

ORDINANCE NO. 816

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF SANTA PAULA CREATING A HISTORIC PRESERVATION
COMMISSION AND ESTABLISHING PROCEDURES FOR NOMINATION,
DESIGNATION AND PRESERVATION OF HISTORIC RESOURCES
WITHIN THE CITY OF SANTA PAULA

Section 1. The City Council of the City of Santa Paula hereby establishes regulations which will be referred to as the Historic Preservation Ordinance and which will read as follows:

17.55.010. Purpose.

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

- A. Providing a mechanism to identify and preserve the distinctive historic and architectural characteristics of Santa Paula which represent elements of the City's cultural, social, economic, political and architectural history;
- B. Fostering civic pride in the accomplishments of the past as represented in Santa Paula's landmarks and historic districts.
- C. Conserving and improving the value of properties designated as landmarks or within historic districts;
- D. Protecting and enhancing the attractiveness of the City to home buyers, tourists, visitors and shoppers; and thereby supporting and promoting business, commerce, industry and providing economic benefit to the City.
- E. Encouraging preservation, restoration and rehabilitation of structures, areas and neighborhoods and thereby preventing future urban blight.

It is further declared that the purposes of this ordinance are:

- F. With respect to historic landmarks:
 - (1) to retain and enhance historic landmarks in Santa Paula and to encourage their adaption to current use;
 - (2) to encourage the restoration or rehabilitation of historic landmarks.

- E. DEMOLITION. Any act or process that destroys in part or in whole, a structure in a historic district.
- F. DEMOLITION STAY. A temporary delay in the processing of a permit to demolish a designated heritage resource so that attempts can be made to preserve the resource. The length of delay shall be based on the significance of the structure as provided in Sec. 17.55.190 of this chapter.
- G. DESIGNATED HISTORIC DISTRICT. A defined area containing buildings, structures, sites, objects and spaces linked historically through location, design, setting, materials, workmanship, feelings and/or association. The significance of a district is the product of the sense of time and place in history that its individual components collectively convey. This sense may relate to developments during one period or through several periods in history.
- H. DESIGNATED HISTORIC LANDMARK. A building, improvement, structure, natural feature, site or area of land under single or common ownership, designated as a heritage resource pursuant to this Chapter.
- I. DESIGN GUIDELINES. Standards of appropriate activity which will preserve the historic and architectural character of a structure or the atmosphere of an area as described and illustrated in Appendix A and in Section 17.55.170.
- J. HERITAGE RESOURCE. Any public or private property designated by the City, pursuant to this Ordinance, as having special historical, cultural, archeological, scientific, architectural or aesthetic significance, interest or value as part of the heritage or history of the City of Santa Paula, the County of Ventura, the State of California, or the nation.
- K. HISTORIC DISTRICT DESIGN GUIDELINES. Standards of appropriate activity which will preserve the historic and architectural character of a structure or the atmosphere of an area as described and illustrated in Section 17.55.170 and in Appendix A.

- G. With respect to the properties within historic districts:
- (1) to retain and enhance those properties which contribute to the character of the historic district and to encourage their adaptation to current use;
 - (2) to assure that alterations of existing structures are compatible with the character of the historic district;
 - (3) to assure that new construction and subdivision of lots in a historic district are compatible with the character of the historic district.

17.55.020 Definitions.

Unless specifically defined below, words or phrases in this ordinance shall be interpreted to give them same meaning as they have in common usage and to give this ordinance its most reasonable application.

- A. ALTERATION. Any exterior change or modification, through public or private action, of any cultural resource or of any property located within a historic district including, but not limited to, exterior changes to or modification of a structure, architectural details or visual characteristics such as surface texture, grading, surface paving, new structures, cutting or removal of trees and other natural features, disturbance of archeological sites or areas, and the placement or removal of any exterior objects such as signs, plaques, light fixtures, street furniture, walls, fences, steps, and landscape accessories affecting the exterior visual qualities of the property. In commercial zones, alteration also includes paint color changes which are not compatible with the neighborhood or district as determined by the Planning Director or, on appeal, by the City Council. Alteration does not include "ordinary maintenance" as defined below.
- B. CERTIFICATE OF APPROPRIATENESS. A certificate issued by the Historic Preservation Commission indicating its approval of plans for alteration, construction, removal or demolition of a structure within a historic district.
- C. CERTIFICATE OF ECONOMIC HARDSHIP. A certificate issued by the Historic Preservation Commission authorizing an alteration, construction, removal or demolition, even though a Certificate of Appropriateness has previously been denied.
- D. CONSTRUCTION. The act of adding to an existing landmark or to a structure within a historic district; or the erection of a new structure within a historic district.

- L. LANDSCAPING. The planting, including replanting in case of death, disease, disfigurement or dismemberment, of live trees, shrubs and ground cover which, at the time of planting, are healthy, vigorous, and free of diseases, and of a species that is able to thrive in the environment and soil type in which it is planted, and maintenance thereof sufficient to sustain plant life, including an irrigation system with a useful life of not less than ten years. In commercial and multiple-family zones, the irrigation system must be an underground system.
- M. ORDINARY MAINTENANCE. The maintenance, painting, landscaping or repair of any exterior feature in or upon any designated heritage resource that does not involve a change in design, material or the external appearance thereof, except that in residential zones, change of paint color shall also be considered ordinary maintenance.
- N. PRESERVATION. The identification, study, protection, restoration, rehabilitation or enhancement of cultural resources.
- O. REHABILITATION. The process of returning a property to a state of utility through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural and cultural values.
- P. REPAIR. Any change that is not new construction, removal or alteration.
- Q. SECRETARY OF INTERIOR'S "STANDARDS FOR REHABILITATION" mean the standards listed in Section 17.55.140 C. of this Ordinance.
- R. STATE HISTORIC BUILDING CODE means Part 8 (State Historic Building Code) of Title 24 (Building Standards) of the State of California Administrative Code.
- S. STOP WORK ORDER means an order issued by the Building Department of the City of Santa Paula to stop any work (alteration, demolition, repair, construction or rehabilitation) being carried on in violation of the provisions of this Chapter.

T. VENTURA COUNTY LANDMARKS. Those buildings or sites previously designated as landmarks within the City of Santa Paula by the Ventura County Cultural Heritage Board and the City Council under the provisions of Ordinance No. 766 and as may be designated in the future in compliance with the procedures of this chapter.

17.55.030 Historic Preservation Commission.

When administering this ordinance, the Planning Commission of the City of Santa Paula shall act as the Historic Preservation Commission unless otherwise provided by resolution of the City Council.

17.55.040 Design Assistance Committee.

There is hereby created a Design Assistance Committee which shall act as an advisory body to the Historic Preservation Commission.

