



Board of Directors AGENDA

PLEASANT HILL RECREATION & PARK DISTRICT

MISSION STATEMENT

In order to serve the diverse recreational needs of individuals and families and to enrich the quality of life for all residents, the Pleasant Hill Recreation & Park District is committed to providing park facilities, open space, and programs and activities for all ages.

**ADMINISTRATION OFFICE
147 GREGORY LANE, PLEASANT HILL
CONFERENCE ROOM**

**Land and Facility Development Committee Meeting
Tuesday, November 22, 2016
3:00 p.m.**

Chair: Bobby Glover
Member: Sandy Bonato

1. Call to Order
2. Roll Call
3. Public Comment
Five minutes may be allotted to each speaker and a maximum of twenty (20) minutes to each subject matter. The public may speak regarding agenda items at the time the matter is taken up. Non-agenda items can be addressed under Public Comment.
4. Review and Recommendation Regarding Proposed Policy Regulating Vehicles on District Property (Attachment A)
5. Discussion Regarding Options for Evaluation of Old Schoolhouse Property (Attachment B)
6. Items for future discussion

Documents that are disclosable public records required to be made available under California Government Code Section 54957.5 (b) (1) and (2) are available to the public for inspection at no charge during business hours at our administrative office located at 147 Gregory Lane, Pleasant Hill, California.

The Pleasant Hill Recreation & Park District will provide reasonable disability-related modification or accommodations to a person who requires such in order to participate in the meeting of the Board of Directors. Please contact Susie Kubota (925) 682-0896 at least 48 hours before the meeting.

STAFF REPORT



To: Land and Facilities Committee
From: Michelle Lacy, General Manager
Re: Review Proposed Regulations Regarding Regulating Vehicles on District Property

BACKGROUND:

Pleasant Hill Recreation and Park District staff has recently had issues with unauthorized vehicle access and parking at a number of District park and recreation facilities. Examples include overnight vehicle parking and commercial vehicles staging on District property. The District has not previously adopted significant regulations related to parking on its property and it does not have proper signage to enforce the regulations which do exist.

Pursuant to Public Resources Code 5786.1, the District Board of Directors may adopt and enforce rules and regulations necessary for the administration, operation, use and maintenance of the District's property, improvements, and facilities. Any such rules and regulations may, pursuant to Public Resources Code Section 5786.17, be enforced as either a misdemeanor or an infraction by designated District employees and/or law enforcement officers. It should be noted that, under Penal Code Section 19.8, an infraction is punishable by a fine not to exceed \$250.

DISCUSSION:

At its meeting on October 25, the Land and Facilities Committee reviewed draft regulations and provided input regarding recommended changes. The changes requested have been incorporated in the revised regulations below. At the meeting, questions arose regarding enforcement and District's authority to use immobilization, commonly referred to as a boot, in addition to citation or towing. In speaking with the District's Attorney Curtis Kidder using immobilization as an enforcement option may be difficult for the following reasons.

First the District's enforcement authority, as set forth in Public Resources Code Section 5786.17, only allows it to issue citations for misdemeanors and infractions. Second, without such authority in the Public Resources Code, the District would have to be possessed of such enforcement authority under the California Vehicle Code (CVC). It appears that CVC Section 22651.7 provides that authority to the District. However, that authority can only be exercised pursuant to the terms and conditions of that statute, which provides that it must be known that the offending vehicle has been issued five or more parking violation notices that are delinquent because the owner has failed to respond to the processing agency within 21 days of the notice of citation (or 14 days of the mailing

ATTACHMENT A

of a notice of delinquent parking or the owner has otherwise failed to appear in court to clear the violations).

In those circumstances, the vehicle may be immobilized until the owner deposits with the enforcing agency an amount of funds to cover the parking penalties (and funds to cover all other traffic violations). The notices of parking violation issued to the vehicle must state that repeated violations may result in the impounding or immobilization of the vehicle. There are a few other requirements related to immobilization of vehicles in CVC Section 22651.7, which if the Land and Facilities Committee wishes to pursue this option to be included in the regulations Mr. Kidder can summarize.

It is recommended the Land and Facilities Committee review the proposed rules and regulations regarding vehicle use and parking on District property.

