

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
High	Global		Revise “Community Development Director” to “Community & Economic Development Director”	Corrects department name	Yes
High	20.05.010		Add Purpose: M. To establish procedures relating to compliance with the California Environmental Quality Review Act (CEQA) and Section 106 of the National Historic Preservation Act (NHPA).	Clarifies that one of the goals of Title 20 is to meet the State and Federal requirements related to Cultural Resources	Yes
High	20.15.010		Remove Land Use Committee from appeals process	Streamlines process to be consistent with other entitlements (Title 19) - remove from Definition chapter	Forward to CHB for discussion
Medium	20.15.010		Add Historic Preservation Fund Committee and Grant Application	Not currently included, added for clarity.	Yes
Medium	20.15.020	California Environmental Quality Act (CEQA) Approval. A. If an Environmental Impact Report (EIR) is prepared for any Certificate of Appropriateness, designation, modification, or de-designation, or other action under this title, final approval of that action is with the City Council. In such cases, the Board shall review the Draft EIR, as it relates to cultural resources, and provide comments thereon, together with its recommendation that the project be approved or denied. The City Council shall consider the Board's comments and recommendation, and may accept, accept with modification, or decline the Board's recommendation. B. Where an EIR is not prepared, and a Negative Declaration (ND) or Mitigated Negative Declaration (MND) is prepared for a Certificate of Appropriateness or case where the Board is the final approval authority, the Board may adopt the ND or MND, and approve, approve with modification, or deny the project. If the Board's decision is not appealed, then the decision	California Environmental Quality Act (CEQA) Approval. A. Environmental Impact Report (EIR) Required: 1. If an EIR is prepared for any Certificate of Appropriateness, designation, modification, or de-designation, or other action under this Title, final approval of that action is with the City Council. 2. In such cases, the Board shall review the Draft EIR, as it relates to cultural resources, and provide comments thereon, together with its recommendation that the project be approved or denied. 3. The City Council shall consider the Board’s comments and recommendation, and may accept, accept with modification, or decline the Board’s recommendation. B. Environmental Impact Report (EIR) Not Required:	Clarifies process for non-EIR CEQA documents Currently no direction on Negative Declarations & Mitigated Negative Declarations which have an associated Planning entitlement for City Council consideration	Yes

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
		becomes final. If the decision is appealed, it becomes final upon the City Council's disposition of the appeal.	1. If an EIR is not prepared, and a Negative Declaration (ND) or Mitigated Negative Declaration (MND) is prepared, the following shall apply: a) Board Final Approval Authority: i. The Board may adopt the ND or MND, and approve, approve with modification, or deny the project. ii. If the Board's decision is not appealed, then the decision becomes final. iii. If the decision is appealed, it becomes final upon the City Council's disposition of the appeal. b) City Council Final Approval Authority: i. The Board shall review the Draft ND or MND, as it relates to Cultural Resources only, and provide comments, together with its recommendation that the project be approved, approved with modifications, or denied. ii. The City Council shall consider the Board's comments and recommendation, and may accept, accept with modification, or decline the Board's recommendation.		
High	20.15.030	Public Hearing and Notice. A. All designations, modifications of designations, and/or de-designations require a public hearing ("Hearing").	Public Hearing and Notice. A. All designations, modifications of designations, and/or de-designations require a public hearing ("Hearing"). B. All recognitions and derecognitions require a Public Hearing.	Add Recognition of Points of Cultural Interest to Public Hearings; Not currently included in noticing	Yes

