



County of Santa Cruz

Department of Community Development and Infrastructure

701 Ocean Street, Fourth Floor, Santa Cruz, CA 95060
Planning (831) 454-2580 Public Works (831) 454-2160
sccoplanning.com dpw.co.santa-cruz.ca.us

Agenda Date: July 22, 2026

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: Public hearing and recommendation to the Board of Supervisors regarding an Ordinance to regulate the demolition by neglect of historic buildings

RECOMMENDED ACTIONS:

- 1) Hold a public hearing to consider the proposed Ordinance to regulate the demolition by neglect of historic buildings, and
- 2) Adopt the attached resolution (Exhibit A), recommending that the Board of Supervisors:
 - a. Determine that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to exempt from CEQA pursuant to CEQA Guidelines Section 15308, the Class 8 exemption, which exempts actions taken to assure the maintenance, restoration, enhancement, or protection of the environment, and CEQA Guidelines Section 15061(b)(3), the “common sense” exemption, which exempts actions where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and
 - b. Recommend that the Board of Supervisors adopt the Ordinance to regulate demolition by neglect of historic buildings.

EXECUTIVE SUMMARY

Consider a Proposal to consider amendments to Santa Cruz County Code (SCCC) Chapter 16.42, 055 Historic Preservation to implement a Demolition by Neglect Ordinance, as recommended by the Historic Resources Commission (HRC).

As described by the National Trust for Historic Preservation, “Demolition by Neglect” is the term used to describe a situation in which a property owner allows a historic property to suffer severe deterioration, potentially beyond the point of repair. This process can be either intentional, when a property owner allows decay maliciously, or unintentional, when a property owner simply does not have the financial means to maintain a historic building. It is not unusual for a

property owner to use this kind of long-term neglect to circumvent historic preservation. The proposed Demolition by Neglect ordinance is presented for Commission recommendation to the Board of Supervisors.

BACKGROUND

Chapter 3 of the Santa Cruz County General Plan directs protection of historic structures and sites. The County's HRC is responsible for helping carry out the preservation of historic buildings and cultural history of the county. An example that demonstrates the need for this Ordinance is a house built in 1897 (the Redman-Hirahara House), had been listed on the National Register of Historic Places and the County's Historic Resources Inventory as a National Register (NR)-1 property since 2004. On August 5, 2025, the Board of Supervisors voted to delist the property from the County's Historic Resources Inventory due to the significant deterioration of the structure. The county has lost numerous other structures as a result of neglect. As such, there is a need to increase avenues to proactively preserve historic buildings in the county. One such avenue is the proposed Demolition by Neglect Ordinance. The proposed ordinance would amend the County Code to establish new guidelines for those who have buildings designated as historic and would discourage those who own historic buildings from allowing the buildings to deteriorate to such an extent that restoration would be infeasible.

The County's Agriculture, Natural Resources and Conservation Element of the 2024 General Plan contains the following Policy relevant to preserving historic structures:

Policy: ARC-8.2.7 Historic Resource Property Maintenance. Encourage the maintenance and upkeep of historic resources to avoid the need for major rehabilitation and to reduce the risks of demolition, loss through fire or neglect, or impacts from natural disasters.

Santa Cruz County Code (SCCC) 16.42.010 also affirms the importance of historic preservation.

The purpose of the *Historic Preservation* chapter is to:

- (A) 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;
- (B) Foster civic awareness and pride in the rich diversity of the County's heritage;
- (C) Protect and enhance the County's historic structures, objects, sites and districts as a physical record of its heritage;
- (D) Enhance the stability of the neighborhoods and areas in the County;
- (E) Enhance the County's attraction to visitors through protection of the historic resources that constitute much of the County's unique character; and
- (F) Encourage preservation and maintenance of the cultural and historical heritage of the County for purposes of education and the fostering of knowledge of the past.

The Demolition by Neglect Ordinance is a proactive preservation tool applied judiciously to help protect the county's historic structures. The program could be staff intensive. However, beyond possible referrals, the Historic Resources Commission would assist Planning staff with monitoring and evaluating property compliance within their Districts. Knowing when to apply the ordinance is important. Deterioration must be substantial enough to justify exercising governmental authority, but not so severe that repair costs exceed the property's market value, which could create an economic hardship. The proposed Ordinance would provide those standards in a clear and enforceable manner.