Proposal Related to Regulating Vehicles on District Property:

1. **Vehicle Use:** The following actions are prohibited on District property. For the purposes of these rules and regulations, the term "vehicle" includes automobiles, trucks, motorcycles, trailers, motor scooters and other motorized conveyances.
 - A. Drive a vehicle onto park grounds, unless permitted by the General Manager. For the purposes of this prohibition, park grounds include all areas within a park except for a roadway and parking lot intended for public use;
 - B. Drive a vehicle, except an authorized emergency vehicle, at a rate of speed exceeding five miles per hour or as otherwise posted, or in any case at a speed exceeding safe conditions dictated by prevailing circumstances;
 - C. Abandon a vehicle;
 - D. Operate a vehicle which is not equipped with a properly installed muffler device which when in constant operation prevents excessive or unusual noise;
 - E. Wash, repair or advertise for sale a vehicle;
 - F. Drive a vehicle onto any sports field without the prior written approval of the General Manager.
3. **Vehicle Parking:** Vehicle shall only park in designated parking areas. The following actions are specifically prohibited on District property:
 - A. Park a vehicle in any location in a manner that presents a hazard to the public;
 - B. Park an automobile during the hours the facility is closed without a permit.
 - C. Park a commercial vehicle or commercial equipment unless permitted by the General Manager;
 - D. Parking shall also be prohibited on such other portions of the District's property and at such times as determined by the General Manager for special activities or events. Signs shall be posted to inform the public of such prohibited parking and that vehicles may be towed for a violation.

4. **California Vehicle Code.** All applicable provisions of the California Vehicle Code shall be enforced on District Property. Any conflict between these rules and regulations and the provisions of the California Vehicle Code govern if there is any inconsistency between those provisions and these rules and regulations.
5. **Enforcement:** These regulations are to be enforced pursuant to the California Vehicle Code which may include citation or removal. In addition, pursuant to Public Resources Code Section 5786.17 the regulations may be enforced as an infraction which is punishable up to an amount defined under Penal Code Section 19.8.

After review and recommendations from the Land and Facilities Committee the draft rules and regulations will be reviewed by the Board of Directors. Upon adoption of the final rules and regulations, staff will install signage at each District facility and will then be able to enforce such rules and regulations as permitted by the California Vehicle Code and the Public Resources Code.

STAFF REPORT



To: Land and Facilities Committee
From: Michelle Lacy, General Manager
Re: Discussion Regarding Options for Evaluation of Old Schoolhouse Property

BACKGROUND:

Pleasant Hill Recreation and Park District's (District) Old Schoolhouse has been red-tagged by the City of Pleasant Hill and is currently uninhabitable. The building is in serious disrepair and to insure that no one enters the building, staff has recently secured the broken windows with plywood and will be scheduling securing the remaining windows in the next few weeks. Due to the current state of the building, it is necessary for the Board of Directors to gather all pertinent information related to costs for rehabilitation and potential historic resources, in order to make a recommendation regarding future plans for this site.

DISCUSSION:

Any potential recommended action by the Board of Directors regarding future development of the Old Schoolhouse property will require approval by the City of Pleasant Hill. The Old Schoolhouse is not currently designated as a City of Pleasant Hill cultural resource, but it is listed in the 2003 General Plan as a structure of potential historic significance (Exhibit 1). The City of Pleasant Hill's Municipal Code Section 18.45.070 identifies the eight criteria for designation of historical and cultural resources. (Exhibit 2)

Before choosing a course of action for future planning of the Old Schoolhouse site, it is recommended the District complete evaluations which have been required of projects with structures which could be deemed potential cultural resources. Upon review of similar projects and after speaking with City of Pleasant Hill staff regarding a potential review process.

It is recommended the District staff solicit proposals for the following:

1. Historic Resources Evaluation
2. Evaluation of Costs for Restoration of the Property

Once the District has obtained additional information, I believe the Board of Directors will be able to being the process of identifying options for the Old Schoolhouse Property.

ATTACHMENT B

traffic signal bulbs with light-emitting diodes and back-up batteries to save energy and avoid signal outages.

Community Development Program 23.9. Require compliance with the City Recycled Water Ordinance.

Community Development Goal 24. Place utility lines underground.

Community Development Policy 24A. Achieve undergrounding of utilities when and where feasible.

