



COUNTY OF SANTA CRUZ

HISTORIC RESOURCES COMMISSION

PLANNING DEPARTMENT

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TOM BURNS, DIRECTOR

March 4, 2008

AGENDA: March 13, 2008

HISTORIC RESOURCE COMMISSION STAFF REPORT

PROJECT DESCRIPTION

Proposal to consider revisions to the Historic Preservation Ordinance and to recommend an action to the Board of Supervisors.

BACKGROUND

The Board of Supervisors and your Commission have been discussing revisions to the Historic Preservation Ordinance for some time, and this came to the forefront during the recent Live Oak Historic Inventory revisions. This resulted in the Board of Supervisors in March 2007, directing that the staff accomplish the following:

- Revise the format of the ordinance, using a standard alphanumeric hierarchy, so it is easier to follow.
- Format changes that should include arranging portions of the ordinance so that the information most needed by the general public is clearly stated in the early sections of the ordinance.
- Adding a section that very clearly states that the process for adding a property to and for removing a property from the Historic Resource Inventory.
- Clarify the status of an NR6 designated property.

Subsequently, at a study session in July of 2007, your Commission considered the ordinance and had the following suggestions:

- Consider revising the current NR6 to be consistent with the State NR6 designation;
- Eliminate the repetition of overly long strings of words found in the current ordinance;
- Clarify the meaning of "enhance" versus "protect";
- Ensure that the ordinance's use of the words "rebuilding" and "rehabilitation" is consistent with State regulations;
- Specific ordinance language is needed to explain the process of designating or removing an historic resource;

- Specific ordinance language is needed to explain the process of allowing restoration versus reconstruction of a building;
- Specific ordinance language is needed for the mechanics of de-certifying an historic structure to include who reviews the report: an historic consultant or the Historic Resources Commission;
- Revisit the current amount of the fines for violations of the Ordinance;
- Clarify that interior remodels are allowed.

INCENTIVES

As part of the Board of Supervisors action, staff was to work with your commission to come up with additional incentives for owners of historic properties. Because of limited applications utilizing the recently adopted incentives, staff is recommending the deferral of consideration of any additional incentives at this time and suggesting a "wait and see" approach. Based upon this delay, a determination of the additional incentives which may be needed or appropriate could be made.

ANAYLSIS

These are all valid concerns and staff has evaluated each, with most resulting in a change to the ordinance. In addition to the noted revisions, staff is recommending a minor review process. This will codify a process that staff has been utilizing for some time. This would be in keeping with your Commissions comments regarding the processing of historic applications quickly.

Staff believes that the revised ordinance addresses the concerns and the suggestions raised by the Board of Supervisors and the Historic Resources Commission and results in a more user-friendly ordinance.

CONCLUSION

The proposed revisions to the Historic Preservation are needed and will result in a more user friendly and clearer ordinance.

RECOMMENDATION

Therefore, it is RECOMMENDED that your Commission Adopt the attached Resolution (Exhibit A) recommending the Ordinance revisions to the Board of supervisors.

Exhibits

- A. Resolution and Revised Ordinance
- B. Strikeover of the ordinance
- C. Existing Ordinance

BEFORE THE HISTORIC RESOURCES COMMISSION
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Commissioner
duly seconded by Commissioner
the following is adopted:

HISTORIC RESOURCES COMMISSION RESOLUTION REGARDING AMENDMENTS
TO CHAPTER 16.42 OF THE SANTA CRUZ COUNTY CODE REGULATIONS FOR
HISTORIC PRESERVATION

WHEREAS, in the County of Santa Cruz there exists numerous historic structures, objects, sites, and areas of historic, cultural, architectural, engineering, or aesthetic significance, importance, and value; and

WHEREAS, preservation of such sites and structures as community resources for present and future generations is beneficial to the public interests and welfare; and

WHEREAS, the County General Plan includes historic resources policies with an objective to protect historic structures, objects, sites and districts in the unincorporated portion of the County; and

WHEREAS, on March 27, 2007 the Board of Supervisors directed staff to revise the Historic Preservation Ordinance; and

WHEREAS, the proposed revisions to the ordinance will result in an overall improvement, resulting in a more user-friendly ordinance.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Historic Resources Commission recommends that the Amendments to County Code Chapter 16.42, attached hereto as Exhibit A, be approved by the Board of Supervisors.

PASSED AND ADOPTED by the Historic Resources Commission of the County of Santa Cruz, State of California, this 13th day of March 2008 by the following vote:


AYES: Commissioners Borg, Fisher, Kennedy, Manning , Orlando
NOES: Commissioners Borg, Fisher, Kennedy, Manning , Orlando
ABSENT: Commissioners Borg, Fisher, Kennedy, Manning , Orlando
ABSTAIN: Commissioners Borg, Fisher, Kennedy, Manning , Orlando

Chairperson of the Historic Resources Commission

ATTEST:

Secretary to the Historic Resources Commission

APPROVED AS TO FORM:



County Counsel

DISTRIBUTION: County Counsel
Planning Department

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 16.42 OF THE SANTA CRUZ COUNTY
CODE RELATING TO HISTORIC PRESERVATION

The Board of Supervisors of the County of Santa Cruz ordains as follows:
SECTION I

Chapter 16.42

HISTORIC PRESERVATION

Sections:

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16.42.010 Purpose.

The Board of Supervisors hereby find that the protection, enhancement, perpetuation and use of structures, districts, lands, and neighborhoods of historic, architectural, and engineering significance, located within the County of Santa Cruz, are of cultural and aesthetic benefit to the community. It is further found that respecting the heritage of the County will enhance the economic, cultural, and esthetic standing of the County. The purpose of this Chapter is, therefore, to:

1. Implement the General Plan historic resources policies to designate, preserve, protect, enhance, and perpetuate those historic structures, districts and sites which contribute to the cultural benefit of Santa Cruz County, and to provide for this and future generations, examples of the physical surroundings of past generations;
2. Foster civic awareness and pride in the rich diversity of the County's heritage;
3. Protect and enhance the County's historic structures, objects, sites and districts as a physical record of its heritage;
4. Enhance the stability of the neighborhoods and areas in the County;
5. Enhance the County's attraction to visitors through protection of the historic resources that constitute much of the County's unique character; and
6. Encourage preservation and maintenance of the cultural and historical heritage of the County for purposes of education and the fostering of the knowledge of the past.

16.42.020 Scope.

(a) This Chapter establishes the County's Historic Resources Inventory which identifies significant historical resources in the unincorporated portion of the County; requires that an historic review consistent with the provisions of this Chapter be conducted prior to carrying out of activities or final County approval of projects which affect historic resources; and regulates alterations, new construction, relocations, demolitions, and excavations which affect historic structures, objects, properties, sites or districts.

(b) This historic resource protection provisions of this Chapter shall apply to all historic resources within the County unincorporated area including publicly owned properties where County approval of development activities is required. The requirements of this Chapter are in addition to those of other chapters of the County Code, and approvals issued pursuant to this Chapter do not alter the requirements of other chapters of the Santa Cruz County Code.

16.42.030 Definitions.

All terms used in this Chapter shall be as defined in County Code Chapter 13.10 and in the County General Plan Glossary except as herein defined below:

(a) **Certified Resolution.** A resolution of the Board of Supervisors establishing the historical resources designation of a structure, object, site, property, or district which has a special historical, archaeological, cultural or aesthetic interest or value as part of the development, heritage, or cultural characteristics of the County, State, or Nation, and which either has been listed in the County General Plan, or has been listed in the Historic Resources Inventory adopted pursuant to Section 16.42.050 of this Chapter and has a rating of significance of NR-1, NR-2, NR-3, NR-4, or NR-5.

(b) **Contributing Historic Structure or Object.** A structure or object located within a designated historic district which has been designated as a contributing historic structure or object and is listed in the Santa Cruz County Historic Resource Inventory pursuant to Section 16.42.050.

(c) **Demolition.** "Demolition" means the following:

1. The complete demolition of the entirety of a landmark or contributing resource; or
2. The partial demolition of a landmark or contributing resource that involves either of the following:
 - i. The demolition of an aggregate of One Hundred (100) or more linear feet of exterior wall or more than fifty (50) percent of the footprint of the landmark or contributing resource, whichever applies,
 - ii. The demolition is other than minor, inconsequential or insignificant and has been determined by the Planning Director to affect the significance of the landmark or contributing resource;

(d) **Historic Alteration Project, Minor.** A small project involving an historic building on the County's Historic Resources Inventory but not including a structure with a rating of NR1 or NR2. Such projects include, but are not limited to, the replacement, addition or deletion of windows, doors, fences, decks and minor additions/ alterations to the rear of the property of up to 10% of the gross square footage of the existing structure or 250 square feet, whichever is smaller, and signs. Because they are minor in scale, these projects may be approved by the Planning Director without a hearing before the Historic Resources Commission.

(e) **Historic District.** An area designated as an historical resource and which contains improvements that:

1. Have character of special historic or aesthetic interest or value; and
2. Represent one or more periods or styles of architecture typical of one or more eras in the history of the County; and
3. Cause such area, by reason of these factors, to constitute a geographically definable area possessing a significant concentration or continuity of site, buildings, structures, or objects that are unified by past events, or aesthetically by plan or physical development.

(f) **Historic Documentation Report.** A report providing documentation of the historic significance and physical appearance of an historical resource and prepared in accordance with the guidelines established by the Historic Resources Commission. The report may take the form of a narrative with attached photographs and shall include a completed California Department of Parks and Recreation Historic Inventory Form.

(g) **Historic Object.** An item of historical value that can be seen or touched, such as an artifact, monument or work of art, and which has been designated as an historical resource pursuant to this Chapter.

(h) **Historic Property.** A parcel of land where an historical structure, or object is located.

(i) **Historic Resource.** Any structure, object, site, property, or district which has a special historical, archaeological, cultural or aesthetic interest or value as part of the development, heritage, or cultural characteristics of the County, State, or Nation, and which either has been listed in the County General Plan, or has been listed in the Historic Resources Inventory adopted pursuant to Section 16.42.050 of this Chapter and has a rating of significance of NR-1, NR-2, NR-3, NR-4, or NR-5.

(j) **Historic Resource Preservation Plan.** A plan for the protection, enhancement, and/or preservation of the historic resource values of a structure, object, site or district and which is prepared according to the guidelines established by the Historic Resources Commission.

(k) **Historic Resources Commission.** The County's Historic Resources Commission established pursuant to County Code Chapter 2.58.

(l) **Historic Resources Inventory.** A listing of significant historic resources adopted by the Board of Supervisors pursuant to Section 16.42.050 of this Chapter and which may include historic structures, objects, sites, and districts which contribute to the historic, cultural and architectural heritage of Santa Cruz County. It includes all properties with a rating of significance of NR-1, NR-2, NR-3, NR-4, or NR-5.

(m) **Historic Site.** A parcel of land or property which has been designated as an historical resource pursuant to this Chapter because it was previously occupied by an historical structure, or because it was the scene of a past historic event, or was a place associated with an historical person.

(n) **Historic Structure.** A structure which has been designated as an historical resource pursuant to this Chapter.

(o) **Material Change.** Any exterior alteration or surface modification which will cause a change in the exterior appearance of a structure. This shall include all work which results in additions or changes to the architectural style, design, general arrangement, and components of all of the outer surfaces of an improvement, including, but not limited to, the kind and texture of the building material, and the type and style of all windows, doors, moldings, ramps, decks, fences, roofs, porches, railings, lights, signs, and other exterior fixtures appurtenant to such improvements. Material changes shall not include painting or ordinary maintenance consisting of repair which does not involve a change in exterior design or materials. Alterations to the interior of a structure do not constitute a material change.

(p) **Non-contributing Structure or Object.** A structure or object located within a designated historic district which has not been designated as a contributing historic structure or object.

(q) **Planning Director.** The Director of the County Planning Department or his or her designee.

(r) **Reconstruction.** The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

(s) **Relocation.** The moving of a building or structure from one place to another.

