

LEGISLATIVE DIGEST
URGENCY ORDINANCE NO. 22-0002-U

Section 1. Chapter 10.86 has been amended to clarify the applicability of the City's rules and procedures governing the preservation of historic resources, in particular those requirements pertaining to the certificate of appropriateness, environmental review process, and 60-day waiting period for demolition. The new language is in blue and the deleted language is in ~~red strike-out~~.

Section 2. Section 10.86.030 (Definitions) of Chapter 10.86 of the Municipal Code is hereby amended to modify the definition of "Certificate of Appropriateness" as follows:

"Certificate of Appropriateness" means the permit granted on the finding by the Planning Commission or Director that an application to demolish, alter, or relocate a historic landmark or contributing resource as defined by this chapter is in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties and other applicable criteria as provided in this chapter.

Section 3. Subsection A of Section 10.86.150 (Certificate of Appropriateness—Requirement) of Chapter 10.86 of the Municipal Code is hereby amended to read as follows:

A. **Certificate Required.** No person shall carry out or cause to be carried out any alteration, restoration, rehabilitation, construction, removal, relocation, or demolition of any historic landmark or contributing resource listed on the Register of Historic Resources unless the City has first issued a Certificate of Appropriateness in accordance with the requirements of this chapter. ~~No person shall carry out or cause to be carried out demolition of any historic resource included in the Inventory of Historic Resources unless the City has first issued a Certificate of Appropriateness in accordance with the requirements of this chapter.~~ See also Section 10.86.180 regarding pending applications.

Section 4. Subsection A of Section 10.86.170 (Certificate of Appropriateness—Findings) of Chapter 10.86 of the Municipal Code is hereby amended to read as follows:

A. **Standard Findings.** A Certificate of Appropriateness shall be approved if the Commission or Director, as appropriate, makes all of the following findings:

1. The project will not cause a substantial adverse change in the significance of an historic landmark or contributing resource in accordance with the California Environmental Quality Act.
2. The project is consistent with the provisions of this chapter.
3. The project is consistent with the Secretary's Standards and any applicable design guidelines adopted by the City.

Section 5. Section 10.86.190 (Sixty (60) Day Waiting Period for Demolition) of Chapter 10.86 of the Municipal Code is hereby amended to read as follows:

Section 10.86.190 - Sixty (60) Day Waiting Period for Demolition.

Applications for a Certificate of Appropriateness for demolition of a historic [landmark or contributing](#) resource shall be subject to a sixty (60) day waiting period. During this period, the Director shall post a notice of the pending demolition permit in a location on the property that is visible from the nearest street (or in a similarly visible location adjacent to the property) and shall explore alternatives to demolition, including adaptive re-use and/or rehabilitation in accordance with the Secretary's Standards, application of the State Historic Building Code to allow for flexibility in code requirements in cases of adaptive reuse or rehabilitation, possible use of financial incentives such as the Mills Act Tax Abatement program, relocation, resale, or other provisions as appropriate.