Community Development Program 24.1. Require undergrounding of utilities in conjunction with installation or modification of public and private improvements.

Cultural and Historic Resources

The Zoning Ordinance includes overlay districts intended to protect and enhance historical and cultural resources, including by guiding development around them. The historic overlay district has been applied only to the Rodgers Ranch. Built in 1868, the Rodgers House and Barn are the oldest remaining structures in Pleasant Hill and the only ones in the city listed on the National Register of Historic Places. Although other structures in Pleasant Hill have potential historical significance (see *Table CD4*), there are no State Historical Landmarks in the city.

Table CD4. Structures of Potential Historic Significance

Structure	Description
Allen House, 109 Allen Way	Built in the 1920s as main house on same site as Corrigan House.
Baels Adobe, Creekside Road	One-story adobe house with open arrangement and large living room.
Boss-Slater House, 2485 PH Rd.	A one-story cottage that may have been moved from Slater Avenue.
Brandon House 481 Boyd Road	Berkeley style, 1921, shingle house with hip roof, fireplace. May have been moved from Brandon Road
Corrigan House 108 Allen Way	Two-story wood frame farmhouse built late 1910s. Adjacent chicken coop remodeled as living quarters.
Dathe Barn, 265 Oak Park Lane	White frame two-story barn with front hayloft opening.
DeMartini House 3200 Buskirk Avenue	One-story home of an early community leader. Now used as a place of business.
Francisco House, 2937 Dorothy Dr.	Two-story cottage style with exposed rafters.
Hobart-Daily House, 755 W. Boyd	Ranch style house, 1938, built by then-owner of Rodgers Ranch.
Hook House, 6 St. Lawrence Court	Arts and crafts bungalow.
Molino House, 2150 PH Road	Italian style house with kitchen in basement and adjacent tank house.
Pleasant Hill Grammar School 2050 Oak Park Boulevard	Oldest public building in city, 1920. Owned by Rec. & Park District. Became Police Dept. office in 1970. Cultural center, theater and museum since 1982.
Roche Ranch Barn, 1525 Roche Dr.	California style, 1905, with central loft and side stables.
Patrick Rodgers Ranch 315 Cortsen Road	Wood farmhouse and California style barn, 1868. Owned by Recreation and Park District. Listed on the National Register of Historic Places in 1991.
Rodgers House, 315 Twinview Dr.	White frame 19 th -century house.
Thorp House Creekside Road	Two-story cement house with interior loft, enclosed patio and sunroom. Built in the 1930s.
World War I Monument Boyd Rd./Contra Costa Boulevard	Originally dedicated 1927. Moved when Interstate 680 was built. Honors 76 men and one woman from the county who died in the war.

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Chapter 18.45 HISTORIC DISTRICTS AND CULTURAL RESOURCES DISTRICTS

Sections:

- 18.45.010 Specific purposes.
- 18.45.020 Responsibilities and applicability.
- 18.45.030 Zoning map designators.
- 18.45.040 Initiation.
- 18.45.050 Land use and property development regulations.
- 18.45.060 Procedure.
- 18.45.070 Criteria for establishment of historic districts and cultural resources designations.
- 18.45.080 Amendments to "H" historic district or "CR" cultural resources designation.
- 18.45.090 Use permits for waiver from land use regulations.
- 18.45.100 Maintenance of structures and premises.
- 18.45.110 Certificate of appropriateness.
- 18.45.120 Demolition permits.

18.45.010 Specific purposes.

The specific purposes of the historic districts and cultural resources overlay districts are to prevent neglect of historic or architecturally significant buildings, encourage public appreciation of the city's past, foster civic and neighborhood pride, enhance property values and increase economic and financial benefits to the city, and encourage public participation in identifying and preserving historical and architectural resources. The historic districts and cultural resources overlay districts are intended to:

- A. Promote the conservation, preservation, protection, and enhancement of cultural resources, landmarks and historic districts, sites, buildings, structures and objects significant in history, architecture, archaeology, and culture which impart a distinct aspect to the city and serve as visible reminders of the city's culture and heritage;
- B. Deter demolition, destruction, alteration, misuse, or neglect of historically, culturally, archaeologically or architecturally significant districts, sites, buildings and objects that form an important link to the city's past;
- C. Encourage development tailored to the character and significance of each historic district or landmark through an historic district conservation plan that includes goals, objectives, and design standards;
- D. Provide a review process for the appropriate preservation and development of important cultural, architectural and historical resources; and
- E. Promote maintenance of a harmonious outward appearance of both historic and modern structures through complementary scale, form, color, proportion, texture and material. (Ord. 710 § 35-12.1, 1996; 1991 code § 35-12.1)

18.45.020 Responsibilities and applicability.

A. Responsibilities. The city's architectural review commission shall:

1. Establish criteria and conduct a comprehensive survey in conformance with state survey standards and guidelines of cultural heritage resources within the boundaries of the city, notify property owners of cultural heritage resources identified by the survey, publicize the results of the survey with the consent of each cultural heritage resource owner and periodically update the survey results.

EXHIBIT 2

2. Recommend to the planning commission and city council the designation of cultural resources and historic districts determined to be appropriate for historic preservation.
3. Maintain a local register of cultural resources within the city including all information required for such designation. The register shall remain in the possession of the city and be accessible to the public.
4. Review and comment upon public and private land use proposals, programs, and related environmental documents, as they pertain to designated or nominated cultural resources of the community or to the property upon which a cultural resource is located, including all public and private land use proposals located within 100 feet of such cultural resource.
5. Approve, approve with conditions or disapprove permit applications to construct additions, change, alter, modify, remodel, remove or otherwise significantly affect any designated or nominated cultural resource.
6. Recommend that the city purchase property, grant or acquire easements and employ other mechanisms for purposes of cultural heritage resources preservation.
7. Investigate the use of various federal, state, local and private funding sources and mechanisms for cultural resource management.

B. Establishment. An "H" historic district designation or "CR" cultural resources designation may be combined with any base zoning district. An "H" historic district designation or a "CR" cultural resources designation may be adopted only as an amendment to the zoning map pursuant to the procedures and criteria of PHMC Chapter 18.125, and the criteria of this section.

C. Certificate of appropriateness required. A certificate of appropriateness is required before development, exterior alteration, restoration, or relocation of any structure or site in an "H" historic district or a designated cultural resource ("CR"). The certificate must be obtained before issuance of a zoning permit or a building permit, unless the development, alteration, restoration, or relocation is exempt under PHMC § 18.45.110.

D. Demolition review. Approval of the architectural review commission is required before demolition of any structure or site in an "H" historic district or of a designated cultural resource ("CR"); see PHMC § 18.45.120. (Ord. 890 § 22, 2015; Ord. 727 § 6, 1998; Ord. 710 § 35-12.2, 1996; 1991 code § 35-12.2)

18.45.030 Zoning map designators.

Each "H" historic district or "CR" cultural resources designation shall be shown on the zoning map by adding an "-H" or a "-CR" designator, respectively, to the base zoning district designation followed by the number of the "H" historic district or "CR" cultural resources designation, based on its order of adoption with reference to the enacting ordinance. (Ord. 710 § 35-12.4, 1996; 1991 code § 35-12.4)

18.45.040 Initiation.

An application for an amendment to the zoning map for an "H" historic district designation or "CR" cultural resources designation may be initiated by the city council, the planning commission, the architectural review commission, or the affected property owner.

If an application for a designation is initiated under this section, the zoning administrator shall provide copies of this section and of the city's cultural resources management guidelines to all property owners that would be subject to the designation and inform them in writing of the restrictions that will be placed on their property as a result of such designation. (Ord. 890 § 23, 2015; Ord. 710 § 35-12.6, 1996; 1991 code § 35-12.6)

18.45.050 Land use and property development regulations.

The land use regulations and development regulations applicable to a building, structure or area subject to an "H" historic district or "CR" cultural resources designation shall be as prescribed for the base zoning district with which it is combined, unless modified by the ordinance establishing the "H"

historic district or “CR” cultural resources designation. If conflicts arise, the criteria and requirements of any applicable historic district conservation plan shall govern.