A. Membership. The Design Assistance Committee shall consist of 5 members who shall be residents of the City of Santa Paula and appointed by and serve at the pleasure of the Santa Paula City Council, with the following qualifications:

- (1) One member from the Santa Paula Planning Commission;
- (2) One member who shall have been a candidate nominated by the Santa Paula Historical Society;
- (3) One member who, by reason of training and experience is knowledgeable in the field of construction and structural rehabilitation, such as a licensed architect, engineer, contractor or urban planner.

B. Term. The term of office for each member shall be four (4) years, except that two of the members first appointed shall be designated to serve for a term of two years, two for a term of three years, and one for a term of four years, so as to provide a continuity of membership on the Committee. Thereafter, the term for each member shall be four years. An appointment to fill an unexpired term shall be for the remainder of such unexpired term.

- C. Absences. If a member is absent from three successive regular or noticed special meetings, unless by permission of the Committee, or ceases to be a resident of the City, this seat shall be considered vacant.
- D. Removal. A Committee member may be removed upon the affirmative vote of three members of the City Council.
- E. Chairperson. The Mayor, with the approval of the City Council, shall appoint the first Chairperson from among the member, subject to the following condition:
 - (a) The term of office of the Chairperson shall be for the calendar year, or that portion remaining after he or she is appointed or elected. When there is a vacancy in the office of Chairperson, the Committee shall elect a Chairperson from among its members.

17.55.050. Planning Department.

The Planning Director or his or her designate shall act as secretary to the Historic Preservation Commission and the Design Assistance Committee, and shall be the custodian of their records, conduct official correspondence, and generally supervise the clerical and technical work of the Commission and Committee in administering this ordinance.

17.55.060. Duties of the Historic Preservation Commission.

The Historic Preservation Commission shall have the power and duty to:

- A. Adopt rules of procedure which shall be approved by the City Council.
- B. Administer the provisions of this ordinance.
- C. Review and accept, modify or deny landmark nominations as recommended by the Design Assistance Committee.
- D. Review and accept, modify or deny historic district nominations as recommended by the Design Assistance Committee; and to forward their decision to the City Council for approval or denial.
- E. Review and accept or deny the Design Assistance Committee's recommendation for designated landmarks or historic districts to be listed on the National Register of Historic Places.

- F. Review and accept, modify or deny the issuance of a Certificate of Appropriateness, Certificate of Economic Hardship or Demolition Permit as recommended by the Design Assistance Committee.
- G. Direct the Planning Director to send applications for proposed zoning amendments, conditional use permits or zoning variances to the Design Assistance Committee for review prior to the public hearing if such items will affect proposed or designated landmark or historic districts.
- H. Review and accept, modify or deny the development of a preservation component in the General Plan as recommended by the Design Assistance Committee.
- I. Review and accept, modify or deny the Design Assistance Committee's recommendation regarding any amendments appropriate for the protection and continued use of landmarks or property or structures within a historic district following the Committee's periodical review of the City's Zoning Ordinance.
- J. Review and accept, modify or deny the Design Assistance Committee's recommendation regarding standards for minor changes to buildings which allow for City staff approval of such minor changes without full review under the provisions of Sec. 17.55.140.
- K. Perform such other functions as may be designated from time to time by the City Council.

17.55.070. Powers and Duties of the Design Assistance Committee.

- A. The Committee shall develop and adopt rules of procedure which shall govern the conduct of its business in accordance with the provisions of this ordinance. All such rules shall be approved by the City Council.

Such rules of procedure shall also include as an appendix an illustrated portfolio including: photographs, illustrations, colors, descriptions, the Secretary of Interior's "Standards for Rehabilitation", the State Historic Building Code, Design Guidelines and other similar material interpreting the criteria for determining appropriateness as set out in Section 17.55.080A of this ordinance. Such appendix shall be placed on file at the Santa Paula City Hall and made available to the general public during regular business hours.

- B. To identify historically and architecturally significant properties, structures and areas that exemplify the cultural, social, economic, political or architectural history of the City.
- C. To investigate and recommend to the Historic Preservation Commission the designation of specific landmarks or historic districts.
- D. To keep a register of all properties and structures that have been designated as landmarks or historic districts, including all information required for each designation.
- E. To assist owners of landmarks and property or structures within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse; and on procedures for inclusion on the National Register of Historic Places.
- F. To recommend to the Historic Preservation Commission the nomination of designated landmarks and historic districts to the National Register of Historic Places.
- G. To review all applications for construction, alteration, removal, relocation, or demolition affecting proposed or designated landmarks or structures within a proposed or designated historic district; and to recommend issuance or denial of Certificates of Appropriateness for such actions. Applicants shall be required to submit plans, drawings, elevations, specifications or other information as may be necessary to make such decisions.
- H. To apply the Design Guidelines when considering the alteration, construction or removal of landmarks or property or structures within historic districts.
- I. To recommend to the Historic Preservation Commission the adoption of standards for minor alterations such as changes in hardware, house and building address numbers, small plaques and name tags and structural hardware needed to comply with earthquake mitigation standards which may be adopted by the City.

- J. To review proposed zoning amendments, applications for special use permits or applications for zoning variances that affect proposed or designated landmarks or historic districts. The Planning Director shall send such applications to the Committee prior to the hearing date by the Planning Commission for the Committee's comments.
- K. When deemed necessary by the Committee or at the request of an applicant, a spokesperson shall testify before all Commissions and the Council on any matter affecting historically or architecturally significant property, structures or areas.
- L. To recommend the development of a preservation component in the General Plan to the City Council and Planning Commission.
- M. To periodically review Santa Paula's Zoning Ordinance and recommend to the Planning Commission any amendments appropriate for the protection and continued use of landmarks or property or structures within a historic district.
- N. To undertake any other action deemed necessary to the implementation of this ordinance.

17.55.080. Nomination of Landmarks.

Nominations shall be made to the Design Assistance Committee on a form prepared by it and may be submitted by a member of the Committee, owner of record, the Historic Preservation Commission, or the City Council.

A. Criteria for Designation of Landmark Nomination.

The Design Assistance Committee, shall upon such investigation as it deems necessary, make a determination as to whether a nominated property or structure meets one or more of the following criteria:

(1) Historical & Cultural Significance

- (a) The proposed landmark is particularly representative of a distinct historical period, type, style, region, or way of life.
- (b) The proposed landmark is an example of a type of building which was once common, but is now rare.
- (c) The proposed landmark is of a greater age than most of its kind.

- (d) The proposed landmark is connected with a business or use which was once common, but is now rare.
- (e) The architect or builder was locally or nationally renowned.
- (f) The site is the location of a significant local or national event.

(2) Historic Architectural & Engineering Significance

- (a) The construction materials or engineering methods used in the proposed landmark are unusual or significant or uniquely effective.
- (b) The overall effect of the design of the proposed landmark is beautiful, or its details and materials are beautiful or unusual.

(3) Neighborhood and Geographic Setting

- (a) The proposed landmark materially benefits the historic character of the neighborhood.
- (b) The proposed landmark in its location represents an established and familiar visual feature of the neighborhood, community or city.

