

## **Excerpt from Healdsburg Land Use Code**

### **Historic Resources Protection**

#### **20.24.185 Intent**

It is the intent of this section to protect the city's historic resources by preventing the unwarranted demolition of historic buildings and structures.

#### **20.24.190 Historic demolition permit requirement**

A historic demolition permit shall be obtained from the Zoning Administrator or Historic Committee, as provided in this section, prior to the issuance of a separate demolition permit by the Building Official for any designated or potentially-historic resource listed in subsection 20.24.016(A), unless the demolition is specifically exempted by subsection 20.24.016(B).

#### **20.24.195 Demolition defined**

As used in this article, "demolition" includes the complete destruction of a building or structure that is subject to this article, as well as the removal or destruction of any portions of exterior walls, exterior facing material, exterior surface trim, or architectural, decorative, or structural features and elements that are attached to the exterior (e.g., parapets, cornices, brackets, chimneys) that has the effect of substantially altering the historic character of the building or structure.

#### **20.24.200 Applicability**

- A. The regulations set forth in this section shall apply to any building, structure and/or property that satisfies one or more of the following criteria:
1. Listed in the National Historic Register or California Historic Register or has been designated by the City of Healdsburg as a historic resource.
  2. Included in the City's latest Cultural Resources Survey and has been confirmed by the State Office of Historic Preservation as eligible or potentially-eligible for listing on either register or for designation by the City of Healdsburg.
  3. Included in the City's latest Cultural Resources Survey and has been confirmed by the State Office of Historic Preservation as a contributor towards a designated historic district or a potential historic district.
  4. Has been identified through a historic evaluation prepared by a qualified architectural historian as having historic properties that warrant preservation.
  5. Has been identified by the Planning and Building Department, in consultation with the Healdsburg Museum as potentially having historic properties that warrant preservation.
- B. The following are exempt from the historic demolition permit requirement:
1. Buildings and structures determined by the Building Official to pose a serious and immediate threat to the public health, safety or general welfare.
  2. Buildings and structures that were constructed less than 50 years ago and are not listed in the City's cultural resources survey.
  3. A building or structure included in the cultural resources survey but whose listing is

determined by the Planning and Building Department to be based on erroneous information, based on evidence in the record.

4. The structure or building is determined by the Planning and Building Department to not meet criteria for historical significance as defined by the State Office of Historic Preservation, based on evidence in the record.
5. Demolition of interior partitions, walls, or any other demolition that will not modify the exterior appearance of the structure or building.

#### **20.24.205 Historic demolition permit application**

A historic demolition permit application shall be filed with the Planning and Building Department on a form provided by the Department and shall be accompanied by the following information for each structure proposed to be demolished:

- A. A description and location of the structure.
- B. Photographs of all sides of the structure.
- C. The basis for the applicability of these requirements per Section 20.24.200.
- D. The reason(s) for the proposed demolition.
- E. Evidence that alternatives to the demolition of the structure have been considered, and a statement as to why those alternatives are unacceptable. Such evidence may include written statements from licensed building contractors, civil or structural engineers or architects identifying the general condition of the building, all health and safety code deficiencies, corrective measures needed to alleviate these deficiencies, and the cost of such corrective measures.
- F. An evaluation prepared by a qualified architectural historian that:
  1. Verifies the structure's eligibility for the National Historic Register, California Historic Register and/or local designation, either individually or as a contributor to an eligible or designated historic district.
  2. Describes the impact that demolition of the structure will have on the integrity of the eligible or designated historic district, if applicable.
  3. Recommends design features that should be incorporated into the replacement structure, if the property is located within a designated or potential historic district.

#### **20.24.210 Environmental review**

Environmental review of a historic demolition permit application shall be conducted in accordance with the California Environmental Quality Act to identify the potential environmental impacts of a proposed historic demolition permit and measures needed to mitigate any significant impacts.

#### **20.24.215 Public hearing**

The Planning and Building Department Director, acting as the Zoning Administrator, shall conduct a public hearing on an application for a historic demolition permit in compliance with Chapter 20.28, Article III or may refer the application to the Planning Commission, acting as the Historic Committee.

