

ATTACHMENT G

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CHAPTER 18A - HISTORICAL LANDMARKS ADVISORY COMMISSION*

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Sec. 18A-1. - Purpose; establishment.

The purpose of this chapter is to promote the economic welfare and prosperity of the county by preserving and protecting those places, sites, buildings, structures, works of art and other objects having a special historic or aesthetic character or interest, for the use, education and view of the general public and to remind the citizens of this county and visitors from background of the county.

The historic landmarks advisory commission shall be composed of not more than eleven residents of the county and no more than two members per district and one at-large member appointed by the board of supervisors. Each commission member shall serve at the pleasure of the board of supervisors during his/her four year term, which is renewable by the board of supervisors. A commissioner may be removed by a three-fifths vote by the board of supervisors. Five members in attendance at any regular or special meeting shall constitute a quorum for the transaction of business of the commission.

Commission members shall be appointed from professionals in the disciplines of architecture, history, architectural history, planning, archaeology or other historic preservation related disciplines, such as urban planning, American studies, American civilization, cultural geography or cultural anthropology, to the extent such professionals are available in the community. Commission members shall also include lay members who have demonstrated special interest, competence, experience, or knowledge in historic preservation, American studies, cultural anthropology, cultural geography or other historic preservation related disciplines. Such restrictions upon appointments are adopted to guide in the selection and appointment of prospective members.

(Ord. No. 4425, § 1)

Sec. 18A-2. - Authority of historic landmarks advisory commission to designate prospective sites.

The historic landmarks advisory commission, heretofore established by order of the board of supervisors, is hereby authorized and directed to receive and act upon or initiate applications to investigate and designate places, sites, buildings, structures, works of art and other objects within the unincorporated territory of the county as having historic, aesthetic or other special character or interest and being worthy of consideration for protection, enhancement or perpetuation as such. Such designation as a landmark shall remain and be in effect for a period of ninety days only and thereafter shall be of no force and effect, unless prior to the expiration of such period of ninety days the board of supervisors shall have set a date for a public hearing, advertised the same as provided in Section 6061 of the California Government Code at least ten days prior to the date set for such public hearing, and either at such public hearing or after such public hearing, and within such ninety-day

period shall have confirmed the action of the historic landmarks advisory commission.

(Ord. No. 4425, § 1)

Sec. 18A-3. - Eligibility.

The historic landmarks advisory commission when considering a proposal to designate any place, site, building, structure, or object as a place of historic merit or landmark, and the board of supervisors when considering a recommendation to designate a landmark, shall use the following criteria:

- (a) It exemplifies or reflects special elements of the county's cultural, social, economic, political, archaeological, aesthetic, engineering, architectural or natural history; and/or
- (b) It is identified with persons or events significant in local, state or national history; and/or
- (c) It embodies distinctive characteristics of a style, type, period or method of construction or is a valuable example of the use of indigenous materials or craftsmanship; and/or
- (d) It is representative of the work of a notable builder, designer, or architect; and/or
- (e) It contributes to the significance of a historic area, being a geographically definable area possessing a concentration of historic, prehistoric, archaeological, or scenic properties, or thematically related grouping of properties, which contribute to each other and are unified aesthetically by plan or physical development; and/or
- (f) It has a location with unique physical characteristics or is a view or vista representing an established and familiar visual feature of a neighborhood, community, or the County of Santa Barbara; and/or
- (g) It embodies elements of architectural design, detail, materials, or craftsmanship that represent a significant structural or architectural achievement or innovation; and/or
- (h) It reflects significant geographical patterns, including those associated with different eras of settlement and growth, particularly transportation modes or distinctive examples of park or community planning; and/or
- (i) It is one of the few remaining examples in the county, region, state, or nation possessing distinguishing characteristics of an architectural or historical type or specimen.

The Commission shall have bylaws which provide additional guidance on eligibility for establishing landmarks and places of historic merit.

(Ord. No. 4425, § 1)

Sec. 18A-4. - Standards for selection.

In designating any place, site, building, structure, work of art or other object as being of historic, aesthetic or other special character or interest and worthy of protection under this chapter, the historic landmarks advisory commission and the board of supervisors shall be subject to the following express standards:

- (a) The landmark designated shall have historic, aesthetic or special character or interest for the general public and not be limited in interest to a special group of persons.
- (b) The designation of such landmark shall not require the expenditure of an unreasonable amount of money to carry out the purposes of this chapter.
- (c) The designation of such landmark shall not infringe upon the right of a private owner thereof to make any and all reasonable uses of such landmark which are not in conflict with the purposes of this chapter.

(Ord. No. 4425, § 1)

Sec. 18A-5. - Special conditions imposed.

