its entirety as follows:

31 **“20.15.120 Time Extensions.**

1 “The Historic Preservation Officer **or Qualified Designee** may administratively extend the
2 term of a Certificate of Appropriateness for one year, no more than twice.”

3 Section 10: Section 20.20.030 entitled “Factual Investigation”, of the Riverside

4 Municipal Code is amended in its entirety as follows:

5 **“20.20.030 Factual Investigation.**

6 “The Historic Preservation Officer **or Qualified Designee** and/or the Planning
7 Division shall make a factual investigation for the designation, modification, or
8 dedesignation as it deems appropriate.”

9 Section 11: Section 20.20.040 entitled “Board Action”, of the Riverside

10 Municipal Code is amended in its entirety and section title changed as follows:

11 **“20.20.040 Board Action-Recommendation.**

12 At a public hearing the Board shall make a written ~~findings~~ **recommendation** based
13 upon ~~of~~ the applicable criteria from Chapter 20.50. The Board shall forward its
14 ~~findings~~ **recommendation** to the City Council.”

15 Section 12: Section 20.20.050 entitled “City Council; Resolution”, of the

16 Riverside Municipal Code is amended in its entirety as follows:

17 **“Section 20.20.050 City Council; Resolution.**

18 “Based upon the facts before it and the criteria in Chapter 20.50, the City Council
19 may accept, modify, or reject the Board’s ~~findings~~ **recommendation**. The City
20 Council, in its discretion, based upon the facts and findings before it, shall designate,
21 dedesignate, or modify the status of a Landmark, Structure or Resource of Merit, or
22 Historic District, or modify or dedesignate a Neighborhood Conservation Area, by a
23 numbered resolution setting forth the relevant facts, criteria and findings supporting
24 its actions.”

25 Section 13: Section 20.20.110 entitled “Appeal”, of the Riverside Municipal Code

26 is amended in its entirety as follows:

27 **“Section 20.20.110 Appeal.**

28 “For appeals of **a Board recommendation on** any designation, modification, or
dedesignation under this Chapter, see Section 20.15.0890(B). City Council actions
are final and non-appealable.”

Section 14: Section 20.25.010 entitled “Certificates of Appropriateness,

1 Generally”, of the Riverside Municipal Code is amended in its entirety as follows:

2 **“Section 20.25.010 Certificates of Appropriateness, Generally.**

3 “A Certificate of Appropriateness is required before any person restores, rehabilitates,
4 alters, develops, constructs, demolishes, removes or changes the appearance of any
5 designated Cultural Resource, eligible Cultural Resource, any element in a
6 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.

7 Except as set forth in section 20.25.030, Certificates of Appropriateness shall be
8 reviewed by the Cultural Heritage Board.

9 No Certificate of Appropriateness is required for a historic structure if the Building
10 Official has determined that structure presents an unsafe or dangerous condition
11 constituting an imminent threat as defined in the California Building Code, or a
12 dangerous building as defined by the Uniform Code for the Abatement of Dangerous
13 Buildings, and the proposed action is necessary to mitigate the unsafe or dangerous
14 condition. Before any physical work on any such unsafe structure, the Building
15 Official shall make all reasonable efforts to consult with the ~~Planning Director or its
designated representative~~ **Historic Preservation Officer or Qualified Designee** to
16 seek feasible alternatives to the proposed action that will adequately protect the public
17 health and safety.”

18 Section 15: Section 20.25.030 entitled “Administrative Certificates of

19 Appropriateness”, of the Riverside Municipal Code is amended in part and a new section

20 D added as follows:

21 **“Section 20.25.030 Administrative Certificates of Appropriateness.**

22 “The Historic Preservation Officer **or Qualified Designee** may administratively
23 approve, approve with conditions, refer to the Board, or deny a Certificate of
24 Appropriateness as follows:

25 ...

