

Title 20

CULTURAL RESOURCES

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Chapter 20.05

PURPOSE

Sections:

20.05.010 Purpose.

Section 20.05.010 Purpose.

The purpose of this title is to promote the public health, safety and general welfare by providing for the identification, protection, enhancement, perpetuation and use of improvements, buildings, structures, signs, objects, features, sites, places, areas, districts, neighborhoods, streets, works of art, natural features and significant permanent landscaping having special historical, archaeological, cultural, architectural, community, aesthetic or artistic value in the City for the following reasons:

- A. To safeguard the City's heritage as embodied and reflected in such resources;
- B. To encourage public knowledge, understanding and appreciation of the City's past;
- C. To foster civic and neighborhood pride and a sense of identity based on the recognition and use of cultural resources;
- D. To promote the enjoyment and use of cultural resources appropriate for the education and recreation of the people of the City;
- E. To preserve diverse and harmonious architectural styles and design preferences reflecting phases of the City's history and to encourage complementary contemporary design and construction;
- F. To enhance property values and to increase economic and financial benefits to the City and its inhabitants;
- G. To protect and enhance the City's attraction to tourists and visitors, thereby stimulating business and industry;
- H. To identify as early as possible and resolve conflicts between the preservation of cultural resources and alternative land uses;
- I. To integrate the preservation of cultural resources and the extraction of relevant data from such resources into public and private land management and development processes;
- J. To conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment. (Ord. 6263 § 1 (part), 1996)

Chapter 20.10

DEFINITIONS

Sections:

20.10.010 Definitions.

Section 20.10.010 Definitions.

For the purposes of this title, the following words and phrases shall have the meanings respectively ascribed to them by this section:

A. "Alteration" means and includes any change or modification, 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 and 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 Rehabilitation. 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 signs, plaques, light fixtures, street furniture, walls, fences, steps, plantings, or landscape accessories affecting the significant visual and/or historical qualities of the property.

B. "Board" means the Cultural Heritage Board of the City.

C. "Certificate of appropriateness" means a certificate issued by the Cultural Heritage Board or Cultural Resources Administrator, approving such plans, specifications, statements of work, and any other information that is reasonably required by the Board or Cultural Resources Administrator to make a decision on any proposed alteration, restoration, rehabilitation, construction, removal, relocation or demolition, in whole or in part, of or to a Cultural Resource, or a building or structure or site within a Historic District or Neighborhood Conservation Area.

D. "Certified Local Government (CLG)" means a local government certified under federal law by the California State Office of Historic Preservation for the purpose of more direct participation in federal and State historic preservation programs. Local governments become certified by demonstrating their ability to enforce National, State, and local preservation laws and to provide for adequate public participation in the programs resulting from these. In addition, the CLG must have a qualified historic preservation review commission and must have completed or be in the process of completing a comprehensive historic inventory. If certification is granted, CLGs are eligible for special federal matching grants. Certification is a way of ensuring the historic preservation program in Riverside meets all federal standards.

E. "Contributing cultural resource to an historic district and a neighborhood conservation area" means a building, site, structure or object that adds to the historic architectural qualities, historic associations, or archaeological values for which a property is significant because:

1. It represents a period of historic importance, and possesses historic integrity reflecting its architectural character at that time or is capable of yielding important information about that period; or

2. It independently meets the designation criteria as defined in this Title.

F. "Cultural resource" means improvements, buildings, structures, signs, features, sites, scenic areas, views and vistas, places, areas, landscapes, trees, or other objects, which are of scientific, aesthetic, educational, cultural, architectural, social, political, military, historical or archaeological significance to the citizens of the City, the State of California, the Southern

California region, or the Nation, which may be determined eligible for designation or designated and determined to be appropriate for preservation by the Cultural Heritage Board, or by the City Council on appeal, pursuant to the provisions of this Title, or which may be eligible for listing or designation on any current or future State or Federal register.

G. "Cultural Resources Administrator" is the person designated by the Planning Director for the City of Riverside to administer the Cultural Resources program, including professional support to the Cultural Heritage Board and the management of both the Certificate of Appropriateness and the Administrative Certificate of Appropriateness process.

H. "Design guidelines" means the principles contained in a document approved by the Cultural Heritage Board which illustrate appropriate and inappropriate methods of rehabilitation, alteration and construction. The purpose of using design guidelines is to promote appropriate design and decision-making and to ensure the preservation of the architectural integrity and character-defining elements of cultural resources, including integrity of scale, design intent, materials, method of construction, feeling, patterns of development, and historical character of a cultural resource or preservation district. The Secretary of the Interior's Standards for Rehabilitation Projects shall serve as design guidelines for the rehabilitation, alteration and construction of cultural resources where there exist no other duly established design guidelines.

I. "Designated cultural resource" means any cultural resource that has been designated a landmark, structure of merit, historic district or neighborhood conservation area pursuant to this Title or is listed in the National Register of Historic Places, the California Register of Historic Places, or is a state historical landmark; but does not include any cultural resource for which such designation has been repealed.

J. "Designated site" means a parcel or part thereof on which a cultural resource is situated, and any abutting parcel or part thereof constituting part of the premises on which the cultural resource is situated, and which has been designated a cultural resource pursuant to this Title; but does not include any site for which such designation has been repealed.

K. "Determined eligible" means any cultural resource which has been determined by the Cultural Heritage Board or pending the Board's action, or by the staff to the Cultural Heritage Board, to meet the established criteria for designation as a cultural resource or contributing cultural resource to an historic district or neighborhood conservation area in accordance with a survey completed by a professional meeting the Secretary of the Interior's qualification standards and recorded on the approved State Historic Resources Inventory (DPR) forms or has been so named by the California State Historic Preservation Officer, but which has not been so designated.

L. "Historic district" means any delineated geographic area having historical significance, special character or aesthetic value which serves as an established neighborhood, community center, or distinct section of the City, possessing a significant concentration, linkage or continuity of site, buildings, structures or objects united historically or aesthetically by plan or by physical development; and which has been designated an historic district pursuant to this Title or is listed in the National Register of Historic Places, the California Register of Historic Places, or is a State historical landmark.

M. "Improvement" means and includes any building, structure, place, fence, gate, landscaping, tree, wall, parking facility, work of art, or other object constituting a physical feature of real property, or any part of such feature which is not a natural feature.

N. "Landmark" means any site, including significant trees or other significant permanent landscaping located on a site, place, building, structure, street, improvement, street furniture, sign, work of art, natural feature or other object representative of the historical, archaeological, cultural, architectural, community, aesthetic or artistic heritage of the City and which has been recommended for designation by the Cultural Heritage Board and designated a landmark by the City Council.

O. "Natural feature" means and includes any tree, plant life, habitat, geographical or

geological site or feature.

P. "Neighborhood conservation area" means a geographical area of the City, whether commercial and residential, which has been designated a neighborhood conservation area pursuant to the provisions of this Title and which is intended to assist in the implementation of the goals and objectives of the City's General Plan by assuring appropriate development consistent with the design and cultural resources thereof by:

1. Deterring the demolition, destruction, alteration, misuse and neglect of architecturally interesting and significant buildings which represent an important link to Riverside's past;
 2. Promoting the conservation, preservation, protection and enhancement of the area;
- and
3. Stimulating the economic health of the community and stabilize and enhance the value of property.