The Historic Resource Commission met on September 8, 2025, to consider the Demolition by Neglect Ordinance and voted unanimously to recommend that the Board of Supervisors adopt the proposed Ordinance.

ANALYSIS

The HRC's recommendation for the Planning Commission to move forward with a Demolition by Neglect ordinance is based on the following:

- (1) some owners of historic structures have allowed their structures to deteriorate to the point that demolition becomes necessary, or restoration becomes infeasible economically or otherwise, and consequently the County is deprived of part of its history.
- (2) to augment the County's variety of Implementation Strategies that are supportive of preservation.
- (3) although there are County Code sections that address nuisance abatement and code enforcement, (SCCC 1.14 - Nuisance Abatement, SCCC 19.01 – Enforcement of Land Use Regulations, and SCCC 16.42.120 – Historic Preservation/Enforcement), these sections have not worked to alleviate the deterioration of historic structures by neglect.
- (4) the term “nuisance” is not defined in the code and does not address that a historic resource should not languish in a state of disrepair before the County intervenes on behalf of the historic resource and ARC-8.2.7 Policy preservation.

General Plan Consistency

A significant discussion among the HRC commissioners was support for the Ordinance because of the County's General Plan Policies. Most notably *ARC-8.2.7 (Policy) - Historic Resource Property Maintenance*, states the following:

Encourage the maintenance and upkeep of historic resources to avoid the need for major rehabilitation and to reduce the risks of demolition, loss through fire or neglect, or impacts from natural disasters.

The Ordinance code sections are focused on “unsafe and dangerous conditions” that apply not only to historic structures, but generally to any building in the County in disrepair. Chapter 16.42.055 states the following to establish a duty for owners to maintain structures:

16.42.055. Duty to maintain structures and premises.

- (A) It is the intent of this section to preserve from deliberate or inadvertent neglect the exterior features of historic structures, and the interior portions thereof, when such maintenance is necessary to prevent deterioration and decay of the exterior.
- (B) The Owner shall not allow a structure or site in any of the National Register (NR) categories of NR-1 thru NR-5, as set forth in section 16.42.050(B) of this Code, to fall into a state of disrepair, such that the deterioration of any exterior appurtenance or architectural feature produces, in the judgment of the Historic Resource Commission or the enforcing officer (i.e., the Code Enforcement Officer, Building Official, or Historic Resources Planner), a detrimental effect upon the character of the structure, or district if applicable. Such deterioration shall include but is not limited to:
 - (1) The deterioration of exterior walls or other vertical supports;
 - (2) The deterioration of roofs or other horizontal members;
 - (3) The deterioration of exterior chimneys;
 - (4) The deterioration of crumbling of exterior plasters or mortar;
 - (5) The ineffective waterproofing of exterior walls, roofs and foundations, including broken windows or doors;
 - (6) The peeling of paint, rotting, holes and other forms of decay;
 - (7) The lack of maintenance of surrounding environment, e.g., fences, gates, sidewalks, street signs, accessory structures and landscaping; and
 - (8) The deterioration of any feature that creates any hazardous or unsafe condition or conditions or an "attractive nuisance."
- (C) If the enforcing officer receives evidence of a failure to maintain or repair a historic structure, they (i.e., the Code Enforcement Officer, Building Official, or Historic Resources Planner) may give notice by certified or registered mail to the property owner of record. The property owner or person in charge of an historic structure shall have 60 days to respond in writing with a proposal to remedy the violation(s); provided that the enforcing officer, upon request by the property owner or property manager, may allow an extension for a period of time appropriate to remedy such violation(s) subject to a written request for the extension if the extension request is received by the enforcing officer within five business days of the end of the 60 day period. Prior to repairs, a Compliance

Agreement shall be entered into between the County and the property owner that will describe what work will be done by the property owner to bring the structure into a state of compliance based on the *Secretary of the Interior's Standards for Rehabilitation*, and the time frame to complete the work.