A. Ordinary maintenance and repair – Repair for public safety. Nothing in this section is intended to prohibit ordinary maintenance or repair of any exterior or interior architectural features in or on any property subject to an “H” or “CR” overlay district designation that does not involve a change in design, material or external appearance. Nor is this section intended to prohibit the construction, reconstruction, alteration, restoration, demolition or removal of any such architectural feature when the zoning administrator certifies to the architectural review commission that such action is required for the public safety, due to an unsafe or dangerous condition which cannot be otherwise rectified.

B. Preservation easements. In order to implement the provisions of this section, preservation easements on the facades of buildings designated as a cultural resource may be acquired by the city or nonprofit group through purchase, donation or condemnation pursuant to Civil Code section 815.

C. State Historical Building Code. The California State Historical Building Code provides alternative building regulations for the rehabilitation, preservation, restoration or relocation of structures designated as cultural resources. Such work on designated cultural resources shall be subject to the provisions of the California State Historical Building Code rather than the Uniform Building Code.

D. The Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. “The Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings” (Revised 1983) shall be used by the architectural review commission as guidelines in carrying out their responsibilities under this chapter.

E. Financial incentives for property owner participation. The city is supportive of financial incentives to carry out historical preservation, and endorses the Mills Act (Government Code § 50280 et seq.) as a viable means of providing property owners such incentive. (Ord. 710 § 35-12.8, 1996; 1991 code § 35-12.8)

18.45.060 Procedure.

A. General. An application for an amendment to the zoning map for an “H” historic district designation or “CR” cultural resources designation shall be processed pursuant to the procedures and criteria of PHMC Chapter 18.125 and the criteria of this section.

B. Additional application contents.

1. Historic district application. In addition to the application contents required for an amendment to the zoning map pursuant to PHMC Chapter 18.125, an application for an amendment to the zoning map for an “H” historic district designation shall include a proposed historic district conservation plan for the “H” historic district containing:

- a. A map and description of the proposed “H” historic district, including boundaries; photographs of buildings in the proposed district; an inventory of the age, setting, character and architectural, cultural or historical significance of structures in the proposed district; and proposed objectives to be achieved in the “H” historic district;
- b. A statement of the architectural, cultural, or historical significance of the proposed “H” historic district and a description of structures and features to be preserved;
- c. A list of specific categories of exterior alterations that require approval of a certificate of appropriateness to preserve the architectural or historical integrity of the proposed “H” historic district; and
- d. A set of specific performance guidelines and standards for reviewing applications for demolition of buildings, new construction and exterior alterations, signs, landscape and streetscape features that will preserve the integrity of the “H” historic district.

Where an “H” historic district designation is initiated by the city, the architectural review commission shall assist in the preparation of the historic district conservation plan.

When the applicant is not the city, a form bearing the signatures of all of the property owners within the proposed "H" historic district requesting the designation must be submitted at the time the application is filed.

2. Cultural resources district application. In addition to the application contents required for an amendment to the zoning map under PHMC § 18.125.030, an application for an amendment to the zoning map for a "CR" cultural resources designation shall include the following:

- a. A map showing the location of the building or structure and building plans or photographs of the building exterior;
- b. A statement of the cultural significance of the building or structure, and a description of the particular features that should be preserved; and
- c. Except when initiated by the city, the consent of the owner or authorized agent of the building or structure proposed for designation.

3. Review and recommendation of zoning administrator. Upon determination that the application for amendment to the zoning map for an "H" historic district designation or "CR" cultural resources designation is complete, the zoning administrator shall prepare a staff report.

4. Architectural review commission review. After completion of the staff report, but before scheduling the planning commission public hearing, the zoning administrator shall refer the application for amendment to the zoning map for an "H" historic district designation or "CR" cultural resources designation to the architectural review commission for review and recommendation to the planning commission and the city council.