B. Any structure, property or area that meets one or more of the above criteria shall also have sufficient integrity of location, design, materials, construction and workmanship to make it worthy of preservation, restoration or rehabilitation.

C. Notification of Nomination.

The Historic Preservation Commission shall schedule a public hearing on the nomination within 30 days following receipt of a report and recommendation from the Design Assistance Committee that a nominated landmark does or does not meet the criteria for designation.

- 1. Legal Notice of the time, place, and purpose of such hearing shall be given by the Secretary in a local newspaper not less than 10 calendar days prior to the date of hearing and by mail to the owners of the property. The Secretary may also give such additional notice as may be deemed desirable and

2. Prior to approval, modified approval or disapproval of the recommendation, the Historic Preservation Commission shall find that the nominated landmark does or does not meet the criteria for designation as set forth in Section 17.55.080 A and shall further find:
 - (a) That the proposed landmark has significant aesthetic, cultural, architectural, or engineering interest or value of a historical nature, and
 - (b) That the proposed landmark may be designated without imposing an undue hardship on the property owner, and
 - (c) That approval or modified approval or disapproval of the application is consistent with the purposes and criteria of this Chapter.
3. The action of the Historic Preservation Commission may be appealed to the City Council. The City Council shall hold a public hearing at the next regular meeting, consistent with the agenda preparation procedures and public hearing requirements. The City Clerk shall give notice of the time and place of the hearing by publication in a local newspaper and by mail to the owner of the property at least ten days prior to the hearing.
4. The City Council shall approve, disapprove, or modify the designation of the Historic Preservation Commission.
5. Prior to the approval or modified approval of designation, the City Council shall make those findings specified in Section 17.55.080 A.
6. After approval or denial of the designation of a landmark, the Secretary shall send to the owner of the property so designated by mail, a letter outlining the basis for such designation or non-designation and the regulations which result if the designation is approved. The Secretary may also forward a copy of the letter to any other department or agency requesting it or that the Secretary considers affected by the designation.

17.55.090. Nomination of Historic Districts (Historic Overlay Zone)

Nomination of a historic district may be initiated by the Design Assistance Committee, the Historic Preservation Commission, the City Council or on application of persons, or authorized agents, who own 60% of the recorded lots to be included in the proposed district. All districts shall be established through the designation of a Historic Overlay (HO) Zone.

A. Criteria for Designation of Historic District

- (1) The proposed historic district is a geographically definable area, urban or rural, possessing a significant concentration or continuity of site, buildings, structures, or objects unified by past events, or aesthetically by plan or physical development, or
- (2) The historic and aesthetic collective value of the district taken together may be greater than the value of each individual structure, or
- (3) The district meets the criteria which are listed for the designation of Landmarks as provided in Section 17.55.080,

B. Any such application shall be filed with the Design Assistance Committee upon the prescribed forms and shall include the following data:

- (1) Statement of the district's special aesthetic, cultural, architectural, or engineering interest or value of a historical nature.
- (2) Drawings, photographs, or other descriptive material.
- (3) Other information requested by the Historic Preservation Commission or Design Assistance Committee.
- (4) Environmental Assessment Documents.

C. The Design Assistance Committee shall review and report to the Historic Preservation Commission as to the application's conformance with the purposes and criteria of this Chapter. The Design Assistance Committee shall recommend approval, disapproval, or modification of the designation to the Historic Preservation Commission within 7 days following its decision.

D. After receiving a recommendation from the Design Assistance Committee, the Historic Preservation Commission shall hold a public hearing at the earliest next regular meeting, consistent with agenda preparation procedure and completion of the environmental review process. The Historic Preservation Commission shall consider the report of the Design Assistance Committee and shall consider the conformance or lack of conformance of the proposed designation with the purposes and criteria as specified in Section 17.55.010 and Subsection A of this Section. The

D. (cont'd)

hearing shall be held in accordance with Section 17.78.030 et. seq. and the Planning Commission/Historic Preservation Commission shall recommend approval, disapproval, or modified approval of the proposed zone change as provided therein. A record of pertinent information presented at the hearing shall be made and maintained as a permanent record.

E. The Planning Commission/Historic Preservation Commission shall transmit the application and its recommendations to the City Council.

F. The City Council shall hold a public hearing on any proposed designation so transmitted as set forth in Section 17.78.060 et. seq. of this Title. The City Council may approve, modify and approve, or deny the proposed designation as set forth in Section 17.78.070 et. seq. of this Title. Approval, or modification and approval, of the designation shall be upon adoption of an ordinance.

G. The property included in any such designation shall be subject to the regulations set forth in this Chapter and any further controls specified in the designating ordinance.

H. The Secretary shall cause a copy of the designating ordinance to be forwarded to any department or agency requesting it or to any individual department or agency to whom the Secretary considers it appropriate to have it sent.

I. The designated property or properties shall be shown on the zoning map with its underlying zone following with an (HO) designation to indicate its inclusion in a Historic Overlay Zone.

17.55.100. Report and Recommendation of Design Assistance Committee Regarding All Designations for Nomination.

The Design Assistance Committee shall, within 30 days from receipt of a completed nomination in proper form, forward its recommendation for approval, disapproval or modification to the Historic Preservation Commission that the nominated landmark or historic district does or does not meet the criteria for designation in Subsection A of Section 17.55.090. The recommendation shall be accompanied by a report to the Historic Preservation Commission containing the following information:

1. Explanation of the significance or lack of significance of the nominated landmark or historic district as it related to the criteria for designation;
2. Explanation of the integrity or lack of integrity of the nominated landmark or historic district;
3. In the case of a nominated landmark found to meet the criteria for designation:
 - a. The significant exterior architectural features of the nominated landmark that should be protected;
 - b. The types of construction, alteration, demolition, and removal, other than those requiring a building or demolition permit that should be reviewed for appropriateness pursuant to the provisions of Section 17.55.130 of this ordinance.
4. In the case of a nominated historic district found to meet the criteria for designation:
 - a. The types of significant exterior architectural features of the structures within the nominated historic district that should be protected;
 - b. The types of alterations and demolitions that should be reviewed for appropriateness pursuant to the provisions of Section 17.55.130 of this ordinance.
5. Proposed Design Guidelines for applying the criteria for review of Certificates of Appropriateness to the nominated landmark or historic district.
6. The relationship of the nominated landmark or historic district to the ongoing effort of the Historic Preservation Commission to identify and nominate all potential areas and structures that meet the criteria for designation.
7. Recommendations as to appropriate height and area regulations, minimum dwelling size, sign regulations, and parking regulations necessary or appropriate to the preservation of the nominated landmark or historic district.
8. A map showing the location of the nominated landmark and the boundaries of the nominated historic district.