- (D) If a property owner has been provided notice to maintain the property but refuses to do so or has not responded to the notice within 60 days, the Community Development and Infrastructure Director, or their designee, may arrange for necessary repairs and charge the expenses to the owner. In the event the corrective action specified is not completed within the time allotted, a lien against the property may be established that draws interest at the highest legal rate, the amount to be amortized over a period of 10 years and subject to a public sale if there is a default in payment.
- (E) In the event the owner does not make the required repairs, the Community Development and Infrastructure Director, or their designee, may negotiate with a third party entity to preserve the historic structure utilizing private funds allocated by contract between the County and the private entity. Expenses incurred by the private entity for the work, such as administration, labor and materials, shall be liened against the property, and draw interest at the highest legal rate, the amount to be amortized over a period of 10 years subject to a public sale if there is a default in payment. Also, under the circumstances where a private entity is involved, expenses incurred by the County for work, such as administration, labor and materials, may be liened against the property, and draw interest at the highest legal rate, the amount to be amortized over a period of 10 years subject to a public sale if there is a default in payment.
- (F) The compliance agreement to remedy the violation shall state the actions to be taken and specify dates for compliance, notwithstanding reference to 60 days in SCCC 16.42.060.E(1)(b), which may be extended by the Community Development and Infrastructure Director for reasonable periods to allow the owner to secure financing, labor or materials and conclusion of restoration/renovation. It is up to the discretion of the the Community Development and Infrastructure Director what a reasonable period shall be.

LOCAL COASTAL PROGRAM CONSISTENCY

The proposed amendments map amendments are contained in Chapter 16.42 of the Santa Cruz County Code, which is not a Local Coastal Program's implementing chapter. Therefore, following adoption by the Board of Supervisors, there will be no submission to the Coastal Commission for review and certification of the Ordinance.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

This ordinance establishes a mechanism for both the rehabilitation of historic structures and the prevention of demolition, but does not itself authorize any physical activity that would

impact the environment. exempt from CEQA pursuant to CEQA Guidelines Section 15308 *Class 8* (Actions by Regulatory Agencies for Protection of the Environment), which exempts from CEQA actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Under CEQA, the environment includes historic resources. In addition, pursuant to CEQA Guidelines Section 15061(b)(3), the activity is covered by the common-sense exemption, which provides that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is exempt.

Submitted by:

Skyler Kriese
Policy Planner II

Reviewed by:

Mark Connolly
Principal Planner
Policy Section

Exhibits:

A: Resolution
B: Ordinance
C: Notice of Exemption

BEFORE THE PLANNING COMMISSION OF
THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Commissioner:
Duly seconded by Commissioner:
The following Resolution is adopted:

**RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF SANTA
CRUZ RECOMMENDING TO THE BOARD OF SUPERVISORS ADOPTION OF
SANTA CRUZ COUNTY CODE SECTION 16.42.055, INCORPORATING A
DEMOLITION BY NEGLECT OF HISTORIC BUILDINGS ORDINANCE**

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

WHEREAS, the County General Plan includes historic resources policies and implementation strategies to protect historic structures, objects, sites and districts in the unincorporated portion of the county; and

WHEREAS, Santa Cruz County Code Chapter 16.42 addresses the protection, enhancement, perpetuation and use of structures, properties, districts, and neighborhoods of historic significance; and

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

WHEREAS, the County seeks to prevent demolition by neglect of historic structures that have been listed in the historic resources inventory adopted pursuant to SCCC 16.42.050 and that have a National Register (NR) rating of significance of NR-1, NR-2, NR-3, NR-4, or NR-5; and

WHEREAS, “demolition by neglect” refers to the practice of allowing a building to deteriorate to the point that demolition becomes necessary, or restoration becomes infeasible (economically or otherwise); and

WHEREAS, the Historic Resources Commission met on September 8, 2025, to consider the Demolition by Neglect Ordinance and voted unanimously to recommend the Ordinance for approval and direct staff to forward its recommendation to the Planning Commission; and

WHEREAS, the adoption of the ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15308, the *Class 8* exemption, which exempts actions taken to assure the maintenance, restoration, enhancement, or protection of the environment, and CEQA Guidelines Section 15061(b)(3), the “common sense” exemption, which exempts actions where it can be seen

with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and

WHEREAS, the Planning Commission held a duly noticed public hearing on July 22, 2026, to review the Ordinance;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the Board of Supervisors confirm that a Notice of Exemption is appropriate under CEQA.