5. Recommendation by planning commission/action by city council. An application for an amendment to the zoning map for an "H" historic district designation or "CR" cultural resources shall be the subject of public hearings before the planning commission and the city council. (Ord. 890 § 24, 2015; Ord. 710 § 35-12.10, 1996; 1991 code § 35-12.10)

18.45.070 Criteria for establishment of historic districts and cultural resources designations.

A. General criteria. In addition to the criteria for amendments to the zoning map established in PHMC Chapter 18.125, the city council shall consider the following criteria in determining whether to adopt an ordinance designating an "H" historic district or "CR" cultural resources:

1. The area, structures or site possesses value as a visible reminder of the cultural heritage of the city.
2. The area, structure or site is identified with a person, group, or event that contributed significantly to the cultural or historical development of the city.
3. Structures within the area exemplify a particular architectural style or way of life important to the city.
4. Structures within the area are the best remaining examples of an architectural style in a neighborhood.
5. The area or its structures are identified as the work of a person or group whose work has influenced the heritage of the city.
6. The area or its structures embody elements of outstanding attention to architectural or landscape design, detail, materials, or craftsmanship.
7. The area is related to a designated historic or landmark building or district in such a way that its preservation is essential to the integrity of the building or district.
8. Specific evidence exists that unique archaeological resources are present.

B. Adoption of an historic district conservation plan. In addition, the ordinance establishing an "H" historic district shall include an historic district conservation plan, in the form submitted or as revised by the city council. (Ord. 710 § 35-12.12, 1996; 1991 code § 35-12.12)

18.45.080 Amendments to "H" historic district or "CR" cultural resources designation.

An amendment to an "H" historic district and historic district conservation plan or "CR" cultural resources designation shall only be approved as an amendment to the zoning ordinance and zoning map under the procedures and criteria of PHMC Chapter 18.125. (Ord. 710 § 35-12.14, 1996; 1991 code § 35-12.14)

18.45.090 Use permits for waiver from land use regulations.

The planning commission, after receiving a recommendation from the architectural review commission, may grant a use permit for a waiver of the land use regulations of the base zoning district with which an "H" historic district or "CR" cultural resources designation is combined, when such a waiver is necessary to permit the preservation or restoration of an historic or architecturally significant building, structure or site, consistent with the purposes of this section, the general purposes of this zoning ordinance, the applicable historic district conservation plan, and the general plan.

An application for a use permit shall be reviewed under the procedures and standards of PHMC Chapter 18.75, except that the zoning administrator shall refer applications for a use permit under this section to the architectural review commission for review and recommendation before the application is submitted to the planning commission.

In making a decision, the planning commission shall make a written finding of the facts relied upon and the basis for determining consistency with the purposes of this section, the general purposes of this zoning ordinance, the applicable historic district conservation plan, and the general plan. (Ord. 890 § 25, 2015; Ord. 710 § 35-12.16, 1996; 1991 code § 35-12.16)

18.45.100 Maintenance of structures and premises.

A. General. All property owners in "H" historic districts and property owners subject to a "CR" cultural resources designation shall have the obligation to maintain structures and premises in good repair, and no owner shall permit the property to fall into a serious state of disrepair which results in deterioration of any architectural feature that would, in the judgment of the architectural review commission, produce a detrimental effect upon the character of the "H" historic district or the life and character of an individual cultural resource.

B. Standards of review. The standards of review for *good repair* and *disrepair* as follows:

1. *Good repair* includes and is defined as the level of maintenance that ensures the continued availability of the structure and premises for a lawfully permitted use, and prevents unreasonable deterioration, dilapidation, and decay of the exterior portions of the structure and premises. Structures and premises shall be considered in good repair if there is no evidence of disrepair or material variance in the condition compared to surrounding structures that are in compliance with this section.
2. *Disrepair* includes but is not limited to unreasonable deterioration of exterior walls, plaster, mortar or vertical or horizontal supports; deterioration of roofs and exterior chimneys; ineffective waterproofing, including broken windows or doors; or the deterioration of any other exterior feature that would create a hazardous or unsafe condition. (Ord. 710 § 35-12.18, 1996; 1991 code § 35-12.18)

18.45.110 Certificate of appropriateness.

A certificate of appropriateness is required before development, exterior alteration, restoration, rehabilitation, or relocation of any structure or site in an historic district, or of a designated cultural resource, that would affect its appearance and cohesiveness. The purpose of this requirement is to ensure the integrity of structures and the general character in historic districts or the integrity and general character of designated cultural resources.

A. Authority. The architectural review commission has the authority to review and approve, approve with conditions, or disapprove a certificate of appropriateness under this section.

B. Exemptions. No certificate of appropriateness is required for ordinary maintenance and any development, alteration, restoration, rehabilitation, or relocation that is not specifically described as critical to maintaining the historical or architectural integrity of the historic district or designated cultural resource.