(t) **Secretary of the Interior's Standards.** The National Parks Service and Secretary of the Interior's Standards for Treatment of Historic Properties found at 36 C.F.R/. 68.3. as it may be amended from time to time.

(u) **Structure.** That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner including all fences and decks.

16.42.040 Applicability.

(a) **Historic Structures and Objects.**

No person shall make or cause any material change to the exterior of an historical structure or object, demolish any portion of the exterior of an historical structure or object unless such action is in conformance with a valid Historic Resource Preservation Plan approved by the Historic Resources Commission. In addition to these requirements, no relocation or demolition without reconstruction of an entire historic structure shall occur unless a Historical Documentation Report is submitted to and approved by the Historic Resources Commission concurrent with the review of the Historic Resource Preservation Plan.

(b) **Historic Properties.**

No person shall make or cause on an historical property a material change to any structure on the property, or construct any new structure including any fence or deck unless such action is in conformance with a valid Historic Resource Preservation Plan approved by the Historic Resources Commission. Demolition or removal of non-historic structures on historic properties is exempt from the provisions of this Chapter.

(c) **Historic Sites.**

For projects which will disturb or potentially disturb the ground of a designated historic site, an Historical Archaeological Report as provided for in Chapter 16.40 of the County code shall be prepared and submitted with any applications for permits to develop the project.

(d) **Historic Districts.**

No person shall make or cause in an historical district any material change to the exterior of any structure, or construct any new structure including fences and decks, or relocate or demolish any designated contributing historic structures or historic objects unless such action is in conformance with a valid Historic Resource Preservation Plan approved by the Historic Resources Commission. Demolition and relocation of non-contributing structures located in historic districts are exempt from the provisions of this Chapter. Material changes to the exterior of all structures and the construction of new structures shall be compatible with the scale, building materials and general design of the historic district, reinforce the historic value and architectural theme of the historic district, and comply with the Historic Preservation guidelines of Sections 16.42.060 (c) and (d) of this Chapter to the maximum extent feasible.

16.42.050 Historic Resource Designation.

(a) Historic Resource Inventory. The Santa Cruz County Historic Resources Inventory shall consist of those structures, objects, properties, sites, and districts as designated by Certified Resolution of the Board of Supervisors and thereby incorporated by reference and made a part of this Chapter, with subsequent amendments as provided for in paragraph (b) (e) below.

(b) Rating of Significance. For purposes of administering the historic preservation program, general public information, and to aid in the nomination of historic resources to the National Register, designated historic structures, objects, sites and districts shall be assigned a National Register (NR) Rating Code for historic significance based upon guidelines published by the United State Department of Interior, National Park Service as follows:

NR 1. A property listed in the National Register of Historic Places.

NR 2. A property that has been determined to be eligible for listing on the National Register by the U.S. Department of the Interior.

NR 3. A property eligible, in the opinion of the County Historical Resources Commission, to be listed on the National Register of Historic Places.

NR 4. Property which may become eligible for listing on the National Register if additional research provides a stronger statement of significance, or if the architectural integrity is restored. These buildings have either high architectural or historic significance, but have a low rating in the other categories.

NR 5. A property determined to have local historical significance.

(c) NR6: Potentially Significant Properties. The County shall maintain a listing of those properties which have been evaluated and determined to be ineligible for designation as an historical resource based on the criteria in paragraph (b and d) and/or due to their deteriorated architectural integrity or condition. These properties shall be given a rating of significance of NR-6 and may be reevaluated periodically based on new conditions of improvements to the architectural integrity and condition of the structure. An NR6 rated property is not part of the Historic Resource Inventory and is not subject to the provisions of this Chapter.

(d) Designation Criteria. Structures, objects, sites and districts shall be designated as historic resources if, and only if, they meet one or more of the following criteria and have retained their architectural integrity and historic value:

1. The resource is associated with a person of local, state or national historical significance.
2. The resource is associated with an historic event or thematic activity of local, state or national importance.
3. The resource is representative of a distinct architectural style and/or construction method of a particular historic period or way of life, or the resource represents the work of a master builder or architect or possesses high artistic values.
4. The resource has yielded, or may likely yield, information important to history.

(e) Inventory Amendment. Amendment to the Santa Cruz County Inventory of Historic Resources shall be by certified resolution of the Board of Supervisors following the review and recommendation of the Historic Resources Commission. Actions of both bodies shall be taken following public hearing with public notice provided pursuant to Section 18.10.223. Any action to amend the Inventory of Historic Resources to add or remove a structure, site, object or district shall be based on the criteria provided in subsection (b and d), and may be initiated by a property owner or their representative, the Board of Supervisors, the Historic Resources Commission, County staff or any member of the general public. Inclusions of new historic resources in the inventory shall be accompanied by a completed Historic Documentation Report which includes a California Department of Parks and Recreation Historic Inventory Form to document the historic and architectural values of the designated resource.

Findings Required.

1. For Inclusion in the Historic Resources Inventory

- i. That the proposed historic resource, or group of structures, or features thereof has significant aesthetic, cultural, architectural, or engineering interest or value of an historical nature.
- ii. That approval or modified approval of the application to designate a historic resource is consistent with the purposes and criteria of the county's historic preservation policies set forth in Chapter 16.42 herein, and the Historic Resources Policies of the General Plan.

2. For Deletion from the Historic Resources Inventory

- i. That the proposed historic resource, or group of structures, or features thereof no longer has significant aesthetic, cultural, architectural, or engineering interest or value of an historical nature.
- ii. That approval or modified approval of the application to delete a historic resource is consistent with the purposes and criteria of the county's historic preservation policies set forth in Chapter 16.42 herein, and the Historic Resources Policies of the General Plan.

(g) Recording of Certified Resolution Establishing the Historic Resource Designation. Within 90 days after an historical resource has been included in the Santa Cruz County Historic Resources Inventory by the Board of Supervisors, the Planning Director shall cause to be filed for record with the County Recorder, a Certified Resolution Establishing the Historic Resource Designation specifying the names of the owners of record, a legal description of the property, a description of the historic resource and its historic and/or architectural value, and a statement that the historic resource so described is subject to the provisions of the County Code, Chapter 16.42, Historic Resource Preservation. A copy of the recorded certified resolution shall be sent to the property owner.

(h) Documents. Following the Historic Resources Commission's and Board of Supervisor's acceptance of an Historical Documentation Report, three archival copies with original black and white photographs shall be submitted by the applicant and shall be placed on permanent file by staff with the Santa Cruz County Planning Department, the County Historic Museum and the UCSC Mc Henry Library, Special Collections.

(i) Pending Designations: Once an amendment to the Inventory of Historic Resources has been initiated to designate a property as an historical resource, no permit may be approved for any project affecting the property until either:

1. Final action has been taken to reject the amendment; or
2. Approval of an Historical Resource Preservation Plan by the Historic Resources Commission has been obtained.

16.42.060 Development Procedures for designated Historic Resources

(a) Applications for Historic Review.

Applications for Historic Resource Preservation Plan approval or sign review shall be filed with the Planning Department in accordance with the procedures of Section 18.10.223, and the administrative application requirements as established by the Historic Resources Commission.

(b) Demolition and Relocation.

For projects involving demolition of the historic structure without reconstruction, or involving relocation of an historical structure, the application submittal shall also include:

1. A Special Inspections Report from the County Planning Department on the condition of the structure; and
2. An Historical Documentation Report prepared according to guidelines established by the Historic Resources Commission. The report shall contain the following:
 - i. Information which supports the claim that preservation is not feasible due to the deteriorated condition of the structure or object, or would create exceptional hardship, or is necessary to alleviate a dangerous condition.
 - ii. Provisions to preserve the historic values of the structure or object by documentation and/or preservation of artifacts and building materials.
3. Provisions to offer the structure to the general public for removal or dismantling for salvage at no cost or remuneration to the applicant. The availability of the structure shall be advertised by means of a 1/8 page display ad in a paper of general circulation in the County of Santa Cruz, at least twice during a thirty-day period. The advertisement shall include the address at which the structure proposed for demolition is located, information as to how arrangements can be made for relocation (through moving or dismantling) of the structure proposed for demolition, and the date after which a Demolition Permit may be issued. Evidence of this publication must be submitted prior to issuance of a Demolition Permit. This is not applicable to projects involving the relocation of the historic resource on the same site.

(c) Alteration.

For projects involving the exterior Alteration of an Historical Resource. An Historical Resource Preservation Plan for alterations and changes to the exterior of an historical structure or object, shall conform to the following criteria:

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of 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.
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 create an earlier or later appearance shall be discouraged.
4. 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.
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
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 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 design or the availability of different architectural elements from other buildings or structures.
7. 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 should not be utilized.
8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to any project.
9. Alterations and additions to existing properties shall not destroy significant historical, architectural or cultural elements or materials, and shall be compatible with the size, scale, color, materials, and character of the property, neighborhood or environment.
10. Whenever possible, new additions or alterations to structures shall be done in a manner so that the essential form and integrity of the structure would be unimpaired.

(d) New Construction

For projects involving New Construction. Historic Resource Preservation Plans for construction of new structures on historic properties or in historic districts shall conform to the following criteria:

1. The location, siting and size of new construction on an historical property shall not detract from the historic character of the property, and between existing buildings, landscape features and open space.
2. All structures shall be designed in proportion and integrated into the historic character of the property or district by the use of compatible building materials and textures, construction methods, design, and color.
3. The size, location and arrangement of new on-site parking or loading ramps shall be designed so that they are as unobtrusive as possible and preserve the features of the property or district.

4. Ingress and egress, and internal traffic circulation shall preserve the historic features of the property.
5. Landscaping should be provided in keeping with the character and design of the historic site, property or district.
6. Disturbance of terrain around existing buildings or elsewhere on the property should be minimized to reduce the possibility of destroying unknown archaeological materials. Where any proposed land alterations may impact important archaeological resources, a professional archaeological survey shall be provided and its recommendations implemented to mitigate potential impacts as provided for in Chapter 16.40 of the County Code.

(e) Sign Approvals.

Plans for all new signs and alterations to existing signs located on an historical structure, or located on an historical property, or located in an historical district, except for historic landmark plaques as approved by the Historic Resources Commission or changes in sign copy, shall be submitted to the Planning Director. No Historic Resource Preservation Plan is required for this review. Signs shall conform to all other County Code requirements and adopted sign design guidelines.

(f) Development Applications involving Historic Resources.

When plans for a project affecting an historical resource are required by Section ~~16.42.040~~ 16.42.060 to obtain an approval or a recommendation by the Historic Resources Commission, all applications for permits authorizing development of the project shall be deemed incomplete until the Historic Resources Commission approval or recommendation has been granted and documentation of such action is submitted with the permit applications, except as provided in paragraph (b) following.

(g) Concurrent Processing.

Where the Planning Director determines that processing time for a permit will not be adversely affected, the Director may authorize the acceptance of a permit application as complete for processing concurrently with the Historic Resources Commission review and action required by this Chapter.

(h) Historic Resources Commission Hearing Procedure.

When an application for historic review is determined by Planning Department staff to be complete it shall be forwarded with any other information of record to the Historic Resources Commission for their review and subsequent action. The Planning Director or his or her designee may act upon a Minor Historic Alteration Project. A hearing before the Historic Resources Commission is not required. Except for Minor Historic Alteration Projects and sign review, each completed application for an Historical Resource Preservation Plan approval and associated recommendation shall be considered for review and action by the Historic Resources Commission at a public hearing. Notice of all hearings shall be given pursuant to Section 18.10.223. The Commission may continue a hearing from the original hearing date in order to request additional information, conduct a site inspection, require that a professional historian and/or archaeologist prepare the

Historical Documentation Report, or for any other reason determined to be necessary by the Historic Resources Commission.

