HISTORIC AND SCENIC PRESERVATION ORDINANCE CITY OF REDLANDS

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ORDINANCE NO. 1954

AN ORDINANCE OF THE CITY OF REDLANDS ESTABLISHING RULES AND REGULATIONS GOVERNING THE DESIGNATION, PRESERVATION AND PERPETUATION OF HISTORICAL AND SCENIC PROPERTIES.

THE CITY COUNCIL OF THE CITY OF REDLANDS DOES ORDAIN AS FOLLOWS:

SECTION I Title

This ordinance shall be known as the "Historic and Scenic Preservation Ordinance of the City of Redlands."

SECTION II Purpose and Intent

The City of Redlands hereby finds, determines, and declares:

- (a) That the State Legislature of California has recognized the value of identifying, protecting, and preserving places, buildings, structures and other objects of historical, aesthetic, and cultural importance and has empowered cities to adopt regulations and incentives for the protection, enhancement, perpetuation and use of such places, buildings, structures and other objects.
- (b) That the City of Redlands possesses many distinctive places, structures, and neighborhoods; beautiful trees, gardens and streetscapes; public parks, scenic areas and urban design features (all herein referred to as "resources") that enhance its value as an attractive and delightful community in which to live and work.
- (c) That certain of these resources are of cultural, aesthetic or historical significance and value because of age, architectural style, aesthetic appeal, or association with local history.
- (d) That by preserving these resources Redlands shall contribute to the livability and beauty of the community, stimulate economic revitalization, foster architectural creativity, increase neighborhood stability and conservation; reinforce the distinctive character of the community, add to the community's understanding of its

history and connection with the life and values of the past; and ensure that Redlands' cultural, historical and architectural heritage will be imparted to future generations.

- (e) That shifts in population and in the economy, changes in the way people live and changes in land use threaten to destroy these irreplaceable and desirable resources. Construction and alterations of inferior quality and appearance are also a threat.
- (f) That the adoption of reasonable and fair regulations is necessary as a means of recognition, documentation, preservation and maintenance of resources of cultural, aesthetic or historical significance. This ordinance is intended to carry out the goals and policies of the Historic and Scenic Preservation Element of the Redlands General Plan.

SECTION III Definitions

Alteration: Alteration means any permanent exterior change in a historic resource.

Adaptive re-use: Adaptive re-use means converting a building to a use other than that for which it was designed.

Applicant: An applicant is any person who applies for designation of a nominated resource or for a Certificate of Appropriateness or Certificate of Hardship.

<u>Archeology</u>: Archeology means the study of ancient peoples and customs as shown by monuments, sites, implements, inscriptions and relics.

<u>Certificate of Appropriateness</u>: A Certificate of Appropriateness is the permit granted after review by the Historic and Scenic Preservation Commission of applications to alter, demolish, move, or subdivide a historic resource or for new construction on the site of a historic resource.

Certificate of Hardship: A Certificate of Hardship is a permit to alter, move or subdivide granted by the Historic and Scenic Preservation Commission because of extreme privation or adversity and in accordance with the procedure and findings in this ordinance.

<u>Commission</u>: Commission refers to the Historic and Scenic Preservation Commission.

<u>Day</u>: Calendar day, including all weekend days and holidays.

<u>Demolition</u>: Demolition is the act or process of wrecking or destroying, specifically destruction of a historic resource or a major portion of a historic resource, including natural features, trees, agricultural areas as well as exterior architectural features.

Design Guidelines: Design Guidelines are principles contained in a document which illustrate appropriate and inappropriate methods of rehabilitation and construction. The purpose of using Design Guidelines is to help decision-making with regard to retaining the scale, pattern and historical character of a structure or district. Design Guidelines are contained in the book entitled, City of Redlands Historic and Scenic Preservation Design Manual.

<u>Designation</u>: Designation is the act of selecting in accordance with the criteria in this ordinance an historic resource for official city status as significant by the Historic and Scenic Preservation Commission and the City Council.

<u>District</u>: A district is a general term referring to historic and/or scenic and urban conservation districts.

Historic and/or Scenic District: A historic and/or scenic district is a significant neighborhood, agricultural or passive recreational open space, an enclave or collection of historical buildings, the majority of which are 50 years or older, that may have been part of one settlement, architectural period, or era of development. A historic and scenic district has both historic and scenic value.

<u>Historic Property:</u> A historic property is a separate structure or site fifty years old or older that has significant historic, architectural, or cultural value but is not a landmark.

