

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.
- 20.15.050 Meeting and Notice for Administrative Certificates of Appropriateness.
- 20.15.055 Notice for Demolition Permit Review**
- 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. 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.**

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

20.15.055 - 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:
 - 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.

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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.

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).

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. 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. 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.
- E. 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.
- F. When granting a demolition permit for a Designated or Eligible Cultural Resource, a property within an 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.

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Section 20.25.021 Preliminary Review

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

B. Applicability:

1. 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.

a. 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;

b. Projects within a Historic District or Neighborhood Conservation Area that are subject to Board review; and/or

a-c. 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.

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 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.

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