C. Initiation. An application for a certificate of appropriateness may be submitted only by the affected property owner.

D. Procedure.

1. Submission of application. A complete application for a certificate of appropriateness shall be submitted to the zoning administrator, on a form prescribed by the zoning administrator, along with the required fee.
2. Review and recommendation by zoning administrator. Upon a determination that the application is complete, the zoning administrator shall review the application and prepare a staff report recommending approval, approval with conditions, or disapproval of the application. A copy of the staff report shall be mailed to the applicant at least 10 days before the public hearing on the application.
3. Public hearing before the architectural review commission. After notice in accord with PHMC Chapter 18.125, the architectural review commission shall conduct a public hearing on the application. At the public hearing, the architectural review commission shall consider the application, the relevant support materials, the staff report, and public testimony given at the public hearing. After the close of the public hearing, the architectural review commission shall, within a reasonable period of time, approve, approve with conditions, or disapprove the application based on the criteria in subsection E of this section.
4. Notice of decision. The zoning administrator shall provide a copy of the decision to the applicant by mail within a reasonable period of time after the decision is made.

E. Criteria. To approve an application for a certificate of appropriateness, the architectural review commission shall consider:

1. Whether the proposed construction, reconstruction, or relocation is appropriate and consistent with this section and the conservation plan for the historic district.
2. Whether the applicant has demonstrated that every reasonable effort will be made to minimize alteration of any structure and preserve its integrity.
3. Whether the distinguishing original qualities or character of a structure or site and its environment will not be destroyed, and the removal or alteration of any historic material or distinctive architectural feature will be avoided, to the greatest extent reasonably practical.
4. Whether all structures or sites are recognized as products of their own time and whether alterations that have no historical basis and which seek to create an earlier appearance will be minimized.
5. Whether changes which may have taken place in the course of time are evidence of the history and development of a structure or site and its environment and whether such changes, which may have acquired significance in their own right, will be recognized and respected.
6. Whether distinctive stylistic features or examples of skilled craftsmanship which characterize a structure or site will be kept, to the extent reasonably possible.
7. Whether:

- a. Proposals for replacement, rather than repair, of deteriorated architectural features are necessary;
- b. New material will reasonably reflect the material being replaced in composition, design, color, texture, and other visual qualities to the extent reasonably possible; and
- c. Repair or replacement of missing architectural features shall be based on accurate duplication of features, substantiated by historical, physical, or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other structures.

8. Whether every reasonable effort will be made to protect and preserve archaeological resources affected by, or adjacent to, any project.

9. Whether any proposed contemporary design for alterations and additions will destroy significant historical, architectural, or cultural material, and such design will be compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.

10. Whether additions or alterations to structures or sites will be done in a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure, object, or site would be unimpaired.

F. Conditions. The zoning administrator may recommend, and the architectural review commission may impose, such conditions in a certificate of appropriateness that are necessary to accomplish the purposes of this chapter and prevent or minimize adverse impacts upon the public and neighborhoods. These conditions shall run with the land and not be affected by a change in ownership.

G. Appeal for economic hardship. On the basis of economic hardship, an applicant may appeal the decision of the architectural review commission on an application for a certificate of appropriateness to the planning commission by filing a notice of appeal with the zoning administrator within 14 days of the date of the decision on the certificate of appropriateness, stating the grounds for the appeal. The zoning administrator shall forward the notice of appeal and the record of the decision on which the appeal is based to the planning commission.

1. Scheduling hearing. After the receipt of the notice of appeal, the planning commission shall hold a hearing on the appeal within a reasonable period of time, or at such time as is mutually agreed upon between the applicant and the zoning administrator.

2. Decision by planning commission. At the hearing, the planning commission shall consider the record of the decision on which the appeal is based and hear statements from the applicant and the zoning administrator, and any other persons. The planning commission may affirm or reverse the decision of the cultural resource management commission after considering evidence that:

- a. The structure or site is incapable of providing a reasonable economic return on investment, regardless of whether that return represents the most profitable return possible; and
- b. The structure or site cannot be adapted to another use that would provide a reasonable economic return on investment while maintaining the historic or architectural integrity of the structure or site.