Historic Resource: A historic resource is a general term that refers to areas, districts, streets, places buildings, structures, outdoor works of art, natural or agricultural features and other objects that have or may have special historical, cultural, archeological, architectural, community or aesthetic value and are 50 years old or older.

<u>Intrusion</u>: An intrusion is a building or structure that does not fit into and detracts from a historic area because of inappropriate scale, materials, landscaping or other such characteristics.

Landmark: A landmark is a building, site, or area with exceptional importance or character or exceptional historical or aesthetic interest or value as part of the development, heritage, or cultural characteristics of the city, state, or nation.

Nominated Resource: Nominated resources are those structures, buildings, places, urban design features and other objects that have been identified in a preliminary survey prepared by the Commission.

<u>Preliminary Survey</u>: A preliminary survey is an informal determination by the Commission that a resource is of potential significance as a historic resource. Such resources are to be kept on a list by the Historic and Scenic Preservation Commission.

<u>Preservation Officer</u>: The preservation officer is the person designated by the Administrator of the Community Development Department to serve as staff to the Historic and Scenic Preservation Commission and to coordinate Redlands' historic preservation programs.

Register of <u>Historic and Scenic Resources</u>: The Register of Historic and Scenic Resources is the official city list of all designated historic resources.

<u>Survey</u>: The survey is the accepted method of systematically studying historic resources. It includes a physical description and a photograph of each historic resource, legal information from title or assessment records, statements of significance according to the criteria in this ordinance and a statement of any threat to the integrity or continued existence of the resource. The information for each resource is recorded on a survey sheet.

<u>Urban Conservation District</u>: An urban conservation district is a residential or commercial neighborhood, a majority of whose buildings are 50 years old or older, which the city wishes to maintain and revitalize although it contains a significant proportion of non-historic properties.

SECTION IV <u>Historic and Scenic Preservation Commission</u> Authorized

A Historic and Scenic Preservation Commission is hereby authorized to make recommendations, decisions, and determinations concerning the designation, preservation, protection, enhancement and perpetuation of these historical, scenic and cultural resources which contribute to the culture and aesthetic values of the City of Redlands.

SECTION V Members

The following regulations shall apply to the membership and organization of the Historic and Scenic Preservation Commission:

- (a) <u>Numbers of Members</u>: The Historic and Scenic Preservation Commission shall consist of nine (9) members.
- (b) <u>Members: Redlands Citizens at Large</u>: Eight (8) members of the Commission shall be appointed by the City Council from city residents at large who have demonstrated that they have knowledge of and long-standing interest in the preservation of historic resources. Current members shall continue to serve their terms.
- (c) <u>Member: Smiley Library Archivist</u>: One (1) member of the Commission shall be the Senior Archivist of the Redlands A. K. Smiley Library.
- (d) <u>Term: Members from Redlands Citizens at Large:</u> Members of the Commission appointed from the Redlands citizens at large shall serve for terms of four (4) years.

SECTION VI Procedure

The following regulations shall govern the procedural matters of the Historic and Scenic Preservation Commission:

(a) Officers: The Commission shall, at its first regular meeting in January, elect a Chairperson and such other officers as the Commission may deem advisable.

- (b) <u>Internal Rules and Regulations</u>: The Historic and Scenic Preservation Commission shall adopt such rules and regulations for its own organization as are necessary to carry out the purpose and intent of this section; and shall designate the time and place for the meetings of the Commission.
- (c) <u>Regular Meetings</u>: Minutes. The Historic and Scenic Preservation Commission shall keep records of all its actions and proceedings and shall have regular meeting dates. Meetings shall be tape recorded; tapes shall be kept for at least 12 weeks.
- (d) <u>No Compensation</u>: The members of the Historic and Scenic Preservation Commission of the City of Redlands shall serve without monetary compensation.

SECTION VII Powers and Duties

The powers and duties of the Historic and Scenic Preservation Commission are as follows:

- (a) Conduct or cause to be conducted a survey of structures, buildings, places, scenic areas, urban design features, and objects (resources) for the purpose of identifying those of cultural, aesthetic or historical significance.
- (b) Recommend, in accordance with the criteria set forth in Section VIII, the designation of landmarks, historic properties, historic and scenic districts, and urban conservation districts to the City Council.
- (c) Compile and maintain a list of nominated resources and a current local register of all properties designated as historic resources.
- (d) Approve, approve conditionally, or deny applications for Certificates of Appropriateness and Certificates of Hardship for designated or nominated resources pursuant to Section IX.
- (e) Review and send comments to the appropriate commission about proposed general plan and zoning text and map changes, municipal improvements, and housing and redevelopment plans that have bearing on the protection, maintenance and enhancement of designated or nominated resources.