26 B. For all Cultural Resources, except designated Landmarks:

- 27 1. One-story ~~residential room~~ additions, **auxiliary structures or similar**
28 **(excluding attached garages)** less than 50% of the size of the existing
main residence **structure** (or 1,000 square feet **in** area, (whichever is
smaller), **for residential**), with limited or no visibility from public
streets.

...

5. Paving for driveways, walkways and/or patios, and the addition of or
alteration to driveway approaches, **subject to WQMP requirements.**

...

1 7. The removal of inappropriate additions **or alterations** to restore the
2 original appearance of a structure.

3 8. Demolition **of a, or the replacement** of a **previously existing**, one-
4 story, detached ~~single-car~~ garage and construction of a new one-story,
5 detached garage that is architecturally compatible with the existing
6 residence and character-defining features of the existing neighborhood
7 and **the area devoted to parking** does not exceed 400 square feet, or
8 the minimum size for a two-car garage as required by the City Zoning
9 Code, whichever is greater. **Maximum size of the structure shall not**
10 **exceed City Zoning Code requirements.**

11 ...

12 **D. Under A, B and C above, the Historic Preservation Officer or Qualified**
13 **Designee may waive noticing requirements and/or formal application**
14 **forms for cases that are immediately determined to meet all required**
15 **findings because they are so minor in nature or involve alterations**
16 **deemed insignificant.**

17 Section 16: Section 20.25.040 entitled “Referral to the Cultural Heritage Board”,
18 of the Riverside Municipal Code is amended in its entirety as follows:

19 **“20.25.040 Referral to the Cultural Heritage Board.**

20 “The Historic Preservation Officer **or Qualified Designee** may, in its sole discretion,
21 decline to administratively review any application and refer the application to the
22 Board.”

23 Section 17: Section 20.25.050 entitled “Principles and Standards of Site
24 Development and Design Review”, of the Riverside Municipal Code is amended in part as
25 follows:

26 **“20.25.050 Principles and Standards of Site Development and Design Review.**

27 “The Board and Historic Preservation Officer **or Qualified Designee** shall make
28 findings of the following standards when applicable to approving or denying a
Certificate of Appropriateness.

...

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;

...

1 F. The **project is consistent with the** Citywide Residential Historic District
2 Design Guidelines, ~~and the separate~~ **approved** guidelines for each Historic
3 District, **and/or any other applicable Design Guidelines**; and

4 G. The **project is consistent with the** Principles of the Secretary of the
5 Interior's Standards for the Treatment of Historic Properties."

6 Section 18: Section 20.25.060 entitled "Appeals", of the Riverside Municipal

7 Code is amended in its entirety as follows:

8 **"Section 20.25.060 Appeals.**

9 "For appeals of any ~~designation, modification, or dedesignation~~ **approval,**
10 **conditional approval or denial of a Certificate of Appropriateness** under this
11 Chapter, see Section 20.15.080**090(A) and/or 20.15.090(B) as applicable.**"

12 Section 19: Section 20.30.020 entitled "Mills Act Program", of the Riverside

13 Municipal Code is amended in its entirety as follows:

14 **"Section 20.30.020 Mills Act Program.**

15 "Pursuant to Government Code section 50280 *et seq.* ("the Mills Act"), the City
16 Council has established, by Resolution 20825 (as amended) a Mills Act Program
17 providing for contractual agreement with an owner of a historic property as
18 designated by the City Council or listed on any official federal, state, or county
19 register for the purpose of preservation, rehabilitation, and maintenance of a
20 designated historic **resource**. A Mills Act Agreement allows an owner to receive a
21 reduction in property taxes in exchange for the property owner's commitment to
22 specific repair, restoration and/or rehabilitation improvements and satisfactory
23 maintenance of the Historic Property. A Mills Act Agreement is for a minimum
24 period of ten (10) years, renewed annually, unless a notice of non-renewal or
25 cancellation is filed. Mills Act applications are accepted only during the month of
26 June, and must be actually received by the Planning Division no later than the last
27 business day of the month. A Mills Act application will be acted upon by the City
28 Council before the end of the calendar year during which it was submitted."

