



CITY OF  
ARCADIA

## Certificates of Demolition

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### **9107.01.010 Purpose and Intent**

The purpose of this Section is to provide a process for the application, processing, review, and issuance of Certificates of Demolition, if warranted, in compliance with this Section.

### **9107.01.020 Applicability/Permit Requirements**

- A. Before Filing for a Project.** Before an application is filed for a project that would be subject to a Demolition Permit, the Director shall determine whether the structure is 50 years or older. The following information regarding the structure's age shall determine the Director's appropriate action:
1. If the structure is 50 years or older, or the age of the structure cannot be determined, the procedures specified in Subsection 9107.07.030 A., below shall be followed.
  2. If the structure is less than 50 years old, the Building Official shall issue a Demolition Permit if all other requirements for a permit are met.
  3. If the structure is older than 50 years and not exempt in compliance with CEQA, the procedures specified in Subsection 9107.07.030 B., below shall be followed.
- B. Enforcement and Penalties.** Any person that demolishes a structure without an approved Certificate of Demolition shall be guilty of a misdemeanor and subject to appropriate enforcement procedures in compliance with Section 9108.15 (Enforcement).

### **9107.01.030 Procedures for Certificates of Demolition**

#### **A. Structures that are 50 Years or Older, and Structures of Unknown Age**

1. If the structure is 50 years old or older, or the age of the structure cannot be determined, a qualified Architectural Historian or Historian, at the expense of the property owner, shall conduct an assessment to determine if the structure and/or site has any historical significance and is eligible for listing in the California Register of Historic Resources. The application shall provide evidence and supporting documentation as to the historic significance or lack of significance of the structure, including photographic evidence as to the current condition, and an evaluation by a qualified Architectural Historian or Historian. If a survey was completed of the subject structure and the survey is more than five years old, the survey can only be used as a guide.

2. The qualified Architectural Historian or Historian shall document the structure and complete a full evaluation of the structure(s) and/or site and complete the 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 may be found at the California Office of Historic Preservation website.
3. If a complete set of DPR forms was required, the evaluator shall submit the completed DPR forms to the South Central Coastal Information Center (SCCIC) at the California State University at Fullerton where they all house all the historical resources within Los Angeles County in compliance with California Historical Resource Information System standards.
4. 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 the CHRIS Consultants List website. The consultant shall meet one of the following criteria specified in the National Park Service's Secretary of Interior's Standards of professional qualifications:
  - a. **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.
  - b. **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\* on historic preservation projects.
    - (3) Note: \*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 or Older, and Structures of Unknown Age That Are Not Exempt from CEQA.** The Evaluator shall determine if the building, structures, objects or site is eligible for listing in the California Register of Historical Resources, per the definitions in Section 21084.1 of the California Environmental Quality Act (CEQA) Statute and Section 15064.5 of the CEQA Guidelines. Under CEQA, evaluation of the potential impact to "historic resources" is a two-step process: the first is to determine whether the property is an "historic resource" as defined in Section 15064.5(a)(3) of CEQA; and, if it is an "historic resource," the second is to evaluate whether the action or project proposed by the Applicant would cause a "substantial adverse change" or "materially impaired" to the historic resource. Once this determination has been made, the type of environmental documentation needed for the proposed project can be determined.

#### **9107.01.040 Director's Review**

- A. Within 30 days following the receipt of an Application for a Certificate of Demolition and the evaluation of the structure that was completed by a qualified Architectural Historian or Historian, the Director shall evaluate the request and consider all of the following Secretary of the Interior's Standards:
  1. The architectural, cultural, or historical significance of the structure;
  2. The age of the structure;

3. The state of repair of the structure in question;
  4. Additions, alterations, changes, modifications, and updates to the exterior architectural features of the 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
  5. All other factors it finds necessary and appropriate to carry out the intent of this process.
- B. If the Director determines that the structure may be demolished or removed based on the evaluation completed by a qualified Architectural Historian or Historian, the Building Official shall issue a Demolition Permit after a Building Permit has been issued for a new replacement structure by Building Services.
  - C. If the Director determines that there is substantial evidence that the structure reasonably meets national, State, or local criteria for historical significance, the Director may refer the request to the Commission.

#### **9107.01.050 Referral to Commission**

- A. **Complete Application.** An application for a Certificate of Demolition that has been referred by the Director to the Commission shall be accompanied by a California Environmental Quality Act (CEQA) Initial Study, full evaluation of the potential historic resource, plans, and specifications for the proposed new construction, including other necessary documents to support the request. An application shall be filed and processed in compliance with Section 9107.03 (Application Processing Procedures) and with the required fee in compliance with the Fee Schedule.
- B. **Notice and Hearing Required.** The Commission shall consider the Certificate of Demolition at a public hearing. The public hearing shall be scheduled once the Director has determined the application complete. Notice of the public hearing shall be given and the hearing shall be conducted in compliance with to Section 9108.13 (Public Notices and Hearings).
- C. **Decision.** Should avoidance of demolition and/or preservation not be a feasible option, the Commission may require the qualified Architectural Historian or Historian to develop a mitigation program as part of the Initial Study 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.
- D. **Appeals**
  1. Appeals from the Commission's decision shall be made to the Council. The appeal shall be filed and processed in compliance with Section 9108.07 [Appeals]
  2. Upon receipt of an appeal, the Director shall fix a date for a public hearing to be conducted in compliance with Section 9108.13 (Public Notices and Hearings).

#### **9107.01.060 Automatic Stay**

If a 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 until the State Office of Historic Preservation completes a review of the nomination.

#### **9107.01.070 Emergency Demolition**

Structures that have been severely damaged as a result of an earthquake, fire, or other natural disaster, and which require immediate demolition because of an imminent threat to public safety, are exempt from the procedures specified in this Section. A determination to demolish a severely damaged structure for the reasons specified above shall be made by the Director based on a recommendation by the Building Official.

#### **9107.01.080 Post Decision Procedures**

The procedures and requirements in Section 9108.11 (Permit Implementation, Time Limits, and Extensions), and those related to appeals, public notices and hearings, revocation, and enforcement in Division 8 (Development Code Administration) shall apply following the decision on a Certification of Demolition application.