17.55.110. Interim Control.

No building permit shall be issued by the Building Department for alteration, construction, demolition or removal of a nominated landmark or any property or structure within a nominated historic district from the date of the meeting of the Design Assistance Committee at which a nomination form is first presented until the final disposition of the nomination by the Historic Preservation Commission or the City Council unless such alteration, removal or demolition is an authorized action as provided in Section 17.55.130. In no event shall the delay be more than 180 days.

17.55.120. Amendment or Rescission of Designation.

Designation may be amended or rescinded upon petition to the Design Assistance Committee and compliance with the same procedure and according to the same criteria set forth herein for designation.

17.55.130. Application for Certificate of Appropriateness to Authorize Construction, Demolition, Relocation, or Material Change on a Designated Landmark or in a Historic District.

No person shall carry out or cause to be carried out, any alteration, relocation, construction, demolition or relocation, as defined in Section 17.55.020, on a designated landmark or a structure within a designated historic district without first receiving a Certificate of Appropriateness from the Historic Preservation Commission except as provided in Subsection C of this section.

A. A Certificate of Appropriateness shall be required before the following actions affecting the exterior architectural appearance of a designated landmark or structure within a designated historic district can be initiated.

- (1) Any construction, alteration, rehabilitation, relocation or demolition in whole or part, which requires a permit from the City of Santa Paula.
- (2) Any construction, alteration, removal or demolition of a significant architectural feature not requiring a permit from the City, but which would affect the exterior appearance as specified in the ordinance designating the landmark or historic district and as defined in Section 17.55.020 A.

B. The Planning Department shall maintain within the Building Department a current record of designated landmarks and historic districts. When the Building Inspector receives an application for a permit which indicates a possible material change to the exterior appearance of a building or portion thereof so designated, the Inspector shall require the applicant to apply for a Certificate of Appropriateness.

- C. The Planning Director and Chief Building Inspector may authorize minor modifications of a landmark or structure within a historic district which will not alter the historical or architectural significance or integrity of the building. Such administrative decisions may include: address numbers, engineering improvements, minor changes in sign copy, color changes which conform to the Paint Color Chart, and other features which the Planning Director and Chief Building Inspector deem are not of significance to the exterior appearance.
- D. Color changes to a commercial landmark or a property within a Commercial Designated Historic District shall be reviewed with the Planning Director. The review shall be to determine if the proposed color is compatible with the neighborhood and in keeping with the historic colors of the area. If agreement cannot be reached as to an appropriate color for the building, the matter may be appealed at no cost to the applicant, to the City Council. The decision of the City Council regarding the color change shall be final.

17.55.140. Procedure for the Issuance of a Certificate of Appropriateness.

Said application shall be filed with the Planning Department upon the prescribed form which requests the following data:

1. A clear statement of the proposed work.
2. Plans describing the size, height, color, texture, material and appearance of the proposed work.
3. Where the application is for demolition or relocation of a designated structure, the necessity for such action shall be justified pursuant to Section 17.55.190, 200 or 210.
 - A. Upon receiving an application for a Certificate of Appropriateness, the Planning Department shall refer it to the Design Assistance Committee which shall review the application during its next scheduled meeting.
 - B. During this review period, the Design Assistance Committee shall, at a minimum, apply the following architectural criteria called Design Guidelines when considering an application for a Certificate of Appropriateness.
 1. Height. The height of any proposed alteration of construction should be compatible with the style and character of the landmark or with the surrounding structures within a historic district.

2. Proportions of Windows and Doors. The proportions and relationships between doors and windows should be compatible with the architectural style and character of the landmark or with the surrounding structures within a historic district.
3. Relationships of Building Masses and Spaces. The relationship of a structure within a historic district to the open space between it and adjoining structures should be compatible.
4. Roof shape. The design of the roof should be compatible with the architectural style and character of the landmark or the surrounding structures within a historic district.
5. Landscaping. Landscaping should be compatible with the architectural character and appearance of the landmark or of the surrounding structures and landscapes within a historic district.
6. Scale. The scale of the structure after alteration, construction or partial demolition, should be compatible with its architectural style and character or with surrounding structures within a historic district.
7. Directional Expression. Facades in historic districts should blend with other structures with regard to directional expression; and should be compatible with the dominant horizontal or vertical expression of surrounding structures. The directional expression of a landmark after alteration, construction or partial demolition should be compatible with its original architectural style and character.
8. Architectural Details. Architectural details including materials, colors and textures should be treated so as to make a landmark compatible with its original architectural style and character; and to preserve and enhance the architectural style and character of a landmark or historic district.

C. In addition to these Design Guidelines, the Design Assistance Committee shall be guided by the following Standards for Rehabilitation when considering a Certificate of Appropriateness for alterations which will result in the rehabilitation or repair of a landmark or structure within a historic district. Said "Standards" shall be used by the Secretary of Interior when determining if a rehabilitation project qualifies as a "certified rehabilitation" pursuant to the Tax Reform Act of 1976.

1. The distinguishing original qualities or character or a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
2. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
3. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
4. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
5. 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 or 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.

6. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
 7. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to any project.
 8. Alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy 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. Wherever possible, new additions or alterations to structures 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 structure would be unimpaired.
- D. The Design Assistance Committee's recommendation shall be forwarded to the Historic Preservation Commission within 7 days after the Committee makes its decision. The Design Assistance Committee shall determine, based upon the degree of alteration proposed, whether or not the review by the Historic Preservation Commission warrants a public hearing. If a public hearing is deemed necessary, it shall be noticed as provided for a variance.
- E. After reviewing the recommendation of the Design Assistance Committee, the Historic Preservation Commission shall also consider the purposes of this ordinance, the historic architectural value and significance of the landmark or structure within a historic district, the intent of the Design Guidelines and the Standards of Rehabilitation prior to their approval, approval with modifications or disapproval of the application for a Certificate of Appropriateness.

- F. Prior to the Commission's decision, they shall also find that:
- (1) The action proposed is consistent with the purposes of this ordinance; and
 - (2) The action proposed will not be detrimental to a structure or feature of significant aesthetic, cultural, architectural or engineering interest or value of a historical nature; or
 - (3) The applicant has demonstrated that the action proposed is necessary to correct an unsafe or dangerous condition on the property pursuant to Section 17.55.200; or
 - (4) The applicant has demonstrated the denial of the application will result in immediate or substantial hardship pursuant to Section 17.55.210.
- G. The Historic Preservation Commission may continue action on the Certificate of Appropriateness for two meetings, not to exceed 55 days from the date of the public hearing, for purposes of reaching a mutually acceptable solution in keeping with the criteria of this ordinance. If at the end of that time an acceptable solution has not been achieved, the application shall be finally granted or denied.
- H. Upon approval or denial of an application, the Historic Preservation Commission shall issue or not issue a Certificate of Appropriateness, one copy of which shall be forwarded to the applicant, one copy of which shall be retained in the files of the Planning Department, and one copy of which shall be forwarded to the Building Inspector. In addition, a copy shall be forwarded to any other department or agency requesting it or who the Secretary believes will be affected by such a Permit.