(i) Historic Resources Commission Action. Following the public hearing on an application, the Historic Resources Commission may approve an Historical Resource Preservation Plan, or Historic Documentation Report, by an affirmative vote of three or more of the Commission members. In order for the Commission to approve or conditionally approve the Historic Resource Preservation Plan, all the following findings must be made:

1. That the Historic Resource Preservation Plan is consistent with the purposes and goals of this Chapter and the County General Plan;
2. That the Historic Resource Preservation Plan is in conformance with the requirements of this Chapter; and
3. That the Historic Resource Preservation Plan, if implemented, will preserve and maintain the cultural and historical heritage of the County and/or further cultivate the knowledge of the past.

The Historic Resources Commission shall deny the Historic Resource Preservation Plan if one or more of these findings cannot be made.

(j) Final Project Approval. When an Historical Resource Preservation Plan is required by this section, no final County approval shall be given to a Land Division, Development Permit, Building Permit, Demolition Permit, Land Clearing Permit or Grading Permit for a project affecting an historical structure, object, property, site or district, unless an Historical Resource Preservation Plan for the protection of the historic resource has been approved by the Historic Resources Commission, the project is in conformance with the approved plan, and development will commence prior to the expiration of the Historic Resources Commission approval. Final inspection clearance on project permits or improvement plans shall not be granted unless the completed project complies with all provisions of the Historic Resource Preservation Plan.

(k) No Project Authorization Granted. The Historic Resources Commission approval of an Historical Resource Preservation Plan, Historic Documentation Report or sign recommendation does not authorize any development rights or grant permission to proceed with project development; such actions can only be authorized through the approval and issuance of project permits pursuant to other provisions of the County Code.

(l) Expiration. An approved Historic Resource Preservation Plan shall remain valid for a period of 2 years from the date of approval by the Historic Resources Commission unless a longer period of time is specified by the Commission. Time extensions as provided for in 18.10.133 (a) may be subsequently granted by the Historic Resources Commission upon application prior to expiration of the plan approval.

(m) Environmental Review. When an Environmental Impact Report (EIR) is required for a development project affecting a designated historic resource, the Historic Resources Commission shall be consulted in establishing the scope of the EIR and for comments on the Draft EIR and historic resource mitigation measures.

16.42.070 Historic Building Code Applicability.

The State Historic Building Code, Title 24, of the California Administrative Code, shall be applicable to the issuance of Building Permits for changes to the interior and/or exterior of structures designated as historic resources.

16.42.080 Artifacts Discovered During Excavation or Development.

(a) Presence of Artifacts. Any person who, at any time in the preparation for or process of excavating or otherwise disturbing the ground, discovers any artifact or other evidence of an historical archaeological resource, shall comply with all provisions of Chapter 16.40 of the County Code – Native American Cultural Sites.

16.42.090 Unsafe or Dangerous Conditions.

None of the provisions of this Chapter shall be construed to prevent any measures of construction, alteration, removal, demolition or relocation necessary to correct the unsafe or dangerous condition of any structure, other feature, or part thereof, where:

1. Such condition has been declared to constitute an immediate threat to public health and safety by the County Building Official or County Geologist, and
2. The proposed measures have been declared necessary by such official to correct the said condition, and
3. The Chairman of the Historical Resources Commission has been notified of the situation and given an opportunity to respond within 24 hours. Only such work as is necessary to correct the unsafe or dangerous condition may be performed pursuant to this section. In the event that any structure or other features are damaged by fire or other calamity, the Planning Director or Building Official may authorize, prior to the Commission's review, that amount of repair necessary to correct an unsafe condition.

16.42.100 Zoning of Historic Resources.

Parcels containing designated historical structures, objects or sites or which are located in designated historic districts shall be zoned to the Historical Landmark ("L") Combining Zone District for identification purposes. Failure of the property to be placed in the Historic Landmark ("L") Combining Zone District does not invalidate the requirements of this Chapter.

16.42.110 Appeal Procedures.

(a) Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Historic Resources Commission under the provisions of this Chapter, may appeal the act or determination directly to the Board of Supervisors in accordance with Section 18.10.300 et. seq., of the Santa Cruz County Code.

(b) In addition to the provisions of paragraph (a) above, when the Board

of Supervisors is the final approving body for a project either by way of normal permit processing procedures or through appeal, any act or determination by the Historic Resources Commission which affects the project may be amended by the Board of Supervisors provided that any substantial modifications to the plans approved by the Historic Resources Commission which were not previously considered by the Commission shall be referred to the Historic Resources Commission for their report and recommendations. The Historic Resources Commission shall review and comment on the referred modifications within 40 days unless a longer comment period is approved by the Board of Supervisors. The Historic Resources Commission is not required to hold a public hearing on the referral unless so directed by the Board of Supervisors.

16.42.120 Enforcement.

(a) Criminal Enforcement. Any person who violates any provision of this chapter is guilty of a misdemeanor, the penalty for which is set forth in County Code Section 1.12.030 and Chapter 19.01.

(b) Civil Enforcement. Any person who violates any provision of this Chapter is in violation of the Land Use Regulations of the County, the penalty for which is set forth in County Code Chapter 19.01.

16.42.130 Severability.

If any section, subdivision, paragraph, sentence, clause or phrase of the ordinance codified in this chapter is for any reason held to be unconstitutional or invalid, such a decision shall not affect the validity of the remaining portion of the ordinance. The board of supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance irrespective of the unconstitutionality or invalidity of any section, subdivision, subsection, paragraph, sentence, clause or phrase of the ordinance codified in this chapter.

SECTION II

This ordinance shall become effective upon certification by the California Coastal Commission.

PASSED AND ADOPTED this _____ day of _____ 2008 by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Chairman of the Board of Supervisors

Attest: _____
Clerk of the Board

APPROVED AS TO FORM:

County Counsel

development activities is required. The requirements of this Chapter are in addition to those of other chapters of the County Code, and approvals issued pursuant to this Chapter do not alter the requirements of other chapters of the Santa Cruz County Code.

16.42.030 Definitions.

All terms used in this Chapter shall be as defined in County Code Chapter 13.10 and in the County General Plan Glossary except as herein defined below:

~~(a) Archaeological Site Development Approval. An approval which is required when historic or culturally significant archaeological resources from historic or pre-historic societies are discovered during development or excavation. The approval establishes the conditions which shall be met before the owner of property containing such resources may resume project development. (Pre-historic archaeological resources are protected under Chapter 16.40 Native American Cultural Sites, of the Santa Cruz County Code and are not subject to the provisions of this Chapter.)~~

~~(b) Artifact. Material remains which provide evidence of the activities of a pre-historic culture or historic tribe.~~

(c) Certified Resolution. A resolution of the Board of Supervisors establishing the historical resources designation of a structure, object, site, property, or district which has a special historical, archaeological, cultural or aesthetic interest or value as part of the development, heritage, or cultural characteristics of the County, State, or Nation, and which either has been listed in the County General Plan, or has been listed in the Historic Resources Inventory adopted pursuant to Section 16.42.080 050 of this Chapter and has a rating of significance of NR-1, NR-2, NR-3, NR-4, or NR-5.

(d) Contributing Historic Structure or Object. A structure or object located within a designated historic district which has been designated as a contributing historic structure or object and is listed in the Santa Cruz County Historic Resource Inventory pursuant to Section 16.42.080 16.42.050.

(e) Demolition. ~~The Destruction of a structure or portion thereof~~ "Demolition" means the following:

1. The complete demolition of the entirety of a landmark or contributing resource; or

2. The partial demolition of a landmark or contributing resource that involves either of the following:

i. The demolition of an aggregate of one hundred (100) or more linear feet of exterior wall or more than fifty (50) percent of the footprint of the landmark or contributing resource, whichever applies,

ii. The demolition is other than minor, inconsequential or insignificant and has been determined by the Planning Director to affect the significance of the landmark or contributing resource;

(f) Historic Alteration Project, Minor. A small project involving an historic building on the County's Historic Resources Inventory but not including a structure with a rating of NR1 or NR2. Such projects include,

Chapter 16.42

HISTORIC PRESERVATION

Sections:

14.42.010 Purpose

16.42.020 Scope

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16.42.040 Applicability

16.42.050 Historic Resource Designation

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16.42.090 Unsafe or Dangerous Conditions

16.42.100 Zoning of Historic Resources

16.42.110 Appeals Procedures

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16.42.130 Severability

16.42.010 Purpose.

The Board of Supervisors of Santa Cruz County hereby finds and declares as follows:

- (a) Within the County of Santa Cruz there presently exists numerous historic structures, objects, sites, and areas of historic, cultural, architectural, engineering, or aesthetic significance, importance, and value;
- (b) Said sites and structures are endangered by loss, alteration, or destruction;
- (c) Preservation of such sites and structures as community resources for present and future generations requires a comprehensive program;

(d) ~~It is beneficial to the public interests and welfare to preserve and protect sites, structures, objects and areas that are significant reminders of past eras, events, and persons important in local, state, or national history, or are significant architectural styles of the past, or have particular aesthetic value;~~

(e) ~~The County General Plan includes historic resources policies with an objective to protect historic structures, objects, sites and districts in the unincorporated portion of the County;~~

(f) ~~The purpose of this chapter is, therefore, to:~~

The Board of Supervisors hereby find that the protection, enhancement, perpetuation and use of structures, districts, lands, and neighborhoods of historic, architectural, and engineering significance, located within the County of Santa Cruz, are of cultural and aesthetic benefit to the community. It is further found that respecting the heritage of the County will enhance the economic, cultural, and esthetic standing of the County. The purpose of this Chapter is, therefore, to:

1. Implement the General Plan historic resources policies to designate, preserve, protect, enhance, and perpetuate those historic structures, districts and sites which contribute to the cultural benefit of Santa Cruz County, and to provide for this and future generations, examples of the physical surroundings of past generations;
2. Foster civic awareness and pride in the rich diversity of the County's heritage;
3. Protect and enhance the County's historic structures, objects, sites and districts as a physical record of its heritage;
4. Enhance ~~property values and~~ the stability of the neighborhoods and areas in the County;
5. Enhance the County's attraction to visitors through protection of the historic resources that constitute much of the County's unique character, and
6. Encourage preservation and maintenance of the cultural and historical heritage of the County for purposes of education and the fostering of the knowledge of the past.

16.42.020 Scope.

(a) This Chapter establishes the County's Historic Resources Inventory which identifies significant historical resources in the unincorporated portion of the County; requires that an ~~Historical Resource Preservation Plan be approved by the Historic Resources Commission~~ historic review consistent with the provisions of this Chapter be conducted prior to carrying out of activities or final County approval of projects which affect historic resources; and regulates alterations, new construction, relocations, demolitions, and excavations which affect historic structures, objects, properties, sites or districts. ~~This Chapter also regulates and protects historic archaeologic resources discovered during development activities.~~

(b) This historic resource protection provisions of this Chapter shall apply to all historic resources ~~and archaeological discoveries~~ within the County unincorporated area including publicly owned properties where County approval of

development activities is required. The requirements of this Chapter are in addition to those of other chapters of the County Code, and approvals issued pursuant to this Chapter do not alter the requirements of other chapters of the Santa Cruz County Code.

16.42.030 Definitions.

All terms used in this Chapter shall be as defined in County Code Chapter 13.10 and in the County General Plan Glossary except as herein defined below:

~~(a) **Archaeological Site Development Approval.** An approval which is required when historic or culturally significant archaeological resources from historic or pre-historic societies are discovered during development or excavation. The approval establishes the conditions which shall be met before the owner of property containing such resources may resume project development. (Pre-historic archaeological resources are protected under Chapter 16.40 Native American Cultural Sites, of the Santa Cruz County Code and are not subject to the provisions of this Chapter.)~~

~~(b) **Artifact.** Material remains which provide evidence of the activities of a pre-historic culture or historic tribe.~~

(c) Certified Resolution. A resolution of the Board of Supervisors establishing the historical resources designation of a structure, object, site, property, or district which has a special historical, archaeological, cultural or aesthetic interest or value as part of the development, heritage, or cultural characteristics of the County, State, or Nation, and which either has been listed in the County General Plan, or has been listed in the Historic Resources Inventory adopted pursuant to Section 16.42.080 050 of this Chapter and has a rating of significance of NR-1, NR-2, NR-3, NR-4, or NR-5.