24 Section 20: Section 20.30.030 entitled "Historic Preservation Fund" is added to the

25 Riverside Municipal Code as follows:

26 **"Section 20.30.030 Historic Preservation Fund.**

1 **“A. A Historic Preservation Fund Program is hereby established to provide funding**
2 **for the conservation, preservation, restoration, and rehabilitation of Cultural**
3 **Resources consistent with the purposes of this Chapter.**

4 **B. The Historic Preservation Fund is hereby established to provide funds for**
5 **Historic Preservation projects within the City of Riverside.**

6 **1. The funds shall be used solely for the conservation, preservation,**
7 **restoration, and rehabilitation of historical resources as provided in this**
8 **section.**

9 **2. The Financial Administrator of the Historic Preservation Fund shall be**
10 **the Community Development Director, or designee.**

11 **3. All monies designated by the City of Riverside for this Program shall be**
12 **deposited in the Fund, held and administered by the City’s Finance**
13 **Department. Separate accounts may be established within the Fund**
14 **according to origin or intended purpose.**

15 **4. In addition to any public moneys appropriated expressly for the Fund,**
16 **the Program Administrator may apply for grants, gifts, donations, or**
17 **other financial support, from private sources, pursuant to City policies.**

18 **C. The Fund shall be administered by a Historic Preservation Fund Committee.**

19 **1. The Committee membership shall consist of five members, serving two-**
20 **year terms. The Cultural Heritage Board shall designate two of its**
21 **members to serve as representatives, and the Chair of the Utility**
22 **Services, Land Use, and Energy Development Committee shall be the**
23 **City Council representative. The remaining two shall be City residents**
24 **affiliated with separate Riverside- specific historic preservation**
25 **organizations and appointed by the Mayor’s Nominating and Screening**
26 **Committee (Council Committee). Interested persons must submit**
27 **applications for appointment no later than 30 days before the meeting**
28 **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 matching funds, for
City Council review and approval.

- 1 **5. The Committee shall review and approve or deny applications for grants**
2 **in accordance with the set criteria.**
- 3
- 4 **6. A simple majority is needed for Committee action.**
- 5
- 6 **7. If the Committee cannot agree upon an action, the matter shall be**
7 **forwarded to the Cultural Heritage Board for review and**
8 **recommendation to the Land Use Committee. Land Use Committee**
9 **recommendations will be considered by the City Council in making its**
10 **decision.**
- 11 **8. Appeals shall follow the procedure in section 20.15.090 (C). City Council**
12 **actions are final and non-appealable.**
- 13
- 14 **9. No funds shall be made available until the time to appeal has expired, or**
15 **until any appeals are final.**

16 **D. Grants.**

- 17
- 18 **1. Money in the fund shall be available, for grants to public agencies,**
19 **nonprofit organizations, and private entities to carry out the purposes of**
20 **this section.**
- 21 **2. No grant shall be made except pursuant to an agreement with the City,**
22 **and subject to terms and conditions in the grant that ensure that the**
23 **grant carries out the purposes of this section. Grant agreements shall run**
24 **with the land, and must be recorded with the County Recorder before**
25 **any funds may be released.**
- 26 **3. Grants shall be awarded on a competitive basis, except that grants may**
27 **occasionally be awarded on a noncompetitive basis for emergency**
28 **purposes only. Provisions for emergency grants will be adopted by the**
 City Council.
- 4. The Committee may consider and approve applications for grants up to**
 \$25,000, but no more than \$25,000 for any one project, Cultural
 Resource, or program over any five consecutive years. Applications for
 grants exceeding those amounts must be considered and approved by the
 City Council, upon the Committee's recommendation.
- 5. Matching funds shall make applications more competitive.**
- 6. Excess funds. After completion of a historic preservation project, the**
 grant recipient shall return to the Fund any amount of the grant that
 exceeds the eligible project costs.