- (f) Endeavor to promote public interest in and understanding of historic, cultural and aesthetic resources and their preservation.
- (g) Consult with and advise public officials and agencies; civic educational, professional and other agencies; and with citizens generally in relation to the preservation of these resources and to serve as liaison between the city and historical organizations.
- (h) Undertake educational programs and activities in order to teach community members methods to maintain and rehabilitate Redlands' historic resources.
- (i) Advise the City Council regarding easements, other less-than-fee interest in property, and development agreements for the purposes of preservation of resources.
- (j) Seek out information and advise the City Council regarding the availability and utilization of gifts or special funds from federal, state and private sources.
- (k) Make recommendations to the City Council in order to provide technical expertise necessary to carry on the functions of the Commission.
- (1) From time to time to issue commendations to owners of historic resources who have rehabilitated their property in an exemplary manner.
- (m) Ensure that historic preservation is coordinated with other city activities.
 - (n) Acquire facade easements and monitor them.
- (o) Submit a budget to the City Council and make recommendations regarding the hiring of staff.

SECTION VIII Nomination and Designation Program for Historic Resources

The Commission shall undertake to establish and maintain a list of nominated resources that have been identified in a preliminary survey. An individual who presents documentation equal to that collected in the preliminary survey may request that resource be placed on the list. This list may include single structures or sites, portions of structures, urban design features,

man-made or natural landscape elements, or works of art that are 50 years old or older. Districts may not be placed on the list.

A nominated resource may be designated a landmark or historic property and a district may be designated a historic and/or scenic or urban conservation district by the City Council after public hearings and a recommendation by the Historic and Scenic Preservation Commission.

In determining the category for a resource, the Commission shall refer to the definitions, Section III.

(a) Criteria for Designation

The criteria, any one of which may be used to determine such designation, are as follows:

- (1) It has significant character, interest, or value as part of the development, heritage or cultural characteristics of the City of Redlands, State of California, or the United States.
- (2) It is the site of a significant historic event.
- (3) It is strongly identified with a person or persons who significantly contributed to the culture, history or development of the City of Redlands.
- (4) It is one of the few remaining examples in the City of Redlands possessing distinguishing characteristics of an architectural type or specimen.
- (5) It is a notable work of an architect or master builder whose individual work has significantly influenced the development of the City of Redlands.
- (6) It embodies elements of architectural design, detail, materials, or craftsmanship that represents a significant architectural innovation.
- (7) It has a unique location or singular physical characteristics representing an established and familiar visual feature of a neighborhood, community, or the City of Redlands.
 - (8) It has unique design or detailing.

- (9) It is a particularly good example of a period or style.
- (10) It contributes to the historical or scenic heritage or historical or scenic properties of the City of Redlands (to include, but not limited to landscaping, light standards, trees, curbings, and signs).
- (11) It is located within a historic and scenic or urban conservation district, being a geographically definable area possessing a concentration of historic or scenic properties which contribute to each other and are unified aesthetically by plan or physical development.

(b) Designation of Historic Resources

- (1) Designation of nominated resources and designation of districts shall take place in accordance with the procedures in this section.
- (i) No nominated resource shall be altered, moved, demolished, subdivided or otherwise permanently change until eligibility for designation has been determined or the designation process has been initiated in accordance with this section and a Certificate of Appropriateness, if applicable, has been secured.
- (ii) Any person or group may request the designation of a nominated resource or 10% of the property owners in a potential district may request the designation of a historic and/or scenic or urban conservation district by submitting an application for such designation to the Commission on forms prescribed by the Commission. The Commission or City Council may also initiate such proceedings on their own motion.
- (2) The Commission shall use the Survey process to prepare a written report regarding the proposed designation including a description of the proposed designated resource, reasons for its significance, criteria used to determine eligibility and other appropriate data.
- (3) The Commission shall schedule a public hearing as soon as feasible but not less than twenty-one (21) days after the filing of the application. Notice shall be published in a newspaper of general circulation

not less than ten (10) days before the date set for the Commission hearing. The notice shall be filed with the City Clerk and mailed to the applicant and owner.

