

153.080 HISTORIC OVERLAY ZONE

§ 153.080.010 INTENT AND PURPOSE.

The Historic Overlay Zone is established to recognize, protect and ensure proper utilization of historic resources in the interest of public, health, safety, prosperity, social and cultural enrichment, and general welfare. The purpose of the Historic Overlay is as follows.

- (A) *Cultural history*. Safeguard the heritage of the city by protecting designated buildings and structures which reflect the city's cultural history.
- (B) *Public involvement*. Encourage public understanding and involvement in the unique heritage of the city.
- (C) *Civic pride*. Strengthen civic pride in the beauty and notable accomplishments of the past.
- (D) *City attractions*. Protect and enhance the city's attractions to residents and visitors and to support and stimulate business and industry.
- (E) *Aesthetic character*. Enhance the visual and aesthetic character of the city.
- (F) *Promote use*. Promote the use of historic buildings, structures and historic districts.
- (G) *Property rights*. Protect and safeguard the property rights of the owners whose property is declared to be historic or is located in an area designated as a historic district.

(Ord. 1346, passed 5-2-12)

§ 153.080.020 APPLICABILITY.

(A) *Historic Overlay Zone creation*. Historic Overlay zones shall be applied in the same manner as property is reclassified from one zone classification to another, as set forth in subchapter 153.210, Part 15 - Zoning Code Text and Zoning Map Amendments. When a Historic Overlay Zone has been created, it shall be designated upon the zoning map of the city as an overlay zone. At the time the Historic Overlay Zone is created, a specific set of development and design standards shall be adopted by the City Council, in addition to those applicable to the underlying zone classification, identifying the allowable uses, improvements, accessory uses, signs and other development standards which are determined to be necessary to maintain integrity of the district while allowing reasonable use of the properties therein.

(B) Historic designation where applied to an individual building, structure or place, such application may be referred to as a "Historic Designation".

(C) *Historic structure work permit*. No work shall be done on any building or structure located within a Historic Overlay Zone or designated as historic unless a work permit is issued pursuant to subchapter 153.210, Administrative Procedures.

(D) *Historic structure demolition permit*. No demolition shall be done on any building or structure located within a Historic Overlay Zone or designated as historic unless a demolition permit is issued pursuant to subchapter 153.210, Administrative Procedures.

(E) *Unsafe or dangerous exception*. None of the provisions of this chapter shall be construed to prevent any work or demolition necessary to correct or eliminate any unsafe or dangerous condition of any building or structure located in a historic district, where such condition has been declared unsafe or dangerous by the city and where the work is necessary to correct or eliminate such condition, and has been ordered by the city.

(Ord. 1346, passed 5-2-12)

§ 153.080.030 PROPERTY MAINTENANCE.

The owner or occupant of a building, structure or place designated as historic or located within a Historic Overlay Zone shall

maintain all exterior and interior portions of such buildings, structures and places in good repair to prevent deterioration, decay or excessive wear and tear.

(Ord. 1346, passed 5-2-12)

§ 153.080.040 LOCAL OFFICIAL REGISTER.

Resolutions adopting a historic designation of a building, structure or place shall collectively be known as the Local Official Register of Historic Resources. The Local Official Register shall be kept on file with the Secretary of the Historic Resources Advisory Committee, who shall transmit copies to the City Clerk, the Director of Community Development and the County Librarian.

(Ord. 1346, passed 5-2-12)

§ 153.080.050 AGREEMENTS BY THE CITY OF BALDWIN PARK.

The provisions of a disposition and development agreement or owner participation agreement, approved and entered into by the City of Baldwin Park, may contain provisions superseding the provisions of this subchapter.

(Ord. 1346, passed 5-2-12)

Part 10. HISTORIC DESIGNATION

§ 153.210.510 INTENT AND PURPOSE.

The historic designation process is established to recognize, protect and ensure proper utilization of the historic resources in the city.
(Ord. 1346, passed 5-2-12)

§ 153.210.520 APPLICABILITY.

Applications for historic designation may be submitted by a property owner or authorized agent of the property owner. The City Council may also initiate proceedings to designate a building, structure or place as historic, with or without the consent of the owner, by resolution.

(Ord. 1346, passed 5-2-12)

§ 153.210.530 PROCEEDINGS.

Applications for historic designation shall be processed in accordance with these guidelines.

(A) *Historic Resources Advisory Committee recommendation.* The Historic Resources Advisory Committee shall convene to review an application, consider the determinations detailed in § 153.210.540, and draft a recommendation to approve or deny the application for the historic designation.

(B) *City Council decision.* The City Council shall conduct a public hearing to consider the Historic Resources Advisory Committee's recommendation, and grant, grant with modifications or deny the designation by resolution.

(Ord. 1346, passed 5-2-12)

§ 153.210.540 DETERMINATION.

Historic designation shall be granted to a proposed building, structure or place when the City Council finds one or more of the following conditions to exist, based on the recommendation of the Historic Resources Advisory Committee.