1 **E. Authorized projects.**

2 **Grants are available for the following types of projects:**

3 **1. Development projects. These are projects that involve the preservation,**
4 **restoration, or exterior rehabilitation of a historic property.**

5 **2. Acquisition of transferrable development rights (TDRs), conservation**
6 **easements, and façade easements for the purposes of historic**
7 **preservation.**

8 **3. Planning projects. These are projects that identify, document and record**
9 **historic resources according to applicable local, state and federal**
10 **standards, and/or contribute to the development of the City's historic**
11 **context, and/or contribute to the development of a conservation or**
12 **preservation plan.**

13 **4. Interpretive projects. These are projects that create interpretive media**
14 **to educate the public on Riverside's history and/or cultural resources. For**
15 **example, landmark plaques and/or historic district signage and other**
16 **appropriate means of sharing interpretive information.**

17 **5. Designation applications. These are projects that prepare designation**
18 **applications for state and/or national register designation.**

19 **6. All funds must be spent as represented in the application. Spending**
20 **funds except as authorized shall be considered fraud or theft, and may be**
21 **criminally prosecuted.**

22 **F. Cultural Heritage Board staff shall assist the Committee in executing this**
23 **Program. If the Cultural Heritage Board staff is unavailable or unable to**
24 **do so, then the Program staff shall be provided by the City department**
25 **then administrating the City's Historic Preservation Program.**

26 **G. The City Council shall have the power to review, modify, approve,**
27 **disapprove, or otherwise consider all Program and Committee actions or**
28 **decisions, by appeal or on its own motion.**

Section 21: Section 20.40.020 entitled "Criminal Penalties", of the Riverside Municipal

Code is amended in its entirety as follows:

“Section 20.40.020 Criminal Penalties.

“Any person who violates a requirement of this Title or fails to obey an order issued by the City, including the Historic Preservation Officer **or Qualified Designee** and the Board, and/or or comply with a condition of approval of any certificate or permit issued under this Title, shall be guilty of a misdemeanor.”

1 Section 22: Section 20.40.040 entitled “Stop Work Orders”, of the Riverside
2 Municipal Code is amended in its entirety as follows:

3 **“Section 20.40.040 Stop Work Orders.**

4 “The ~~Planning Director, the~~ Community Development Director, or ~~their~~ designee
5 have **has** the authority to issue a Stop Work Order for any violation or threatened
6 violation of this Title. A Stop Work Order shall be written in the format deemed
7 appropriate by the issuer. The Stop Work Order shall remain in effect until written
8 notice of rescission by the ~~Planning Director or~~ Community Development Director or
9 ~~their~~ designee, or until City Council action to remove or modify the order, in addition
10 to any other enforcement under any other provision of the Municipal Code or law.”

11 Section 23: Section 20.45.010 entitled “Amendment”, paragraph C, of the
12 Riverside Municipal Code is amended in part as follows:

13 **“Section 20.45.010 Amendment.**

14 ...

15 “C. Upon the written request of the ~~Planning Director~~ **Community Development**
16 **Director or designee.**”

17 Section 24: Chapter 20.50, Definitions, Section 20.50.010 of the Riverside
18 Municipal Code is amended in part, adds a new paragraph “CC” and re-letters the remaining
19 paragraphs as follows:

20 **“Section 20.50.010 Definitions.**

21 ...

22 “C. **“Certificate of Appropriateness”** means a certificate, issued by the Board or
23 Historic Preservation Officer **or Qualified Designee** that approves plans,
24 specifications, or statements of work for any proposed alteration, removal,
25 relocation or demolition of any Cultural Resource.

26 ...