When considering a property for landmark status, the historic landmarks advisory commission shall temporarily impose and recommend to the board of supervisors for permanent adoption any or all of the following conditions it deems best suited to carry out the purposes of this chapter. Pending action of the board of supervisors, such conditions shall remain in effect for a period of ninety days from and after action of the commission. If the board of supervisors does not take action upon such conditions, they shall be of no further force and effect after the termination of the ninety-day period. The board of supervisors may set a public hearing to be advertised once in a newspaper of general

circulation in the county at least ten days prior to the date of such hearing. At such hearing, the board may approve, modify or disapprove the designation by the commission and the conditions to be imposed. The action of the board of supervisors shall be final and shall take effect immediately.

Conditions that may be imposed hereunder are as follows:

- (a) Demolition, removal or destruction, partially or entirely, may be prohibited unless express consent in writing is first had and obtained from the historic landmarks advisory commission. Such consent may impose all reasonable conditions deemed appropriate by the commission to accomplish the purposes of this chapter.
- (b) No alterations, repairs, additions or changes (other than normal maintenance and repair work) shall be made unless and until all plans therefor have first been reviewed by the historic landmarks advisory commission and approved or modified, and reasonable conditions imposed as deemed necessary and that all such work shall be done under the direction and control of the historic landmarks advisory commission or other qualified persons designated by it.
- (c) That only certain specified uses may be made, or that certain specified uses shall be prohibited.
- (d) That no buildings or structures exposed to public view within a specified distance may be placed, erected, moved in, altered, enlarged or removed (other than normal maintenance and repair work) without approval, with reasonable conditions imposed, where deemed necessary, by the historic landmarks advisory commission, first had and obtained.
- (e) Other reasonable requirements, restrictions or conditions to meet special or unique circumstances.

(Ord. No. 4425, § 1)

Sec. 18A-6. - Petitioning for funds.

The historic landmarks advisory commission, or other interested persons, may petition the board of supervisors for funds necessary to carry out the purposes of this chapter. The boards of supervisors may expend all reasonable amounts of money needed to carry out the purposes of this chapter or to acquire fee title or such lesser ownership rights or rights of possession or negative easements as it deems necessary or expedient to carry out the purposes of this chapter.

(Ord. No. 4425, § 1)

Sec. 18A-7. - Appeal from decision of historic landmarks advisory commission.

Any interested person may appeal in writing to the board of supervisors from any action of the historic landmarks advisory commission filed with the clerk of the board of supervisors within ten days from the date of such action, or in the case of the affected property owner, within ten days of service of notice of the action by certified mail to the owner of the property as appears on the latest available county assessor's records, and the board of supervisors shall set a public hearing, duly advertised once in a newspaper of general circulation in the county at least ten days before the date of such hearing, to consider such appeal, and the board of supervisors may confirm, modify or set aside any or all such actions of the historic landmarks advisory commission.

(Ord. No. 4425, § 1)

Sec. 18A-8. - Enforcement of chapter.

The historic landmarks advisory commission is charged with the responsibility for the enforcement of the provisions of this chapter and all conditions imposed hereunder. If unable otherwise to obtain compliance with the provisions of this chapter and conditions imposed hereunder, it may refer the matter to the board of supervisors or to the district attorney or to the county counsel for appropriate action.

(Ord. No. 4425, § 1)

Sec. 18A-9. - Places of historic merit.

The historic landmarks advisory commission is authorized and directed to locate and identify other places of historic merit which may satisfy the criteria for designation as an historic landmark, or by reason of a unique feature have, in the opinion of the commission, special historic, aesthetic or cultural value.

Premises may be designated as having historic merit by the historic landmarks advisory commission, under the provisions of this section, even though the premises may not qualify for designation as an historic landmark.

The designation of premises as having historic merit under the provisions of this section shall not, by reason of such designation, require the conditions or restrictions on use, improvement or renovation of the premises which are provided for in this chapter.

The historic landmark advisory commission may require maintenance of the premises as a condition for continued recognition of the historic merit of the premises.

(Ord. No. 4425, § 1)

Sec. 18A-10. - Designation of historic merit and/or landmark status.

The historic landmarks advisory commission may make a designation of historic merit and/or landmark status, pursuant to this ordinance, by resolution of the commission adopted in any regular meeting or special meeting called to prevent imminent harm to a property. Following the adoption of such resolution, the historic landmarks advisory commission shall send by certified mail a copy of the resolution to the owner or owners of the premises as appear on the latest available county assessor's records. The historic landmarks advisory commission shall maintain a record of all premises that have been given recognition under the provisions of this ordinance and shall forward to the clerk of the board of supervisors copies of all resolutions making such designation.

(Ord. No. 4425, § 1)