(A) *Historical representation.* The building or structure is particularly representative of a distinct historical period, type, style, region or way of life.

(B) *Connection to important personality.* The building or structure was connected with someone renowned, important or who was a local personality.

(C) *Connection to rare business.* The building or structure is connected with a business or use which was once common but is now rare.

(D) *Master work.* The building or structure represents the work of a master builder, engineer, designer, artist or architect.

(E) *Historic event.* The building or structure is the site of an important historic event or is associated with events that have made a meaningful contribution to the nation, state or city.

(F) *Particular architectural style.* The building or structure exemplifies a particular architectural style.

(G) *Best remaining.* The building or structure exemplifies the best remaining architectural type of a neighborhood.

(H) *Outstanding design.* The construction materials or engineering methods used in the building or structure embody elements of outstanding architectural or engineering design, detail, material or craftsman-ship.

(Ord. 1346, passed 5-2-12)

§ 153.210.550 RECORD OF DESIGNATION.

The authorized signature of the City Council on a designated form shall signify approval, conditional approval or denial of the designation.

(Ord. 1346, passed 5-2-12)

Part 11. HISTORIC STRUCTURE WORK PERMIT

§ 153.210.560 INTENT AND PURPOSE.

The historic structure work permit process is a review that ensures that all work proposed to be done to a historic building, structure or place will not be detrimental to the character or value of the building, structure or place.

(Ord. 1346, passed 5-2-12)

§ 153.210.570 PROCEEDINGS.

Applications for work permits shall be processed in accordance with these guidelines.

(A) *Director of Community Development approval or reference.* After the Director of Community Development has received the completed application, the Director shall review the request and conduct a field investigation of the site. If the Director determines that the proposed work will affect only the interior of the building or structure, or will not have more than a minor effect upon the exterior appearance, the Director shall approve the work permit. The Director shall refer all other applications for work permits to the Historic Resource Advisory Committee for determination.

(B) *Historic Resource Advisory Committee action.* The Historic Resource Advisory Committee shall conduct a public hearing on all referred work permit applications to consider the Director's recommendation, and shall act to grant, grant subject to conditions or deny the permit. The action shall be by resolution.

(Ord. 1346, passed 5-2-12)

§ 153.210.580 RECORD OF PERMIT.

The authorized signature of the Director of Community Development, the Historic Resources Advisory Committee or the Appeal Authority if the permit was appealed, shall signify approval, conditional approval or denial of the work permit.

(Ord. 1346, passed 5-2-12)

Part 12. HISTORIC STRUCTURE DEMOLITION PERMIT

§ 153.210.590 INTENT AND PURPOSE.

The historic structure demolition permit process is a review that ensures that any historic building or structure is preserved to the extent possible prior to unsafe conditions, financial hardships or other conditions require demolition.

(Ord. 1346, passed 5-2-12)

§ 153.210.600 PROCEEDINGS.

Applications for historic structure demolition permits shall be processed in accordance with these guidelines.

(A) *Application.* The owner of the historic building or structure shall submit a demolition permit application to the Historic Resources Advisory Committee 180 days prior to the planned demolition. No application to the city for a demolition permit will be accepted during the 180-day period.

(B) *Preservation tasks permitted.* Following the receipt of such notice, during the 180-day period, the Historic Resources Advisory Committee may perform any of the following tasks as it determines are necessary to preserve the building or structure:

- (1) Seek local trusts and other financial sources which may be willing to purchase and restore the historic building.;
- (2) Publicize the availability of the historic building for purchase for restoration purposes;
- (3) Investigate possible sites for relocation of the historic building; and

(4) Recommend to the City Council that the city purchase the historic building where it does not appear that private preservation is feasible.

(C) *Historic Resources Advisory Committee action.* Upon completion of any or all of the tasks specified in subsection B above, the Historic Resources Advisory Committee shall conduct a public hearing on the proposed demolitions to consider an action to grant, grant subject to conditions or deny the permit. The action shall be by resolution.

(D) *Waiver of notice.* The Historic Resources Advisory Committee may waive the requirement of a written notice 180 days prior to demolition, if the demolition involves any of the following:

- (1) An emergency repair or removal of an unsafe condition of the historic building;
- (2) A relocation of the historic building to a site approved by the Committee; or
- (3) Relief of extreme financial hardship to the owner of the historic building.

(Ord. 1346, passed 5-2-12)

§ 153.210.610 RECORD OF PERMIT.

(A) *Record.* The authorized signature of the Director of Community Development, the Historic Resources Advisory Committee or the Appeal Authority if the permit was appealed, shall signify approval, conditional approval or denial of the demolition permit.

(B) *Local Official Register.* When a historic building has been demolished, the Secretary of the Historic Resources Advisory Committee, upon notice thereof, shall delete the historic building from the Local Official Register.

(Ord. 1346, passed 5-2-12)