#### **20.24.220 Action on application**

- A. The Zoning Administrator or Historic Committee may approve, approve with conditions or disapprove the historic demolition permit after considering the factors listed in Section 20.24.225 and making at least one of the findings listed in Section 20.24.230.
- B. The Zoning Administrator or Historic Committee may withhold approval of a demolition permit for up to 180 days or until completion of environmental review, whichever occurs later (“delay period”). The delay period shall be for the purpose of providing time to explore alternatives to demolition. During the delay period, the Zoning Administrator or Historic Committee may direct the Planning and Building Department to consult with recognized historic preservation organizations and other civic groups, public agencies and interested citizens, make recommendations for acquisition of property by public or private bodies or agencies, explore the possibility of moving one or more structures or other features, and take any other reasonable measures as an alternative to the proposed demolition.

#### **20.24.225 Factors to be considered**

In the course of reviewing a historic demolition permit application, the Zoning Administrator or Historic Committee shall consider the following factors:

- A. The relative historical significance of the building or structure proposed for demolition
- B. The relative contribution the building or structure makes to a historic district
- C. The cost of preserving or rehabilitating the building or structure
- D. The potential for adaptive re-use of the building or structure; and
- E. The feasibility of relocating the building or structure.

#### **20.24.230 Required findings**

In order to approve an application for a historic demolition permit, the Zoning Administrator or Historic Committee must make at least one of the following findings.

- A. The building or structure does not represent a unique and irreplaceable historic or architectural resource.
- B. The adaptive re-use of the structure is infeasible or inappropriate, due to economic considerations, structural conditions or land use incompatibility.
- C. The relocation of the structure is infeasible due to cost, structural conditions or lack of an interested party.
- D. Restoration of the building or structure is not feasible or practical using current building codes including, but not limited to the Historic Building Code provisions of the California Building Standards Code.
- E. No public or other funding is available for financing renovation or purchase of the property on which the building or structure is located.
- F. The characteristics of the building or structure that originally supported its inclusion in the Cultural Resources Survey are no longer present and such absence is not a result of:
  - 1. Willful or negligent acts by the owner that resulted in structural deterioration,
  - 2. Failure to perform normal maintenance and repairs,

3. Failure to diligently solicit and retain tenants, and
  4. Failure to secure and board the structure if vacant.
- G. The base zoning of the site is incompatible with the intended reuse of the existing structure.
- H. The structure cannot be restored without repairs that would exceed 50% of the value of the structure itself. This finding shall be supported by 1) an appraisal prepared by a certified appraiser to determine the value of the structure and 2) at least two bids from qualified contractors to determine the cost of repairs to the structure.
- I. The historic resource must be removed from the site in order for the property to be utilized for a structure or use that substantially benefits the public.
- J. Demolition of the structure will not have a significant impact on the historic integrity of the designated or potential historic district.

#### **20.24.235 Conditions of approval**

Potential conditions of approval that may be adopted by the Zoning Administrator or Historic Committee in approving a historic demolition permit include, but are not limited to, the following:

- A. Prior to demolition, the applicant shall provide archival quality photographs, floor plans and elevation drawings, as appropriate, to record the building(s) or structure(s) being demolished.
- B. Prior to issuance of the historic demolition permit, the Historic Committee shall approve a design review application for new construction for the site of the demolished structure(s) and a building permit shall be issued for the replacement structure(s). In addition to the findings required for design review applications, the Historic Committee shall find that the proposed design is compatible with the historic character of the surrounding historic neighborhood, if applicable.
- C. The applicant shall donate to the Healdsburg Museum any artifact or other architectural element identified by the Historic Committee. The artifact or architectural element shall be carefully removed and delivered to the Museum in good condition to be used in future conservation work.

#### **20.24.240 Issuance of demolition permit**

In addition to obtaining a historic demolition permit, an applicant shall also apply for and obtain a regular demolition permit from the Building Official prior to demolition of any historic building, structure or property.