27 N. **“Eligible Cultural Resource”** means a cultural resource or historic district
28 which has been determined by the Historic Preservation Officer **or Qualified**
Designee, Board, or City Council to meet the City’s designation criteria
pursuant to a survey prepared by a professional meeting the Secretary of the
Interior's standards which either documents the resource, records the resource
on the State Department of Parks and Recreation survey forms, or has been so
designated by the California State Historic Preservation Officer.

- 1 O. **“Historic District”** means an area which contains:
- 2 1. a concentration, linkage, or continuity of cultural resources, where at
- 3 least fifty percent of the structures or elements retain significant
- 4 historic integrity, (a “geographic Historic District”) or
- 5 2. a thematically-related grouping of cultural resources which contribute
- 6 to each other and are unified aesthetically by plan or physical
- 7 development, and which have been designated or determined eligible
- 8 for designation as a historic district by the Historic Preservation
- 9 Officer **or Qualified Designee**, Board, or City Council or is listed in
- 10 the National Register of Historic Places or the California Register of
- 11 Historical Resources, or is a California Historical Landmark or a
- 12 California Point of Historical Interest (a “thematic Historic District”).

13 ...

14 **CC. “Qualified Designee” means the person(s) designated by the Historic**

15 **Preservation Officer who meets the requirements of the Department of**

16 **the Interior, National Park Service as set forth in appendix A to Title 36,**

17 **Part 61 (Professional Qualification Standards).**

18 ~~CCDD.~~ **“Resource of Merit”** see “Structure or Resource of Merit,” below.

19 ~~DDDEE.~~ **“Secretary of Interior’s Standards for the Treatment of Historic**

20 **Properties”** means the guidelines prepared by the National Park Service for

21 Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings

22 and the standards for historic preservation projects prepared by the National

23 Park Service with the most current Guidelines for Applying the Standards.

24 ~~EEFF.~~ **“Structure or Resource of Merit”** means any Improvement or Natural

25 Feature which contributes to the broader understanding of the historical,

26 archaeological, cultural, architectural, community, aesthetic or artistic heritage

27 of the City, retains sufficient integrity, and:”

28 ...

Section 25: Section 20.50.020 of the Riverside Municipal Code is amended in its
entirety as follows:

“Section 20.50.020.

 “The Historic Preservation Officer **or Qualified Designee** has the discretion to
interpret the above terms, in addition to any other term in applying this Title. In
applying this Title, the Historic Preservation Officer **or Qualified Designee** may, in
its discretion, request from the Board a definition, interpretation, or an opinion
regarding any defined term, or any other term.”



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: DECEMBER 16, 2014
FROM: COMMUNITY DEVELOPMENT DEPARTMENT WARDS: ALL
SUBJECT: PLANNING SPECIAL PROJECT CASE PSP14-0019 – HISTORIC PRESERVATION FUND COMMITTEE CRITERIA AND SELECTION PROCESS FOR EVALUATING APPLICATIONS, INCLUDING GUIDELINES FOR MATCHING FUNDS AND PROVISIONS FOR EMERGENCY GRANTS

ISSUE:

The issue for City Council consideration is approval of the criteria and selection process for Historic Preservation Fund (HPF) grants developed by the Historic Preservation Fund Committee (HPFC), a City Council Subcommittee.

RECOMMENDATIONS:

That the City Council approve the HPFC Grant General Provisions as attached.

BACKGROUND:

The City Council created the HPFC in April 2013 by amending the preservation incentives included in Title 20 (Cultural Resources) of the Riverside Municipal Code. Title 20 Section 20.30.030 (Historic Preservation Fund) requires the HPFC to develop criteria and a selection process for evaluating applications, including guidelines for matching funds and provisions for emergency grants, all for City Council review and approval.

The HPFC developed the attached provisions with the goal of remaining as flexible as possible to accommodate a broad range and number of preservation, restoration, rehabilitation and identification of Cultural Resource projects consistent with Title 20. The attached HPFC Grant General Provisions describe eligible applicants and activities; include priorities and criteria, as well as general grant conditions, matching fund provisions and how to apply; and provide for emergency grant requests.