- I. The decision of the Historic Preservation Commission may be appealed to the City Council. If a public hearing was required before the Commission, a public hearing shall also be required before the Council.

17.55.150. Denial of a Certificate of Appropriateness.

A denial of a Certificate of Appropriateness shall be accompanied by a statement of the reasons for the denial to the applicant as prepared by the Secretary pursuant to the Commission's decision.

- A. The Historic Preservation Commission may make recommendations to the applicant concerning changes, if any, in the proposed action that would cause the Commission to reconsider its denial.
- B. The Commission may also confer with the applicant and attempt to resolve, as quickly as possible, the differences between the Commission and the owner.
- C. The applicant may resubmit an amended application or reapply for a building or demolition permit that takes into consideration the recommendations of the Design Assistance Committee and the Historic Preservation Commission. The application shall be processed in compliance with Section 17.55.130.

17.55.160. Certificate of Appropriateness for New Construction Within a Designated Historic District.

- A. Upon receipt of a building permit for new construction within a designated historic district, the Building Department shall notify the Design Assistance Committee of the request and forward to it all pertinent data relating to said permit, including:
 1. Assessor's parcel number of the site.
 2. Architectural renderings and elevations of the proposed project.
 3. Description of proposed building materials, color, texture, windows, doors, lights, signs and other fixtures appurtenant to the exterior architectural features of the proposed project.
 4. Any other information requested by the Design Assistance Committee.
- B. Prior to approval, modified approval or disapproval of the proposed new construction the Design Assistance Committee shall find that the proposed project is or is not compatible with the following criteria:

1. Exterior architectural features, including all signs;
 2. General design, scale and arrangement;
 3. Texture and material;
 4. The relationship of 1., 2., and 3. above to other structures and features of the district;
 5. The relationship of the size, design and siting of the proposed new structure to the landscape of the district;
 6. The purposes for which the district was created.
 7. The new construction's conformance with the Historic District Design Guidelines as defined in Section 17.55.020 (I).
- C. The proposal shall be considered by the Design Assistance Committee which shall then forward its recommendation for approval, disapproval, or modification to the Historic Preservation Commission. The Design Assistance Committee shall make its recommendation within 30 days of its receipt of a proposal and shall forward its recommendation to the Historic Preservation Commission within 7 days of its action.
- D. The proposal shall be considered by the Historic Preservation Commission at a public hearing. The Historic Preservation Commission may continue a hearing but not to exceed 30 days from the date originally set for such hearing. A record of pertinent information presented at the hearing shall be maintained as a permanent public record. The Historic Preservation Commission's decision may be appealed to the City Council within 10 days of the date of notification of the decision.

17.55.170. Design Guidelines.

Design Guidelines for applying criteria for review of Certificates of Appropriateness shall, at a minimum, consider the following architectural criteria:

- A. Height - The height of any proposed alteration or construction should be compatible with the style and character of the landmark and with surrounding structures in a historic district.
- B. Proportions of Windows and Doors - The proportions and relationships between doors and windows should be compatible with the architectural style and character of the landmark and with surrounding structures within a historic district.

- C. Relationship of Building Masses and Spaces - The relationship of a structure within a historic district to the open space between it and adjoining structures should be compatible.
- D. Roof Shape - The design of the roof should be compatible with the architectural style and character of the landmark and surrounding structures in a historic district.
- E. Landscaping - Landscaping should be compatible with the architectural character and appearance of the landmark and of surrounding structures and landscapes in historic districts.
- F. Scale - The scale of the structure after alteration, construction, or partial demolition should be compatible with its architectural style and character and with surrounding structures in a historic district.
- G. Directional Expression - Facades in historic districts should blend with other structures with regard to directional expression. Structures in a historic district should be compatible with the dominant horizontal or vertical expression of surrounding structures. The directional expression of a landmark after alteration, construction or partial demolition should be compatible with its original architectural style and character.
- H. Architectural Details - Architectural details including materials, colors, and textures should be treated so as to make a landmark compatible with its original architectural style and character and to preserve and enhance the architectural style or character of a landmark or historic district.

17.55.180. Demolition of Designated Landmarks.

No designated landmark shall be demolished unless said landmark meets the provisions of Section 17.55.200 concerning unsafe or dangerous conditions.

17.55.190. Procedure for Demolition of Structures (Other than Designated Historical Landmarks) Within a Designated Historic District.

- A. No building within a Designated Historic District may be demolished, either completely or partially, except in compliance with the procedures set forth in this section.

- B. Application for Demolition Permit. Any person desiring to demolish a building (other than a designated landmark) within a Historic District shall first file an application for demolition permit with the Chief Building Inspector in accord with the procedures prescribed under the Uniform Building Code. At the time of application, the applicant shall submit one clear photograph of the front of the building and shall submit such other information as may be required by the Chief Building Inspector. Within five (5) days after receiving a completed application for the demolition of any structure within a Historic District, the Chief Building Inspector shall forward the application to the Design Assistance Committee.
- C. Review by Design Assistance Committee. The Design Assistance Committee shall consider the application received from the Chief Building Inspector concerning the request for demolition at its next regularly scheduled meeting. After reviewing the application, the Design Assistance Committee shall make its recommendation for action and shall forward such recommendation, together with the application, to the Historic Preservation Commission which shall review the request at a public hearing at the next possible meeting date.
- D. Action by Historic Preservation Commission. At its meeting, the Historic Preservation Commission shall review the application and the recommendation of the Design Assistance Committee and shall take one of the following actions:
- (1) Issuance of Permit. The Commission may direct the issuance of the demolition permit.
 - (2) Sixty-Day Continuance to Explore Preservation Alternatives. The Historic Preservation Commission may require a continuance of up to sixty days on the issuance of the demolition permit. During this period, the Design Assistance Committee shall investigate, document, and photograph the building and attempt, if desirable, to arrange for the preservation of the building. A legal notice concerning the proposed demolition shall be placed in a paper of general circulation in the City of Santa Paula at least twice during the first thirty days following the action by the Historic Preservation Commission continuing the permit. Such legal notice shall include the address at which the structure proposed for demolition is located, the fact that the relocation of the structure may be considered, and the earliest date after which a demolition permit may be issued. The City shall prepare said notice for publication at the applicant's expense. Evidence of this publication must be submitted to the Chief Building Inspector prior to issuance of a demolition permit. After expiration of the

D. (2) cont'u

continuance period, the permit shall be issued according to the procedure established in the Uniform Building Code upon request of the applicant, unless the building shall have been designated a historic landmark prior to the expiration of the continuance period.

