

Procedures for Certificates of Demolition

I. PERMIT REQUIREMENTS

Before an application is filed for a project that would be subject to a demolition permit, Planning Services shall determine whether the building or structure is fifty (50) years or older. If the building or structure is fifty (50) years or older, or the age of the building cannot be ascertained, the procedures set out in *Subsection A*, below shall be followed.

If the building or structure is less than fifty (50) years old, the Building Official shall issue a demolition permit if all other requirements for such a permit are met.

If the building or structure is older than fifty (50) years and demolition is not exempt per CEQA, the procedures set out in *Subsection B*, below shall be followed.

A. Buildings or Structures that are Fifty (50) Years or Older, and Buildings or Structures of Unknown Age.

If the building or structure is fifty (50) years old or older, or the age of the building cannot be ascertained, a qualified Architectural Historian or Historian, at the expense of the property owner or applicant, shall conduct an assessment to determine if the structure and/or site has any historical significance. The application shall provide evidence and supporting documentation as to the historic significance or lack thereof of the structure(s) or site, including photographic evidence as to the current condition of the property, and an evaluation by a qualified Architectural Historian or Historian. If a survey was completed of the structure(s) or site in question and the survey is more than five (5) years old, the survey can only be used as a guide.

The qualified Architectural Historian or Historian shall complete a full evaluation of the structure(s) and/or site and complete the State of California Department of Parks and Recreation Primary Record Form (DPR 523A); a Building, Structure, and Object (BSO) Record Form (DPR 523B); and Location Map Form (DPR 523J) and submit the forms with the City's application for a Certificate of Demolition. Detailed instructions for preparing the documentation forms can be found at www.ohp.parks.ca.gov.

The Architectural Historian or Historian shall submit the completed DPR forms to the South Central Coastal Information Center (SCCIC) at Cal State Fullerton where records of all historical resources within Los Angeles County are stored per California Historical Resource Information System standards. Please visit their website at <http://anthro.fullerton.edu/ssic/>.

Individuals seeking information about consultant(s), who are qualified to do the requisite documentation, may search a website that is maintained by the Office of Historic Preservation at www.chrisinfo.org. The consultant must meet one of the following criteria set forth in the National Park Service's Secretary of Interior's Standards of professional qualifications:

Architectural History

The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history, or a bachelor's degree in architectural history, art history, historic preservation or closely related field plus one of the following:

1. At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or
2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.

Historic Architecture

The minimum professional qualifications in historic architecture are a professional degree in architecture or a State license to practice architecture, plus one of the following:

1. At least one year of graduate study* in architecture preservation, American architecture history, preservation planning, or closely related field; or
2. At least one year of full-time professional experience* with historic preservation projects.

* Such graduate study or experience shall include detailed investigations of historic structures, preparation of historic structures research reports, and preparation of plans and specifications for preservation projects.

B. Buildings or Structures that are Fifty (50) Years Old or Older and not exempt per CEQA.

If the evaluator determines that there is substantial evidence that a building is a potential historic resource based on the national or the State criteria, then the Architectural Historian or Historian must complete the "Cultural Resource" section of the Initial Study for the California Environmental Quality Act (CEQA) and the project shall be referred to the Planning Commission for review and consideration.

II. REVIEW OF CERTIFICATE OF DEMOLITION APPLICATION

The Certificate of Demolition application should be submitted at the same time as the design review application. Within thirty (30) calendar days of the receipt of an Application for a Certificate of Demolition and the DPR forms for the structure(s) and/or site, the Development Services Director or designee shall evaluate the request in accordance with the Secretary of the Interior's Standards:

- a. The architectural, cultural, or historical significance of the building(s) or site;
- b. The age of the building or structure;
- c. The state of repair of the building or structure in question;
- d. Additions, alterations, changes, modifications and updates to the exterior architectural features of the building or structure that would disqualify it from consideration for registration on the National Register of Historic Places or on the California Register of Historic Places; and
- e. All other factors necessary and appropriate to carry out the intent of this process.

If the Development Services Director, or designee, determines that the building or structure may be demolished or removed based on the evaluation completed by a qualified Architectural Historian or Historian, the Building Official, or designee may issue a demolition permit after a building permit has been issued for a new replacement structure by Building Services.

III. REFERRAL TO PLANNING COMMISSION

If the Development Services Director, or designee, determines that there is substantial evidence that the structure(s) or site reasonably meet the national, State, or local criteria for historical significance, the Director, or designee, may refer the application to the Planning Commission.

- A. Application. The application for a Certificate of Demolition shall be accompanied by a California Environmental Quality Act (CEQA) Initial Study, plans, and specifications for the proposed new construction, including other necessary documents to support the request.

In order to determine the significant of the structure and if demolition would impair a significant cultural resource per the CEQA Guidelines, the property must be further evaluated and a Building, Structure, and Object Record (BSO) form must be completed using the California Register criteria with a technical analysis for the Initial Study. The evaluation shall be performed by a qualified historian or architectural historian that meets the Secretary of the Interior's Professional Qualifications.

The following fees are also required: A Planning Commission review fee of \$345.00, an environmental review fee of \$1,500, and a \$75.00 check payable to the Los Angeles County Recorder's Office for positing of the environmental documents. A mailing list and labels for the owners for all the properties within a 300-foot radius of the subject property must also be provided.

- B. Procedure. The Planning Commission shall consider the application for a Certificate of Demolition at a public hearing. Said consideration shall occur not less than twenty (20) days after notice of such consideration has been mailed to each property owner within 300 feet of the subject property, and not less than 40 days from receipt of a complete application.

C. Decision. Should avoidance of demolition and preservation not be a feasible option, the Planning Commission may require the qualified Architectural Historian or Historian to develop a mitigation program as part of the CEQA process that may include, but would not be limited to formal documentation of the structure using historical narrative and photographic documentation, façade preservation, or placement of a plaque or historical marker.

IV. APPEALS

Appeals from the Planning Commission's decision shall be made to the City Council. An appeal shall be made in writing and delivered to Planning Services within five (5) working days of the Planning Commission's decision and shall be accompanied by an appeal fee in accordance with the applicable fee schedule adopted by resolution of the City Council.

Upon receipt of an appeal, Planning Services shall fix a date for a public hearing that is to be held in not less than twenty (20) calendar days, and not more than 40 calendar days thereafter. Public Notice of the public hearing shall be given in the same manner as the Planning Commission process.

AUTOMATIC STAY

If a building or structure is nominated to the California or National Register of Historical Resources, an automatic stay (no action may be taken by the City) shall be placed on the request to demolish the structure or building until the State Office of Historic Preservation completes a review of the nomination.

EMERGENCY DEMOLITION

Structures or buildings that have been severely damaged as a result of an earthquake, fire or other disaster, and which requires immediate demolition because of an imminent threat to public safety, are exempt from this process. A determination to demolish a building on such grounds shall be made by the Development Services Director, or designee based on a recommendation by the Building Official, or designee.

ENFORCEMENT AND PENALTIES

Any person that demolishes a 50 year old or older structure or building without an approved Certificate of Demolition shall be guilty of a misdemeanor and subject to prosecution.