- (4) In the case of a proposed landmark or historic property, notice of the date, place, time and purpose of the hearing shall be given by first class mail to the applicants, owners, and occupants of the improvement at least 10 days prior to the date of the public hearing, using the name and address of such owners as shown on the latest equalized assessment rolls, and shall be advertised once in a daily newspaper of general circulation.
- (5) In the case of a proposed historic and/or scenic or urban conservation district, notice of the date, place, time and purpose of the hearing shall be given by first class mail to the applicant and owners of all properties within the proposed district at least 10 days prior to the date of the public hearing, using the name and address of such owners as shown on the latest equalized assessment rolls, and shall be advertised five consecutive days in a daily newspaper of general circulation. Notices shall be posted every 300 feet within the proposed district. An area is not eligible for designation if more than 49% of the property owners as shown on the last equalized assessment rolls within the potential district object in writing to the proposed designation. Such objection shall be dated and signed by the objectors and filed with the Commission.
- (6) At the conclusion of the public hearing for the designation of a proposed landmark, historic property, historic and/or scenic district, or urban conservation district, the Commission shall recommend to the City Council in writing approval in whole or in part, or disapproval in whole or in part of the proposed designation stating the findings of fact and the reasons for its recommendation based on the report and information brought out at the public hearing.
- (7) Following receipt of such report, the City Council shall within 45 days consider at a noticed public hearing, the designation by resolution of each property recommended for designation by the Commission.
- (8) Following such designation by the City Council, the City Clerk shall within thirty (30) days cause to be recorded in the office of the County Recorder notice that such property has been designated and

placed on the City's Register of Historic and Scenic Resources. Following the recordation of such notice, such property shall be subject to all the provisions of the Redlands Historic and Scenic Preservation Ordinance.

If the City Council decides not to designate a property, it may review the proposed designation again after one year, sooner if there are substantial changes in the application.

(9) The Historic and Scenic Preservation Commission may effect the amendment or rescission of any designation in the same manner and procedure as was followed in the original designation.

(c) <u>Design Guidelines</u>

Following designation, the provisions of Redlands' Design Guidelines shall apply to landmarks, historic properties, historic and/or scenic districts and urban conservation districts. Thereafter, any alteration, improvement, subdivision, lot split, demolition or moving of any historic resource or sign associated with a historic resource shall be subject to the review of the City of Redlands in accordance with Section IX of this ordinance. The purpose of this review is to retain buildings and their features as well as features of the site, and streetscape and landscape features which are important in defining the historic character of the property or district.

The Design Guidelines contain recommendations for making exterior changes to historic resources and are intended to be interpreted most strictly for landmarks and more broadly for urban conservation districts.

SECTION IX <u>Application to Historic and Scenic Preservation Commission for Certificate of Appropriateness and Certificate of Hardship</u>

- (a) <u>Certificate of Appropriateness for alterations</u>, new construction, <u>subdivision</u>, <u>lot splits and signs</u>.
- (1) A Certificate of Appropriateness issued by the Commission or the Preservation Officer is required for any exterior alteration to any designated historic resource, for new construction on the site of a designated historic resource, and for a lot split or

subdivision of a historic resource. A Certificate of Appropriateness shall be required to erect, alter or relocate any sign which is in a designated district or associated with a designated structure. New construction in a historic and/or scenic district shall also require a The Community Development Department shall Certificate. direct applicants for building permits and sign permits for designated and nominated resources to apply for a Certificate of Appropriateness from the Commission through the Preservation Officer. A nominated resource need not be designated before a Certificate of Appropriateness can be granted. No building, alteration, subdivision, demolition or removal permits for any exterior improvement, sign, building or structure within a proposed district or relative to a proposed historic resource shall be issued while the public hearing for designation or any appeal related thereto is pending except where a Certificate of Appropriateness has been secured.