- (3) Ninety Day Continuance for Landmark Designation. If, on review of the request for the demolition permit, the Historic Preservation Commission determines that initiation of proceedings to designate the building as a landmark pursuant to Section 17.55.080 of this Title would be appropriate, the Planning Commission may continue the matter for a period of up to ninety days, and shall then require the applicant to comply with the advertisement requirements set forth in subparagraph (2) and shall, as soon as possible, initiate proceedings to designate the building as a landmark.

E. Criteria for Historic Preservation Commission Action. In reviewing the application for a demolition permit, the Historic Preservation Commission shall consider the purpose of this Chapter as set forth in Section 17.55.010, the review criteria set forth in Section 17.55.080, and shall take such course of action under subsection D. of this Section as it deems most appropriate in light of the policies and criteria for historic preservation established in this Chapter.

F. Additional Procedures when Landmark Designation Considered. If the Historic Preservation Commission decides to begin proceedings for designation of the structure as a historic landmark, then the application for a demolition permit shall be treated as an application for designation as a landmark as provided in Section 17.55.080, provided that no fee shall be charged the applicant and no submittals need be prepared by the applicant. With respect to the landmark designation, the Historic Preservation Commission shall take one of the following actions:

- (1) If the Historic Preservation Commission determines not to designate the structure as a landmark or fails to act within the continuance period established under Sub-section D. (3), the application shall thereafter be treated solely as an application for a demolition permit and such permit shall be issued according to the procedure established by the Uniform Building Code; or

- (2) If the Historic Preservation Commission decides to designate the structure as a historic landmark, demolition of the building or structures shall not be permitted.

G. Any action of the Historic Preservation Commission may be appealed to the City Council during any portion of this process.

17.55.200. Unsafe or Dangerous Condition.

In the event any designated landmark, structure within a historic district or any portion thereof, is damaged by fire or other calamity or is deemed unsafe or dangerous, the Chief Building Inspector or Fire Chief may authorize that amount of repair necessary to correct said condition without the approval of the Historic Preservation Commission.

- A. None of the provisions of this Chapter shall be construed to prevent any measures of construction, alteration, removal, demolition or relocation necessary to correct or abate the unsafe or dangerous condition where such a condition has been declared unsafe or dangerous by the Chief Building Inspector of the Fire Chief.
- B. In the event such structures or other features thereof are damaged to such an extent that, in the opinion of the aforementioned departments they cannot be reasonably repaired or restored, they may be removed in conformity with normal permit procedures and applicable laws of the City of Santa Paula.
- C. However, if the aforementioned departments believe the damaged structure can be reasonably repaired or restored, then only such work as is necessary to correct the unsafe or dangerous condition may be performed pursuant to this Section. All other repairs must comply with the remaining sections of this Chapter.
- D. It is further recommended that the repair and restoration of the damaged structure or portions thereof, apply the criteria of the "Standards of Rehabilitation" as adopted in the ordinance.
- E. A Certificate of Appropriateness application on the part of the applicant shall be required pursuant to Section 17.55.160 prior to repairs and restoration being initiated, other than those required to immediately correct the unsafe or dangerous condition.

17.55.210. Showing of Hardship in Cases of Proposed Material Change.

- A. The Historic Preservation Commission shall review all evidence and information presented by the applicant when requesting a Certificate of Economic Hardship during a public hearing. Their determination shall be made within 45 days of receipt of the application.

Structures both designated a landmark or within a historic district may be considered for such applications.

- B. The applicant must prove to the Commission that denial of a Certificate of Hardship will deprive him of reasonable use of, or economic return on, his property.

- C. If the Commission agrees with the applicant, the application shall be delayed for a period not to exceed 90 days to allow the Commission time to investigate alternatives to propose to the City Council to allow for a reasonable use of, or return from, or to otherwise preserve the subject property. Such recommendations may include, but not be limited to:

- (1) A relaxation of the provisions of this ordinance.
- (2) Building code modifications (State Historic Building Code).
- (3) A change in zoning regulations.

17.55.220. Property Owned by Public Agencies.

The Secretary shall take appropriate steps to notify all public agencies which own or may acquire property in the City, of the responsibilities involved in the ownership of designated landmarks and historic district properties. All publicly owned properties so designated must comply with the provisions of this Chapter unless these regulations are preempted by State or Federal Law.

17.55.230. Ordinary Maintenance and Repair.

Nothing in this Chapter shall be construed to prevent the ordinary maintenance, painting, landscaping or repair of any exterior feature in or upon any designated heritage resource that does not involve a change in design, material or the external appearance thereof.

17.55.240. Duty to Keep in Good Repair.

The owner, occupant or the person in actual charge of a designated historic landmark or property located within a designated historic district shall keep and maintain in good condition and repair all exterior portions thereof, and all interior portions thereof whose maintenance is necessary to prevent deterioration and decay of any exterior architectural feature or natural feature.

17.55.250. Filing Fees.

Before accepting for filing any application herein mentioned, the Secretary shall charge and collect such administrative fee as may be set by resolution of the City Council.

17.55.260. Enforcement.

- A. Except as otherwise provided herein, violations of this Chapter shall be enforced as provided in Chapters 1.08 and 1.12 of this Code.
- B. Violations of this Chapter shall be considered infractions; provided, however, that violations of Sections 17.55.180, 17.55.190, and 17.55.200 and failure to comply with a "Stop Work Order" as described in Subsection C. below shall be considered misdemeanors.
- C. In the event a violation of this Chapter is taking place, the Chief Building Inspector shall issue a "Stop Work Order" and work in violation of this Chapter must cease immediately. A refusal to comply may result in the immediate arrest of the person or persons responsible for the violation.

17.55.270. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Santa Paula hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases may be held invalid or unconstitutional.

17.55.280. Relationship With Ventura County Landmarks.

All structures and sites designated as Ventura County Landmarks prior to the effective date of this ordinance will remain Ventura County Landmarks. They may also be designated local landmarks in accordance with the provisions of Sec. 17.55.080. Subsequent to the effective date of this ordinance, those structures and sites which receive a local landmark designation may, after the City has given its designation, request designation as a Ventura County Landmark through the Ventura County Cultural Heritage Board.

Section 2. This ordinance shall not be codified.

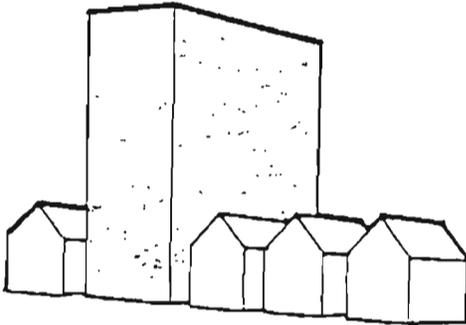
Appendix A. Historic District Design Guidelines for New Construction

HEIGHT

Consider—Relating the overall height of new construction to that of adjacent structures. As a general rule, construct new buildings to a height roughly equal to the average height of existing buildings from the historic period on and across the street.