3. Effect of issuance of a certificate of appropriateness. The issuance of a certificate of appropriateness authorizes the development, exterior alteration, restoration, or relocation of the site or structure within the historic district or of the designated cultural resource under the terms of the certificate and authorizes the applicant to apply for a zoning permit. A certificate of appropriateness shall run with the land.

4. Amendment to certificate of appropriateness. A certificate of appropriateness may be amended, extended, or modified only in accord with the procedures and criteria established for

its original approval. (Ord. 890 § 26, 2015; Ord. 710 § 35-12.20, 1996; 1991 code § 35-12.20)

18.45.120 Demolition permits.

A demolition permit is required before demolition of any structure or site in an historic district, or of a designated cultural resource.

A. Authority. The architectural review commission has the authority to review and approve, approve with conditions, or disapprove a demolition permit under this section.

B. Applicability. Before the demolition of a structure or site in an historic district or of a designated cultural resource, a demolition permit shall be approved by the architectural review commission.

C. Initiation. An application for a demolition permit may be submitted only by a qualified applicant.

D. Procedure.

1. Submission of application. A complete application for a demolition permit shall be submitted to the zoning administrator, on a form prescribed by the zoning administrator, along with the required fee.

2. Review and recommendation by zoning administrator. When the zoning administrator determines the application is complete, the zoning administrator shall review the application and prepare a staff report recommending approval, approval with conditions, or disapproval of the application based on the criteria in subsection E of this section. A copy of the staff report shall be mailed to the applicant before the public hearing on the application.

3. Public hearing before the architectural review commission. After due notice in accordance with PHMC § 18.80.010, the architectural review commission shall conduct a public hearing on the application. At the public hearing, the architectural review commission shall consider the application, the relevant support materials, the staff report, and public testimony. Within a reasonable period of time after the close of the public hearing, the architectural review commission shall defer action on the demolition permit for 180 days, or approve, approve with conditions, or disapprove the application based on the criteria in subsection E of this section.

4. Notice of decision. The zoning administrator shall provide a copy of the decision of the architectural review commission to the applicant by mail within a reasonable period of time after the decision is made.

E. Criteria. To defer action, or approve, or approve with conditions an application for a demolition permit, the architectural review commission shall consider the proposed demolition in the context of the standards governing demolition that are included in the appropriate historic district conservation plan, the architectural or historic significance and the value of the structure or site, and take any of the following actions:

1. Deferral of action on application. If it is determined that the structure or site has historical, architectural or cultural interest or value as determined in the appropriate historic district conservation plan, the architectural review commission may defer a final decision on an application for demolition for 180 days from the date that the application for a demolition permit is accepted as complete. Upon determining that action is to be deferred, the architectural review commission shall direct the zoning administrator to consult with recognized historic preservation organizations and other civic groups, public agencies, and interested citizens and report back to the commission within such 180-day period as to the feasibility of:

a. Public or civic acquisition of the structure or site;

b. Relocating one or more of the structures or features of the site so as to preserve its historic or architectural value; or

c. Any other reasonable means of preserving the structure's or site's historic or architectural value.

2. If at the end of the 180-day period it is demonstrated that the structure or site cannot be preserved through acquisition, relocation or any other reasonable means, the demolition permit shall be issued.

3. Immediate action. A demolition permit shall be issued if the architectural review commission determines that the structure or site has no substantial historical, architectural, or cultural interest or value identified in the appropriate historic district conservation plan.

F. Conditions. The zoning administrator may recommend, and the architectural review commission may impose, such conditions in a demolition permit that are necessary to accomplish the purposes and intent of this section, and prevent or minimize adverse impacts upon the public and neighborhoods. These conditions shall run with the land and shall not be affected by a change in ownership.

G. Appeal. Any interested person may appeal the decision of the architectural review commission on an application for a demolition permit to the planning commission in accord with the provisions of PHMC Chapter 18.130.

H. Amendment to demolition permit. A demolition permit may be amended, extended, or modified only in accord with the procedures and criteria established for its original approval. (Ord. 890 § 27, 2015; Ord. 710 § 35-12.22, 1996; 1991 code § 35-12.22)

The Pleasant Hill Municipal Code is current through Ordinance 903, passed October 17, 2016.

Disclaimer: The City Clerk's Office has the official version of the Pleasant Hill Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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