(d) Contributing Historic Structure or Object. A structure or object located within a designated historic district which has been designated as a contributing historic structure or object and is listed in the Santa Cruz County Historic Resource Inventory pursuant to Section ~~16.42.080~~ 16.42.050.

(e) Demolition. ~~The Destruction of a structure or portion thereof~~ "Demolition" means the following:

1. The complete demolition of the entirety of a landmark or contributing resource; or

2. The partial demolition of a landmark or contributing resource that involves either of the following:

i. The demolition of an aggregate of one hundred (100) or more linear feet of exterior wall or more than fifty (50) percent of the footprint of the landmark or contributing resource, whichever applies,

ii. The demolition is other than minor, inconsequential or insignificant and has been determined by the Planning Director to affect the significance of the landmark or contributing resource;

(f) Historic Alteration Project, Minor. A small project involving an historic building on the County's Historic Resources Inventory but not including a structure with a rating of NR1 or NR2. Such projects include,

but are not limited to, the replacement, addition or deletion of windows, doors, fences, decks and minor additions/ alterations to the rear of the property of up to 10% of the gross square footage of the existing structure or 250 square feet, whichever is smaller, and signs. Because they are minor in scale, these projects may be approved by the Planning Director without a hearing before the Historic Resources Commission.

(g) Historic Archaeological Report. An archaeological investigation of a designated historic site prepared by a qualified professional archaeologist in conformance with the guidelines established by the Historic Resources Commission and providing an inventory of the archaeological resources of the site, an evaluation of their significance, and appropriate mitigation measures for the protection, preservation and/or excavation of the site and its resources.

(h) Historic Archaeological Resources. The cultural remains of historic societies, including excavated material and aboveground resources such as buildings, tools, implements, etc.

(i) Historic District. An area designated as an historical resource and which contains improvements that:

1. Have character of special historic or aesthetic interest or value; and
2. Represent one or more periods or styles of architecture typical of one or more eras in the history of the County; and
3. Cause such area, by reason of these factors, to constitute a geographically definable area possessing a significant concentration or continuity of site, buildings, structures, or objects that are unified by past events, or aesthetically by plan or physical development.

(j) Historic Documentation Report. A report providing documentation of the historic significance and physical appearance of an historical resource and prepared in accordance with the guidelines established by the Historic Resources Commission. The report may take the form of a narrative with attached photographs and shall include a completed California Department of Parks and Recreation Historic Inventory Form.

(k) Historic Object. An item of historical value that can be seen or touched, such as an artifact, monument or work of art, and which has been designated as an historical resource pursuant to this Chapter.

(l) Historic Property. A parcel of land where an historical structure, or object is located.

(m) Historic Resource. Any structure, object, site, property, or district which has a special historical, archaeological, cultural or aesthetic interest or value as part of the development, heritage, or cultural characteristics of the County, State, or Nation, and which either has been listed in the County General Plan, or has been listed in the Historic Resources Inventory adopted pursuant to Section 16.42.080-16.42.050 of this Chapter and has a rating of significance of NR-1, NR-2, NR-3, NR-4, or NR-5.

(n) Historic Resource Preservation Plan. A plan for the protection, enhancement, and/or preservation of the historic resource values of a structure, object, site or district and which is prepared according to the guidelines established by the Historic Resources Commission.

(o) Historic Resources Commission. The County's Historic Resources Commission established pursuant to County Code Chapter 2.58.

(p) Historic Resources Inventory. A listing of significant historic

resources adopted by the Board of Supervisors pursuant to Section 16.42.080-16.42.050 of this Chapter and which may include historic structures, objects, sites, and districts which contribute to the historic, cultural and architectural heritage of Santa Cruz County. It includes all properties with a rating of significance of NR-1, NR-2, NR-3, NR-4, or NR-5.

(q) Historic Site. A parcel of land or property which has been designated as an historical resource pursuant to this Chapter because it was previously occupied by an historical structure, or ~~is likely to contain archaeological artifacts of historic significance~~ because it was the scene of a past historic event, or was a place associated with an historical person.

(r) Historic Structure. A structure which has been designated as an historical resource pursuant to this Chapter.

(s) Material Change. Any exterior alteration or surface modification which will cause a change in the exterior appearance of a structure. This shall include all work which results in additions or changes to the architectural style, design, general arrangement, and components of all of the outer surfaces of an improvement, including, but not limited to, the kind and texture of the building material, and the type and style of all windows, doors, ~~mouldings~~, moldings, ramps, decks, fences, roofs, porches, railings, lights, signs, and other exterior fixtures appurtenant to such improvements. Material changes shall not include painting or ordinary maintenance consisting of repair which does not involve a change in exterior design or materials. Alterations to the interior of a structure do not constitute a material change.

(t) Non-contributing Structure or Object. A structure or object located within a designated historic district which has not been designated as a contributing historic structure or object.

(u) Planning Director. The Director of the County Planning Department or his or her designee.

(v) Reconstruction. ~~The process of reproducing by new construction the exact form and detail of a vanished structure, or part thereof, as it appeared at a specific period of time.~~ The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

(w) Relocation. The moving of a building or structure from one place to another.

(x) Secretary of the Interior's Standards. The National Parks Service and Secretary of the Interior's Standards for Treatment of Historic Properties found at 36 C.F.R. 68.3. as it may be amended from time to time.

(y) Structure. That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner including all fences and decks.

16.42.040 Applicability.

(a) Historic Structures and Objects.

No person shall make or cause any material change to the exterior of an historical structure or object, demolish any portion of the exterior of an historical structure or object unless such action is in conformance with a valid Historic Resource Preservation Plan approved by the Historic Resources Commission. In addition to these requirements, no relocation or demolition without reconstruction of an entire historic structure shall occur unless a Historical Documentation Report is submitted to and approved by the Historic Resources Commission concurrent with the review of the Historic Resource Preservation Plan.

(b) Historic Properties.

No person shall make or cause on an historical property a material change to any structure on the property, or construct any new structure including any fence or deck unless such action is in conformance with a valid Historic Resource Preservation Plan approved by the Historic Resources Commission. Demolition or removal of non-historic structures on historic properties is exempt from the provisions of this Chapter.

(c) Historic Sites.

For projects which will disturb or potentially disturb the ground of a designated historic site, an Historical Archaeologic Archaeological Report as provided for in Chapter 16.40 of the County code shall be prepared and submitted with any applications for permits to develop the project. ~~Permit applications shall be deemed incomplete until the Historic Archaeological Report is prepared, submitted and accepted by the Planning Department. Any subsequent environmental review and permit approval of the project shall incorporate all appropriate recommendations contained in the Historic Archaeological Report for protection of the archaeological resources of the site.~~

(d) Historic Districts.

No person shall make or cause in an historical district any material change to the exterior of any structure, or construct any new structure including fences and decks, or relocate or demolish any designated contributing historic structures or historic objects unless such action is in conformance with a valid Historic Resource Preservation Plan approved by the Historic Resources Commission.

Demolition and relocation of non-contributing structures located in historic districts are exempt from the provisions of this Chapter. Material changes to the exterior of all structures and the construction of new structures shall be compatible with the scale, building materials and general design of the historic district, reinforce the historic value and architectural theme of the historic district, and comply with the Historic Preservation guidelines of Sections 16.42.070(a) and (b) 16.42.060 (c) and (d) of this Chapter to the maximum extent feasible.

16.42.050 Historic Resource Designation.

(a) Historic Resource Inventory. The Santa Cruz County Historic Resources Inventory ~~subject to the provisions of this Chapter~~ shall consist of those structures, objects, properties, sites, and districts as designated by Certified Resolution of the Board of Supervisors and thereby incorporated by reference and made a part of this Chapter, with subsequent amendments as provided for in paragraph (b) (e) below.

(b) Rating of Significance. For purposes of administering the historic preservation program, general public information, and to aid in the nomination of historic resources to the National Register, designated historic structures, objects, sites and districts shall be assigned a National Register (NR) Rating Code for historic significance based upon guidelines published by the United State Department of Interior, National Park Service as follows:

NR 1. A property listed in the National Register of Historic Places.

NR 2. A property that has been determined to be eligible for listing on the National Register by the U.S. Department of the Interior.

NR 3. A property eligible, in the opinion of the County Historical Resources Commission, to be listed on the National Register of Historic Places.

NR 4. Property which may become eligible for listing on the National Register if additional research provides a stronger statement of significance, or if the architectural integrity is restored. These buildings have either high architectural or historic significance, but have a low rating in the other categories.

NR 5. A property determined to have local historical significance.

(c) NR6: Potentially Significant Properties. The County shall maintain a listing of those properties which have been evaluated and determined to be ineligible for designation as an historical resource based on the criteria in paragraph (b and d) ~~(e) above~~ and/or due to their deteriorated architectural integrity or condition. These properties shall be given a rating of significance of NR-6 and may be reevaluated periodically based on new conditions of improvements to the architectural integrity and condition of the structure. An NR6 rated property is not part of the Historic Resource Inventory and is not subject to the provisions of this Chapter.

(d) Designation Criteria. Structures, objects, sites and districts shall be designated as historic resources if, and only if, they meet one or more of the following criteria and have retained their architectural integrity and historic value:

1. The resource is associated with a person of local, state or national historical significance.
2. The resource is associated with an historic event or thematic activity of local, state or national importance.
3. The resource is representative of a distinct architectural style and/or construction method of a particular historic period or way of life, or the resource represents the work of a master builder or architect or possesses high artistic values.
4. The resource has yielded, or may likely yield, information important to history ~~or prehistory~~.

(e) Inventory Amendment. Amendment to the Santa Cruz County Inventory of Historic Resources shall be by certified resolution of the Board of Supervisors following the review and recommendation of the Historic Resources Commission. Actions of both bodies shall be taken following public hearing with public notice provided pursuant to Section 18.10.223. Any action to amend the Inventory of Historic Resources to add or remove a structure, site, object or district shall be based on the criteria provided in subsection paragraph (e) (b and d) below, and

may be initiated by a property owner or their representative, the Board of Supervisors, the Historic Resources Commission, County staff or any member of the general public. Inclusions of new historic resources in the inventory shall be accompanied by a completed Historic Documentation Report which includes a California Department of Parks and Recreation Historic Inventory Form to document the historic and architectural values of the designated resource.

1. Findings Required.

For Inclusion in the Historic Inventory

- i. That the proposed historic resource, or group of structures, or features thereof has significant aesthetic, cultural, architectural, or engineering interest or value of an historical nature.
- ii. That approval or modified approval of the application to designate a historic resource is consistent with the purposes and criteria of the county's historic preservation policies set forth in Chapter 16.42 herein, and the Historic Resources Policies of the General Plan.

For Deletion from the Historic Inventory

- i. That the proposed historic resource, or group of structures, or features thereof no longer has significant aesthetic, cultural, architectural, or engineering interest or value of an historical nature.
- ii. That approval or modified approval of the application to delete a historic resource is consistent with the purposes and criteria of the county's historic preservation policies set forth in Chapter 16.42 herein, and the Historic Resources Policies of the General Plan.

(g) Recording of Certified Resolution Establishing the Historic Resource Designation. Within 90 days after an historical resource has been included in the Santa Cruz County Historic Resources Inventory by the Board of Supervisors, the Planning Director shall cause to be filed for record with the County Recorder, a Certified Resolution Establishing the Historic Resource Designation specifying the names of the owners of record, a legal description of the property, a description of the historic resource and its historic and/or architectural value, and a statement that the historic resource so described is subject to the provisions of the County Code, Chapter 16.42, Historic Resource Preservation. A copy of the recorded certified resolution shall be sent to the property owner.

(h) Documents. Following the Historic Resources Commission's and Board of Supervisor's acceptance of an Historical Documentation Report, three archival copies with original black and white photographs shall be submitted by the applicant and shall be placed on permanent file by staff with the Santa Cruz County Planning Department, the County Historic Museum and the UCSC Mc Henry Library, Special Collections.