Q. "Nominated cultural resource" means any cultural resource that has been nominated for designation pursuant to this Title.

R. "Noncontributing cultural resource to an historic district and neighborhood conservation area" means a building, site, structure or object that does not add to the historic architectural qualities, historic associations, or archaeological values for which an historic district or neighborhood conservation area is significant because the resource:

1. Was not present during the period of the district or the area's historic significance; or
2. No longer possesses historic architectural integrity due to alterations, disturbances, additions, or other changes; or
3. Does not independently meet the designation criteria as defined in this Title.

S. "Object" means and includes any material thing of functional, aesthetic, cultural, symbolic, or scientific value.

T. "Ordinary maintenance and repair" means any work, excluding window replacement, exterior wall resurfacing and re-roofing, where the purpose and effect of such work is to prevent or correct any deterioration of or damage to a structure or any part thereof and to restore in style, kind, and material the same to its condition prior to the occurrence of such damage, deterioration or alteration in violation of this Title.

U. "Preservation" means and includes the identification, study, protection, restoration, rehabilitation, and/or acquisition of cultural resources.

V. "The Secretary of Interior's Standards for Rehabilitation Projects" means the guidelines prepared by the National Park Service for Rehabilitating Historic Buildings and the standards for historic preservation projects prepared by the National Park Service with the most current Guidelines for Applying the Standards.

W. "Significant features" means and include the following natural or manmade elements of a cultural resource: design, general arrangement or components of an improvement, including but not limited to, site placement, height, scale, and setback; the kind, color, and texture of the building materials; and the type and style of all windows, doors, lights, signs, and other fixtures appurtenant to such improvement. "Significant features" of cultural resources that are buildings or structures will generally be those associated with the exterior of such resources.

X. "Structure of merit" means any site, building or structure which contributes to the broader understanding of the historical, archaeological, cultural, architectural, community, aesthetic or artistic heritage of the City and which has been recommended for designation by the Cultural Heritage Board and designated a landmark by the City Council.

Y. "Substantial adverse change" means any demolition, destruction, relocation or alteration activities that would impair the significance of a cultural resource. (Ord. 6765 § 1; 2004, Ord. 6566 § 1, 2001; Ord. 6263 § 1 (part), 1996)

Chapter 20.15

CULTURAL HERITAGE BOARD

Sections:

- 20.15.010** **Created--Membership.**
20.15.020 **Powers and duties.**

Section 20.15.010 **Created--Membership.**

Pursuant to the provisions of Article VII of the City Charter, there is created a Cultural Heritage Board. The Board shall be composed of ten members appointed by the Mayor and the City Council. Members of the Board shall be selected and appointed as provided in the City Charter and shall have the duties and functions set forth in this title.

A. All members must have a prior demonstrated interest, competence or knowledge of historic preservation.

B. No less than two members are encouraged to be appointed from among professionals in the fields or disciplines of architecture, history, architectural history, planning, pre-historic and historic archaeology, folklore, cultural anthropology, curation, conservation, and landscape architecture, or related disciplines, such as urban planning, American studies, American civilization or cultural geography, to the extent that such professionals are available in the community.

C. The Board shall elect officers and establish its own rules and regulations which shall be consistent with the Charter and this Code. Copies of the Board's rules and regulations shall be kept on file in the Office of the City Clerk. The Board shall keep a record of its resolutions, proceedings and transactions, and the Planning Department shall be the repository for all such records. The Planning Department shall provide the necessary staff and budget as approved by the City Council to administer the activities of the Board. (Ord. 6786 § 9, 2005; Ord. 6263 § 1 (part), 1996)

Section 20.15.020 **Powers and duties.**

A. The Cultural Heritage Board shall:

1. Establish criteria and conduct or cause to be conducted a continuing comprehensive survey of cultural resources within the boundaries of the City in conformance with State Office of Historic Preservation survey standards and guidelines and publicize and periodically update the survey results;

2. Recommend to the City Council the designation of landmarks, historic districts, structures of merit and neighborhood conservation areas pursuant to the provisions of this title;

3. Prior to the issuance of any applicable permits, the Cultural Heritage Board shall have discretionary authority to review and approve applications and actions to restore, rehabilitate, alter, develop and/or demolish cultural resources pursuant to the provisions of this title;

4. Adopt standards including design guidelines to be used by the Board in reviewing applications for permits to rehabilitate, construct, change, alter, modify, remodel, remove, or significantly affect any landmark or property within an historic district;

5. Compile or cause to be compiled and maintained a current inventory of all landmarks, historic districts, structures of merit, and neighborhood conservation areas that, with the exception of the exact location of archaeological resources, will be public record;

6. Work for the continuing education of the citizens of Riverside about the heritage of

the City and its cultural resources;

7. Seek means and resources for the protection, retention and preservation of cultural resources, including but not limited to suggesting appropriate legislation and seeking financial support from individuals and local, State and federal governments;

8. Coordinate its activities with Riverside County, the State of California, and the federal government;

9. Consult with and advise the City Council in connection with the exercise of the Board's duties and functions;

10. Initiate and prepare nominations of eligible City-owned cultural resources to the National Register of Historic Places as well as encourage and render advice and guidance to property owners or occupants on procedures for nomination of a cultural resource to the National Register of Historic Places;

11. Seek means and resources to appropriately identify landmarks, historic districts, structures of merit, and neighborhood conservation areas with permanent plaques and signs;

12. Advise the City Council on the acceptance of historic preservation easements, transfer of development rights, property tax incentives, or other mechanisms for purposes of cultural resource preservation;

13. Assume whatever responsibilities and duties may be assigned to the Board by the City Council under the Certified Local Government Provisions of the National Historic Preservation Act of 1966 as amended; including but not limited to, the enforcement of the National Environmental Protection Act, and the California Environmental Quality Act (CEQA) in regard to cultural resources;

14. As part of the City's CEQA review procedures, the Cultural Heritage Board shall identify and advise appropriate city departments and governmental entities of known historical, cultural and archaeological resources; assess and advise the City Council whether any proposed project would have an adverse effect on the significance of such cultural resources; and recommend to the City Council appropriate action in compliance with the City's adopted CEQA procedures;

15. Encourage public participation in the performance of the historic preservation program at all levels to identify and inventory significant cultural resources in the jurisdiction of the Cultural Heritage Board;

16. Encourage public participation in the nomination process for the National Register of Historic Places program; and

17. Adopt and make available a nomination application and review procedures by which any legal resident, organization, property owner corporate or governmental entity of the City may nominate cultural resources for designation as landmarks, structures of merit, historic districts, or neighborhood conservation areas to the Board, and by which the assessment of all nominations will be administered.

B. The Cultural Heritage Board may:

1. Prepare and adopt plans including design guidelines for the preservation of cultural resources;

2. Recommend zoning and general plan amendments for the purpose of preserving cultural resources. (Ord. 6263 § 1 (part), 1996)

Chapter 20.20

LANDMARKS

Sections:

- 20.20.010 Landmark designation criteria.
- 20.20.011 Cultural resources eligible for landmark designation.
- 20.20.020 Landmark designation initiation.
- 20.20.030 Landmark designation hearing date.
- 20.20.040 Landmark designation hearing notice.
- 20.20.050 Landmark designation hearing.
- 20.20.060 Landmark designation investigation.
- 20.20.070 Landmark designation process.
- 20.20.080 Landmark designation resolution.
- 20.20.090 Notice of landmark designation.
- 20.20.100 Appeal of Board's recommendation on application for landmark designation.
- 20.20.110 Repeal.