An HPFC meeting schedule has been approved to meet quarterly, with the first regular meeting on January 12, 2015. Grants will be awarded twice each year in April and October; emergency grants may be awarded as needed at any HPFC regular or special meeting. Notice of HPFC actions will be transmitted to the City Council, which has the authority to review, modify, approve, disapprove or otherwise consider all Program and HPFC actions or decisions by appeal or on its own motion.

FISCAL IMPACT:

All monies designated by the City for this program are deposited in the Historic Preservation Fund (HPF). In addition, the Financial Administrator (the Community Development Director or his designee) may apply for grants, gifts, donations or other financial support from private sources, pursuant to City policies to further replenish the HPF. The administration and maintenance of the HPF is accomplished with existing staff; therefore, the City will not incur any direct costs. The HPF provides for some increase in property values given the investment in the properties.

Prepared by: Emilio Ramirez, Deputy Director
for Al Zelinka, FAICP, Community Development Director

Certified as to availability
of funds: Brent A. Mason, Finance Director/Treasurer

Approved by: Deanna Lorson, Assistant City Manager
for Scott C. Barber, City Manager

Approved as to form: Cristina Talley, Interim City Attorney

Attachment: HPFC Grant General Provisions



City of Arts & Innovation

COMMUNITY DEVELOPMENT DEPARTMENT HISTORIC PRESERVATION, NEIGHBORHOODS, & URBAN DESIGN DIVISION

HISTORIC PRESERVATION FUND GRANT GENERAL PROVISIONS

ELIGIBLE APPLICANTS AND ACTIVITIES

- Historic Preservation Fund (HPF) grants are awarded by the HPF Committee (HPFC). Grant proposers eligible to receive funds include public agencies, nonprofit organizations, private entities, and individuals. Property owner authorization and consent are required for projects affecting private property.
- Preservation Priorities: Projects must promote and accomplish the preservation and acknowledgment of historic buildings, neighborhoods, and landmarks according to Riverside Municipal Code (RMC) Title 20, section 20.05.010, Purpose; maintain the historic authenticity of the structure and address any necessary structural integrity issues involved; contribute to the overall character of the neighborhood; comply with the RMC; and be approved as set forth in RMC Title 20. Active Code Enforcement will be taken into consideration by the HPFC and could make projects ineligible for funding.
- Eligible projects include the following, listed in order of priority for funding:
 - Historic Preservation construction projects. These include projects that involve the preservation, restoration, or exterior rehabilitation of a historic property.
 - Acquisition of Transferrable Development Rights (TDRs), conservation easements, and façade easements for the purposes of historic preservation.
 - Planning projects. These are projects that identify, document and record historic resources according to applicable local, state, and federal standards, and/or contribute to the development of the City's historic context, and/or contribute to the development of a conservation or preservation plan.
 - Interpretive projects. These are projects that create interpretive media to educate the public on Riverside's history and/or cultural resources. For example, landmark plaques and/or historic district signage and other appropriate means of sharing interpretive information.
 - Designation applications. These are projects that prepare designation applications for state and/or national register designation.
- Priority and emergency projects include building envelope repairs that are publicly visible and those related to structural integrity, weather tightness, fire hazards, and other damage.
- Only one application per entity may be funded per grant cycle at the discretion of the HPFC. Grants may be awarded at an amount lower than proposed by the applicant, at the discretion of the HPFC.
 - No more than \$25,000 may be awarded by the HPFC for any one project, Cultural Resource, or program over any five consecutive years. Applications for grants exceeding those amounts must be considered and approved by the City Council, upon the HPFC's recommendation.¹

¹ Per RMC Title 20 section 20.30.030(D)(4)

- All grant-awarded projects must obtain any and all necessary approvals and permits required for the type of project, which may include but is not limited to Certificate of Appropriateness, other Planning entitlements, building permits, grading permits, encroachment permits and approvals from other departments and agencies, etc., when required.
- Applications may be submitted during scheduled semi-annual grant cycles (except that applications for bona fide emergency situations as determined by the Historic Preservation Officer may be submitted at any time).