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
Low	20.15.040		Add provision related to City Council Referral of Board COAs: D. If a Board Certificate of Appropriateness is referred to the Board by the City Council, failure of the Board to report to the City Council within 90 days, or within the time specified by the City Council, shall be deemed as an approval by the Board.	City Council referral back to CHB not currently addressed	Yes
High	20.15.090	Appeals. A. Any person aggrieved or affected by an Administrative Certificate of Appropriateness decision may appeal that decision to the Board within ten days of the Historic Preservation Officer or Qualified Designee's decision. The appeal must be made by filing a letter of appeal with the Planning Division. The letter shall set forth the grounds for the appeal. The appeal shall be scheduled for the next available Board meeting. The Board may recommend to affirm, reverse or modify the underlying Historic Preservation Officer or Qualified Designee's decision to the City Council. Board decisions are final unless appealed as provided for in section 20.15.090.B (below). B. Appeal of Board action. Any person affected by the Board action may appeal to the City Council within ten calendar days after the date of the Board's decision. The appeal must be made by filing a letter of appeal with the Planning Division and shall set forth the grounds for the appeal. The appeal shall first be heard by the Land Use Committee at its next available meeting, which shall then make a recommendation to the City Council. C. Notice. 1. Notice of the time and place of the Land Use Committee meeting shall be sent to the Applicant and Appellant.	Appeals and Referrals. A. Appeals 1. Administrative action. a) Any person aggrieved or affected by an Administrative Certificate of Appropriateness decision may appeal that decision to the Board within ten days of the Historic Preservation Officer, or Qualified Designee, decision. b) The appeal must be made by filing a letter of appeal with the Planning Division and shall be accompanied by a filing fee as established by City Council resolution. c) If the tenth day is on a weekend or holiday the appeal is extended to the end of the next regular business day. d) The letter shall set forth the grounds for the appeal. e) The appeal shall be scheduled for a Board meeting date mutually agreed upon by the person filing the appeal, the applicant and the City. f) The Board may recommend that the City Council affirms, reverses or modifies the	Revise Appeals Process and add Referral to meet current practices and consistency with Title 19 (Zoning) Significant changes bolded, including: • Adding filing fee • Adding tenth day adjustment on weekends • Noticing moved into specific action • Specifying board appeals to go to Council • Specifies meeting date timing • Adding board referral	Yes

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
		2. The notice for the City Council action shall be the same as for the original action.	Historic Preservation Officer, or Qualified Designee, decision. g) Board decisions are final unless appealed. h) For appeal of Administrative actions, notice of the time and place of the Cultural Heritage Board meeting shall be sent to the Applicant and Appellant, and as set forth in this Title. 2. Board Action. a) Any person affected by the Board action may appeal to the City Council within ten calendar days after the date of the Board's decision. b) The appeal must be made by filing a letter of appeal with the Planning Division and shall be accompanied by a filing fee as established by City Council resolution. c) If the tenth day is on a weekend or holiday the appeal is extended to the end of the next regular business day. d) The letter shall set forth the grounds for the appeal. e) The appeal shall be scheduled for a City Council meeting date mutually agreed upon by the person filing the appeal, the applicant and the City. f) City Council decisions are final. g) For appeals of Cultural Heritage Board actions, notice of the time and place of the City Council meeting shall be the same as for the original action. B. Referral of Board action. 1. The Mayor or any member of the City Council may refer the matter for consideration on the City Council's discussion calendar agenda by		

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
			notifying the Community & Economic Development Director. 2. If not referred by the Mayor or City Council, or otherwise appealed within ten days of the Board action, the action of the Board is final.		
Medium	20.20.080	Overlay Zone. A. Pursuant to Title 19, upon any Designation, the Cultural Resources Overlay Zone applies to the subject property or parcel	Overlay Zone A. Pursuant to Title 19, upon any Designation, the Cultural Resources Overlay Zone applies to the subject property or parcel B. Upon adoption of a historic district resolution by the City Council, the Planning Division shall initiate a rezoning case to apply the CR-Cultural resources overlay zone to the properties within the district. This process shall follow the requirements outlined in Title 19.	Revise language to include rezoning that is currently in definitions chapter, not easily found	Yes
Medium	20.20.120	Designation Process in Flow Chart From	Remove flow chart.	Ordinance change would be required to update the flow chart with process changes. Can be accomplished with a counter handout.	Yes
Medium	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.	Certificates of Appropriateness Required. A. In addition to any and all City permit requirements, a Certificate of Appropriateness is required before any person restores, rehabilitates, alters, develops, constructs, demolishes, removes, or changes the appearance of any: 1. Designated Cultural Resource; 2. Eligible Cultural Resource; or 3. Any element in a geographic Historic District (contributing and non-contributing) or Neighborhood Conservation Area.	Reorganized to clearly define when a COA is required Substantive changes bolded, including: • Move language regarding alteration from definitions chapter. • Move language regarding non-contributors from the definitions chapter.	Yes

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
		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 Historic Preservation Officer or Qualified Designee to seek feasible alternatives to the proposed action that will adequately protect the public health and safety.	B. Alterations include changes to the exterior, unless otherwise designated per the designating resolution or per the requirements of the Secretary of Interior's Standards for the Treatment of Historic Properties. C. Non-contributors and Non-contributing Features in Historic Districts and individually significant properties are subject to the Certificate of Appropriateness requirements; however, the principles, issues and standards are different than for Contributing features. D. Non-contributors and Non-contributing features in Neighborhood Conservation Areas are not subject to the Certificate of Appropriateness requirements.		
	20.25.015 (New Section)		Certificates of Appropriateness Not Required. No Certificate of Appropriateness is required for: A. Cultural Resource if the Building Official has determined that structure presents an unsafe or dangerous condition constituting an imminent threat as defined in the California Building Code; or B. 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 Historic Preservation Officer, or Qualified Designee, to seek feasible alternatives to the proposed action that will adequately protect the public health and safety.	Reorganized to clearly identify when a COA is not required; moved from 20.25.010	Yes

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
High	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.	Application. A. Submittal requirements. 1. Applications for a Certificate of Appropriateness shall be made on forms provided by the Planning Division. Applications shall include: a) Plans and specifications showing the design, materials, colors, landscaping, and irrigation relating to the proposed improvements. b) Where required, applications shall also show the relationship of the proposed work to the surrounding environs. c) Applications for new construction in a Historic District or Neighborhood Conservation Area shall also include such relevant information as how the new improvement relates to the existing architectural style, scale, massing, site, streetscape, landscaping, and signage. d) The Planning Division may require any additional information deemed necessary to make an informed judgment of the proposed work according to the standards of this Chapter. 2. Signature and fees required. a) Applications will not be accepted by the Planning Division without required signed application forms and permit. b) Any owner, owner's authorized representative or the City Manager, or his/her designee, may sign an application. c) Applicable fees shall be those established by City Council Resolution and published in the	Clearly identify the application process, codify current practice, consistency with Title 19 (Zoning) Substantive changes bolded, including: • Signatures and fees • Indemnification • Applicant requested workshops • Application completeness review	Forward to CHB for discussion

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
			Schedule of Fees available from the Planning Division. 3. Indemnification. a) With the submittal of any application, the owner and/or applicant agrees that upon approval of its application the owner and/or applicant shall defend, indemnify, including reimbursement, and hold harmless the City of Riverside, its agents, officers and employees from any claim, action or proceeding against the City of Riverside, its agents, officers or employees, that attacks, set asides, voids, or annuls, any approval by the City concerning: i. Any such approval of the City: and/or ii. An action taken to provide environmental clearance under CEQA by its advisory agencies, appeal boards or City Council. b) The owner and/or applicant shall execute an indemnification agreement in a form acceptable to the City Attorney. c) In the event any claim, action or proceeding is brought, the City shall promptly notify the owner and/or applicant of the existence of the proceeding and the City will cooperate fully in the defense of the proceeding. Nothing in this Section shall prohibit the City from participating in the defense of any proceeding. d) If the applicant is required to defend the City in connection with any proceeding described in this Section, the City shall retain the right to approve:		

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
			e) The counsel to so defend the City; f) All significant decisions concerning the manner in which defense is conducted; and g) Any and all settlements, which approval shall not be unreasonably withheld. The City shall also have the right not to participate in the defense, except that the City agrees to cooperate with the applicant in the defense of the proceeding. If the City chooses to have counsel of its own defend any proceeding where the applicant has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the City. B. Applicant requested workshop: Prior to an application being deemed complete the applicant may request that the Historic Preservation Officer place a workshop for the proposal on the next available Board agenda to discuss the proposal and seek input. C. Application Completeness Review: All applications filed with the Planning Division in compliance with this Title shall be initially reviewed by the Historic Preservation Officer, or Qualified Designee. The application shall be processed as follows: 1. Complete applications. The applicant shall be notified in writing of the determination either that all the submittal requirements have been satisfied and that the application has been accepted as complete. 2. Incomplete applications. The applicant shall be notified in writing of the determination that		

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
			specific information and or materials are still necessary to complete the application. The letter may also identify preliminary information regarding the areas in which the submitted plans are not in compliance with City standards and requirements. 3. Withdrawals. a) Submittal of withdrawals. All withdrawal requests shall be submitted in writing to the Planning Division, identifying the application being withdrawn. b) Resubmittal of withdrawn applications. Any resubmittal of a withdrawn application shall require submittal of a new application along with the appropriate fees and a new case number will be assigned. 4. City inactivity determination. a) The City, at its discretion, may deem any application inactive if it remains incomplete for 180 calendar days from the date of the original submittal. b) The City shall notify the applicant of its intention to deem the application inactive at least 30 calendar days prior to determination. 5. Mutual agreement to extension of time. Nothing in this Section precludes the applicant and the City from mutually agreeing to an extension of any time limit provided by this Section.		
Medium	20.25.030 (New Section)		Board Certificate of Appropriateness. Except as set forth in this Chapter, Certificates of Appropriateness shall be reviewed by the Cultural Heritage Board.	Clearly identify when a Board COA is required, relocate text from section 20.25.010	Yes

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
Medium	20.25.030	Administrative Certificates of Appropriateness. The Historic Preservation Officer or Qualified Designee may administratively approve, approve with conditions, refer to the Board, or deny a Certificate of Appropriateness as follows: 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 additions, auxiliary structures or similar (excluding attached garages) less than 50 percent of the size of the existing main structure (or 1,000 square feet area, whichever is smaller, for residential), with limited or no visibility from public streets. 2. Fences and walls. 3. Awnings and signs. 4. Removal or alteration of landscape features, such as walkways, planter walls, fountains, and in certain circumstances mature foliage, that contribute to the	Administrative Certificates of Appropriateness. The Historic Preservation Officer, or Qualified Designee, may administratively approve, approve with conditions, refer to the Board, or deny a Certificate of Appropriateness as follows: A. For any Cultural Resource, including Landmarks: 1. New or replacement fences, walls, awnings, signs, and/or exterior lighting. 2. 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. 3. The in-kind replacement of historically correct site, or contributing landscape features that are deteriorated, damaged beyond restoration, or previously removed. 4. Removal or alteration of non-contributing landscape features, such as walkways, planter walls, fountains, and in certain circumstances mature foliage, that contribute to the historic character of the property but are not designated or listed as contributing to a designated resource. 5. The removal of inappropriate additions or alterations to restore the original appearance of a structure. 6. New paving for driveways, walkways and/or patios, and the addition of or alteration to driveway approaches, subject to WQMP requirements.	Reorganized to clearly identify administrative COAs. Revised COA list for process streamlining Substantive changes bolded, including: • City Landmarks to include: ○ Minor projects, such as fencing, ○ Landscape ○ Removal of inappropriate additions ○ Driveways and walkways	Yes Forward to CHB for discussion

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
		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 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 percent 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.	7. Exterior painting of designated commercial properties and/or designated landmarks, including only those surfaces that were originally intended to be painted and excluding all other surfaces, such as brick, concrete, and stone B. For any Cultural Resource, excluding Landmarks: 1. One-story additions to a single-story structures less than 50% of the size of the existing main structure (or 1000 square feet area, whichever is smaller, for residential), with limited or no visibility from public streets. 2. Two-story Accessory Dwelling Unit (ADU) and second-story additions to existing single-story structures auxiliary structures (excluding attached garages) for an ADU, when the main residence is at least two-stories in height. 3. Demolition or the replacement of a previously existing, one-story, detached garage and construction of a new one-story, detached garage that is architecturally compatible with the existing residence and character-defining features of the existing neighborhood. 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 percent 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		

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
			requirements and/or formal application forms for cases that are immediately determined to meet all required findings because they involve alterations deemed insignificant or having no impact on the significance or integrity of the Cultural Resource.		
High	20.25.050	Principles and standards of site development and design review. The Board and Historic Preservation Officer or Qualified Designee shall make findings of the following standards when applicable to approving or denying a Certificate of Appropriateness. 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, approved guidelines for each Historic District, and/or any other applicable Design Guidelines; and	Principles and Standards of Site Development and Design Review The Board and Historic Preservation Officer, or Qualified Designee, shall make findings of the following standards, when applicable, to approving or denying a Certificate of Appropriateness. A. For proposed projects involving individually significant Cultural Resources, the proposed project should demonstrate: 1. Consistency or compatibility with the architectural period and the character-defining elements of the Cultural Resource, such as colors, textures, materials, fenestration, decorative features, details, height, scale, or massing, and method of construction; 2. That the proposed project will not destroy or pose a substantial adverse change to an important architectural, historical, cultural, or archaeological feature or features of the Cultural Resource; 3. Compatibility with the site context of the Cultural Resource related to grading, site development, orientation of buildings, landscaping, signs, public areas or relationship with the surroundings; and 4. Consistency with the principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties.	Create separate standards for Individual Resource and project within a historic district, Create project at non-contributors to historic district. Currently the definitions chapter states “Non-contributing features in Historic Districts and individually significant properties are subject to the Certificate of Appropriateness requirements; however, the principles, issues and standards are different than for contributing features.” No standards have ever been created.	Yes Forward to CHB for discussion

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
		G. The project is consistent with the principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties.	B. For proposed projects involving contributors or contributing feature within Historic Districts and Neighborhood Conservations Areas, the proposed project should demonstrate: 1. Compatibility with the height, scale, or massing of the contributor (or contributing feature) to the Cultural Resource; 2. Compatibility with the colors, textures, materials and decorative features of the contributor (or contributing feature) to the Cultural Resource; 3. That the proposed project does not destroy or pose a substantial adverse change to an important architectural, historical, cultural, or archaeological feature or features within the Cultural Resource; 4. Compatibility within the context of the Cultural Resource related to grading, site development, orientation of buildings, landscaping, signs or public areas; 5. Consistency with the Citywide Residential Historic District Design Guidelines, approved guidelines for each Historic District, and/or any other applicable Design Guidelines; and 6. Consistency with the principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties. C. For Non-contributors in a Historic District, the proposed project should demonstrate: 1. Compatibility with the height, scale, or massing of contributors within the Historic District, and as allowed by Title 19-Zoning;		

Title 20 Staff Recommended Changes

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

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
			any discretionary action that meets at least one on the following criteria, as determined by the Historic Preservation Officer or Qualified Designee: A. The proposed project has the potential to impact a Cultural Resource (designated or eligible) as defined in this Title. B. The proposed project has the potential to impact a structure that is over 50 years of age or may be eligible for City, State or National Designation. C. The project is located near a known archeological site such as: 1. Within 1,000 feet of a documented site; or 2. Within or adjacent to an area of high archeological sensitivity as defined by the City's General Plan. D. Contains site features such as: 1. Steep slopes that are undeveloped; 2. Canyons; 3. Arroyos; 4. Rivers or streams and/or adjacency; 5. Rock outcroppings: and/or 6. Undeveloped land at the base of steep slopes. 7. The Eastern Information Center determination that a Phase 1 Archeological Study is necessary. Section 20.26.020 Tribal Consultation. When required, Tribal Consultation shall be completed in accordance with CEQA.		
Medium	20.40.050	Remedies.	Remedies. A. Remedies shall apply to any violation of this Title B. Remedies are at the sole discretion of the City and	Reorganize to clearly define remedies.	Yes

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
		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.	may include one or more of the following: 1. Administrative Issued Certificate of Appropriateness: a) A retroactive Certificate of Appropriateness as defined in this Title shall be required; and b) All conditions of the Certificate of Appropriateness shall be satisfied. 2. Board Issued Certificate of Appropriateness: a) Retroactive compliance. i. A retroactive Certificate of Appropriateness as defined in this Title shall be required; and ii. All conditions of the Certificate of Appropriateness shall be satisfied. 3. Restoration. a) A violation may be abated by restoring or reconstructing the Cultural Resource to its original condition prior to the violation. b) The violator must obtain a Certificate of Appropriateness prior to restoration. c) Restoration shall use as much of the original material as possible. The City can compel the violator to perform or provide for the restoration, or the City may perform or provide the restoration and recover all of its costs from the violator. d) The City may place a lien on the property as provided for in Municipal Code chapter 6.15. 4. Civil Penalty. a) If, in the sole judgment of the City, Restoration is not feasible, the City Council may impose a civil penalty equal to the cost of restoring the Cultural Resource to its pre-violation condition, and all administrative and	Substantive changes bolded, include: • Admin COAs • Board COAs	

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
			enforcement fees. b) The City shall fix the costs through appraisals or by soliciting bids. c) All collected funds shall be set aside and used only for CLG duties and required responsibilities.		
High	20.45.020	Procedures ... 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.	Procedures ... D. Required Findings. In acting to approve an amendment 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; and 2. The proposed Amendment complies with the purposes of this Title.	Remove references to Title 19 (Zoning Code) amendments. Findings should apply to Title 20 as amendments to Zoning Code are addressed in that Title.	Yes
Low	20.50.010 (Global)		Remove all bullet points and quotation marks	Simplify as this is unnecessary	Yes
Medium	20.50.010 (Global)		Remove all processes discussed in definitions, which are found elsewhere in Title 20, for example COA process requirements. Relocate as discussed in section recommendations.	Clearly identify process requirements in other Chapters, reduce conflicts	Yes
Low	20.50.010	"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	"Alteration" means any change, modification, or demolition, through public or private action, to the character-defining or significant physical features of properties affected by this Title. Such changes may be: changes to, or modifications of, structural or architectural details, or visual characteristics; grading; surface paving; the addition of new structures; the cutting or removal of designated trees, landscapes or other natural features; the disturbance of archaeological sites or areas; or the placement or removal of any significant objects such as	Move text regarding alteration being exterior to Chapter 20.25	Yes

Title 20 Staff Recommended Changes

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

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
Low		“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.	Cultural Resources Overlay Zone means a Title 19 zoning category applied to a property identified as a Designated Cultural Resource.	Simplify, refer to Title 19(Zoning)	Yes
Low		“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,	Landmark means: A. Any Improvement or Natural Feature that is an exceptional example of a historical, archaeological, cultural, architectural, community, aesthetic or artistic heritage of the City, retains a high degree of integrity: and B. Meets one or more of the following criteria: 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;	Revise to match proposed formatting of Structure of Merit.	

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
		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.	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 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.		
Medium		“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:	Structure (or Resource) of Merit means: A. Any Improvement or Natural Feature which contributes to the broader understanding of the historical, archaeological, cultural, architectural, community, aesthetic, or artistic heritage of the City while retains sufficient integrity: and B. Meets on or more of the following criteria:	Clarify and remove redundant criteria	Yes

Title 20 Staff Recommended Changes

Staff Priority	Section	Current Title 20 text	Recommended Modification	Purpose	Subcommittee Support Comments
		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.	1. Has a unique location, embodies a singular physical characteristic, or contains a view or vista representing an established and familiar visual feature within a neighborhood, community or area. 2. Is an example of a type of building which was once common but is now rare in its neighborhood, community, or area; 3. Is connected with a business or use which was once common but is now rare; 4. Has yielded or may be likely to yield, information important in history or prehistory; or 5. Represents an improvement or Cultural Resource that no longer exhibits the high degree of integrity sufficient for Landmark designation, yet still retains necessary integrity under one or more of the Landmark criteria to convey cultural resource significance as a Structure or Resource of Merit		