

[Print](#)

## Brea City Code

**CHAPTER 20.60: HISTORIC PRESERVATION**

---

## Section

- 20.60.010 Purpose and intent
- 20.60.020 Applicability
- 20.60.030 Criteria for designation of individual historic resources
- 20.60.040 Historic Resources Register — establishment and maintenance
- 20.60.050 Procedures for designation and/or removal of individual historic resources
- 20.60.060 Plan review
- 20.60.070 Preservation incentives
- 20.60.080 Appeals
- 20.60.090 Maintenance and repair
- 20.60.100 Enforcement
- 20.60.110 Recordation

**§ 20.60.010 PURPOSE AND INTENT.**

The purpose of this chapter is to promote the historic, cultural, educational, economic, and general welfare of the community by:

A. Assuring that appropriate development is consistent with Land Use, Housing, and Historic Resource Elements of the Brea General Plan.

B. Establishing a mechanism to identify and preserve the distinct historic and architectural characteristics of Brea which represent elements of the city's cultural, social, economic, political, and architectural history;

C. Fostering civic pride in the beauty and noble accomplishments of the past as represented in Brea's historic resources;

D. Encouraging preservation, restoration, and rehabilitation of structures, areas, and neighborhoods, and thereby preventing future blight.

(Ord. 953, passed 6-21-94)

### **§ 20.60.020 APPLICABILITY.**

This section shall apply to all objects and/or improvements listed in the Brea Historic Resources Register, as amended from time to time.

(Ord. 953, passed 6-21-94)

### **§ 20.60.030 CRITERIA FOR DESIGNATION OF INDIVIDUAL HISTORIC RESOURCES.**

Any object and/or improvement may be identified as a historic resource upon approval by the Planning Commission, if it meets any of the following criteria:

- A. It exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history;
- B. It is identified with persons or events significant in local, state, or national history;
- C. 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;
- D. It is representative of the work of a notable builder, designer, or architect;
- E. It contributes to the significance of a 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;
- F. It embodies elements of architectural design, detail, materials, or craftsmanship that represent a significant structural or architectural achievement or innovation;
- G. It 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;
- H. It 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. 953, passed 6-21-94)

### **§ 20.60.040 HISTORIC RESOURCES REGISTER — ESTABLISHMENT AND MAINTENANCE.**

Any object/or improvement which has been approved in accordance with the procedures detailed in § 20.60.050 of this chapter shall be listed in the Brea Historic Resources Register. The Planning Commission shall be responsible for establishing and maintaining this Register.

(Ord. 953, passed 6-21-94)

### **§ 20.60.050 PROCEDURES FOR DESIGNATION AND/OR REMOVAL OF INDIVIDUAL HISTORIC RESOURCES.**

A. Any person(s) or group(s) may request, with the owner's consent, to designate an improvement as a historic resource by submitting a written request (“nomination”) to the Planning Commission. The nomination shall contain sufficient documentation and information indicating how the nominated resource meets the criteria for designation as established in § 20.60.030 of this chapter.

B. On the other hand, any person(s) or group(s) may request, with the owner's consent, to remove a historic resource from the Brea Historic Resources Register by submitting a written request to the Planning Commission. The request shall contain sufficient information indicating why the historic resource should be removed from the Register.

C. The Planning Commission shall consider the request at a public hearing in accordance with the procedures as established in § 20.408.030.E. and Chapter 20.416 of this title.

D. No discretionary or ministerial permit shall be issued which may affect a resource under consideration for listing in the Historic Resources Register or for which may be removed from the Register while the designation or removal process is pending.

(Ord. 953, passed 6-21-94)

#### **§ 20.60.060 PLAN REVIEW.**

A. Exterior alterations, including but not limited to restoration, rehabilitation, remodeling, additions, demolition, relocation, or subdivision of a designated historic resource shall require a plan review in accordance with § 20.408.040 of this title.

B. In evaluating a project involving alteration to an identified historic resource, the plan review shall consider the existing and proposed architectural style, design, arrangement, texture, materials, and any other factors with regard to the original distinguishing architectural characteristics of the historic resource. The “Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings” shall be used as a guide. In addition to these guidelines, the plan review shall comment on project consistency with the following performance guidelines.

1. With regard to an identified historic structure, the proposed work should neither adversely affect the significant architectural features of the resource nor adversely affect the character of the historical, architectural, or aesthetic interest or value of the resource.

2. With regard to construction of a new improvement, addition, building, or structure upon the site of an identified historic structure, the use and exterior of such improvements would not adversely affect and would be compatible with the use and exterior of existing historic resource.

C. The Planning Commission shall review any major alteration to a historic resource in a public hearing in accordance with the procedures established in § 20.60.050.C.

(Ord. 953, passed 6-21-94)

#### **§ 20.60.070 PRESERVATION INCENTIVES.**

The city shall promote the use of appropriate preservation incentives to encourage owner(s) to designate, maintain, preserve, and improve historic resources. These incentives may include but are not limited to the following:

- A. Use of the State Historic Building Code (SHBC) which provides alternative and less costly building regulations for the rehabilitation, preservation, restoration, or relocation of structures designated as historic structures.
- B. Facade easements of historic buildings to enable property owners to receive property tax deductions.
- C. Reduced or no processing fees for appropriate rehabilitation of designated historic structures.
- D. Technical assistance through the city's Development Services Department and preservation professionals.
- E. Grants and loans for appropriate rehabilitation of designated historic structures.
- F. Awards and other symbols of recognition of exemplary rehabilitation and maintenance of historic structures.
- G. Investigation of the feasibility of other incentives such as transfer of development rights and similar mechanisms for designated historic resources subject to the approval of the City Council.
- H. Mill Acts/historic preservation contracts which can lower property taxes of designated historic structures subject to the approval of the City Council.
- I. Assistance in processing applications for federal investment tax credits for certified rehabilitation of historic structures listed in the National Register of Historic Places.

(Ord. 953, passed 6-21-94)

#### **§ 20.60.080 APPEALS.**

The procedural provisions of Chapter 20.424 of this title shall apply to any designation, removal, or plan review process.

(Ord. 953, passed 6-21-94)

#### **§ 20.60.090 MAINTENANCE AND REPAIR.**

A. The owner(s) of a designated historic structure shall keep in good repair the buildings, walls, landscaping, and other portions of the historic structure named as part of the designation. Nothing in this section shall be construed to prevent the ordinary maintenance or repair of any exterior architectural features in any or property covered by § 20.60.040 of this chapter.

B. Maintenance and repair shall not involve a change in design, and to the extent possible, material, or external appearance thereof. However, this chapter does not prevent the alteration or removal of a historic structure and/or its related architectural features when the Development Services Director finds and certifies that alteration or removal is required for the public safety due to an unsafe or dangerous condition which cannot be rectified through the use of the California State Historic Building Code. Such architectural features shall be replaced according to the Secretary of the Interior's Standards for Rehabilitation.

(Ord. 953, passed 6-21-94)

**§ 20.60.100 ENFORCEMENT.**

Any person who constructs, alters, removes, or demolishes a historic resource in violation of this zoning code shall be required to restore the building, object, site, or structure to its appearance or setting prior to violation. Any action to reinforce this provision may be brought by the city. This civil remedy shall be, in addition to, and not in lieu of, any criminal penalty or any other remedy provided by law.

(Ord. 953, passed 6-21-94)

**§ 20.60.110 RECORDATION.**

Any person whose property is designated as a historic resource shall cause to be recorded an instrument disclosing that designation in order to qualify for any incentive or incentives referred to in § 20.60.070 of this chapter.

(Ord. 953, passed 6-21-94)