

SEC. 12-1607. - DESIGNATION CRITERIA.

- (a) HISTORIC RESOURCES: Any building, structure, object or site may be designated as an Historic Resource if it is found by the Commission and Council to meet the following criteria:
- (1) It has been in existence more than fifty years and it possesses aspects of integrity to convey its significance based upon location, design, setting, materials, workmanship, feeling or association, and:
    - (i) It is associated with events that have made a significant contribution to the broad patterns of our history; or
    - (ii) It is associated with the lives of persons significant in our past; or
    - (iii) It embodies the distinctive characteristics of a type, period or method of construction, or represents the work of a master, or possesses high artistic values; or
    - (iv) It has yielded or may be likely to yield, information important in prehistory or history.
  - (2) It has been in existence less than fifty years, it meets the criteria of subdivision (1) of subsection (a) of this section and is of exceptional importance within the appropriate historical context, local, state or national.
- (b) LOCAL HISTORIC DISTRICTS: Any finite group of resources (buildings, structures, objects or sites) may be designated as a Local Historic District if it meets the definition set forth in Section 12-1603(s) of this article, its designation is consented to by the majority of the property owners within the Local Historic District, at least fifty percent of the resources within the proposed Local Historic District are fifty years of age or older, and it is found by the Commission and Council to meet one or more of the following criteria:
- (1) It exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic, engineering, or architectural heritage, or
  - (2) It is identified with a person or group that contributed significantly to the culture and development of the city, or
  - (3) It 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, or
  - (4) Structures within the area exemplify a particular architectural style or way of life important to the city, or
  - (5) The area is related to a designated historic resource or district in such a way that its preservation is essential to the integrity of the designated resource or Local Historic District, or
  - (6) The area has potential for yielding information of archaeological interest.

- (c) NATIONAL REGISTER HISTORIC DISTRICTS: The nomination of any finite group of resources (buildings, structures, objects or sites), including any Local Historic District, to the National Register of Historic Places as a National Register Historic District may be recommended under this article if it meets the definition set forth in Section 12-1603(u) of this article, meets the criteria set forth in subsection (a) of this section, and if the nomination is supported by more than fifty percent of the property owners within the proposed National Register Historic District.
- (d) HERITAGE PROPERTIES: Any building, structure, object or site may be designated as a Heritage Property if it is found by the Commission to be worthy of preservation because of its historical, architectural or aesthetic merit.
- (e) CONTRIBUTORS TO HISTORIC DISTRICTS: Any building, structure, object or site may be designated as Contributor to a Local Historic District or a proposed National Register Historic District if it contributes to the significance of the specific Historic District under the criteria set forth above in this section.

(Added Ord. 99-50, §§ 1, 2, 9-9-99; Am. Ord. 2021-044, § 3, eff. 11-22-21).

#### SEC. 12-1608. - DESIGNATION PROCESS.

Buildings, structures, objects, sites and districts may be considered for designation as Historic Resources, Historic Districts or Heritage Properties under this article as set forth in sections 12-1608, 12-1609, 12-1610 and 12-1611.

(Added Ord. 99-50, §§ 1, 2, 9-9-99).

#### SEC. 12-1609. - HISTORIC RESOURCES.

- (a) Requests for Designation: Designation of an Historic Resource may be initiated by the Council, the Commission, the Secretary, the property owner, or an authorized representative of the owner. The application for designation consideration shall be filed with the Specialist, using a form approved by the Secretary and shall include the following information:
  - (1) The Assessor's Parcel Number for the property containing the building, structure, object or site proposed for designation along with the name and address of the current owner(s) of record and a copy of the deed granting title to the owner(s);
  - (2) Whether the proposed historic resource takes the form of a building, structure, object or site as same are defined in this article;
  - (3) A detailed description of the specific building, structure, object or site proposed for designation including but not limited to its dates of construction, significant alterations and architectural style;

- (4) The manner in which the proposed building, structure, object or site meets the criteria for designation contained in Section 12-1607(a) of this article;
  - (5) Current photographs of all aspects of the proposed historic resource, supplemented by sketches, drawings or other descriptive materials;
  - (6) A description of the physical condition and appearance of the proposed historic resource;
  - (7) If the designation proposal is not being submitted by the owner, a statement acknowledging whether the owner has consented to submission of the proposal, is in opposition to the submission or has declined to state a position on the issue, however, this language shall not be interpreted as requiring owner consent to the designation of an individual resource under this section;
  - (8) Completed California Department of Parks and Recreation Primary Record and Building, Structure and Object forms for the proposed historic resource; and
  - (9) Any other information determined necessary by the Specialist to be required for a complete and adequate application.
- (b) Procedural requirements in advance of hearing:
- (1) The application and supporting information shall be reviewed by the Specialist for adequacy and completeness under the requirements of this section. A hearing on the application will be scheduled within 45 days of the date the Specialist determines that the application is adequate and complete or as soon thereafter as is practicable.
  - (2) Notice of the time, place and purpose of such hearing will be mailed to the owner of the property proposed for designation at the address shown on the latest assessment roll and published once in a local newspaper of general circulation not less than ten (10) days prior to the date of the hearing. The Secretary may also give such additional notices as he or she deems desirable and practicable.
  - (3) The property owner and/or any authorized representative shall be prohibited from undertaking any alteration, construction, grading, demolition or removal of such property, and no permit to undertake such work shall be issued by the city for 90 days from the date the Specialist mails the initial notice of hearing to determine historic resource designation to the property owner and/or any authorized representative. If no final action has been taken as to the historic resource designation within the 90 day period, said restrictions shall be removed unless the Commission, with the consent of the property owner and/or any authorized representative, elects to continue its consideration of the property for historic resource designation. If the Commission, with the

consent of the owner and/or any authorized representative, makes such an election, said restrictions shall remain against the property until final action and the Specialist shall notify the appropriate city officials of said restrictions. Nothing in this provision shall be construed as a prohibition or infringement on the legal use of a property pending consideration by the Commission.

The provisions of this section shall not apply to the construction, grading, alteration, demolition or removal of any structure or other feature, where a permit for the performance of such work was issued prior to the date of notice of hearing to consider the designation of the historic resource, and where such permit has not expired or been canceled or revoked, provided that construction is started and diligently pursued to completion in accordance with the Building Code.

Prior to the Commission's hearing on the designation of the property, upon application by the property owner and/or any authorized representative, the Specialist may approve a permit for alterations, construction or reconstruction consistent with the ordinary maintenance and repair of the property, to the extent that such work does not adversely affect the exterior architectural features of the property.

- (4) The Specialist shall prepare a staff report for the Commission which shall also be mailed to the owner of the property and/or any authorized representative with the above-described notice of hearing.

(c) Commission Hearing:

- (1) The Commission shall review all materials prepared and submitted and only members of the Commission who have physically visited and seen the proposed property may vote on the designation recommendation.
- (2) At the conclusion of the hearing, the Commission shall recommend to the Council approval, disapproval or modification of the proposal for designation and make findings in support of that recommendation; or the Commission may continue the hearing.
- (3) An affirmative roll call vote of a majority of the authorized membership of the Commission is required for a recommendation to the City Council.
- (4) Within ten (10) days of the final Commission action, the Secretary shall send a copy of the recommendation, findings and all submitted materials to the City Clerk. The City Clerk shall place on the agenda of the Council the Commission's recommendation for Council consideration. The owner of the property shall thereafter be given notice of the time and place of the Council hearing at least ten days prior to the hearing date, together with a copy of the Commission's recommendation, findings and submitted materials to the Council.