- (2) Applicants are encouraged first to consult with staff about using the Design Guidelines before submitting a formal application. Any application for a Certificate of Appropriateness shall be made on a form prescribed by the Preservation Officer and shall be accompanied by a fee set by resolution of the City Council. The application shall include the information required by the Preservation Officer, including but not limited to elevation drawings of the proposed alterations, samples of proposed colors and materials, plan view for new construction, and color photographs of all sides of any existing structures on the site.
- "preservation check list" to determine if the proposal is minor or major, and shall use the Design Guidelines to determine if the proposal is compatible with the existing resource and surrounding resources. All requests for new construction, subdivision, lot splits, demolitions, or moving of a historic resource shall be considered major except in urban conservation districts. Applications for a Certificate of Appropriateness for major alterations shall be reviewed by the Commission.
- (4) Certificates of Appropriateness for minor improvements where proposed work does not adversely affect the exterior architectural features of the historic resource nor adversely affect the character or historical, architectural, or aesthetic interest or value of the resource and its site, may be approved by the Preservation Officer. Alterations in urban conservation districts may be

approved by the Preservation Officer except that major alterations to designated landmarks and historic properties within an urban conservation district shall be reviewed by the Commission.

The Preservation Officer shall inform the Commission in writing of decision regarding minor alterations. All such decisions go into effect within ten (10) days following presentation to the Commission unless appealed or called up for review by the Commission or City Council.

- (5) The Preservation Officer will determine whether the application involves a land use decision. If so, the application will be forwarded to the Planning Commission for recommendation prior to Commission consideration.
- (6) The Commission shall hold a public hearing on all applications for Certificates of Appropriateness referred to it after notice is given in the same manner as Section VIII (b) (4).
- (7) Using the Redlands Design Guidelines, the survey, the designation report, and the Preservation Officer's report, the Commission shall review any major alterations, appeals of staff determinations, and subdivisions, lot splits and new construction within historic and scenic districts and make a determination with due speed to approve, approve conditionally, or deny the Certificate of Appropriateness. Approval requires finding that the action proposed is consistent with this ordinance and will not be detrimental to a historic resource, or that the action is necessary to correct an unsafe or dangerous condition pursuant to Section XII(a). In case of hardship, the applicant may apply for a Certificate of Hardship pursuant to Section IX (d).

A report of the action taken or determination made shall be forwarded to the City Council and a copy of the decision sent to the applicant by mail and, if appropriate, to the City departments responsible for issuing necessary permits. The Commission's decision shall be in writing and shall state the findings of fact and reasons relied upon in reaching its decision.

(8) The applicant or others may appeal the Preservation Officer's decision to the Commission, or a Commissioner or City Council member may call it up for review within 10 days of the Commission's receipt of the decision.

The applicant or others may appeal the Commission's decision to the City Council within 10 days. Appeals shall be made on a form prescribed by the Commission and filed with the City Clerk.

- (9) The building inspector shall issue the permit applied for provided that all requirements of City and State Codes, including the Historical Building Code, are met. If the Commission fails to consider an application for a Certificate of Appropriateness within 60 days of the date of submission of the application, the building inspector shall issue the building permit. If an appeal to the City Council is filed within 10 days from the date of a Commission decision on an application, no permit shall be issued until the outcome of the appeal is determined by the City Council.
- (10) After the permit has been issued, the Administrator of the Community Development Department or his/her designee shall, from time to time, inspect the work approved by the Commission in order to assure compliance. If the work is not being performed in accordance with the Certificate of Appropriateness, a stop work order shall be issued and all work shall cease.
- (11) A Certificate of Appropriateness shall become void unless construction is commenced within 18 months of the date of issuance. Certificates of Appropriateness may be renewed for a 36-month period by applying to the Preservation Officer. If the project is not completed within 36 months after the expiration of the last building permit, a new Certificate of Appropriateness shall be required to complete work.
- (12) Any change in the scope of the work which is determined to be a major alteration which occurs subsequent to the issuance of a Certificate of Appropriateness shall require issuance of a new Certificate of Appropriateness. Certificates of Appropriateness for minor alterations shall be issued at the discretion of the Preservation Officer upon the request of the applicant.

(b) Moving

A Certificate of Appropriateness for moving of a designated structure shall be granted if the applicant produces evidence to the satisfaction of the Commission that the following findings can be made:

- (1) The moving will not have a significant effect on the applicable goals and objectives of the Historic and Scenic Preservation Element of Redlands' General Plan and on the implementation of this ordinance.
- (2) The structure in its original setting is of such interest or quality that it would reasonably meet federal or state criteria for designation as a historic landmark and thus should be retained in that setting.

