

Chapter 84.10 HISTORIC RESOURCE CODE

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84.10.010 Purpose and intent.

The City Council finds as a matter of public policy that the identification, designation, recognition, preservation, enhancement, perpetuation and use of improvements, buildings, structures, objects, monuments, sites, places and natural features within the City that reflect special elements of the City's architectural, artistic, cultural, educational, economic, social, political, engineering, military history, or other heritage are required in the interest of the health, economic prosperity, cultural enrichment and general welfare of the people. The purpose of this chapter is to:

- A. Safeguard the heritage of the City and enhance its visual character by providing for the preservation of historic resources representing significant elements of its history;
- B. Encourage public knowledge, understanding and appreciation of the City's past as reflected in such historic resources;
- C. Foster civic and neighborhood pride in the beauty and noble accomplishments of its past;
- D. Preserve and enhance the City's historical attractions to residents, tourists, and visitors and serve as a support and stimulus to business and industry;

E. Preserve diverse and harmonious architectural styles and design preferences reflecting phases of the City's history;

F. Enhance property values and increase economic and financial benefits to the City and its residents and property owners through an active historic recognition and benefits program;

G. Identify as early as possible and resolve conflicts between the preservation of cultural resources and alternative land uses; and

H. Enable owners and lessees of such resources to apply for all financing, tax, land use, and code application benefits permitted by law for such designated historic resources. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 1, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.10.020 Definitions.

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

A. "Alteration" means an addition, relocation, demolition or any change affecting the exterior visual qualities of a historic resource including, but not limited to, architectural features, visual characteristics, design and materials, excluding routine maintenance.

B. "Commission" means the Coronado Historic Resource Commission.

C. "Contributing resource" means a historic resource that significantly contributes to the historical nature of a Historic District and satisfies the definition of a historic resource under this chapter.

D. "Demolition" means any act that destroys, in whole or in part, the exterior of a building, structure, or historic resource.

E. "Determination of Historic Significance" means an application submitted in association with a nomination for designation as a historic resource; or, in association with a project that includes demolition of original features visible from the street right-of-way on a structure that is 75 or more years old and not identified as a Tier 3 property in the Coronado Citywide Survey.

F. "Exterior architectural feature" means the architectural style, design, general arrangement, components, natural features and all the other surfaces of an improvement including, but not limited to, the kind and texture of the building material, colors and finishes, and the type and style of all windows, doors, lights, signs, walls, fences, and other fixtures appurtenant to such improvement.

G. "Facade" means the exterior face of a building which is the architectural front, sometimes distinguished from other faces by elaboration of architectural or ornamental details.

H. "Historic District" means a contiguous geographic area containing a multiple number of historic resources that collectively have a special character or special historical, cultural, architectural, archaeological, community or aesthetic value.

I. "Historic research report" means a report prepared for the City by a third-party historic research consultant providing a complete history of a property and a full analysis of the historic significance of a property per the City's adopted historic designation criteria.

J. "Historic resource" means an object, building, structure, or site, which is significant in terms of architectural, engineering, scientific, economic, agricultural, educational, social, political, archaeological, military or cultural history and has been designated as such by the City.

K. "Historic resource alteration permit" means a permit approving a proposed alteration to a historic resource or Historic District.

L. "Historic resource inventory" means a list, maintained by the City, of the designated historic resources within Coronado.

M. "Historic Resource Preservation (Mills Act) Agreement" means an agreement executed between the City and a property owner of a historic resource for a minimum 10-year term providing for property tax savings in exchange for preservation of a designated historic resource.

N. "Noncontributing resource" means a historic resource within a Historic District that does not possess the qualifications or characteristics of a contributing resource, but which has been included within the Historic District because of its geographic location within the Historic District.

O. "Notable work" means an important or remarkable example from the body of work of a professional trained as a builder, designer, architect, artisan or landscape professional.

P. "Notice of designation" means the notice filed by the City Clerk of the City of Coronado with the County Recorder's Office to record the designation of a historic resource or Historic District.

Q. "Preservation" means the identification, study, protection, restoration, rehabilitation or enhancement of a historic resource.

R. "Relocation" means the change of place of any historic resource.

S. "Restoration" means the act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 1, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.10.030 Historic resource and Historic District designation criteria.

For the purposes of this chapter, a resource may be designated a historic resource by the Historic Resource Commission, and any area within the City may be designated a Historic District by the Historic Resource Commission, if it meets two or more of the criteria set forth in this section and, additionally, must be at least 75 years old or have achieved historic significance within the past 75 years:

- A. It exemplifies or reflects special elements of the City's military, cultural, social, economic, political, aesthetic, or engineering history;
- B. It is identified with a person(s) or an event(s) significant in local, State or national history;
- C. It possesses distinctive characteristics of an architectural style, and has not been substantially altered;
- D. It is representative of the notable work of a builder, designer, architect, artisan or landscape professional;
- E. It has been listed on or formally determined eligible for the California Register, as set forth in Section 5024.1 of the California Public Resources Code (as amended from time to time);
- F. In the case of Historic Districts, at least 75 percent of the buildings within the proposed district (excluding accessory buildings) shall be contributing resources. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 1, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.10.040 Historic resource and Historic District determination of historic significance procedures.

A determination of historic significance application shall be filed with the Community Development Department in association with the nomination of a property as a historic resource; or in association with any project that includes demolition of original features visible from the street right-of-way of any structure that is 75 or more years old and not identified as a Tier 3 property in the Coronado Citywide Survey.

A. Application.

1. A determination of historic significance application involving private property must include the consent of the property owner.

2. A determination of historic significance application for designation of a Historic District must include the consent of 75 percent of the owners of contributing resources within the boundaries of the district.

3. A determination of historic significance application shall be submitted to the Community Development Department on forms provided by the City of Coronado Community Development Department.

4. A determination of historic significance application fee shall be paid at the time of application submittal in accordance with the Community Development Department Fee Schedule.

5. Upon the determination that a determination of historic significance application is complete, the Community Development Department shall forward the application to an unbiased third-party historic consultant for preparation of a historic research report to be considered by the Historic Resource Commission at a noticed public hearing.

6. Upon receipt of the historic research report from the historic research consultant, the Community Development Department shall set the application for public hearing at the next available Historic Resource Commission meeting.

B. Historic Resource Commission Hearing.

1. The Community Development Department shall provide notice of the date, place, time and purpose of the hearing at least 10 days prior to the date of the public hearing by posting at City Hall, publication once in a newspaper of general, local circulation, and mailing notice through first class mail to the applicant and private owners of the subject property and all property owners within 300 feet of the subject property.

2. The applicant/property owner(s) or applicant/property owner(s) representative shall attend the public hearing.

3. The Historic Resource Commission shall review the application in reference to the definitions and designation criteria set forth in this chapter.

4. Not later than 21 days following the close of a public hearing on any determination of historic significance application, the Historic Resource Commission shall, by resolution, make a determination on historic significance of the property. The resolution shall also recite the reasons and facts for said determination.

5. The decision of the Commission shall become final 10 calendar days after the adoption of the resolution unless a notice of appeal to the City Council is filed with the City Clerk in accordance with Chapter 1.12 CMC.

6. If the property is designated as a historic resource by the Historic Resource Commission or by the City Council upon appeal, the City Clerk shall cause a notice of designation to be recorded in the Office of the County Recorder. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 1, 2011; Ord. 2025 § 20, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.10.050 Historic resource alterations and demolition criteria.

For the purposes of this chapter, no person shall alter, relocate or demolish a historic resource or contributing resource within a Historic District without first having obtained a historic resource alteration permit in compliance with Chapter 84.20 CMC. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 1, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.10.060 Reserved.

(Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 1, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.10.070 Reserved.

(Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 1, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.10.080 Reserved.

(Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 1, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.10.090 Historic resource preservation benefits.

An owner of a historic resource is eligible to apply for the preservation benefits identified below:

A. Mills Act. An owner of a historic resource is eligible to apply to the City for a Historic Resource Preservation (Mills Act) Agreement in accordance with the resolution adopted by the City Council.

B. Flexibility in Land Uses and Adaptive Reuse.

1. In any Residential Zone, a historic resource may be used as a residential use, a combined residential and commercial use, solely as a commercial use, or any other use permitted by the City Council through a major special use permit.

2. Property owners of multiple-family dwelling apartment complexes containing three or more dwelling units may, upon successful designation as a historic resource, make application to subdivide said property to condominiums in accordance with the procedures set forth in

Chapter 82.40 CMC. Any such application for conversion of a designated historic resource will be exempt from the vacancy factor requirements of CMC 82.40.100(F)(2).

C. Parking Standards. An owner of a historic resource in a Residential Zone is eligible to apply for a historic resource alteration permit for a waiver or reduction in the number of required parking spaces, or modifications to size, location, access or setback requirements for parking.

D. Zoning Regulations. An owner of a historic resource in a Residential Zone is eligible to apply for a historic resource alteration permit to utilize existing building setbacks and building heights when an alteration is proposed to a designated historic resource, and when the proposed alteration would exceed floor area ratio and/or lot coverage standards. Any historic resource alteration permit seeking to utilize existing building setbacks and building heights or exceed floor area ratio or lot coverage standards requires City Council approval in accordance with CMC 84.20.090(G).

