

Policy Area Amendments and Consideration Comparison

Area #	Section	Current Title 20	Proposed Amendment	Proposed Policy Consideration
		<u>Meeting and notice for Administrative Certificates of Appropriateness.</u>	No proposed changes	<u>Meeting and notice for Administrative Certificates of Appropriateness.</u>
1	20.15.050	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. Projects mandated by state law to be reviewed ministerially are exempt from noticing requirement		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. Projects mandated by state law to be reviewed ministerially are exempt from noticing requirement except for notice of action pursuant to subsection C.3 above, within five calendar days of decision.
2	20.20.020	<u>Designation application.</u>	<u>Designation application.</u>	<u>Designation application.</u>
		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.	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.	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.

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		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. <u>Overlay Zone.</u> Pursuant to Title 19, upon any designation, the Cultural Resources Overlay Zone applies to the subject property or parcel.	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 2/3 vote of the total membership of City Council (five votes minimum), provided a finding can be made that the structure is of unique value. <u>Overlay Zone.</u> A. Pursuant to Title 19, upon any designation, the Cultural Resources Overlay Zone applies to the subject property or parcel. 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. Eliminate flow chart	All decisions of the City Council to designate, modify, or repeal (dedesignate) a Landmark, Structure, of Merit, or Historic District shall require an affirmative vote of 2/3 vote of the total membership of City Council (five votes minimum). No proposed amendments to this section under the policy consideration
	20.20.080			
	20.20.120	<u>Designation process in flow chart form</u>		No proposed amendments to this section under the policy consideration Notice for Demolition Permit Review A. Demolition permit for the primary structure(s) of a property Designated or Eligible Cultural Resource, properties within a Historic District, or contributors to a Neighborhood Conservation Area - Notice shall be given at least thirty (30) days prior to action. 1. In accordance with Section 20.15.040; 2. Posting a placard of durable, weather-resistant material on the property in a conspicuous place within five (5) feet of the front property line that:
3	20.15.055			

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				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 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. Primary structures found ineligible for designation – A notice of action shall be mailed or delivered within five (5) calendar days of determination to: 1. Owners and occupants of directly adjacent properties or those directly across a street or alley. 2. 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. C. Structures posing a Dangerous Condition in accordance with Section 20.25.015 - A notice of action shall be mailed or delivered within five (5) calendar days of determination to: 1. 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. Noticing is not required for the demolition of accessory structures, such as patio covers, gazebos, garages, etc. <u>Certificates of Appropriateness Required.</u>
	20.25.010	<u>Certificates of Appropriateness Required.</u> A. In addition to any and all other City permit requirements a Certificate of Appropriateness is required before any person restores, rehabilitates,	<u>Certificates of Appropriateness Required.</u> A. In addition to any and all other City permit requirements a Certificate of Appropriateness is required before any person restores, rehabilitates,	A. In addition to any and all other City permit requirements a Certificate of Appropriateness is required before any person restores, rehabilitates,

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		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 that require Certificates of Appropriateness 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.	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 that require Certificates of Appropriateness 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. For the demolition of structures not previously identified as Eligible Cultural Resources, such as structures at least 45 years old and not included in previous surveys, 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 noticing requirements in Section 20.15.055. D. Non-contributors and Non-contributing Features in Historic Districts and individually significant properties are subject to the Certificate of Appropriateness requirements; however, the principles, issues and standards are different than for Contributing features. E. When granting a demolition permit for a Designated or Eligible Cultural Resource, a property within an	

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				Historic District, or contributors within a Neighborhood Conservation Area, additional conditions may be added as appropriate, to avoid potential impacts to historic resources, including but not limited to: 1. 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.
	20.50.010	Not included in current Title 20	No proposed changes	Demolition by neglect means the practice in which the owner of a cultural resource, or designee, allows the continued 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 (50% or more), the loss of character-defining features, and/or that constitutes a threat to public health and safety.
4	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	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	No proposed amendments to this section under the policy consideration

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		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.	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 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	

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			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: i. The counsel to so defend the City; ii. All significant decisions concerning the manner in which defense is conducted; and iii. Any and all settlements, which approval shall not be unreasonably withheld.	

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			e) The City shall also have the right to not 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. Preliminary Review: Prior to an application being deemed complete, a workshop before the Board may be held as specified in Section 20.25.021. 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 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 the principles and standards as set forth in this Title. 3. Withdrawals.	

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			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 and no meaningful progress has been taken by the applicant in response to deficiencies with the application. b) The City shall notify the applicant in writing of its intention to deem the application inactive at least 30 calendar days prior to determination. c) Subsequent to an application being deemed complete, the City may terminate an application due to inactivity consistent with the above procedures. 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. D. Relationship to other Discretionary Approvals: If a project requires other Planning Entitlements under Title 19, the Certificate of Appropriateness review shall occur concurrent with or prior to the review of the associated	

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			Entitlements, by the appropriate approval authority.	
	20.25.021	Not included in current Title 20	<u>Preliminary Review</u> 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: - 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. - 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.	<u>Preliminary Review</u> 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: - Prior to an application being deemed complete, the following projects shall be submitted to the Board as a workshop to seek input on the proposed project as authorized under Title 20. - Board reviewed projects at Landmarks and Structures of Merit, designated or found eligible pursuant to a Cultural Resources Report, Historic Preservation Officer finding, or survey; - Projects within a Historic District or Neighborhood Conservation Area that are subject to Board review; and/or - Projects within a Historic District that involving 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.

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				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.