(c) Demolition

A Certificate of Appropriateness for the demolition of a designated structure shall be granted if the applicant produces evidence to the satisfaction of the Commission that all of the following findings can be made:

- (1) The demolition will not have a significant effect on the applicable goals and objectives of the Historic and Scenic Preservation Element of Redlands' General Plan and on the implementation of this ordinance.
- (2) The structure is not of such unusual design, texture or materials that it could not be reproduced or could be reproduced only with great difficulty and expense.
- (3) The structure is not of such interest or quality that it would reasonably meet federal or state criteria for designation as a historic landmark.
- (4) Conversion to a new use (adaptive re-use) permitted by right under current zoning or with a Conditional Use Permit, rehabilitation, or some other alternatives for preserving the structure is not feasible. A delay of up to 180 days may be permitted to determine the feasibility of alternatives. During this time the Commission may consult with civic groups, public agencies, and interested citizens.

A Certificate of Appropriateness shall take effect upon approval of a new structure either by the Planning Commission or the Building Department. Determination, appeal and permit procedures are the same as those in Section IX (a). Structures identified as intrusions into historic or urban conservation districts do not need a Certificate for demolition or moving.

(d) <u>Certificate of Hardship</u>

A Certificate of Hardship permitting demolition, moving, subdivison, a lot split, new construction or alteration which has been denied a Certificate of Appropriateness may be granted under the conditions described herein. Applications shall be made in a form prepared by the Preservation Officer and the same procedure for public notice, public hearing and appeal as for a Certificate of Appropriateness shall apply.

A Certificate of Hardship shall be granted only if the owner(s) of the designated property in question can produce evidence to show that

- (1) reasonable use or return on the property is not possible under the conditions of the Certificate of Appropriateness; and
- (2) Alternative plans which would be in keeping with the interest of this ordinance are not feasible.

The Commission may delay the decision on the application for a period not to exceed 90 days to investigate plans to allow for a reasonable use of or return from the property or other measures to preserve the property, including selling the property to an individual or group that would preserve it.

The Commission shall review the evidence and make a written finding, stating the facts and reasons behind the decision. It shall notify the applicant by mail of the acceptance or denial of the Certificate of Hardship.

SECTION X State Historic Building Code

The State Historic Building Code provides alternative building regulations for the rehabilitation, preservation, restoration or relocation of structures designated as Historic Resource Buildings. The Historic Building Code, Part 8 of the Uniform Building Code, shall be used for any Historic Resource through the City's building permit procedure.

SECTION XI Preservation Easements

Preservation easements on the facades of buildings designated as a Historic Resource may be acquired by the City or non-profit group through purchase, donation or condemnation pursuant to California Civil Code 815.

SECTION XII Building Permit Waiver

The City may waive building permit fees for a Historic Resource Building if construction costs for structural changes are predicted to be less than Ten Thousand Dollars (\$10,000), and a prorated reduction of fees for projects over ten thousand dollars (\$10,000).

SECTION XIII Maintenance and Repair

- (a) This ordinance shall not be construed to prevent the ordinary maintenance or repair of exterior architectural features, walls, landscapes, etc. in or on any designated property that does not involve a change in design, materials or external appearance thereof, nor does this ordinance prevent the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when the Planning and Community Development Department certifies to the Council that such action is required for the public safety due to unsafe or dangerous conditions which cannot be rectified through the use of the California Historical Building Code.
- (b) It shall be the responsibility of the owner of a designated resource to maintain in good repair the building, walls, and landscaping in order to prevent deterioration of exterior architectural and scenic features. In order to prevent demolition by neglect the city may repair a historic resource and treat the cost of repairs as a lien against the property.

SECTION XIV Right of Review by City Council

Any member of the City Council may initiate proceedings for review of any decision by the Historic and Scenic Preservation Commission granting or denying an application pursuant to the procedures outlined in Section IX (a) (8) above.

SECTION XV Validity

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

SECTION XVI Penalties

Every person violating any provision of this Chapter shall be deemed guilty of an infraction or misdemeanor in accordance with Section 56.00 of Ordinance 1000 as amended (Zoning).

SECTION XVII Effective Date

This ordinance shall be in force and take effect as provided by law.

SECTION XVIII Publication

The City Clerk shall certify to the adoption of this ordinance and cause it to be published once in the Redlands Daily Facts, a newspaper of general circulation printed and published in this City.

ATTEST:

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I, Lorrie Poyzer, City Clerk of the City of Redlands, hereby certify that the foregoing ordinance was duly adopted by the City Council at a regular meeting thereof held on the 5th day of August , 1986, by the following vote:

AYES:

Councilmembers Larsen, DeMirjyn, Johnson, Wormser;

Mayor Beswick

NOES:

None

ABSTAIN:

None

ABSENT: