

## Chapter 20.15

### APPROVALS AND HEARINGS

#### Sections:

20.15.010	Approval Authority – Table.
20.15.020	California Environmental Quality Act (CEQA) Approval.
20.15.030	Public Hearing and Notice.
20.15.040	Meeting and Notice for Certificates of Appropriateness by Board.
20.15.040	Meeting and Notice for Certificates of Appropriateness by Board.
20.15.050	Meeting and Notice for Administrative Certificates of Appropriateness.
20.15.060	Meeting and Notice for Mills Act Applications.
20.15.070	Meeting and Notice for Structure Relocations.
20.15.080	Meeting and Notice for Cultural Resource Surveys.
20.15.085	Meeting and Notice for Historic Preservation Fund Committee.
20.15.090	Appeals.
20.15.100	Effective Date.
20.15.120	Time Extensions.
20.15.130	Approvals to Run with Land.
20.15.140	Approval(s) On Site During Construction.

#### 20.15.050 - Meeting and notice for Administrative Certificates of Appropriateness.

- A. No public hearings are required. The application shall be considered by the Historic Preservation Officer or Qualified Designee administratively.
- B. Within 60 days, the 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, notice shall be mailed or delivered, at least ten days prior action to:
  1. The property owner of the subject real property or the owner's duly authorized agent, and the project applicant.
  2. Owners and occupants of adjacent properties or those across a street or alley.
  3. Any person or entity that has filed a request for notice to the Planning Division. To the extent permitted under state and local law, the City may use electronic mail as a means to providing notice.
- D. Project mandated by state law to be reviewed ministerially are exempt from all noticing requirements-  
Except for notice requested pursuant to subsection C.3 above.

(Ord. 7206 §5, 2013; Ord. 7108 §1, 2010)

## Chapter 20.20

### DESIGNATION

#### Sections:

20.20.010	Designation Criteria.
20.20.020	Designation Application.
20.20.030	Factual Investigation.
20.20.040	Board Recommendation.
20.20.050	City Council; Resolution.
20.20.060	Notice of City Council Action.
20.20.070	Recording Resolutions.
20.20.080	Overlay Zone.
20.20.090	Landmark Plaques and Covenants.
20.20.100	De-designation.
20.20.110	Appeal.

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#### **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. Based on the Board recommendation the City Council's may consider overriding a property owner objection with a 5/7's majority vote, provided a finding can be made that the structure is of unique value.~~

The City no longer allows designation of Neighborhood Conservation Areas.

(Ord. 7108 §1, 2010; Ord. 6263 §1 (part), 1996)

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## Chapter 20.25

### CERTIFICATES OF APPROPRIATENESS

#### Sections:

20.25.010	Certificates of Appropriateness Required.
20.25.015	Certificates of Appropriateness Not Required.
20.25.020	Application.
20.25.021	Preliminary Review
20.25.025	Board Certificates of Appropriateness
20.25.030	Administrative Certificates of Appropriateness.
20.25.040	Referral to the Cultural Heritage Board.
20.25.050	Principles and Standards of Site Development and Design Review.
20.25.060	Appeals.
20.25.070	Application of the State Historic Building Code.

#### Section 20.25.010 Certificates of Appropriateness Required.

- A. In addition to any and all other 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 contributor to Neighborhood Conservation Area (contributor).
- 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. No demolition permit of a Designated or Eligible Cultural Resource, or Contributors in a Historic District or Neighborhood Conservation Area, absent a 30-day review period with notice given:
1. pursuant to Chapter 20.15;
  2. persons requesting notice; and
  3. posting a placard of durable, weather-resistant material on the property in a conspicuous place within 5 feet of the front property line that:
    - a. Describes the date of the demolition application;
    - b. State "NOTICE OF DEMOLITION" in block-style letters a minimum 2-1/2 inches in height; and
    - a-c. Specify the permit number, phone number and email to be called for information, means to submit comments, and applicable public hearing information in minor letters at least 1-1/2 inches in height.
- B-D. For the demolition of structures not previously identified as Eligible Cultural Resources, including but not limited to structures at least 45 years or older, the Community & Economic Development Director and Historic Preservation Officer may require a Cultural Resources Report be prepared pursuant to Section 20.26.010 to determine if the structure is eligible for designation. If the subject property is found eligible for designation, a Certificate of Appropriateness and associated CEQA review is required pursuant to this title. If the subject property is found ineligible, the Historic Preservation Officer or Qualified Designee may issue a demolition permit absent any formal review period but subject to mandatory notice to adjacent property owners/tenants and anyone requesting written notice.
- C-E. The Historic Preservation Officer or Qualified Designee, at his or her discretion, may require a Cultural Resources Report be prepared pursuant to Section 20.26.010 for the demolition of structures not previously