~~(e) Combining Designations. Designated historic sites and districts shall be assigned one or more of the following combining designations in addition to a rating of significance pursuant to paragraph (d) above:~~

~~-D (District) A geographically defined area of nationwide, state or local historical significance possessing a significant concentration, linkage, or continuity of sites,~~

buildings, structures, and/or objects united by past events or aesthetically by plan or physical development;

~~S (Site) A parcel of land or property previously occupied by an historical structure, the scene of a past historical event, or a place associated with an historical person.~~

(i) Pending Designations: Once an amendment to the Inventory of Historic Resources has been initiated to designate a property as an historical resource, no permit may be approved for any project affecting the property until either:

1. Final action has been taken to reject the amendment; or
2. Any required project review or Approval of an Historical Resource Preservation Plan by the Historic Resources Commission has been obtained.

~~(j) Project Referrals. Following receipt of an application for approval of a Land Division, Development Permit, Building Permit or Demolition Permit, the Planning Director may suspend permit processing and refer the project property to the Historic Resources Commission for a determination of whether the property constitutes an historical resource which should be considered for addition to the County Inventory of Historic Resources for protection of its historic and/or architectural values. The Historic Resources Commission shall consider the referral at the next available Commission meeting, at which time the Commission shall decide whether or not to initiate an amendment as provided in Section 16.42.080(b) to add the property to the Inventory of Historic Resources.~~

16.42.060 Historic Resource Review Procedures. Development Procedures for designated Historic Resources

(a) Applications for Historic Review.

Applications for Historic Resource Preservation Plan approval or sign review and recommendation shall be filed with the Planning Department in accordance with the procedures of Section 18.10.223, and the administrative application requirements as established by the Historic Resources Commission.

(b) Demolition and Relocation.

For projects involving demolition of the ~~entire~~ historic structure without reconstruction, or involving relocation of an historical structure, the application submittal shall also include:

1. A Special Inspections Report from the County Planning Department on the condition of the structure; and
2. An Historical Documentation Report prepared according to guidelines established by the Historic Resources Commission. The report shall contain the following:
 - i. Information which supports the claim that preservation is not feasible due to the deteriorated condition of the structure or object, or would create exceptional hardship, or is necessary to alleviate a dangerous condition.
 - ii. Provisions to preserve the historic values of the structure or object by documentation and/or preservation of artifacts and building materials.
3. Provisions to offer the structure to the general public for removal

or dismantling for salvage at no cost or remuneration to the applicant. The availability of the structure shall be advertised by means of a 1/8 page display ad in a paper of general circulation in the County of Santa Cruz, at least twice during a thirty-day period. The advertisement shall include the address at which the structure proposed for demolition is located, information as to how arrangements can be made for relocation (through moving or dismantling) of the structure proposed for demolition, and the date after which a Demolition Permit may be issued. Evidence of this publication must be submitted prior to issuance of a Demolition Permit. This is not applicable to projects involving the relocation of the historic resource on the same site.

(c) Alteration.

For projects involving the exterior Alteration ~~or Relocation~~ of an Historical Resource. An Historical Resource Preservation Plan for alterations and changes to the exterior of an historical structure or object, ~~or for relocation of an historical structure~~ shall conform to the following criteria:

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of 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.
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 create an earlier or later appearance shall be discouraged.
4. 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.
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
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 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 design or the availability of different architectural elements from other buildings or structures.
7. 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 should not be utilized.
8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to any project.
9. Alterations and additions to existing properties shall not destroy significant historical, architectural or cultural elements or materials, and shall be compatible with the size, scale, color, materials, and character of the property, neighborhood or environment.

10. Whenever possible, new additions or alterations to structures shall be done in a manner so that the essential form and integrity of the structure would be unimpaired.

(d) New Construction

For projects involving New Construction. Historic Resource Preservation Plans for construction of new structures on historic properties or in historic districts shall conform to the following criteria:

1. The location, siting and size of new construction on an historical property shall not detract from the historic character of the property, and between existing buildings, landscape features and open space.
2. All structures shall be designed in proportion and integrated into the historic character of the property or district by the use of compatible building materials and textures, construction methods, design, and color.
3. The size, location and arrangement of new on-site parking or loading ramps shall be designed so that they are as unobtrusive as possible and preserve the features of the property or district.
4. Ingress and egress, and internal traffic circulation shall preserve the historic features of the property.
5. Landscaping should be provided in keeping with the character and design of the historic site, property or district.
6. Disturbance of terrain around existing buildings or elsewhere on the property should be minimized to reduce the possibility of destroying unknown archaeological materials. Where any proposed land alterations may impact important archaeological resources, a professional archaeological survey shall be provided and its recommendations implemented to mitigate potential impacts **as provided for in Chapter 16.40 of the County Code.**

(e) Sign Approvals.

Plans for all new signs and alterations to existing signs located on an historical structure, or located on an historical property, or located in an historical district, except for historic landmark plaques as approved by the Historic Resources Commission or changes in sign copy, **shall be submitted to the Planning Director. No Historic Resource Preservation Plan is required for this review. Signs shall conform to all other County Code requirements and adopted sign design guidelines.**

(f) Development Applications involving Historic Resources.

When plans for a project affecting an historical resource are required by Section ~~16.42.040~~ **16.42.060** to obtain an approval or a recommendation by the Historic Resources Commission, all applications for permits authorizing development of the project shall be deemed incomplete until the Historic Resources Commission approval or recommendation has been granted and documentation of such action is submitted with the permit applications, except as provided in paragraph (b) following.

(g) Concurrent Processing.

Where the Planning Director determines that processing time for a permit will not be adversely affected, the Director may authorize the acceptance of a permit

application as complete for processing concurrently with the Historic Resources Commission review and action required by this Chapter.

(h) Historic Resources Commission Hearing Procedure.

When an application for historic review is determined by Planning Department staff to be complete it shall be forwarded with any other information of record to the Historic Resources Commission for their review and subsequent action. The Planning Director or his or her designee may act upon a Minor Historic Alteration Project. A hearing before the Historic Resources Commission is not required. Except for Minor Historic Alteration Projects and sign review, each completed application for an Historical Resource Preservation Plan approval and associated recommendation shall be considered for review and action by the Historic Resources Commission at a public hearing. Notice of all hearings shall be given pursuant to Section 18.10.223. The Commission may continue a hearing from the original hearing date in order to request additional information, conduct a site inspection, require that a professional historian and/or archaeologist prepare the Historical Documentation Report, or for any other reason determined to be necessary by the Historic Resources Commission.

(i) Historic Resources Commission Action. Following the public hearing on an application, the Historic Resources Commission may approve an Historical Resource Preservation Plan, or Historic Documentation Report, or sign ~~recommendation~~ by an affirmative vote of three or more of the Commission members. In order for the Commission to approve or conditionally approve the Historic Resource Preservation Plan, all the following findings must be made:

1. That the Historic Resource Preservation Plan is consistent with the purposes and goals of this Chapter and the County General Plan;
2. That the Historic Resource Preservation Plan is in conformance with the requirements of ~~Section 16.42.070, Historic Preservation Criteria,~~ of this Chapter; and
3. That the Historic Resource Preservation Plan, if implemented, will preserve and maintain the cultural and historical heritage of the County and/or further cultivate the knowledge of the past.

The Historic Resources Commission shall deny the Historic Resource Preservation Plan if one or more of these findings cannot be made.

(j) Final Project Approval. When an Historical Resource Preservation Plan is required by this section, no final County approval shall be given to a Land Division, Development Permit, Building Permit, Demolition Permit, Land Clearing Permit or Grading Permit for a project affecting an historical structure, object, property, site or district, unless an Historical Resource Preservation Plan for the protection of the historic resource has been approved by the Historic Resources Commission, the project is in conformance with the approved plan, and development will commence prior to the expiration of the Historic Resources Commission approval. Final inspection clearance on project permits or improvement plans shall not be granted unless the completed project complies with all provisions of the Historic Resource Preservation Plan.

(k) No Project Authorization Granted. The Historic Resources Commission approval of an Historical Resource Preservation Plan, Historic Documentation

Report or sign recommendation does not authorize any development rights or grant permission to proceed with project development; such actions can only be authorized through the approval and issuance of project permits pursuant to other provisions of the County Code.

(l) Expiration. An approved Historic Resource Preservation Plan shall remain valid for a period of 2 years from the date of approval by the Historic Resources Commission unless a longer period of time is specified by the Commission. Time extensions ~~for similar time periods as provided for in 18.10.133 (a)~~ may be subsequently granted by the Historic Resources Commission upon application prior to expiration of the plan approval.

(m) Environmental Review. When an Environmental Impact Report (EIR) is required for a development project affecting a designated historic resource, the Historic Resources Commission shall be consulted in establishing the scope of the EIR and for comments on the Draft EIR and historic resource mitigation measures.

16.42.070 Historic Building Code Applicability.

The State Historic Building Code, Title 24, of the California Administrative Code, shall be applicable to the issuance of Building Permits for changes to the interior and/or exterior of structures designated as historic resources. ~~If proposed improvements to a structure not previously designated as an historical resource would make the structure eligible to be designated as an historical resource, and if the owner submits an application for such designation by the County, then the Historic Resources Commission may authorize the application of the Historic Building Code to the issuance of Building Permits for the proposed improvements.~~

16.42.080 Artifacts Discovered During Excavation or Development.

(a) Presence of Artifacts. Any person who, at any time in the preparation for or process of excavating or otherwise disturbing the ground, discovers any artifact or other evidence of an historical archaeological resource, shall comply with all provisions of Chapter 16.40 of the County Code – Native American Cultural Sites.

- ~~1. Cease and desist from all further excavations and disturbances within 50 feet of the discovery.~~
- ~~2. Arrange for staking completely around the area of discovery by visible stakes no more than 10 feet apart, forming a circle having a radius of no less than 50 feet from the point of discovery; provided, however, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking.~~
- ~~3. Notify the Planning Director.~~
- ~~4. Grant all duly authorized representatives of the Planning Director permission to enter onto the property and to take all actions consistent with this chapter.~~

(b) Property Inspection. Upon notification of the discovery, the Planning Director shall arrange for an inspection of the property by the Planning Department's Archaeological Consultant. The purpose of the inspection shall be to determine whether the discovery is significant in terms of historic or prehistoric archaeology.

Prehistoric archaeological finds shall be subject to the requirements of County report, where one is required. In establishing these conditions, the Director Code Chapter 16.40, Native American Cultural Sites; historic archaeological finds shall be subject to the requirements of this code section.

(c) Resumption of the Development. If, upon consultation with the Planning Department's Archaeological Consultant, the Planning Director determines that the discovery is not a site of archaeological significance, the Director shall notify the property owner of such determination, and excavation for the development may be resumed. Such notice, may be given orally, but shall be confirmed to the property owner in writing.

(d) Archaeologically Significant Sites. If, upon consultation with the Planning Department's Archaeological Consultant, the Planning Director determines that the discovery is not a site of archaeological significance, the Director shall notify the property owner of this fact, and no further excavation or development may take place except as authorized by an Archaeological Site Development Approval. (e) Archaeological Site Development Approval. When the Planning Director has determined that an historical archaeologically significant site has been discovered during excavation or development, the Planning Director:

1. May require an archaeological report based upon the recommendation of the Planning Department's Archaeological Consultant;
2. Shall require an Archaeological Site Development Approval prior to resumption of excavation or development. Application for such approval shall be in accordance with Chapter 18.10, Level III. The Archaeological Site Development Approval shall be reviewed by the Planning Director or his or her designee in accordance with Chapter 18.10, Level III, and shall contain conditions established by the Planning Director; such conditions shall be based upon the recommendations of the Planning Department's archaeological consultant and an archaeological shall balance the need for preserving the site against the need to avoid unnecessary financial hardship to the property owner and all persons engaged in construction on the site.