Section 20.20.010 Landmark designation criteria.

A cultural resource may be designated by the City Council upon the recommendation of the Cultural Heritage Board as a landmark pursuant to this title if it:

- A. Exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering, architectural or natural history; or
- B. Is identified with persons or events significant in local, state or national history; or
- C. 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
- D. Represents the work of a notable builder, designer or architect; or
- E. Contributes to the significance of an historic area, being a geographically definable area possessing a concentration of historic or scenic properties or thematically related grouping of properties which contribute to each other and are unified aesthetically by plan or physical development; or
- F. 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; or
- G. Embodies elements of architectural design, detail, materials, or craftsmanship that represent a significant structural or architectural achievement or innovation; or
- H. Is similar to other distinctive properties, sites, areas, or objects based on an historic, cultural or architectural motif; or
- I. 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
- J. Is one of the few remaining examples in the City, region, State, or nation possessing distinguishing characteristics of an architectural or historical type or specimen. (Ord. 6263 § 1 (part), 1996)

Section 20.20.011 Cultural resources eligible for landmark designation.

The City Council on the recommendation of the Cultural Heritage Board may apply the criteria for landmark designation pursuant to this title to maintain a list of cultural resources eligible for designation as landmarks. Such determinations of eligibility shall be processed in accordance with the landmark designation procedure as specified in this chapter. (Ord. 6263 § 1 (part), 1996)

Section 20.20.020 Landmark designation initiation.

The designation, repeal or modification of a landmark may be initiated by the Cultural Heritage Board, the City Council, or by any person, organization or entity. Application shall be made upon such forms and accompanied by such data and information as may be required for that purpose by the Cultural Heritage Board so as to assure the fullest practical presentation of the facts for proper consideration of the request. (Ord. 6263 § 1 (part), 1996)

Section 20.20.030 Landmark designation hearing date.

Upon the filing of a complete application, the matter shall be set for public hearing thereon before the Cultural Heritage Board. The date of such hearing shall be not more than fifty days from the date of filing of the complete application. (Ord. 6263 § 1 (part), 1996)

Section 20.20.040 Landmark designation hearing notice.

Notice of the date, time, place and purpose of the hearing before the Cultural Heritage Board shall be given by at least one publication of a notice in a newspaper having general circulation in the City not less than ten days prior to the date of such hearing and by depositing in the United States mail, postage prepaid, at least ten days prior to the date of the hearing, a notice addressed to the owner(s) of the property being considered for landmark designation and to property owners within the three hundred-foot radius. When the property being considered is not real property, notice shall be given to both the owner(s) and the person(s) in possession of the real property where the object is situated. The last known name and address of each owner as shown on the records of the County Assessor may be used for this notice. Failure to send any notice by mail to any property owner where the address of such owner is not a matter of public record or the nonreceipt of any notice mailed pursuant to this chapter shall not invalidate any proceedings in connection with the proposed designation. (Ord. 6263 § 1 (part), 1996)

Section 20.20.050 Landmark designation hearing.

A public hearing shall be conducted before the Cultural Heritage Board at the time and place so fixed and noticed. The Board may continue such hearing to a time and place certain when such action is deemed necessary or desirable. The Board may establish rules for the conducting of public hearings. (Ord. 6263 § 1 (part), 1996)

Section 20.20.060 Landmark designation investigation.

The Cultural Heritage Board shall cause to be made by any of its own members or by the Planning Department such investigation of facts bearing upon such application set for hearing as in the opinion of the Board will serve to provide the necessary information to assure Board action consistent with the intent and purpose of this title. (Ord. 6263 § 1 (part), 1996)

Section 20.20.070 Landmark designation process.

The Board may recommend to the City Council the designation of a landmark, in whole or in part if, based on the criteria set forth in Section 20.20.010 of this title and the facts presented in connection with the application. The Council on the recommendation of the Board

shall find that the site, landscaping, place, buildings, structure, street, improvement, street furniture, sign, work of art, natural feature or other object has special historical, archaeological, cultural, architectural, community, aesthetic or artistic value in the City and that the purpose of this title is maintained by such designation. (Ord. 6263 § 1 (part), 1996)

Section 20.20.080 Landmark designation resolution.

A landmark shall be designated by a numbered resolution of the City Council, the draft of which shall be reviewed and forwarded to the Council by the Cultural Heritage Board, which provides facts and findings based on the criteria for designation as set forth in this chapter and receives the affirmative votes of a majority of the members then present and voting. (Ord. 6263 § 1 (part), 1996)

Section 20.20.090 Notice of landmark designation.

Notice of the designation of a landmark by the City Council shall be transmitted to the departments of Planning, Park and Recreation, Fire, Public Works, and Development, the building division of the Planning Department, the real property services division of the City Manager's Office, the Office Redevelopment Agency of the City, the Assessor and the Recorder of Riverside County, and any other interested departments and governmental and civic agencies. Each City department and division shall incorporate the notice of designation as a landmark into its records, so that future decisions or permissions regarding or affecting any landmark made by the City or an official of the City will have been made with the knowledge of the landmark designation, and in accordance with the procedures set forth in this title. Whenever any project to be carried out by the City may have an impact on a designated landmark, reasonable notice shall be given to the Cultural Heritage Board by the City department or division responsible for the project, so that the Cultural Heritage Board may review and make recommendations concerning the project early in the decision making process in accordance with the provisions of this title. Pursuant to the State of California's requirements, the City Clerk shall record all designating resolutions in the office of the Riverside County Recorder. (Ord. 6263 § 1 (part), 1996)

Section 20.20.100 Appeal of Board's recommendation on application for landmark designation.

Any person aggrieved or affected by a recommendation of the Cultural Heritage Board for the designation, repeal or modification, denial of an application for a landmark designation may appeal to the City Council at any time within fifteen calendar days after the date upon which the Cultural Heritage Board announces its decision. An appeal to the City Council shall be taken by filing a letter of appeal, in triplicate, with the Planning Department. Such letter of appeal shall set forth the grounds upon which the appeal is based. Within ten days after the receipt of the letter of appeal, the Planning Department shall transmit to the City Council the letter of appeal, copies of the application and all other papers constituting the record upon which the action of the Board was taken. The City Clerk shall give notice of hearing upon the appeal in the same manner and time as is required in connection with an application before the Cultural Heritage Board as set forth in Section 20.20.040. The date of such hearing upon the appeal shall be not more than thirty days from the date of filing of the appeal. Upon the hearing of such appeal, the City Council shall by resolution affirm, reverse or modify the recommendation of the Board. The provisions of this title regulating landmarks shall be effective from the date of the initial recommendation on the landmark application and shall become final only after City Council action. (Ord. 6263 § 1 (part), 1996)

Section 20.20.110 Repeal.