BE IT FURTHER RESOLVED that the Planning Commission finds the proposed amendments are internally consistent with the Santa Cruz County General Plan; and

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors adopt the Ordinance adding Section 16.42.055 to the Santa Cruz County Code, incorporating a Demolition by Neglect ordinance, as presented on this date.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this ____ day of ____, 2026 by the following vote:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:

Chairperson

ATTEST: _____
Secretary

APPROVED AS TO FORM:

Signed by:


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COUNTY COUNSEL

cc: County Counsel
Community Development & Infrastructure Department

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA CRUZ, ADDING SANTA CRUZ COUNTY CODE
SECTION 16.42.055 TO REGULATE THE DEMOLITION BY NEGLECT
OF HISTORIC BUILDINGS**

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

WHEREAS, the County General Plan includes historic resources policies and implementation strategies to protect historic structures, objects, sites and districts in the unincorporated portion of the county; and

WHEREAS, Santa Cruz County Code Chapter 16.42 addresses the protection, enhancement, perpetuation and use of structures, properties, districts, and neighborhoods of historic significance; and

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

WHEREAS, the County seeks to prevent demolition by neglect of historic structures that have been listed in the historic resources inventory adopted pursuant to SCCC 16.42.050 and that have a National Register (NR) rating of significance of NR-1, NR-2, NR-3, NR-4, or NR-5; and

WHEREAS, “demolition by neglect” refers to the practice of allowing a building to deteriorate to the point that demolition becomes necessary, or restoration becomes infeasible (economically or otherwise); and

WHEREAS, the Historic Resources Commission met on September 8, 2025, to consider the Demolition by Neglect Ordinance and voted unanimously to approve the Ordinance and directed staff to forward its recommendation to the Board of Supervisors; and

WHEREAS, the Planning Commission held a duly noticed public hearing on July 22, 2026, and recommended adoption of an ordinance to address demolition by neglect; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on _____, to consider public input on the proposed Ordinance incorporating demolition by neglect; and

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Section 16.42.055 is hereby added the Santa Cruz County Code, to read as follows:

16.42.055 Duty to maintain structures and premises.

- (A) It is the intent of this section to preserve from deliberate or inadvertent neglect the exterior features of historic structures, and the interior portions thereof, when such maintenance is necessary to prevent deterioration and decay of the exterior.
- (B) The owner shall not allow a structure or site in any of the National Register (NR) categories of NR-1 thru NR-5, as set forth in SCCC 16.42.050(B), to fall into a state of disrepair, such that the deterioration of any exterior appurtenance or architectural feature produces, in the judgment of the Historic Resource Commission or the enforcing officer (i.e., the Code Enforcement Officer, Building Official, or Historic Resources Planner), a detrimental effect upon the character of the structure, or district if applicable. Such deterioration shall include but is not limited to:
- (1) The deterioration of exterior walls or other vertical supports;
 - (2) The deterioration of roofs or other horizontal members;
 - (3) The deterioration of exterior chimneys;
 - (4) The deterioration of crumbling of exterior plasters or mortar;
 - (5) The ineffective waterproofing of exterior walls, roofs and foundations, including broken windows or doors;
 - (6) The peeling of paint, rotting, holes and other forms of decay;
 - (7) The lack of maintenance of surrounding environment, e.g., fences, gates, sidewalks, street signs, accessory structures and landscaping; and
 - (8) The deterioration of any feature that creates any hazardous or unsafe condition or conditions or an "attractive nuisance."
- (C) If the enforcing officer receives evidence of a failure to maintain or repair a historic structure, they (i.e., the Code Enforcement Officer, Building Official, or Historic Resources Planner) may give notice after being made aware of a violation, by certified or registered mail to the property owner of record. The property owner shall have 60 days to respond in writing with a proposal to remedy the violation(s); provided that the enforcing officer, upon request by the

property owner or property manager, may allow an extension for a period of time appropriate to remedy such violation(s) subject to a written request for the extension if the extension request is received by the enforcing officer within five business days of the end of the 60 day period. Prior to repairs, a Compliance Agreement shall be entered into between the County and the property owner that will describe what work will be done by the property owner to bring the structure into a state of compliance based on the *Secretary of the Interior's Standards for Rehabilitation*, and the time frame to complete the work.