E. Building Permit Fees. An owner of a historic resource shall be exempt from building permit fees with the exception of direct costs the City incurs through the plan check process (i.e., consultant plan check fees) for resources identified on the historic resource inventory.

F. Planning Application Fees. An owner of a historic resource shall be exempt from planning application fees with the exception of environmental consultant fees for resources identified on the historic resource inventory.

G. Density Bonus. An owner of a historic resource in a Residential Zone is eligible to apply for a historic resource alteration permit for a density bonus. A density bonus would allow an increase in the number of dwelling units that would normally be permitted in the underlying zone. The density bonus is only allowed within an existing historic resource. Any historic resource alteration permit seeking to utilize a density bonus requires City Council approval in accordance with CMC 84.20.090(G).

H. Building Code Deviations. All repairs, alterations, restoration, or changes in use of historic resources in a Historic District may utilize and conform to the Standards of the California Historical Building Code as an alternative to complying with building standards set forth in Title 24 of the California Code of Regulations.

I. Design Review Exemption. A property listed on the historic resource inventory that would normally be subject to the Design Review Commission process as specified in CMC Title 80 shall be exempt.

J. Official Recognition. An owner of a historic resource identified on the historic resource inventory shall receive a special designation plaque for the historic resource.

K. Financial Benefits. An owner of a historic resource is eligible to apply for local, State and national financial benefits. The Historic Resource Commission shall develop and recommend to the City Council from time to time certain economic and other benefits to support the preservation, maintenance and appropriate rehabilitation of historic resources. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 1, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.10.100 Historic Resource Preservation (Mills Act) Agreement procedures.

A. Prior to submitting an application for a Historic Resource Preservation (Mills Act) Agreement, the owner shall schedule a pre-application review conference with the City. The purpose of the pre-application review conference is to ensure that mandatory terms of the Agreement are understood and that the minimum submittal requirements are met.

B. Once an application has been determined to be complete, the City staff shall forward it to the Historic Resource Commission for review at a noticed public hearing. The Historic Resource Commission shall consider the proposed list of improvements, make recommendations for amendments to said list, and shall make a recommendation to the City Council regarding the proposed list of improvements, and on approval or denial of the Mills Act Agreement.

C. Following receipt of the Historic Resource Commission recommendation, the City Council shall consider the Historic Resource Preservation (Mills Act) Agreement, along with the list of recommended improvements, at a noticed public hearing. The City Council will be provided with information regarding the estimated fiscal impact on City funds with the Agreement request along with information identifying the estimated cumulative impact on City funds with the addition of a new Historic Resource Preservation Agreement.

D. After completion of the public hearing, the City Council shall either approve, conditionally approve, or deny the request.

E. Once the Historic Resource Preservation Agreement has been approved by the City Council, the Agreement shall be executed by the property owner(s) and the City. No later than 20 days after the Agreement is properly executed, the City Clerk shall forward the Agreement to the County Recorder's Office for recording. In accordance with State law, no properly executed Mills Act Agreement may take effect until it has been recorded and submitted to the County Tax Assessor's Office. All approved Agreements must be executed on or before December 31st of each year in order to take effect for the following property tax year.

F. The Mills Act Program Agreements shall be administered as set forth in Sections 50280 et seq. of the Government Code and Sections 439.2 et seq. of the Revenue and Taxation Code. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 1, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.10.110 Ordinary maintenance and repair.

Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any exterior elements of a historic resource that does not involve a change in design, material or appearance unless specified in a historic designation resolution. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 1, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.10.120 Duty to keep in good repair.

The owner, occupant or other person in actual charge of a historic resource, or historic resource(s) located within a Historic District, shall keep in good repair the exterior portions of all such historic resource(s), and interior components thereof whose maintenance is necessary to prevent deterioration and decay of any exterior element of a historic resource(s). (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 1, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.10.130 Enforcement.

Enforcement of this chapter shall be as set forth in Chapter 86.54 CMC. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 1, 2011; Ord. 2018 § 4 (Att. C), 2010)

**Chapter 84.20
HISTORIC ALTERATION AND DEMOLITION PERMITS**

Sections:

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- 84.20.160 Violations – Public nuisances.**
- 84.20.170 Penalty for violations.**
- 84.20.180 Expiration of historic resource alteration permit approval.**

84.20.010 Intent and purpose.

This chapter is adopted to assure the preservation and enhancement of the City of Coronado's historical and cultural heritage by preserving, rehabilitating or restoring, whenever possible, buildings or structures which have distinctive architectural features or historical associations that contribute to the historic fabric of the City. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 2, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.20.020 Definitions.