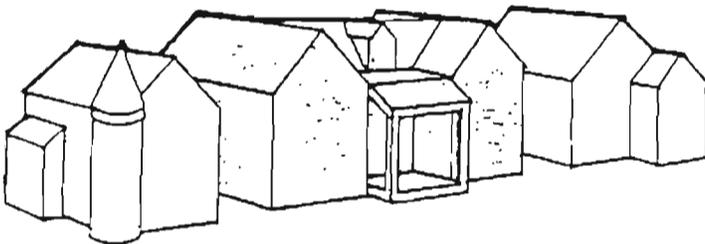


Avoid—New construction that greatly varies in height (too high or too low) from older buildings in the vicinity.

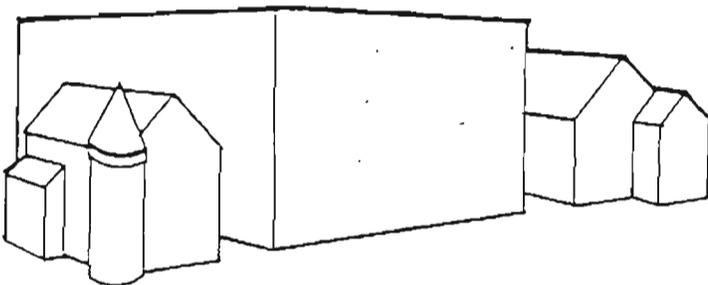


SCALE

Consider—Relating the size and proportions of new structures to the scale of adjacent buildings. Although much larger than its neighbors in terms of square footage, the building shown maintains the same scale and rhythm as the existing buildings.

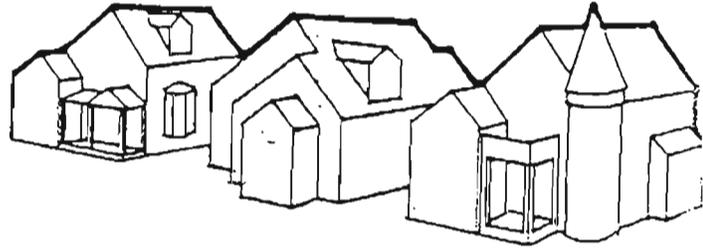


Avoid—Buildings that in height, width, or massing violate the existing scale of the area. The new building shown here disrupts the scale and rhythm of the streetscape, although it might be appropriate in a different location.

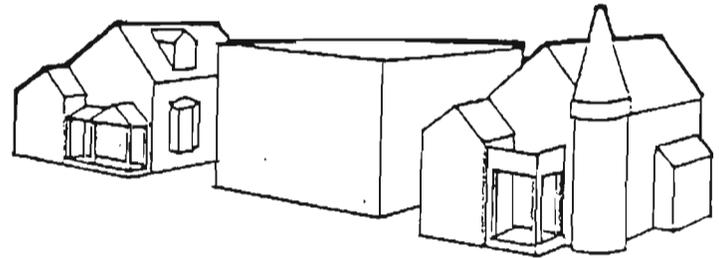


MASSING

Consider—Breaking up uninteresting boxlike forms into smaller, varied masses such as are common on most buildings from the historic period. Variety of form and massing are elements essential to the character of the streetscape in historic districts.

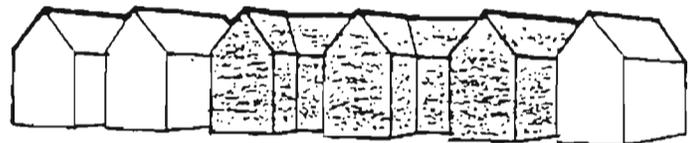


Avoid—Single, monolithic forms that are not relieved by variations in massing. Boxlike facades and forms are intrusive when placed in a streetscape of older buildings that have varied massing and facade articulation.

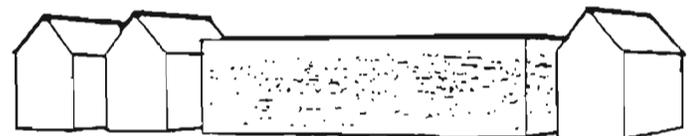


DIRECTIONAL EXPRESSION

Consider—Relating the vertical, horizontal, or nondirectional facade character of new buildings to the predominant directional expression of nearby buildings. Horizontal buildings can be made to relate to the more vertical adjacent structures by breaking the facade into smaller masses that conform to the primary expression of the streetscape.



Avoid—Strongly horizontal or vertical facade expressions unless compatible with the character of structures in the immediate area. The new building shown does not relate well to either its neighbors or to the rhythm of the streetscape because of its unbroken horizontal facade.

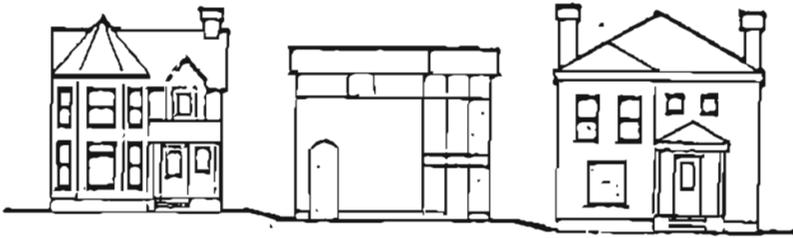


RHYTHM OF OPENINGS

Consider—Respecting the recurrent alternation of wall areas with door and window elements in the facade. Also consider the width-to-height ratio of bays in the facade. The placement of openings with respect to the facade's overall composition, symmetry, or balanced asymmetry should be carefully studied.



Avoid—Introducing incompatible facade patterns that upset the rhythm of openings established in surrounding structures. Glass walls and window and door shapes and locations shown in the example are disrespectful to the adjoining buildings.

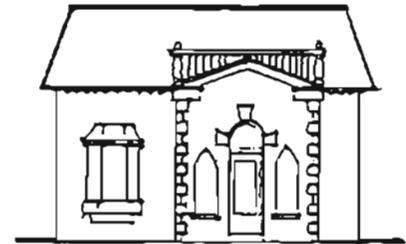


IMITATIONS

Consider—Accurate restoration of or visually compatible additions to existing buildings, and, for new construction, contemporary architecture that well represents its own time, yet enhances the nature and character of the historic district.

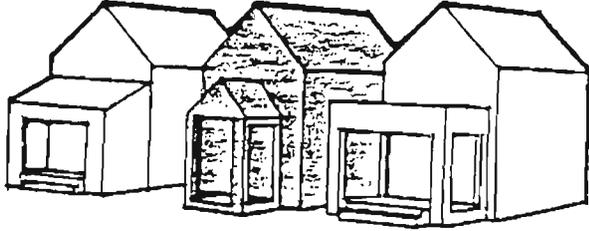


Avoid—Replicating or imitating the styles, motifs, or details of older periods. Such attempts are rarely successful and, even if done well, present a confusing picture of the true character of the historical area.

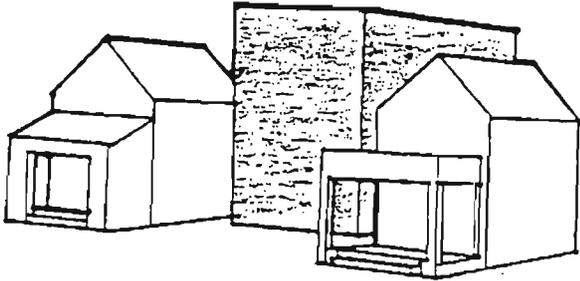


SETBACK

Consider—Maintaining the historic facade lines of streetscapes by locating front walls of new buildings in the same plane as the facades of adjacent buildings. If exceptions are made, buildings should be set back into the lot rather than closer to the street. If existing setbacks vary, new buildings should conform to historic siting patterns.

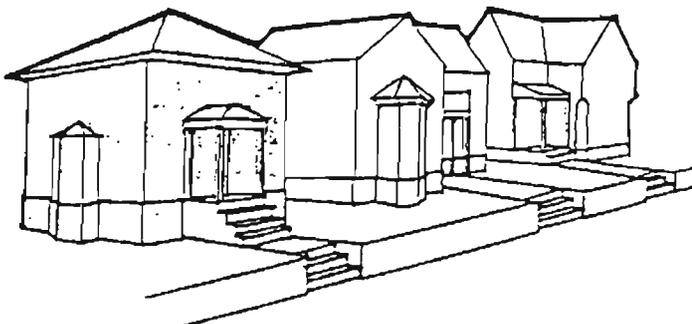


Avoid—Violating the existing setback pattern by placing new buildings in front of or behind the historic facade line. Avoid placing buildings at odd angles to the street, unless in an area where diverse siting already exists, even if proper setback is maintained.



PLATFORMS

Consider—The use of a raised platform is a traditional siting characteristic of most of the older buildings in Salt Lake City. This visual "pedestal" is created by retaining walls and terracing up to the building or by high foundation walls and stepped entries.

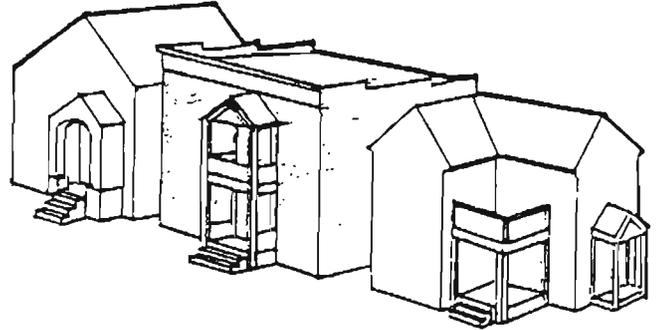


Avoid—Bringing walls of new buildings straight out of the ground without a sense of platform, i.e., without maintaining the same entry height as neighboring buildings. Such structures seem squat, visually incomplete, and do not relate well to their elevated neighbors. Also avoid leveling off terraced slopes or removing retained platforms.

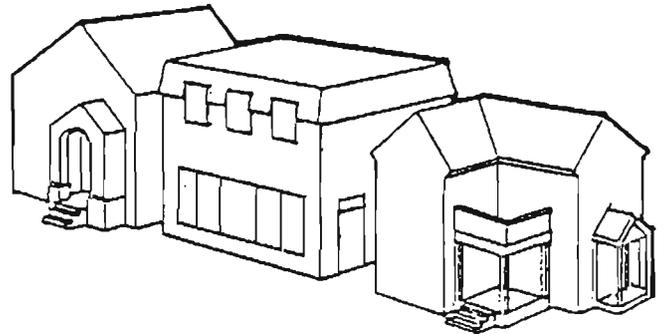


SENSE OF ENTRY

Consider—Articulating the main entrances to the building with covered porches, porticos, and other pronounced architectural forms. Entries were historically raised a few steps above the grade of the property and were a prominent visual feature of the street elevation of the building.

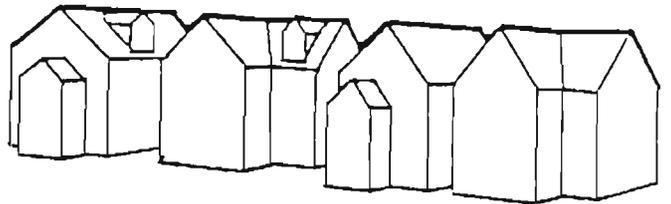


Avoid—Facades with no strong sense of entry. Side entries or entries not defined by a porch or similar transitional element result in an incompatible "flat" first-floor facade.

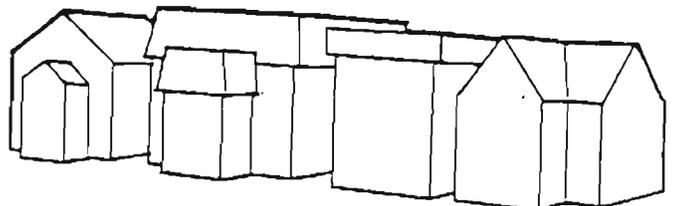


ROOF SHAPES

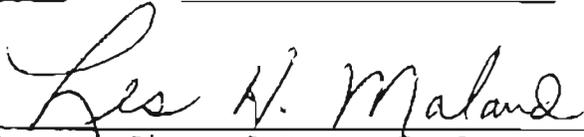
Consider—Relating the roof forms of the new buildings to those found in the area. Although not entirely necessary, duplication of the existing or traditional roof shapes, pitches, and materials on new construction is one way of making new structures more visually compatible.



Avoid—Introducing roof shapes, pitches, or materials not traditionally used in the area.



PASSED and ADOPTED this 19th day of November, 1984.



Mayor, City of Santa Paula

ATTEST:



Clerk, City of Santa Paula

STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss
CITY OF SANTA PAULA)

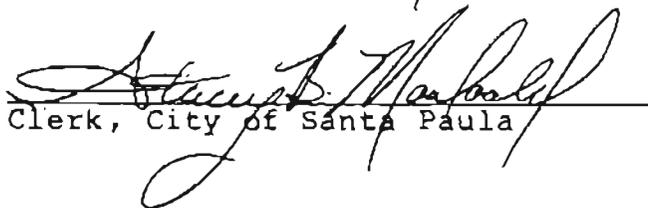
I, STACEY B. MacDONALD, City Clerk of said City of Santa Paula, do hereby certify that the above and foregoing ordinance was duly passed and adopted by the City Council of said City at a meeting thereof held on the 19th day of November, 1984, by the following vote, to wit:

AYES: Councilmembers Melton, Urias, Escoto and Mayor Maland

NOES: None

ABSENT: Councilmember Barringer

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 21st day of November 1984.



Clerk, City of Santa Paula