16.42.090 Unsafe or Dangerous Conditions.

None of the provisions of this Chapter shall be construed to prevent any measures of construction, alteration, removal, demolition or relocation necessary to correct the unsafe or dangerous condition of any structure, other feature, or part thereof, where:

1. Such condition has been declared to constitute an immediate threat to public health and safety by the County Building Official or County Geologist and
2. The proposed measures have been declared necessary by such official to correct the said condition, and
3. The Chairman of the Historical Resources Commission has been notified of the situation and given an opportunity to respond within 24 hours. Only such work as is necessary to correct the unsafe or dangerous condition may be performed pursuant to this section. In the event that any structure or other features are damaged by fire or other calamity, the Planning Director or Building Official may authorize, prior to the

Commission's review, that amount of repair necessary to correct an unsafe condition.

16.42.100 Zoning of Historic Resources.

Parcels containing designated historical structures, objects or sites or which are located in designated historic districts shall be zoned to the Historical Landmark ("L") Combining Zone District for identification purposes. Failure of the property to be placed in the Historic Landmark ("L") Combining Zone District does not invalidate the requirements of this chapter.

16.42.110 Appeal Procedures.

(a) Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Historic Resources Commission under the provisions of this Chapter, may appeal the act or determination directly to the Board of Supervisors in accordance with Section 18.10.300 et. seq., of the Santa Cruz County Code.

(b) In addition to the provisions of paragraph (a) above, when the Board of Supervisors is the final approving body for a project either by way of normal permit processing procedures or through appeal, any act or determination by the Historic Resources Commission which affects the project may be amended by the Board of Supervisors provided that any substantial modifications to the plans approved by the Historic Resources Commission which were not previously considered by the Commission shall be referred to the Historic Resources Commission for their report and recommendations. The Historic Resources Commission shall review and comment on the referred modifications within 40 days unless a longer comment period is approved by the Board of Supervisors. The Historic Resources Commission is not required to hold a public hearing on the referral unless so directed by the Board of Supervisors.

16.42.120 Enforcement.

(a) Criminal Enforcement. Any person who violates any provision of this chapter is guilty of a misdemeanor, the penalty for which is set forth in County Code Section 1.12.030 and Chapter 19.01.

(b) Civil Enforcement. Any person who violates any provision of this Chapter is in violation of the Land Use Regulations of the County, the penalty for which is set forth in County Code Chapter 19.01.

1. Civil Fines

- ~~i. Any person who negligently violates any provision of this chapter is liable to the County of Santa Cruz in a sum not to exceed two hundred fifty dollars per day for each day in which the violation occurs.~~
- ~~ii. Any person who intentionally violates any provision of this chapter is liable for a civil penalty to the County of Santa Cruz for a sum not less than five hundred dollars nor more than five thousand dollars for each~~

day in which such violation occurs.

iii. Any person who intentionally demolishes or substantially destroys an historical resource in violation of any provision of this chapter is liable for a civil penalty to the County for a sum not less than one thousand dollars nor more than ten thousand dollars.

iv. Any civil action filed pursuant to this chapter shall be brought by the District Attorney or County Counsel. In any civil action filed pursuant hereto in which the County prevails, the person against whom judgment is rendered shall also be liable for reasonable expenses including attorney's fees, as determined by the court, incurred by the County in the investigation and prosecution of the action.

v. Civil fines collected for violations of this ordinance shall be placed in a trust fund to be utilized for historic resource protection and education purposes at the direction of the Board of Supervisors.

1. ~~Equitable Relief.~~ Any violation of this Chapter shall be, and the same is hereby declared to be, unlawful and a public nuisance. The County Counsel or the District Attorney shall upon written request of the Planning Director, or upon order of the Board of Supervisors immediately commence and prosecute to completion action or proceedings for the injunctive and other equitable relief, in the manner provided by law, to obtain compliance with this Chapter. In any civil action filed pursuant hereto in which the County prevails, the person against whom judgment is rendered shall also be liable for reasonable expenses including attorney's fees, as determined by the court, incurred by the County in the investigation and prosecution of the action.
2. ~~Effect on Related Permit Applications.~~ No permit shall be issued to an applicant, owner or property as to whom or which a violation of this Chapter exists until such violation is corrected or unless the permit sought is for a project which includes correction of such violation.
3. ~~Permit Revocation.~~ Any permit granted may be revoked on the basis of a related violation of this Chapter by the permit holder or his/her agent, all in accordance with the Permit Revocation provision of the Santa Cruz County Code.
4. ~~Recording Notice of Violation.~~ Whenever the Planning Director has knowledge of a violation of this chapter, he/she may provide a notice of intent to record an Notice of Violation to the owner of the property upon which the violation is located. Notice shall be provided by posting on the property and by mail at the address shown on the latest assessment roll or at any other address of the owner known to the Planning Director. The notice shall state that within twenty (20) calendar days of the date of the notice, the owner may request a meeting with the Planning Director to present evidence that a violation does not exist. In the event that a meeting is not requested and the violation has not been corrected, or in the event that after consideration of evidence the Planning Director determines that a violation in fact exists, he/she may record a Notice of Violation in the office of the County Recorder. At the request of any affected property owner, the Planning Director shall issue a notice of expungement of violation upon determination by the Planning Director of correction of such violation. The notice of

~~expungement may be recorded by the affected property owner at his or her expense.~~

~~(c) Determination of Penalties. In determining both the civil and criminal penalties imposed pursuant to this article, the court shall consider all relevant circumstances, including, but not limited to, the impact on the County Historic Resource caused by the violation, the nature and extent of the violation and the period of time over which it occurred, the frequency of past violations, and the corrective action, if any, taken by the person, who caused the violation.~~

~~(d) Other Remedies Unimpaired. Remedies under this article are in addition to and do not supersede or limit any and all other remedies, civil or criminal.~~

16.42.130 Severability.

If any section, subdivision, paragraph, sentence, clause or phrase of the ordinance codified in this chapter is for any reason held to be unconstitutional or invalid, such a decision shall not affect the validity of the remaining portion of the ordinance. The board of supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance irrespective of the unconstitutionality or invalidity of any section, subdivision, subsection, paragraph, sentence, clause or phrase of the ordinance codified in this chapter.

Santa Cruz County Code Section 16.42 Historic Preservation

Chapter 16.42 HISTORIC PRESERVATION

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16.42.010 Purpose.

The Board of Supervisors of Santa Cruz County hereby finds and declares as follows:

- (a) Within the County of Santa Cruz there presently exists numerous historic structures, objects, sites, and areas of historic, cultural, architectural, engineering, or aesthetic significance, importance, and value;
- (b) Said sites and structures are endangered by loss, alteration, or destruction;
- (c) Preservation of such sites and structures as community resources for present and future generations requires a comprehensive program;
- (d) It is beneficial to the public interests and welfare to preserve and protect sites, structures, objects and areas that are significant reminders of past eras, events, and persons important in local, state, or national history, or are significant architectural styles of the past, or have particular aesthetic

value;

(e) The County General Plan includes historic resources policies with an objective to protect historic structures, objects, sites and districts in the unincorporated portion of the County;

(f) The purpose of this chapter is, therefore, to:

1. Implement the General Plan historic resources policies to designate, preserve, protect, enhance, and perpetuate those historic structures, districts and sites which contribute to the cultural benefit of Santa Cruz County, and to provide for this, and future generations, examples of the physical surroundings of past generations;
2. Foster civic awareness and pride in the rich diversity of the County's heritage;
3. Protect and enhance the County's historic structures, objects, sites and districts as a physical record of its heritage;
4. Enhance property values and the stability of the neighborhoods and areas in the County;
5. Enhance the County's attraction to visitors through protection of the historic resources that constitute much of the County's unique character.
6. Encourage preservation and maintenance of the cultural and historical heritage of the County for purposes of education and the fostering of the knowledge of the past. (Ord. 2493, 10/18/77; 3445, 8/23/83; 3930, 6/28/88)

16.42.020 Scope.

(a) This Chapter establishes the County's Historic Resources Inventory which identifies significant historical resources in the unincorporated portion of the County; requires that an Historical Resource Preservation Plan be approved by the Historic Resources Commission prior to carrying out of activities or final County approval of projects which affect historic resources; and regulates alterations, new construction, relocations, demolitions, and excavations which affect historic structures, objects, properties, sites or districts. This Chapter also regulates and protects historic archaeologic resources discovered during development activities.

(b) This historic resource protection provisions of this Chapter shall apply to all historic resources and archaeological discoveries within the County unincorporated area including publicly owned properties where County approval of development activities is required. The requirements of this Chapter are in addition to those of other chapters of the County Code, and approvals issued pursuant to this Chapter do not alter the requirements of other chapters of the Santa Cruz County Code.

16.42.030 Definitions.

All terms used in this Chapter shall be as defined in County Code Chapter 13.10 and in the County General Plan Glossary except as herein defined below:

Archaeological Site Development Approval. An approval which is required when historic or culturally significant archaeological resources from historic or pre-historic societies are discovered during development or excavation. The approval establishes the conditions which shall be met before the

owner of property containing such resources may resume project development. (Pre-historic archaeological resources are protected under Chapter 16.40 Native American Cultural Sites, of the Santa Cruz County Code and are not subject to the provisions of this Chapter.)

Artifact. Material remains which provide evidence of the activities of a pre-historic or historic culture.

Certified Resolution. A resolution of the Board of Supervisors establishing the historical resources designation of a structure, object, site, property, or district which has a special historical, archaeological, cultural or aesthetic interest or value as part of the development, heritage, or cultural characteristics of the County, State, or Nation, and which either has been listed in the County General Plan, or has been listed in the Historic Resources Inventory adopted pursuant to Section 16.42.080 of this Chapter and has a rating of significance of NR-1, NR-2, NR-3, NR-4, or NR-5.

Contributing Historic Structure or Object. A structure or object located within a designated historic district which has been designated as a contributing historic structure or object and is listed in the Santa Cruz County Historic Resource Inventory pursuant to Section 16.42.080.

Demolition. The destruction of a structure or portion thereof.

Historic Archaeological Report. An archaeological investigation of a designated historic site prepared by a qualified professional archaeologist in conformance with the guidelines established by the Historic Resources Commission and providing an inventory of the archaeological resources of the site, an evaluation of their significance, and appropriate mitigation measures for the protection, preservation and/or excavation of the site and its resources.

Historic Archaeological Resources. The cultural remains of historic societies, including excavated material and aboveground resources such as buildings, tools, implements, etc.

Historic District. An area designated as an historical resource and which contains improvements that:

1. Have character of special historic or aesthetic interest or value; and
2. Represent one or more periods or styles of architecture typical of one or more eras in the history of the County; and
3. Cause such area, by reason of these factors, to constitute a geographically definable area possessing a significant concentration or continuity of site, buildings, structures, or objects that are unified by past events, or aesthetically by plan or physical development.

Historic Documentation Report. A report providing documentation of the historic significance and physical appearance of an historical resource and prepared in accordance with the guidelines established by the Historic Resources Commission.

Historic Object. An item of historical value that can be seen or touched, such as an artifact, monument or work of art, and which has been designated as an historical resource pursuant to this Chapter.

Historic Property. A parcel of land where an historical structure, or object is located.

Historic Resource. Any structure, object, site, property, or district which has a special historical, archaeological, cultural or aesthetic interest or value as

part of the development, heritage, or cultural characteristics of the County, State, or Nation, and which either has been listed in the County General Plan, or has been listed in the Historic Resources Inventory adopted pursuant to Section 16.42.080 of this Chapter and has a rating of significance of NR-1, NR-2, NR-3, NR-4, or NR-5.

Historic Resource Preservation Plan. A plan for the protection, enhancement, and/or preservation of the historic resource values of a structure, object, site or district and which is prepared according to the guidelines established by the Historic Resources Commission.

Historic Resources Commission. The County's Historic Resources Commission established pursuant to County Code Chapter 2.58.

Historic Resources Inventory. A listing of significant historic resources adopted by the Board of Supervisors pursuant to Section 16.42.080 of this Chapter and which may include historic structures, objects, sites, and districts which contribute to the historic, cultural and architectural heritage of Santa Cruz County.