The City Council with the recommendation of the Cultural Heritage Board shall consider a repeal of a previously approved landmark designation in the same manner provided by this chapter for the designation of landmarks if the resource no longer meets the designation criteria found to apply due to the subsequent discovery of information on the significance of the resource or destruction of the resource by a catastrophic event. (Ord. 6263 § 1 (part), 1996)

Chapter 20.21

STRUCTURES OF MERIT

Sections:

- 20.21.010** Structure of merit designation criteria.
- 20.21.020** Structure of merit designation initiation.
- 20.21.030** Structure of merit designation hearing date.
- 20.21.040** Structure of merit designation hearing notice.
- 20.21.050** Structure of merit designation hearing.
- 20.21.060** Structure of merit designation investigation.
- 20.21.070** Structure of merit designation process.
- 20.21.080** Structure of merit designation resolution.
- 20.21.090** Notice of structure of merit designation.
- 20.21.100** Appeal of Board's recommendation on application for structure of merit designation.
- 20.21.110** Repeal of structure of merit designation.

Section 20.21.010 Structure of merit designation criteria.

A cultural resource may be designated by the City Council upon the recommendation of the Cultural Heritage Board as a structure of merit, as defined in Section 20.10.010, and pursuant to this title if it:

- A. Represents in its location an established and familiar visual feature of the neighborhood, community or City; or
- B. Materially benefits the historic, architectural or aesthetic character of the neighborhood; or
- C. Is an example of a type of building which was once common but is now rare in its neighborhood, community or area; or
- D. Is connected with a business or use which was once common but is now rare; or
- E. Contributes to an understanding of contextual significance of a neighborhood, community or area. (Ord. 6263 § 1 (part), 1996)

Section 20.21.020 Structure of merit designation initiation.

The designation, repeal or modification of a structure of merit may be initiated by the Cultural Heritage Board, the City Council, or by any person, organization or entity. Application shall be made upon such forms and accompanied by such data and information as may be required for that purpose by the Cultural Heritage Board so as to assure the fullest practical presentation of the facts for proper consideration of the request. (Ord. 6263 § 1 (part), 1996)

Section 20.21.030 Structure of merit designation hearing date.

Upon the filing of a complete application, the matter shall be set for public hearing before the Cultural Heritage Board at the earliest regularly scheduled meeting. (Ord. 6263 § 1 (part), 1996)

Section 20.21.040 Structure of merit designation hearing notice.

Notice of the date, time, place and purpose of the hearing of a structure of merit designation shall be given not less than ten days prior to the date of the Cultural Heritage Board

meeting to the owner(s) of the subject property and to property owners within a three hundred-foot radius of the subject property. When the property being considered is not real property, notice shall be given to both the owner(s) and the person(s) in possession of the real property where the object is situated. The last known name and address of each owner as shown on the records of the County Assessor may be used for this notice. Failure to send any notice by mail to any property owner where the address of such owner is not a matter of public record or nonreceipt of any notice mailed pursuant to this chapter shall not invalidate any proceedings in connection with the proposed designation. (Ord. 6263 § 1 (part), 1996)

Section 20.21.050 Structure of merit designation hearing.

A public hearing shall be conducted before the Cultural Heritage Board at the time and place so fixed and noticed. The Board may continue such hearing to a time and place certain when such action is deemed necessary or desirable. The Board may establish rules for the conducting of hearings. The member of the Board presiding at such hearings is empowered to administer oaths to any person testifying. (Ord. 6263 § 1 (part), 1996)

Section 20.21.060 Structure of merit designation investigation.

The Cultural Heritage Board shall cause to be made by any of its own members or by the Planning Department such investigation of facts bearing upon such application set for hearing as in the opinion of the Board will serve to provide the necessary information to assure Board action consistent with the intent and purpose of this title. (Ord. 6263 § 1 (part), 1996)

Section 20.21.070 Structure of merit designation process.

The Board may recommend to the City Council the designation of a structure of merit, in whole or in part if, based on the criteria set forth in this chapter, and the facts presented in connection with the application. The Council on the recommendation of the Board shall find that the site, landscaping, place, buildings, structure, street, improvement, street furniture, sign, work of art, natural feature or other object has special historical, archaeological, cultural, architectural, community, aesthetic or artistic value in the City and that the purpose of this title is maintained by such designation. (Ord. 6263 § 1 (part), 1996)

Section 20.21.080 Structure of merit designation resolution.

A structure of merit shall be designated by a numbered resolution of the City Council, the draft of which shall be reviewed and forwarded to the Council by the Cultural Heritage Board which provides facts and findings based on the criteria for designation as set forth in Section 20.21.010 of this title if the applicant receives the affirmative votes of a majority of the members then present and voting. (Ord. 6263 § 1 (part), 1996)

Section 20.21.090 Notice of structure of merit designation.

Notice of the designation of a structure of merit by the City Council shall be transmitted to the departments of Planning, Park and Recreation, Fire, Public Works, and Development, the building division of the Planning Department, the real property services division of the City Manager's Office, the Redevelopment Agency of the City, the Assessor and the Recorder of Riverside County, and any other interested departments and governmental and civic agencies. Each City department and division shall incorporate the notice of designation as a structure of merit into its records, so that future decisions or permissions regarding or affecting any structure of merit made by the City or an official of the City will have been made with the knowledge of the structure of merit designation, and in accordance with the procedures set forth in this title. The City Clerk shall record the resolution in the office of the Riverside County Recorder. (Ord. 6263

§ 1 (part), 1996)

Section 20.21.100 Appeal of Board's recommendation on application for structure of merit designation.

Any person aggrieved or affected by a recommendation of the Cultural Heritage Board for the designation, repeal or modification, denial of an application for a structure of merit designation may appeal to the City Council at any time within fifteen calendar days after the date upon which the Cultural Heritage Board announces its decision. An appeal to the City Council shall be taken by filing a letter of appeal, in triplicate, with the Planning Department. Such letter of appeal shall set forth the grounds upon which the appeal is based. Within ten days after the receipt of the letter of appeal, the Planning Department shall transmit to the City Council the letter of appeal, copies of the application and all other papers constituting the record upon which the action of the Board was taken. The City Clerk shall give notice of hearing upon the appeal in the same manner and time as is required in connection with an application before the Cultural Heritage Board as set forth in Section 20.21.040. The date of such hearing upon the appeal shall be not more than thirty days from the date of filing of the appeal. Upon the hearing of such appeal, the City Council shall by resolution affirm, reverse or modify the recommendation of the Board. The provisions of this title regulating structures of merit shall be effective from the date of the initial recommendation on the structure of merit application and shall become final only after City Council action. (Ord. 6263 § 1 (part), 1996)

Section 20.21.110 Repeal of structure of merit designation.

The City Council with the recommendation of the Cultural Heritage Board shall consider the repeal of a structure of merit designation in the same manner provided by this chapter for designation of structure of merit if the resource no longer meets the designation criteria found to apply due to the subsequent discovery of substantial information on the significance of the resource or destruction of the resource by a catastrophic event. (Ord. 6263 § 1 (part), 1996)

Chapter 20.25

HISTORIC DISTRICTS

Sections:

- 20.25.010** Historic district designation criteria.
- 20.25.011** Cultural resources eligible for historic district designation.
- 20.25.012** Public participation in the designation of historic districts.
- 20.25.020** Historic district designation initiation.
- 20.25.030** Historic district designation hearing date.
- 20.25.040** Historic district designation hearing notice.
- 20.25.050** Historic district designation hearing.
- 20.25.060** Historic district designation investigation.
- 20.25.070** Historic district designation process.
- 20.25.080** Historic district designation resolution.
- 20.25.090** Notice of historic district designation.
- 20.25.100** Appeal of Board's recommendation on application for historic district designation.
- 20.25.110** Repeal of a historic district designation.