GRANT CONDITIONS

- Although matching funds are not required, they may make applications more competitive in the grant award process at the discretion of the HPFC. Owner-occupied single family residential projects may be eligible for a waiver of matching fund rating with verified proof of a demonstrated financial need. Matching funds may include HERO or other rebates offered by the Public Utilities Department.
- HP Funds should not be used in lieu of other available programs.
- All projects must conform to the Secretary of the Interior's Standards, and be approved as set forth in RMC Title 20.
- All funds must be spent as represented in the application. Spending funds except as authorized shall be considered fraud or theft, and may be criminally prosecuted. Expenses incurred prior to the award of funds are not eligible.
- Contractors must be licensed for the type of work proposed and have demonstrated applicable experience. Consultants must meet applicable Secretary of the Interior's Professional Qualification Standards.
- Funds are awarded based upon the execution of a grant agreement for performance on non-construction projects or performance and maintenance for construction projects (which will be recorded on the property) between the City and the property owner.
- Grantees must sign a publicity release and allow the City to use the subject structure, project and/or organization in promotional materials.
- For construction projects, a Community Development Department Historic Preservation Fund sign, which will be provided at no cost to the grantee, must be displayed for the duration of the project construction in a location approved by CHB staff in order for any grant monies to be released.
- Within one year from the fund award date, a final report and financial accounting of the expenditure of the grant must be submitted, including the finalized building permit, if required, and a letter confirming that grant funded work is complete. If the project is not completed in accordance with the grant agreement, the grant may be reduced or revoked with corresponding reductions in reimbursement and/or requirement for repayment of any disbursed funds. Grants will typically be awarded on a reimbursement basis, but may be awarded by the HPFC in advance or some combination of advance and reimbursement, on a case by case basis.
- Construction projects must be documented with a photographic record before, during and after. For unique features and/or work processes, a written description of the process and tools used to complete the project shall be required. Final completion shall be documented by photographs with captions.

CRITERIA

Grant recipients will be selected by considering, among other points, the following criteria:

- The significance of the project or resource. Cultural Resources with higher designation status and/or desperate need may be accorded higher priority consideration over those with lesser status and/or need.
- The degree to which the project furthers one of the preservation priorities mentioned above, and may act as a model for future applicants to follow or catalyst to spur further preservation activities.
- The need for funding and the urgency of the project.
- The project's budget feasibility, and whether any matching funds or improvements are proposed by the applicant.
- The project's timeline.
- The long-term objectives or positive impact to be derived from the project.
- The qualifications of the key personnel, including consultants and/or contractors.

HOW TO APPLY

You will need the following items as part of your HP Fund application:

- Completed application, which includes a budget section that outlines proposed expenses and revenue (grant funds and any other sources) for the project.
- Up to four digital images of high quality (300 dpi), with caption and credit information.
- A list of the applicant's current board of directors (nonprofit organizations and corporations/LLCs).
- If applicable, applicant's Internal Revenue Service determination letter of tax-exempt status. If tax-exempt status has not been fully approved by the IRS, please provide evidence of filing for certification and letter of opinion from an attorney concerning the applicant's tax status (nonprofit organizations).
- Resume/qualifications of consultant/contractor for construction project (if already chosen).
- Resume/experience of consultant and/or other personnel administering project.
- Up to three letters of endorsement.
- Complete applications must be received by the deadline for the applicable grant award cycle. Grant awards will typically be announced at the HPFC meeting approximately 45 days after the deadline (refer to schedule). However, emergency project applications will be considered at the next available HPFC meeting after a complete submittal.