Historic Site. A parcel of land or property which has been designated as an historical resource pursuant to this Chapter because it was previously occupied by an historical structure, or is likely to contain archaeological artifacts of historic significance because it was the scene of a past historic event, or was a place associated with an historical person.

Historic Structure. A structure which has been designated as an historical resource pursuant to this Chapter.

Material Change. Any exterior alteration or surface modification which will cause a change in the exterior appearance of a structure. This shall include all work which results in additions or changes to the architectural style, design, general arrangement, and components of all of the outer surfaces of an improvement, including, but not limited to, the kind and texture of the building material, and the type and style of all windows, doors, mouldings, ramps, decks, fences, roofs, porches, railings, lights, signs, and other exterior fixtures appurtenant to such improvements. Material changes shall not include painting or ordinary maintenance consisting of repair which does not involve a change in exterior design or materials.

Non-contributing Structure or Object. A structure or object located within a designated historic district which has not been designated as a contributing historic structure or object as listed in the Santa Cruz County Historic Resource Inventory pursuant to Section 16.42.080 of this Chapter because it was constructed outside the period of significance or was built within the period of significance but has subsequently been so altered that it no longer contributes to the sense of time and place, and/or historical development of the district.

Planning Director. The Director of the County Planning Department or his or her designee.

Reconstruction. The process of reproducing by new construction the exact form and detail of a vanished structure, or part thereof, as it appeared at a specific period of time.

Structure. That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner including all fences and decks. (Ord. 2493, 10/18/77; 3445, 8/23/83; 3930, 6/28/88; Ord. 4823 § 1, 5/23/06)

16.42.040 Historic resource protection.

(a) Historic Structures and Objects. No person shall make or cause any material change to the exterior of an historical structure or object, demolish any portion of the exterior of an historical structure or object unless such action is in conformance with a valid Historic Resource Preservation Plan approved by the Historic Resources Commission. In addition to these requirements, no relocation or demolition without reconstruction of an entire historic structure shall occur unless an Historical Documentation Report is submitted to and approved by the Historic Resources Commission concurrent with the review of the Historic Resource Preservation Plan.

(b) Historic Properties. No person shall make or cause on an historical property a material change to any structure on the property, or construct any new structure including any fence or deck unless such action is in conformance with a valid Historic Resource Preservation Plan approved by the Historic Resources Commission. Demolition or removal of non-historic structures on historic properties are exempt from the provisions of this Chapter.

(c) Historic Sites. For projects which will disturb or potentially disturb the ground of a designated historic site, an Historical Archaeologic Report shall be prepared and submitted with any applications for permits to develop the project. Permit applications shall be deemed incomplete until the Historic Archaeological Report is prepared, submitted and accepted by the Planning Department. Any subsequent environmental review and permit approval of the project shall incorporate all appropriate recommendations contained in the Historic Archaeological Report for protection of the archaeological resources of the site.

(d) Historic Districts. No person shall make or cause in an historical district any material change to the exterior of any structure, or construct any new structure including fences and decks, or relocate or demolish any designated contributing historic structures or historic objects unless such action is in conformance with a valid Historic Resource Preservation Plan approved by the Historic Resources Commission.

Demolition and relocation of non-contributing structures located in historic districts are exempt from the provisions of this Chapter. Material changes to the exterior of all structures and the construction of new structures shall be compatible with the scale, building materials and general design of the historic district, reinforce the historic value and architectural theme of the historic district, and comply with the Historic Preservation guidelines of Sections 16.42.070(a) and (b) of this Chapter to the maximum extent feasible.

(e) Sign Approvals. Plans for all new signs and alterations to existing signs located on an historical structure, or located on an historical property, or located in an historical district, except for historic landmark plaques as approved by the Historic Resources Commission or changes in sign copy, shall be submitted to the Historic Resources Commission for review and recommendation regarding their compatibility with the design and historic characteristics of the structure, property or district. Subsequent permit approvals shall only allow signs conforming with the recommendation of the Historic Resources Commission in addition to all other County Code

requirements and adopted sign design guidelines.

(f) Final Project Approval. When an Historical Resource Preservation Plan is required by this section, no final County approval shall be given to a Land Division, Development Permit, Building Permit, Demolition Permit, Land Clearing Permit or Grading Permit for a project affecting an historical structure, object, property, site or district, unless an Historical Resource Preservation Plan for the protection of the historic resource has been approved by the Historic Resources Commission, the project is in conformance with the approved plan, and development will commence prior to the expiration of the Historic Resources Commission approval. Final inspection clearance on project permits or improvement plans shall not be granted unless the completed project complies with all provisions of the Historic Resource Preservation Plan.

16.42.050 Historic resource review procedures.

(a) Permit Applications for Projects. When plans for a project affecting an historical resource are required by Section 16.42.040 to obtain an approval or a recommendation by the Historic Resources Commission, all applications for permits authorizing development of the project shall be deemed incomplete until the Historic Resources Commission approval or recommendation has been granted and documentation of such action is submitted with the permit applications, except as provided in paragraph (b) following.

(b) Concurrent Processing. Where the Planning Director determines that processing time for a permit will not be adversely affected, the Director may authorize the acceptance of a permit application as complete for processing concurrently with the Historic Resources Commission review and action required by this Chapter.

(c) Applications for Historic Review. Applications for Historic Resource Preservation Plan approval or sign review and recommendation shall be filed with the Planning Department in accordance with the procedures of Section 18.10.223, and the administrative application requirements as established by the Historic Resources Commission. For projects involving demolition of the entire historic structure without reconstruction, or involving relocation of an historical structure, the application submittal shall also include:

1. A Special Inspections Report from the County Planning Department on the condition of the structure; and
2. An Historical Documentation Report prepared according to guidelines established by the Historic Resources Commission.

(d) Historic Resources Commission Hearing Procedure. When an application for historic review is determined by Planning Department staff to be complete it shall be forwarded with any other information of record to the Historic Resources Commission for their review and subsequent action. Each completed application for an Historical Resource Preservation Plan approval or sign review and recommendation shall be considered for review and action by the Historic Resources Commission at a public hearing. Notice of all hearings shall be given pursuant to Section 18.10.223. The Commission may continue a hearing from the original

hearing date in order to request additional information, conduct a site inspection, require that a professional historian and/or archaeologist prepare the Historical Documentation Report, or for any other reason determined to be necessary by the Historic Resources Commission.

(e) Historic Resources Commission Action. Following the public hearing on an application, the Historic Resources Commission may approve an Historical Resource Preservation Plan, Historic Documentation Report, or sign recommendation by an affirmative vote of three or more of the Commission members. In order for the Commission to approve or conditionally approve the Historic Resource Preservation Plan, all the following findings must be made:

1. That the Historic Resource Preservation Plan is consistent with the purposes and goals of this Chapter and the County General Plan;
2. That the Historic Resource Preservation Plan is in conformance with the requirements of Section 16.42.070, Historic Preservation Criteria, of this Chapter; and
3. That the Historic Resource Preservation Plan, if implemented, will preserve and maintain the cultural and historical heritage of the County and/or further cultivate the knowledge of the past.

The Historic Resources Commission shall deny the Historic Resource Preservation Plan if one or more of these findings can not be made.

(f) No Project Authorization Granted. The Historic Resources Commission approval of an Historical Resource Preservation Plan, Historic Documentation Report or sign recommendation does not authorize any development rights or grant permission to proceed with project development; such actions can only be authorized through the approval and issuance of project permits pursuant to other provisions of the County Code.

(g) Documents. Following the Historic Resources Commission's acceptance of an Historical Documentation Report, three archival copies with original black and white photographs shall be submitted by the applicant and shall be placed on permanent file by staff with the Santa Cruz County Planning Department, the County Historic Museum and the UCSC Mc Henry Library, Special Collections.

(h) Expiration. An approved Historic Resource Preservation Plan shall remain valid for a period of 2 years from the date of approval by the Historic Resources Commission unless a longer period of time is specified by the Commission. Time extensions for similar time periods may be subsequently granted by the Historic Resources Commission upon application prior to expiration of the plan approval.

(i) Environmental Review. When an Environmental Impact Report (EIR) is required for a development project affecting a designated historic resource, the Historic Resources Commission shall be consulted in establishing the scope of the EIR and for comments on the Draft EIR and historic resource mitigation measures.

16.42.060 Appeal procedures.

(a) Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the

Historic Resources Commission under the provisions of this Chapter, may appeal the act or determination directly to the Board of Supervisors in accordance with Section 18.10.300 et. seq., of the Santa Cruz County Code.

(b) In addition to the provisions of paragraph (a) above, when the Board of Supervisors is the final approving body for a project either by way of normal permit processing procedures or through appeal, any act or determination by the Historic Resources Commission which affects the project may be amended by the Board of Supervisors provided that any substantial modifications to the plans approved by the Historic Resources Commission which were not previously considered by the Commission shall be referred to the Historic Resources Commission for their report and recommendations. The Historic Resources Commission shall review and comment on the referred modifications within 40 days unless a longer comment period is approved by the Board of Supervisors. The Historic Resources Commission is not required to hold a public hearing on the referral unless so directed by the Board of Supervisors.

16.42.070 Historic preservation criteria.

(a) Alteration or Relocation of an Historical Resource. An Historical Resource Preservation Plan for alterations and changes to the exterior of an historical structure or object, or for relocation of an historical structure shall conform to the following criteria:

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of 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.
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 create an earlier or later appearance shall be discouraged.
4. Changes which may have take 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.
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
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 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 design or the availability of different architectural elements from other buildings or structures.
7. 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 should not be utilized.

8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to any project.

9. Alterations and additions to existing properties shall not destroy significant historical, architectural or cultural elements or materials, and shall be compatible with the size, scale, color, materials, and character of the property, neighborhood or environment.

10. Whenever possible, new additions or alterations to structures shall be done in a manner so that the essential form and integrity of the structure would be unimpaired.

(b) New Construction. Historic Resource Preservation Plans for construction of new structures on historic properties or in historic districts shall conform to the following criteria:

1. The location, siting and size of new construction on an historical property shall not detract from the historic character of the property, and the relationship between existing buildings, landscape features and open space.

2. All structures shall be designed in proportion and integrated into the historic character of the property or district by the use of compatible building materials and textures, construction methods, design, and color.

3. The size, location and arrangement of new on-site parking or loading ramps shall be designed so that they are as unobtrusive as possible and preserve the features of the property or district.

4. Ingress and egress, and internal traffic circulation shall preserve the historic features of the property.

5. Landscaping should be provided in keeping with the character and design of the historic site, property or district.

6. Disturbance of terrain around existing buildings or elsewhere on the property, should be minimized to reduce the possibility of destroying unknown archaeological materials. Where any proposed land alterations may impact important archaeological resources, a professional archaeological survey shall be provided and its recommendations implemented to mitigate potential impacts.

(c) Demolition. An Historical Resource Preservation Plan for the demolition of an historical structure or object shall include the following elements:

1. Information which supports the claim that preservation is not feasible due to the deteriorated condition of the structure or object, or would create exceptional hardship, or is necessary to alleviate a dangerous condition.

2. Provisions to preserve the historic values of the structure or object by documentation and/or preservation of artifacts and building materials.

3. Provisions to offer the structure to the general public for removal or dismantling for salvage at no cost or remuneration to the applicant. The availability of the structure shall be advertised by means of a 1/8 page display ad in a paper of general circulation in the County of Santa Cruz, at least twice during a thirty-day period. The advertisement shall include the address at which the structure proposed for demolition is located, information as to how arrangements can be made for relocation (through moving or dismantling) of the structure proposed for demolition, and the date after which a Demolition Permit may be issued. Evidence of this publication must be submitted prior to issuance of a Demolition Permit.

16.42.080 Historic resource designation.

(a) Historic Resource Inventory. The Santa Cruz County Historic Resources Inventory subject to the provisions of this Chapter shall consist of those structures, objects, properties, sites, and districts as designated by Resolution of the Board of Supervisors and thereby incorporated by reference and made a part of this Chapter, with subsequent amendments as provided for in paragraph (b) below.

(b) Inventory Amendment. Amendment to the Santa Cruz County Inventory of Historic Resources shall be by resolution of the Board of Supervisors following the review and recommendation of the Historic Resources Commission. Actions of both bodies shall be taken following public hearing with public notice provided pursuant to Section 18.10.223. Any action to amend the Inventory of Historic Resources to add or remove a structure, site, object or district shall be based on the criteria provided in paragraph (c) below, and may be initiated by a property owner or their representative, the Board of Supervisors, the Historic Resources Commission, County staff or any member of the general public. Inclusions of new historic resources in the inventory shall be accompanied by a completed California Department of Parks and Recreation Historic Inventory Form to document the historic and architectural values of the designated resource.

(c) Designation Criteria. Structures, objects, sites and districts shall be designated as historic resources if, and only if, they meet one or more of the following criteria and have retained their architectural integrity and historic value:

1. The resource is associated with a person of local, state or national historical significance.
2. The resource is associated with an historic event or thematic activity of local, state or national importance.
3. The resource is representative of a distinct architectural style and/or construction method of a particular historic period or way of life, or the resource represents the work of a master builder or architect or possesses high artistic values.
4. The resource has yielded, or may likely yield information important to history or prehistory.

(d) Rating of Significance. For purposes of administering the historic preservation program, general public information, and to aid in the nomination of historic resources to the National Register, designated historic structures, objects, sites and districts shall be assigned a National Register (NR) Rating Code for historic significance based upon guidelines published by the United State Department of Interior, National Park Service as follows:

- NR 1. A property listed in the National Register of Historic Places.
- NR 2. A property that has been determined to be eligible for listing on the National Register by the U.S. Department of the Interior.
- NR 3. A property eligible, in the opinion of the County Historical Resources Commission, to be listed on the National Register of Historic Places.
- NR 4. Property which may become eligible for listing on the National Register if additional research provides a stronger statement of significance, or if the architectural integrity is restored. These buildings

have either high architectural or historic significance, but have a low rating in the other categories.

NR 5. A property determined to have local historical significance.

(e) Combining Designations. Designated historic sites and districts shall be assigned one or more of the following combining designations in addition to a rating of significance pursuant to paragraph (d) above:

-D (District) A geographically defined area of nationwide, state or local historical significance possessing a significant concentration, linkage, or continuity of sites, buildings, structures, and/or objects united by past events or aesthetically by plan or physical development;

-S (Site) A parcel of land or property previously occupied by an historical structure, the scene of a past historical event, or a place associated with an historical person.

(f) Potentially Significant Properties. The County shall maintain a listing of those properties which have been evaluated and determined to be ineligible for designation as an historical resource based on the criteria in paragraph (c) above and/or due to their deteriorated architectural integrity or condition. These properties shall be given a rating of significance of NR-6 and may be reevaluated periodically based on new conditions of improvements to the architectural integrity and condition of the structure.

(g) Recording of Certified Resolution Establishing the Historic Resource Designation. Within 90 days after an historical resource has been included in the Santa Cruz County Historic Resources Inventory by the Board of Supervisors, the Planning Director shall cause to be filed for record with the County Recorder, a Certified Resolution Establishing the Historic Resource Designation specifying the names of the owners of record, a legal description of the property, a description of the historic resource and its historic and/or architectural value, and a statement that the historic resource so described is subject to the provisions of the County Code, Chapter 16.42, Historic Resource Preservation. A copy of the recorded certified resolution shall be sent to the property owner.

(h) Project Referrals. Following receipt of an application for approval of a Land Division, Development Permit, Building Permit or Demolition Permit, the Planning Director may suspend permit processing and refer the project property to the Historic Resources Commission for a determination of whether the property constitutes an historical resource which should be considered for addition to the County Inventory of Historic Resources for protection of its historic and/or architectural values. The Historic Resources Commission shall consider the referral at the next available Commission meeting, at which time the Commission shall decide whether or not to initiate an amendment as provided in Section 16.42.080(b) to add the property to the Inventory of Historic Resources.

(i) Pending Designations: Once an amendment to the Inventory of Historic Resources has been initiated to designate a property as an historical resource, no permit may be approved for any project affecting the property until either:

1. Final action has been taken to reject the amendment; or
2. Any required project review or approval of an Historical Resource Preservation Plan by the Historic Resources Commission has been obtained. (Ord. 4823 § 2, 5/23/06)

16.42.090 Historic building code applicability.

The State Historic Building Code, Title 24, of the California Administrative Code, shall be applicable to the issuance of Building Permits for changes to the interior and/or exterior of structures designated as historic resources. If proposed improvements to a structure not previously designated as an historical resource would make the structure eligible to be designated as an historical resource, and if the owner submits an application for such designation by the County, then the Historic Resources Commission may authorize the application of the Historic Building Code to the issuance of Building Permits for the proposed improvements.

16.42.100 Artifacts discovered during excavation or development.

(a) Presence of Artifacts. Any person who, at any time in the preparation for or process of excavating or otherwise disturbing the ground, discovers any artifact or other evidence of an historical archaeological resource, shall:

1. Cease and desist from all further excavations and disturbances within 50 feet of the discovery.
2. Arrange for staking completely around the area of discovery by visible stakes no more than 10 feet apart, forming a circle having a radius of no less than 50 feet from the point of discovery; provided, however, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking.
3. Notify the Planning Director.
4. Grant all duly authorized representatives of the Planning Director permission to enter onto the property and to take all actions consistent with this chapter.

(b) Property Inspection. Upon notification of the discovery, the Planning Director shall arrange for an inspection of the property by the Planning Department's Archaeological Consultant. The purpose of the inspection shall be to determine whether the discovery is significant in terms of historic or prehistoric archaeology.

Prehistoric archaeological finds shall be subject to the requirements of County Code Chapter 16.40, Native American Cultural Sites; historic archaeological finds shall be subject to the requirements of this code section.

(c) Resumption of the Development. If, upon consultation with the Planning Department's Archaeological Consultant, the Planning Director determines that the discovery is not a site of archaeological significance, the Director shall notify the property owner of such determination, and excavation for the development may be resumed. Such notice, may be given orally, but shall be confirmed to the property owner in writing.

(d) Archaeologically Significant Sites. If, upon consultation with the Planning Department's Archaeological Consultant, the Planning Director determines that the discovery is not a site of archaeological significance, the Director shall notify the property owner of this fact, and no further excavation or development may take place except as authorized by an Archaeological Site Development Approval.

(e) Archaeological Site Development Approval. When the Planning Director has determined that an historical archaeologically significant site has been discovered during excavation or development, the Planning Director:

1. May require an archaeological report based upon the recommendation of the Planning Department's Archaeological Consultant;
2. Shall require an Archaeological Site Development Approval prior to resumption of excavation or development. Application for such approval shall be in accordance with Chapter 18.10, Level III. The Archaeological Site Development Approval shall be reviewed by the Planning Director or his or her designee in accordance with Chapter 18.10, Level III, and shall contain conditions established by the Planning Director; such conditions shall be based upon the recommendations of the Planning Department's archaeological consultant and an archaeological report, where one is required. In establishing these conditions, the Director shall balance the need for preserving the site against the need to avoid unnecessary financial hardship to the property owner and all persons engaged in construction on the site.

16.42.110 Unsafe or dangerous conditions.

None of the provisions of this chapter shall be construed to prevent any measures of construction, alteration, removal, demolition or relocation necessary to correct the unsafe or dangerous condition of any structure, other feature, or part thereof, where:

1. Such condition has been declared to constitute an immediate threat to public health and safety by the County Building Official, and
2. The proposed measures have been declared necessary by such official to correct the said condition, and
3. The Chairman of the Historical Resources Commission has been notified of the situation and given an opportunity to respond within 24 hours.

Only such work as is necessary to correct the unsafe or dangerous condition may be performed pursuant to this section. In the event that any structure or other features are damaged by fire or other calamity, the Planning Director or Building Official may authorize, prior to the Commission's review, that amount of repair necessary to correct an unsafe condition. (Ord. 2493, 10/18/77; 3445, 8/23/83; 3930, 6/28/88)

16.42.120 Enforcement.

(a) Criminal Enforcement. Any person who violates any provision of this chapter is guilty of a misdemeanor, the penalty for which is set forth in County Code Section 1.12.030.

(b) Civil Enforcement.

1. Civil Fines

A. Any person who negligently violates any provision of this chapter is liable to the County of Santa Cruz in a sum not to exceed two hundred fifty dollars per day for each day in which the violation occurs.

B. Any person who intentionally violates any provision of this chapter is liable for a civil penalty to the County of Santa Cruz for a sum not less than five hundred dollars nor more than five thousand dollars for each day in

which such violation occurs.

C. Any person who intentionally demolishes or substantially destroys an historical resource in violation of any provision of this chapter is liable for a civil penalty to the County for a sum not less than one thousand dollars nor more than ten thousand dollars.

D. Any civil action filed pursuant to this chapter shall be brought by the District Attorney or County Counsel. In any civil action filed pursuant hereto in which the County prevails, the person against whom judgement is rendered shall also be liable for reasonable expenses including attorney's fees, as determined by the court, incurred by the County in the investigation and prosecution of the action.

E. Civil fines collected for violations of this ordinance shall be placed in a trust fund to be utilized for historic resource protection and education purposes at the direction of the Board of Supervisors.

2. Equitable Relief. Any violation of this Chapter shall be, and the same is hereby declared to be, unlawful and a public nuisance. The County Counsel or the District Attorney shall upon written request of the Planning Director, or upon order of the Board of Supervisors immediately commence and prosecute to completion action or proceedings for the injunctive and other equitable relief, in the manner provided by law, to obtain compliance with this Chapter. In any civil action filed pursuant hereto in which the County prevails, the person against whom judgement is rendered shall also be liable for reasonable expenses including attorney's fees, as determined by the court, incurred by the County in the investigation and prosecution of the action.

3. Effect on Related Permit Applications. No permit shall be issued to an applicant, owner or property as to whom or which a violation of this Chapter exists until such violation is corrected or unless the permit sought is for a project which includes correction of such violation.

4. Permit Revocation. Any permit granted may be revoked on the basis of a related violation of this Chapter by the permit holder or his/her agent, all in accordance with the Permit Revocation provision of the Santa Cruz County Code.

5. Recording Notice of Violation. Whenever the Planning Director has knowledge of a violation of this chapter, he/she may provide a notice of intent to record an Notice of Violation to the owner of the property upon which the violation is located. Notice shall be provided by posting on the property and by mail at the address shown on the latest assessment roll or at any other address of the owner known to the Planning Director. The notice shall state that within twenty (20) calendar days of the date of the notice, the owner may request a meeting with the Planning Director to present evidence that a violation does not exist. In the event that a meeting is not requested and the violation has not been corrected, or in the event that after consideration of evidence the Planning Director determines that a violation in fact exists, he/she may record a Notice of Violation in the office of the County Recorder. At the request of any affected property owner, the Planning Director shall issue a notice of expungement of violation upon determination by the Planning Director of correction of such violation. The notice of expungement may be recorded by the affected property owner at his or her expense.

(c) Determination of Penalties. In determining both the civil and criminal penalties imposed pursuant to this article, the court shall consider all relevant circumstances, including, but not limited to, the impact on the County Historic Resource caused by the violation, the nature and extent of the violation and the period of time over which it occurred, the frequency of past violations, and the corrective action, if any, taken by the person, who caused the violation.

(d) Other Remedies Unimpaired. Remedies under this article are in addition to and do not supersede or limit any and all other remedies, civil or criminal.

16.42.130 Zoning of historic resources.

Parcels containing designated historical structures, objects or sites or which are located in designated historic districts shall be zoned to the Historical Landmark ("L") Combining Zone District for identification purposes. Failure of the property to be placed in the Historic Landmark ("L") Combining Zone District does not invalidate the requirements of this chapter.