Section 20.25.010 Historic district designation criteria.

A historic district is a geographically definable area possessing a concentration, linkage or continuity, constituting more than fifty percent of the total, of historic or scenic properties or thematically related grouping of properties which contribute to each other and are unified aesthetically by plan or physical development which has been designated an historic district by the City Council upon the recommendation of the Cultural Heritage Board pursuant to the provisions of this title. A geographic area may be designated as an historic district by the City Council upon the recommendation of the Board if it:

- A. Exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history; or
- B. Is identified with persons or events significant in local, State, or national history; or
- C. 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
- D. Represents the work of notable builders, designers, or architects; or
- E. Has a unique location or is a view or vista representing an established and familiar visual feature of a neighborhood community or of the City; or
- F. Embodies a collection of elements of architectural design, detail, materials or craftsmanship that represent a significant structural or architectural achievement or innovation; or
- G. 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
- H. Conveys a sense of historic and architectural cohesiveness through its design, setting, materials, workmanship or association. (Ord. 6263 § 1 (part), 1996)

Section 20.25.011 Cultural resources eligible for historic district designation.

The City Council upon the recommendation of the Cultural Heritage Board may at any time apply the aforementioned criteria to maintain a list of cultural resources eligible for

designation as historic districts. Such determinations of eligibility shall be processed in accordance with the designation procedures set forth in this chapter. (Ord. 6263 § 1 (part), 1996)

Section 20.25.012 Public participation in the designation of historic districts.

The City Council shall adopt a procedure by resolution to provide for adequate participation in the designation process that shall be implemented by the Cultural Heritage Board and the Planning Department. (Ord. 6263 § 1 (part), 1996)

Section 20.25.020 Historic district designation initiation.

The nomination, repeal or modification of an historic district designation may be initiated by the Cultural Heritage Board or the City Council or by petition of any of the record property owners in the proposed district, or by any person, organization or entity. Application shall be made upon such forms and accompanied by such data and information as may be required for that purpose by the City Council and the Cultural Heritage Board so as to assure the fullest practical presentation of the facts for proper consideration of the request. (Ord. 6263 § 1 (part), 1996)

Section 20.25.030 Historic district designation hearing date.

Upon the filing of a complete application, the matter shall be set for public hearing before the Cultural Heritage Board. The date of such hearing shall be not more than sixty days from the date of filing of the application. (Ord. 6263 § 1 (part), 1996)

Section 20.25.040 Historic district designation hearing notice.

Notice of the date, time, place and purpose of the hearing before the Cultural Heritage Board shall be given by at least one publication of a notice in a newspaper having general circulation in the City not less than ten days prior to the date of such hearing and by depositing in the United States mail, postage prepaid, at least ten days prior to the date of the hearing, a notice addressed to the owners and residents of all the property being considered for an historic district. The last known name and address of each owner as shown on the records of the County Assessor may be used for this notice. Failure to send any notice by mail to any property owner where the address of such owner is not a matter of public record or nonreceipt of any notice mailed pursuant to this chapter shall not invalidate any proceedings in connection with the proposed designation. (Ord. 6263 § 1 (part), 1996)

Section 20.25.050 Historic district designation hearing.

A public hearing shall be conducted before the Cultural Heritage Board at the time and place so fixed and noticed. The Board may continue such hearing to a time and place certain when such action is deemed necessary or desirable. The Board may establish rules for the conducting of public hearings. The member of the Board presiding at such hearings is empowered to administer oaths to any person testifying. (Ord. 6263 § 1 (part), 1996)

Section 20.25.060 Historic district designation investigation.

The Cultural Heritage Board shall cause to be made by any of its own members or by the Planning Department such investigation of facts bearing upon such application set for hearing as in the opinion of the Board will serve to provide the necessary information to assure Board action consistent with the intent and purpose of this title. (Ord. 6263 § 1 (part), 1996)

Section 20.25.070 Historic district designation process.

The City Council upon the recommendation of the Board may designate an historic district, in whole or in part if, based on the criteria set forth in this chapter, and the facts presented in connection with the application, the Board finds that the area designated meets the criteria for designation as put forth in this title. (Ord. 6263 § 1 (part), 1996)

Section 20.25.080 Historic district designation resolution.

A historic district shall be designated by a numbered resolution of City Council, the draft of which shall be reviewed and forwarded to the Council by the Cultural Heritage Board which provides facts and findings based on the criteria for designation as put forth in this chapter if the application receives the affirmative votes of a majority of the members then present and voting. (Ord. 6263 § 1 (part), 1996)

Section 20.25.090 Notice of historic district designation.

Notice of the designation of an historic district by the City Council shall be transmitted to the departments of Planning, Park and Recreation, Fire, Public Works, and Development, the building division of the Planning Department, the real property services division of the City Manager's Office, the Redevelopment Agency of the City, the Assessor and the Recorder of Riverside County, and any other interested departments and governmental and civic agencies. Each City department and division shall incorporate the notice of designation as an historic district into its records, so that future decisions or permissions regarding or affecting any landmark made by the City or an official of the City will have been made with the knowledge of the historic district designation, and in accordance with the procedures set forth in this title. The City Clerk shall record the resolution in the office of the Riverside County Recorder. (Ord. 6263 § 1 (part), 1996)

Section 20.25.100 Appeal of Board's recommendation on application for historic district designation.

Any person aggrieved or affected by a recommendation of the Cultural Heritage Board for the designation, repeal or modification, denial of an application for an historic district designation may appeal to the City Council at any time within fifteen calendar days after the date upon which the Cultural Heritage Board announces its decision. An appeal to the City Council shall be taken by filing a letter of appeal, in triplicate, with the Planning Department. Such letter of appeal shall set forth the grounds upon which the appeal is based. Within ten days after the receipt of the letter of appeal, the Planning Department shall transmit to the City Council the letter of appeal, copies of the application and all other papers constituting the record upon which the action of the Board was taken. The City Clerk shall give notice of hearing upon the appeal in the same manner and time as is required in connection with an application before the Cultural Heritage Board as set forth in Section 20.25.040. The date of such hearing upon the appeal shall be not more than thirty days from the date of filing of the appeal. Upon the hearing of such appeal, the City Council shall by resolution affirm, reverse or modify the recommendation of the Board. The provisions of this title regulating historic districts shall be effective from the date of the initial recommendation on the historic district application and shall become final only after City Council action. (Ord. 6263 § 1 (part), 1996)

Section 20.25.110 Repeal of a historic district designation.

The City Council with the recommendation of the Cultural Heritage Board may consider the repeal of a previously approved historic district designation in the same manner provided by this chapter for the designation of landmarks if the majority of resources no longer meet the

designation criteria found to apply due to the subsequent discovery of substantial information on the significance of the resource or destruction of the resource by a catastrophic event. (Ord. 6263 § 1 (part), 1996)

Chapter 20.26

NEIGHBORHOOD CONSERVATION AREAS

Sections:

- 20.26.010** Neighborhood conservation area designation criteria.
- 20.26.015** Public participation in the designation of neighborhood conservation areas.
- 20.26.020** Neighborhood conservation area designation initiation.
- 20.26.030** Neighborhood conservation area designation hearing date.
- 20.26.040** Neighborhood conservation area designation hearing notice.
- 20.26.050** Neighborhood conservation area designation hearing.
- 20.26.060** Neighborhood conservation area designation investigation.
- 20.26.070** Neighborhood conservation area designation process.
- 20.26.080** Neighborhood conservation area designation resolution.
- 20.26.090** Notice of neighborhood conservation area designation.
- 20.26.100** Appeal of Board recommendation on application for neighborhood conservation area designation.
- 20.26.110** Repeal of neighborhood conservation area designation.

Section 20.26.010 Neighborhood conservation area designation criteria.

A neighborhood conservation area, as defined in Section 20.10.010, may be designated by the City Council upon the recommendation of the Cultural Heritage Board pursuant to the provisions of this title. A geographic area may be designated as a neighborhood conservation area by the City Council upon the recommendation of the Board if it:

- A. Provides a contextual understanding of the broader patterns of Riverside's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history; or
- B. Represents established and familiar visual features of a neighborhood, community, or of the City; or
- C. Reflects significant development or geographical patterns, including those associated with different eras of settlement and growth; or
- D. Conveys a sense of historic or architectural cohesiveness through its design, setting, materials, workmanship or association. (Ord. 6263 § 1 (part), 1996)

Section 20.26.015 Public participation in the designation of neighborhood conservation areas.

The City Council shall adopt a procedure by resolution to provide for adequate public participation in the designation process that shall be implemented by the Cultural Heritage Board and the Planning Department. (Ord. 6263 § 1 (part), 1996)

Section 20.26.020 Neighborhood conservation area designation initiation.

A neighborhood conservation area designation may be initiated by the Cultural Heritage Board, the City Council, or by any person, organization or entity. Application shall be made upon such forms and accompanied by such data and information as may be required for that purpose by the City Council and the Cultural Heritage Board so as to assure the fullest practical presentation of the facts for proper consideration of the request. (Ord. 6263 § 1 (part), 1996)

Section 20.26.030 Neighborhood conservation area designation hearing date.

Upon the filing of a complete application, the matter shall be set for public hearing thereon before the Cultural Heritage Board. The date of such hearing shall be not more than sixty days from the date of filing of the application. (Ord. 6263 § 1 (part), 1996)

Section 20.26.040 Neighborhood conservation area designation hearing notice.

Notice of the date, time, place and purpose of the hearing before the Cultural Heritage Board shall be given by at least one publication of a notice in a newspaper having general circulation in the City not less than ten days prior to the date of such hearing and by depositing in the United States mail, postage prepaid, at least ten days prior to the date of the hearing, a notice addressed to the owners and residents of all the property being considered for a neighborhood conservation area. The last known name and address of each owner as shown on the records of the County Assessor may be used for this notice. Failure to send any notice by mail to any property owner where the address of such owner is not a matter of public record or the nonreceipt of any notice mailed pursuant to this chapter shall not invalidate any proceedings in connection with the proposed designation. (Ord. 6263 § 1 (part), 1996)

Section 20.26.050 Neighborhood conservation area designation hearing.

A public hearing shall be conducted before the Cultural Heritage Board at the time and place so fixed and noticed. The Board may continue such hearing to a time and place certain when such action is deemed necessary or desirable. The Board may establish rules for the conducting of public hearings. The member of the Board presiding at such hearings is empowered to administer oaths to any person testifying. (Ord. 6263 § 1 (part), 1996)

Section 20.26.060 Neighborhood conservation area designation investigation.

The Cultural Heritage Board shall cause to be made by any of its own members or by the Planning Department such investigation of facts bearing upon such application set for hearing as in the opinion of the Board will serve to provide the necessary information to assure Board action consistent with the intent and purpose of this title. (Ord. 6263 § 1 (part), 1996)

Section 20.26.070 Neighborhood conservation area designation process.

The City Council upon the recommendation of the Board may designate a neighborhood conservation area, in whole or in part if, based on the criteria set forth in this chapter, the facts presented in connection with the application, the Council on the recommendation of the Board finds that the proposed area meets the criteria for designation pursuant to this chapter. (Ord. 6263 § 1 (part), 1996)

Section 20.26.080 Neighborhood conservation area designation resolution.

A neighborhood conservation area shall be designated by a numbered resolution of the City Council, the draft of which shall be reviewed and forwarded to the Council by the Cultural Heritage Board which provides facts and findings based on the criteria for designation as put forth in this chapter and the application receives the affirmative votes of a majority of the members then present and voting. (Ord. 6263 § 1 (part), 1996)

Section 20.26.090 Notice of neighborhood conservation area designation.

Notice of the designation of a neighborhood conservation area by the City Council shall be transmitted to the departments of Planning, Park and Recreation, Fire, Public Works, and Development, the building division of the Planning Department, the real property services division of the City Manager's Office, the Redevelopment Agency of the City, the Assessor and

the Recorder of Riverside County, and any other interested departments and governmental and civic agencies. Each City department and division shall incorporate the notice of designation as a neighborhood conservation area into its records, so that future decisions or permissions regarding or affecting any landmark made by the City or an official of the City will have been made with the knowledge of the neighborhood conservation area designation, and in accordance with the procedures set forth in this title. The City Clerk shall record the resolution in the office of the Riverside County Recorder. (Ord. 6263 § 1 (part), 1996)

Section 20.26.100 Appeal of Board recommendation on application for neighborhood conservation area designation.

Any person aggrieved or affected by a recommendation of the Cultural Heritage Board for the designation, repeal or modification, denial of an application for a neighborhood conservation area designation may appeal to the City Council at any time within fifteen calendar days after the date upon which the Cultural Heritage Board announces its decision. An appeal to the City Council shall be taken by filing a letter of appeal, in triplicate, with the Planning Department. Such letter of appeal shall set forth the grounds upon which the appeal is based. Within ten days after the receipt of the letter of appeal, the Planning Department shall transmit to the City Council the letter of appeal, copies of the application and all other papers constituting the record upon which the action of the Board was taken. The City Clerk shall give notice of hearing upon the appeal in the same manner and time as is required in connection with an application before the Cultural Heritage Board as set forth in Section 20.26.040. The date of such hearing upon the appeal shall be not more than thirty days from the date of filing of the appeal. Upon the hearing of such appeal, the City Council shall by resolution affirm, reverse or modify the recommendation of the Board. The provisions of this title regulating neighborhood conservation areas shall be effective from the date of the initial recommendation on the neighborhood conservation area application and shall become final only after City Council action. (Ord. 6263 § 1 (part), 1996)

Section 20.26.110 Repeal of neighborhood conservation area designation.

The City Council with the recommendation of the Cultural Heritage Board shall consider the repeal of a previously approved neighborhood conservation area designation in the same manner provided by this chapter for designation if the majority of the resources no longer meet the designation criteria found to apply due to the subsequent discovery of substantial information on the significance of the resource or destruction of the resource by a catastrophic event. (Ord. 6263 § 1 (part), 1996)

Chapter 20.30

MAINTENANCE, RESTORATION, REHABILITATION, ALTERATION, DEVELOPMENT AND DEMOLITION OF CULTURAL RESOURCES THROUGH THE CERTIFICATE OF APPROPRIATENESS PROCESS

Sections:

20.30.010	Certificate of appropriateness required.
20.30.020	Referral to the cultural heritage board.
20.30.030	Duty to maintain.
20.30.040	Application of the state historic building code.
20.30.050	Application.
20.30.060	Principles and standards of site development and design review.
20.30.070	Decision time limit.
20.30.080	Review of alterations.
20.30.090	Review of substantial adverse changes.
20.30.100	Approval required.
20.30.110	Appeal.
20.30.120	Action by the City Council.

Section 20.30.010 Certificate of appropriateness required.

A. No person, owner or other entity shall restore, rehabilitate, alter, develop, construct, demolish, remove or change the appearance of any cultural resource without first having applied for and been granted a Certificate of Appropriateness by the Cultural Heritage Board, or Administrative Certificate of Appropriateness by the Cultural Resources Administrator, or by the City Council on appeal. The requirements of this Chapter are in addition to any and all other city permit requirements.

B. Notwithstanding the language in the above paragraph, nothing in this chapter shall prevent the construction, alteration, repair, restoration, stabilization or demolition of an historic structure if the Building Official has determined the historic resource creates an unsafe or dangerous condition that constitutes an imminent threat as defined in the California Building Code, and the proposed action is necessary to mitigate the unsafe or dangerous condition. In such event no Certificate of Appropriateness shall be required. However, the Building Official shall make all reasonable efforts to consult with the Planning Director or his/her designated representative to determine if there are feasible alternative to the proposed action that will adequately protect the public health and safety.

C. The following types of projects may be reviewed and approved or conditionally approved for an Administrative Certificate of Appropriateness by the Cultural Resources Administrator:

1. The in-kind replacement of historically correct architectural features or building elements, including windows, doors, exterior siding, 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. The replacement or repair of roof covering materials.
4. Small one-story room additions with limited or no visibility to public rights-of-way and adjacent properties.
5. Fences and walls.

6. Awnings and building mounted signs.
 7. Landscape alterations and installations, including the removal of trees not specifically designated or listed as contributing to a designated resource.
 8. Paving for driveways, walkways and/or patios.
 9. Exterior repainting.
 10. Exterior lighting.
 11. The removal of inappropriate additions to restore the original appearance of a structure.
- D. All other projects as described in 20.30.010(A) shall be subject to review and approval or conditional approval by the Cultural Heritage Board. (Ord. 6778 § 1, 2004; Ord. 6566 § 2, 2001; Ord. 6263 § 1 (part), 1996)

Section 20.30.020 Referral to the cultural heritage board.

The Cultural Resources Administrator may refer an Administrative Certificate of Appropriateness application to the Cultural Heritage Board when it believes the importance of the resource, or the discrepancies between the proposal and the findings and standards of this Chapter would justify a more public review. Any such referral shall be made within ten (10) days if the acceptance of a complete application by the Cultural Resources Administrator and shall be placed on the next available Cultural Heritage Board agenda. (Ord. 6566 § 2, 2001; Ord. 6263 § 1 (part), 1996)

Section 20.30.030 Duty to maintain.

Every person in possession or control and every owner of a cultural resource and any appurtenant premises shall maintain and keep in good repair the exterior of such designated resources, and all of the interior portions thereof when specified in the designating resolution, as well as all interior portions thereof whose maintenance is necessary to prevent deterioration or decay of any exterior architectural feature. Good repair is defined as that level of maintenance and repair which clearly furthers the continued availability of such structure and premises for lawful reasonable uses and prevents deterioration, dilapidation and decay of such structures and premises. This section shall be enforced by the code compliance division of the Public Works Department to the full extent permissible by law. (Ord. 6566 § 2, 2001; Ord. 6263 § 1 (part), 1996)

Section 20.30.040 Application of the state historic building code.

Pursuant to the State of California Health and Safety Code the Building Official shall apply the State Historic Building Code in permitting repairs, alterations and additions necessary for the preservation, restoration, rehabilitation, moving, or continued use of a designated historic building, being one that is listed on any current or future national, State, or local register or listing of cultural resources. (Ord. 6566 § 2, 2001; Ord. 6263 § 1 (part), 1996)

Section 20.30.050 Application.

The Certificate of Appropriateness or Administrative Certificate of Appropriateness application shall be made on forms provided by the Planning Department. The application shall be accompanied by such fee as is required by resolution of the City Council. Applications shall include plans and specifications showing the design, materials, colors, landscaping, and irrigation relating to the proposed improvements. Where appropriate and required by the Cultural Resources Administrator, applications shall also show the relationship of the proposed work to the surrounding environs. Applications for new construction in an 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 and streetscape, landscaping, and signage. The Cultural Resources Administrator may require any additional information deemed necessary to make an informed judgment of the proposed work according to the standards of review as detailed in Section 20.30.060 of this Title. (Ord. 6566 § 2, 2001; Ord. 6263 § 1 (part), 1996)

Section 20.30.060 Principles and standards of site development and design review.

A. The Cultural Heritage Board or Cultural Resources Administrator shall adhere to the following principles when reviewing applications for Certificates of Appropriateness or Administrative Certificates of Appropriateness:

1. The anticipated use for the property remains that for which it was originally intended or requires minimal alteration of the building, structure or site and its environment for the proposed reuse.

2. The distinguishing original qualities or character of a building, structure or site and its environment shall not be compromised. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

3. All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to recreate an earlier appearance shall be discouraged.

4. Certain alterations which may have taken place in the course of time are potentially significant to understanding the history and development of a building, structure, or site and its environment. These historic alterations may have acquired significance in their own right and this significance shall be recognized and respected.

5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be retained.

6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair and replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

7. Surface cleaning of historic structures shall be undertaken with methods that will avoid damage to the historic building materials.

8. Contemporary design for alterations and additions shall not be discouraged when such alterations and additions do not compromise significant historical, architectural or cultural material, and such design is compatible with the size scale, color, material and character of the property, neighborhood or environment.

9. Whenever possible, new additions or alterations to the structure shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the historic structure would be unimpaired.

B. The Cultural Heritage Board or Cultural Resources Administrator shall consider the following site development and design issues when applicable to reviewing Certificate of Appropriateness or Administrative Certificate of Appropriateness applications:

1. Architectural design;
2. Scale and proportion;
3. Construction materials;
4. Method of construction;
5. Color and texture;
6. Grading;
7. Site development;

8. Orientation of buildings;
9. Off-street parking;
10. Landscaping;
11. Signs;
12. Street furniture;
13. Public areas;
14. Relationship of the project to its surroundings.

C. The Cultural Heritage Board or Cultural Resources Administrator shall apply the following standards as applicable in determining whether to grant or deny a Certificate of Appropriateness or Administrative Certificate of Appropriateness:

1. The proposed undertaking is consistent or compatible with the architectural period and the character-defining elements of the historic building;
2. The proposed undertaking is compatible with existing adjacent or nearby landmark structures and preservation district structures and their character-defining elements;
3. The colors, textures, materials, fenestration, decorative features and details, height, scale, massing and methods of construction proposed are consistent with the period and/or compatible with adjacent structures;
4. The proposed change does not destroy or adversely affect an important architectural, historical, cultural or archaeological feature or features;
5. Such other standards as are adopted by resolution of the Cultural Heritage Board or the City Council. (Ord. 6566 § 2, 2001; Ord. 6263 § 1 (part), 1996)

Section 20.30.070 Decision time limit.

The application shall be considered by the Cultural Heritage Board within forty-five calendar days for Certificates of Appropriateness or by the Cultural Resource Administrator within 21 calendar days for Administrative Certificates of Appropriateness. Such time periods shall be calculated from the date on which a complete application is accepted by the Cultural Resources Administrator. However, such time periods shall be extended when necessary to comply with the provisions of the California Environmental Quality Act (CEQA). A public hearing shall be scheduled and notice provided per this Title and CEQA, when applicable. (Ord. 6566 § 2, 2001; Ord. 6263 § 1 (part), 1996)

Section 20.30.080 Review of alterations.

When the application is for permission to restore, rehabilitate, alter, develop, construct or change the appearance of any cultural resource, the Cultural Heritage Board or Cultural Heritage Administrator may approve, grant conditional approval, or deny the application. (Ord. 6566 § 2, 2001; Ord. 6263 § 1 (part), 1996)

Section 20.30.090 Review of substantial adverse changes.

When the application is for an action that may cause a substantial adverse change to a cultural resource, the application will be reviewed pursuant to adopted City procedures to determine if the proposed change would have a significant adverse environmental effect as defined by the California Environmental Quality Act (CEQA). If it is determined that potentially significant adverse changes to a cultural resource cannot be effectively mitigated to a level of insignificance, no approval of any work which may cause a substantial adverse change to a cultural resource may be granted unless: (1) It is determined by the City Council through the CEQA process that taking into account the value of all available incentives and costs of rehabilitation and adaptive reuse alternatives, the property retains no substantial remaining market value or reasonable use; or (2) It is determined pursuant to adopted City and State processes, that an immediate safety hazard exists and that demolition of the structure is the

only feasible means to secure the public safety. Costs of alterations made in violation of this section and thus without the benefit of an approved Certificate of Appropriateness, or by failure to maintain the property required by Section 20.30.030, shall not be included in the calculation of rehabilitation costs under subsection (1) of this section. (Ord. 6566 § 2, 2001; Ord. 6263 § 1 (part), 1996)

Section 20.30.100 Approval required.

No City permit shall be issued for any purpose regulated by this Title for a landmark, landmark structure, landmark site or a structure, improvement or site within an historic district or neighborhood conservation area unless and until the proposed work or development has been approved or granted conditional approval by the Cultural Heritage Board, for Certificates of Appropriateness, or the Cultural Resources Administrator, for Administrative Certificates of Appropriateness, or by the City Council on appeal, and then shall be issued only in conformity with such approval or conditional approval. (Ord. 6566 § 2, 2001; Ord. 6263 § 1 (part), 1996)

Section 20.30.110 Appeal.

Any person aggrieved or affected by a decision of the Cultural Heritage Board or Cultural Resources Administrator to approve, conditionally approve or deny an application, or by the failure of the Board to act within the time as required may appeal to the City Council from such decision at any time within fifteen days after the date upon which the Board or Cultural Resources Administrator announces its decision or is required to announce its decision. An appeal shall be taken by filing a letter of appeal, in duplicate, with the Planning Department and by concurrently paying to such department a fee in an amount established by City Council resolution for such appeals. Such letter shall set forth the grounds upon which the appeal is based. Within five days after the receipt of the letter of appeal and the filing fee, the Planning Department shall transmit to the City Council the letter of appeal, copies of the application and all other papers constituting the record upon which the action of the Board or Cultural Resources Administrator was taken. (Ord. 6566 § 2, 2001; Ord. 6263 § 1 (part), 1996)

Section 20.30.120 Action by the City Council.

An appeal to the City Council shall first be heard and acted upon by the Land Use Committee of the City Council at the next available Land Use Committee meeting following the appeal deadline. The Land Use Committee shall consider the appeal and make a recommendation to the City Council for its consideration within thirty (30) days following the Committee's decision. The Land Use Committee and the City Council shall review the application and apply the standards as set forth in Section 20.30.060 in considering the appeal. The City Council may affirm, reverse or modify the decision of the Board or Land Use Committee. Such action by the City Council shall be final. (Ord. 6765 § 2, 2004; Ord. 6566 § 2, 2001; Ord. 6263 § 1 (part), 1996)

Chapter 20.35

PRESERVATION INCENTIVES

Sections:

20.35.010 **Preservation incentives.**

20.35.020 **Mills Act Program.**

Section 20.35.010 **Preservation incentives.**

The City Council may by resolution establish preservation incentives to encourage owners to designate, maintain, preserve, rehabilitate, and improve historic resources. Only properties designated as an historic resource pursuant to the provisions of Riverside Municipal Code Title 20 shall be eligible to apply for preservation incentives. (Ord. 6775 § 1, 2004 (part); Ord. 6263 § 1 (part), 1996)

Section 20.35.020 **Mills Act Program.**

Pursuant to California Government Code, Article 12, Section 50280 (known as the Mills Act), the City Council may establish a Mills Act Program providing for contractual agreement with an owner of an historic property as designated by the City Council or listed on any official federal, state, or county register for the purpose of preservation, rehabilitation, and maintenance of a designated historic resource. The terms of the Mills Act Agreement allow the owner to receive a reduction in property taxes in exchange for the property owner's commitment to specific repair, restoration and/or rehabilitation improvements and satisfactory maintenance of the Historic Property. The Agreement shall include, but not be limited to, the contract provisions as required under state law, and shall extend for a minimum period of 10 years, renewed annually, until and unless a notice of non-renewal or cancellation is filed. The application process, review procedures, and required contract provisions for Mills Act Agreements shall be established by separate resolution of the City Council and shall be implemented by the Planning Director or his designee. (Ord 6775 § 1, 2004 (part))

Chapter 20.40

ENFORCEMENT AND PENALTIES

Sections:

20.40.010 Enforcement and penalties.

Section 20.40.010 Enforcement and penalties.

A. Any person who violates a requirement of this title or fails to obey an order issued by the Board or comply with a condition of approval of any certificate or permit issued under this title shall be guilty of a misdemeanor.

B. Any person who constructs, alters, removes or demolishes a cultural resource in violation of this chapter shall be required to restore the building, object, site or structure to its appearance or setting prior to the violation to the extent such restoration is physically possible. Any action to enforce this provision may be brought by the City or any other interested party. This civil remedy shall be in addition to, and not in lieu of, any criminal prosecution and penalty or other remedy provided by law. (Ord. 6263 § 1 (part), 1996)

Chapter 20.45

SEVERABILITY

Sections:

20.45.010 Severability.

Section 20.45.010 Severability.

If any section, sentence, clause, or phrase of this chapter is for any reason held to be invalid by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The City Council declares that it would have passed this ordinance and adopted this title, and each section, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid. (Ord. 6263 § 1 (part), 1996)