(D) If a property owner has been provided notice to maintain the property but refuses to do so or has not responded to the notice within 60 days, the Community Development and Infrastructure Director, or their designee, may arrange for necessary repairs and charge the expenses to the owner. In the event the corrective action specified is not completed within the time allotted, a lien against the property may be established that draws interest at the highest legal rate, the amount to be amortized over a period of 10 years and subject to a public sale if there is a default in payment.

(E) In the event the owner does not make the required repairs, the Community Development and Infrastructure Director, or their designee, may negotiate with a third party entity to preserve the historic structure utilizing private funds allocated by contract between the County and the private entity. Expenses incurred by the private entity for the work, such as administration, labor and materials, shall be liened against the property, and draw interest at the highest legal rate, the amount to be amortized over a period of 10 years subject to a public sale if there is a default in payment. Also, under the circumstances where a private entity is involved, expenses incurred by the County for work, such as administration, labor and materials, may be liened against the property, and draw interest at the highest legal rate, the amount to be amortized over a period of 10 years subject to a public sale if there is a default in payment.

(F) The compliance agreement to remedy the violation shall state the actions to be taken and specify dates for compliance, notwithstanding reference to 60 days in SCCC 16.42.060.E(1)(b), which may be extended by the Community Development and Infrastructure Director for reasonable periods to allow the owner to secure financing, labor or materials and conclusion of restoration/renovation. It is up to the discretion of the the Community Development and Infrastructure Director what a reasonable period shall be.

SECTION II

The Board of Supervisors further finds that the ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15308 *Class 8* (Actions by Regulatory Agencies for Protection of the Environment), which exempts from CEQA actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves

procedures for protection of the environment. Under CEQA, the environment includes historic resources. In addition, pursuant to CEQA Guidelines Section 15061(b)(3), the activity is covered by the common-sense exemption, which provides that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is exempt.

SECTION III

The Board of Supervisors further finds and determines in its reasonable discretion and on the basis of the entire record before it that the proposed amendments to the Santa Cruz County Code are consistent and compatible with and will not frustrate the objectives, policies, general land uses, and programs specified in the General Plan.

SECTION IV

Should any section, clause, or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

SECTION V

This ordinance shall take effect on the 31st day following adoption.

PASSED AND ADOPTED this _____ day of _____ 2026, by the
Board of Supervisors of the County of Santa Cruz by the following vote:

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

Monica Martinez
CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: _____

Juliette Rezzato
Clerk of the Board

APPROVED AS TO FORM:

Signed by:

D52DC6AA0E74498...

Natalie Kirkish
Office of the County Counsel



County of Santa Cruz

Department of Community Development and Infrastructure

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NOTICE OF EXEMPTION

To: Clerk of the Board
Attn: Juliette Rezzato
701 Ocean Street, Room 500
Santa Cruz, CA 95060

Project Name: An Ordinance to regulate the demolition by neglect of historic buildings

Project Location: Countywide, wholly within the Census Urban Area

Assessor Parcel No.: N/A

Project Applicant: County of Santa Cruz

Project Description: Ordinance amendments to Santa Cruz County Code (SCCC) Chapter 16.42, 055 Historic Preservation to implement a Demolition by Neglect Ordinance. The Demolition by Neglect Ordinance is a proactive preservation tool applied judiciously to help protect the county's historic structures.

Agency Approving Project: County of Santa Cruz

County Contact: Mark Connolly

Telephone No. (831) 454-5786

Date Completed:

This is to advise that the County of Santa Cruz Board of Supervisors has approved the above described project on (_____) date) and found the project to be exempt from CEQA under the following criteria:

Exempt status: *(check one)*

- ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
- ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
- ☐ The proposed activity is exempt from CEQA as specified under CEQA Guidelines Section 15061(b)(3).
- ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
- ☐ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

☒ **Categorical Exemption**



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Reasons why the project is exempt: The Ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15308, the *Class 8* exemption, which exempts actions taken to assure the maintenance, restoration, enhancement, or protection of the environment.

Also, the Ordinance is exempt pursuant to CEQA Guidelines Section 15061(b)(3), the “common sense” exemption, which exempts actions where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment

Signature: _____

Date: _____

Title: Environmental Coordinator