For the purpose of this chapter, the following words and phrases have the following meanings:

- A. "Alteration" means an addition, relocation, demolition or any change affecting the exterior visual qualities of a historic resource including, but not limited to, architectural features, visual characteristics, design and materials, excluding routine maintenance.
- B. "Commission" means the Coronado Historic Resource Commission.
- C. "Demolition" means any act that destroys, in whole or in part, the exterior of a building, structure, or designated historic resource.
- D. "Demolition permit" means any permit issued by the Community Development Department which authorizes the total or partial demolition of a building or structure (excluding interior demolition).
- E. "Emergency historic alteration permit" means a permit issued by the Building Official where such alteration is shown to be immediately necessary to protect the public safety or for preservation of a historic resource.
- F. "Historic resource" means an object, building, structure, or site, which is significant in terms of architectural, engineering, scientific, economic, agricultural, educational, social, political, archaeological, military or cultural history and has been designated as such by the City.
- G. "Secretary of the Interior's Standards" means standards that provide guidance for preservation, rehabilitation, restoration and reconstruction of historic resources, established by the National Park

Service and used by the City of Coronado as standards for approval of alterations to Historic Resources.
(Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 2, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.20.030 Reserved.

(Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 2, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.20.040 Reserved.

(Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 2, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.20.050 Reserved.

(Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 2, 2011; Ord. 2025 § 22, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.20.060 Reserved.

(Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 2, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.20.070 Reserved.

(Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 2, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.20.080 Historic resource alterations and demolition criteria.

For the purposes of this chapter, no person shall alter, relocate or demolish a historic resource or contributing resource within a Historic District without first having obtained a historic resource alteration permit; unless where such alteration is shown to be immediately necessary to protect the public safety or the preservation of a historic resource, the Building Official may issue an emergency historic resource alteration permit as specified in this chapter. The Historic Resource Commission, or the City Council, may issue a historic resource alteration permit when the findings required herein are made.

A. Any proposed alteration shall require the following findings:

1. The proposed alteration is consistent with the purpose and intent of this chapter, the Historic Preservation Element and the General Plan.
2. The proposed alteration will not adversely affect the historical, architectural or aesthetic value of the historic resource.
3. The proposed alteration will retain the essential elements that make the historic resource significant.
4. The proposed alteration will not adversely affect the historic resource's relationship to its surroundings and neighboring historic resources.

5. The proposed alteration will comply with the Secretary of the Interior's standards as set forth in Section 106 of the National Historic Preservation Act of 1966. In the case of a proposed alteration on property located within a Historic District, the alteration does not adversely affect the character of the Historic District.

B. Any proposed relocation or demolition shall require one or more of the following findings:

1. The proposed action is necessary to provide a public use which will be of more benefit to the public than the historic resource, and there is no feasible alternative location for the public use; or
2. The proposed relocation is necessary to protect the historic resource and can be accomplished without significant damage to its physical integrity or historical value; or
3. The proposed demolition is necessary to protect the public health and safety, and repair or stabilization will not correct the hazardous condition; or
4. The property owner has demonstrated that a thorough analysis has been undertaken for viable options for the preservation of the structure including, but not limited to, relocation, alternative land uses, increased densities within the existing building, restoration, facade easements, and potential buyers through advertisement in historic journals and magazines but there does not appear to be a solution and has resulted in considerable financial hardship to the property owner; or
5. The proposed action will not detract from or adversely affect the character of the Historic District. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 2, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.20.090 Historic resource alteration permit procedures.

A. An application for a historic resource alteration permit shall be filed with the Community Development Department on forms provided by the City of Coronado Community Development Department. Upon determination of the application's completeness, the request shall be set for public hearing before the Historic Resource Commission at the next available meeting.

B. The Community Development Department shall provide notice of the historic resource alteration permit request by providing notice of the date, place, time and purpose of the hearing at least 10 days prior to the date of the public hearing by posting at City Hall, publication once in a newspaper of general, local circulation, and mailing notice through first class mail to the applicant and private owner(s) of the historic resource(s) and property owners within 300 feet.

C. The applicant/property owner(s) or applicant/property owner(s)'s representative shall attend the public hearing.

D. The Historic Resource Commission shall review the application in reference to the definitions and alteration, relocation, or demolition criteria set forth in this chapter.

E. Not later than 21 days following the close of a public hearing on any historic resource alteration permit request, the Historic Resource Commission shall, by resolution, approve, conditionally approve or deny the request. The resolution shall also recite the reasons and facts for said determination.

F. Except as otherwise provided in subsection G of this section, the decision of the Commission shall become final 10 calendar days after the adoption of the resolution unless a notice of appeal to the City Council is filed with the City Clerk in accordance with Chapter 1.12 CMC.

G. Any historic resource alteration permit application submitted to the City for historic resource preservation benefits as outlined in either CMC 84.10.090(D) or (G) shall follow the procedures set forth in subsections A through E of this section; provided, however, that the decision of the Historic Resource Commission to grant the permit shall only be a recommendation to the City Council. The City Council shall review the Commission's recommendation at a noticed public hearing as described in subsection B of this section. The City Council shall approve the historic resource alteration permit if it conforms to all the requirements of this title. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 2, 2011; Ord. 2025 § 24, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.20.100 Exception to denial.

Notwithstanding the failure to satisfy the criteria for the issuance of a historic resource alteration permit, the Commission, or City Council on appeal, may issue a permit with written findings that demonstrates that denial of the permit will result in an immediate and substantial hardship on the applicant because of conditions peculiar to the applicant, the owner of the property, attendant or resident, or because of conditions peculiar to the historic resource. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 2, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.20.110 Emergency historic resource alteration permits.

The Building Official may issue an emergency historic resource alteration permit when a condition or proposed alteration is shown to be immediately necessary to protect the public safety (due to an unsafe or dangerous condition) or the preservation of a historic resource as determined by the Building Official and Fire Marshal. The emergency permit shall be documented by a written report and photographs describing the emergency condition necessitating the permit. The emergency historic resource alteration permit and supporting documentation shall be forwarded to the Historic Resource Commission for review at a noticed public hearing within two weeks of the permit issuance or as soon thereafter as possible. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 2, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.20.120 Reserved.

(Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 2, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.20.130 Ordinary maintenance and repair.

Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any exterior elements of a resource that does not involve a change in design, material or appearance unless specified in a historic designation resolution. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 2, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.20.140 Duty to keep in good repair.

The owner, occupant or other person in actual charge of a historic resource, or historic resource(s) located within a Historic District, shall keep in good repair the exterior portions of all such historic resource(s), and interior components thereof whose maintenance is necessary to prevent deterioration and decay of any exterior element of the historic resource(s). (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 2, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.20.150 Enforcement.

All department heads, officials or other employees of the City vested with the duty or authority to issue any permit, license or certificate shall conform to the provisions of this chapter, and shall issue no permit, license or certificate for demolition or alteration of residential historic resources or potential historic resources in conflict with the provisions contained in this chapter, and any such permit, license or certificate so issued, intentionally or otherwise, shall be null and void. It shall be the duty of the Director of Community Development to enforce the provisions of this chapter. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 2, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.20.160 Violations – Public nuisances.

Any building or structure altered or demolished contrary to the provisions of this chapter and any use of any land, building or premises established, conducted, operated or maintained contrary to the provisions of this chapter shall be, and same are hereby declared to be, unlawful and a public nuisance; and the City Attorney shall immediately take actions or proceedings for the abatement and removal and enjoinder therein in the manner provided by law, and shall take such steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate and remove such alteration, structure or use, and restrain and enjoin any person, firm or corporation from altering, demolishing, or using such building, structure or property contrary to the provisions of this chapter including, but not limited to, the requirement that the owner return the building, structure or property to the same condition that it was in prior to demolition or alteration. The remedies provided for herein shall be cumulative and not exclusive. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 2, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.20.170 Penalty for violations.

Any person, firm or corporation, whether as principal, agent, employee, contractor, employer or otherwise, who violates or causes the violation of any provision of this chapter shall be guilty of a misdemeanor, except that, notwithstanding any other provisions of this code, any such violation constituting a misdemeanor under this chapter may, in the discretion of the attorney having prosecutorial functions, be charged and prosecuted as an infraction. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2029 § 2, 2011; Ord. 2018 § 4 (Att. C), 2010)

84.20.180 Expiration of historic resource alteration permit approval.

Approval of a historic alteration permit shall expire within three years of the date of final City approval if substantial work on the project has not commenced, unless the permit has been extended pursuant to this section. Upon written request from the applicant, the Director of Community Development may grant or extend an approval up to an additional year. Upon written request from the applicant, the Historic Resource Commission may grant or extend an approval for more than one additional year, if the Commission's motion or resolution incorporates a finding regarding the ongoing nature of the project, and specifically states the duration of the approval. (Ord. 2088 § 2 (Exh. A), 2018; Ord. 2030 § 1, 2012)