identified as Eligible Cultural Resources to determine if the structure is eligible for designation. If the subject property is found eligible for designation, a Certificate of Appropriateness and associated CEQA review is required pursuant to this chapter.

F. 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.

G. When granting a demolition permit, the decisionmaker may consider appropriate conditions to avoid potential impacts to historic resources, including but not limited to:

1. Mitigation measures requiring documentation or salvaging of removed structures;
2. Demolition permits being contingent upon applicant securing entitlement and/or building permits for replacement structures; and
3. Other conditions the Historic Preservation Officer/Board deems appropriate on a case-by-case basis.

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#### **Section 20.25.021 Preliminary Review**

A. Purpose and intent: Identify concern that may arise during review of the projects, including but not limited to suggestion for obtaining consistency with the Principles and Standards of Site Development and Design Review, as included in Section 20.25.050

B. Applicability:

1. ~~For projects at a City Landmarks & Structures of Merit, designated or found eligible for pursuant to a Cultural Resources Report or survey, that are subject to Board review: Prior to an application being deemed complete, the project shall be submitted to the Board as a workshop to seek input and direction on the proposed project, as authorized under Title 20~~Mandatory Review: Prior to an application being deemed complete, the following projects shall be submitted to the Board as a workshop to seek input and direction on the proposed project as authorized under Title 20.-

a. City Landmarks & Structures of Merit, designated or found eligible for pursuant to a Cultural Resources Report or survey, that are subject to Board review.

b. Contributors to a Historic District or NCA that involves either:

- i. Demolition, relocation, and/or replacement;
- ii. Addition to structures exceed 50% of its square footage;
- iii. Alterations to 50 % of its exterior walls and/or roof facing a public street; or
- iv. Construction of an additional story.

c. Projects within a Historic District that involves either:

- i. New construction on vacant land requiring Certificate of Appropriateness from the Board; or
- ii. Proposed work visible from the public right of- way that exceeds \$250,000 in value involving a public, commercial, or non-residential project in value involving a public, commercial, or non-residential project.

2. All Other Projects: Prior to an application being deemed complete, an applicant may request a workshop before the Board to seek input and direction on a proposed project.

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## Chapter 20.50

### DEFINITIONS

#### Sections:

20.50.010 Definitions.  
20.50.020 Interpretation.

#### Section 20.50.010 Definitions.

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**Demolition** of a Cultural Resource means ~~the removal, over a 5-year period, of more than 25 percent of the wall(s) and roof forms on the primary elevation and/or facing a public street(s) or 50 percent of entire structure.~~ the destruction, removal, or relocation of a structure not classified as an incidental structure. For purposes of this Chapter, demolition occurs when any of the following takes place at any time over a 5-year period: (a) more than 50 percent of the exterior wall elements are removed; (b) more than 25 percent of the exterior wall(s) (including exterior cladding) facing a public street(s) is removed; (c) enclosure or alteration (i.e., new window, window relocation, exterior cladding) of more than 25 percent of the exterior wall(s) facing a public street; (d) the removal of a building for relocation to another location is considered a demolition and subject to this Chapter in addition to other requirements of the Code.

**Demolition by neglect** means the process in which the owner of a resource, or designee, allows its ongoing deterioration of a resource over a period of time as a result of lack of maintenance, failure to protect the resource from pests or vandals, and/or failure to take reasonable measures to prevent ingress of water or wind through the roof, walls, or apertures of the resource, leading to deterioration and/or structural failure that results in complete or partial demolition, the loss of character-defining features, and/or that constitutes a threat to public health and safety.

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