



AGENDA

VALLEJO ARCHITECTURAL HERITAGE AND LANDMARKS COMMISSION

City Council Chambers
555 Santa Clara Street
Vallejo, CA 94590
www.cityofvallejo.net

February 20, 2020
6:30 P.M.

Angela McDonald, Chair
Peter Bregenzer, Vice Chair
Curt Harding
Brian Harkins
David McCandless
Brendan Riley
Pearl Jones Tranter

This AGENDA contains a brief general description of each item to be considered. The posting of the recommended actions does not indicate what action may be taken. If comments come to the Architectural Heritage and Landmarks Commission without prior notice and are not listed on the AGENDA, no specific answers or response should be expected at this meeting per State law.

Agenda Items. Those wishing to address the Commission on a scheduled agenda item should fill out a speaker card and give it to the Secretary. Until the Architectural Heritage and Landmarks Commission adopts their own procedure regarding speaker timelines, the commission shall follow the same rules as the City Council referenced in Vallejo Municipal Code Section 2.02.420. Speaker time limits for scheduled agenda items are five minutes. As identified in Vallejo Municipal Code Section 2.02.330 the presiding officer may set a reasonable time limit in which the public hearing is conducted.

Disclosure Requirements. Government Code Section 84308(d) sets forth disclosure requirements that apply to persons who actively support or oppose projects in which they have a "financial interest," as that term is defined by the Political Reform Act of 1974. If you fall within that category, and if you (or your agent) have made a contribution of \$250 or more to any commissioner within the last twelve months to be used in a federal, state, or local election, you must disclose the fact of that contribution in a statement to the Commission.

Notice of Availability of Public Records: All public records relating to an open session item, which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to a majority of the AHLC will be available for public inspection at City Hall, 555 Santa Clara St., 2nd Floor, or the Vallejo Public Library, 505 Santa Clara St. at the same time that the public records are distributed or made available to the AHLC. Such documents may also be available on the City of Vallejo website at www.cityofvallejo.net subject to staff's ability to post the documents prior to the meeting.

Appeal Rights. The applicant or any party adversely affected by the decision of the Architectural Heritage and Landmarks Commission may, within ten days after the rendition of the decision of the Architectural Heritage and Landmarks Commission, appeal in writing to the City Council by filing a written appeal with the City Clerk. Such written appeal shall state the reason or reasons for the appeal and why the applicant believes he or she is adversely affected by the decision of the Architectural Heritage and Landmarks Commission. Such appeal shall not be timely filed unless it is actually received by the City Clerk or designee no later than the close of business on the tenth calendar day after the rendition of the decision of the Architectural Heritage and Landmarks Commission. If such date falls on a weekend or City holiday, then the deadline shall be extended until the next regular business day.

Notice of the appeal, including the date and time of the City Council's consideration of the appeal, shall be sent by the City Clerk to all property owners within two hundred or five hundred feet of the project boundary, whichever was the original notification boundary.

The Council may affirm, reverse or modify any decision of the Architectural Heritage and Landmarks Commission which is appealed. The Council may summarily reject any appeal upon determination that the appellant is not adversely affected by a decision under appeal.



The Vallejo Room in the JFK Library is ADA compliant. Devices for the hearing impaired are available from the City Clerk. Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the City Clerk's office no less than 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof.

If you have questions regarding any of the following agenda items, please contact the AHLC Secretary, Aaron Sage at 707-648-5391 or aaron.sage@cityofvallejo.net.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF MINUTES** – None
5. **WRITTEN COMMUNICATIONS** – None
6. **SECRETARY'S REPORT**
7. **CITY ATTORNEY'S REPORT**
8. **REPORT OF THE CITY COUNCIL LIAISON**
9. **REPORT OF THE CHAIRPERSON AND MEMBERS OF THE COMMISSION**
10. **COMMITTEE REPORTS**
11. **COMMUNITY FORUM**

Anyone wishing to address the Commission on any matter for which another opportunity to speak is not provided on the agenda, and which is within the jurisdiction of the Commission to resolve, is requested to submit a completed speaker card to the Secretary. When called upon, each speaker should step to the podium, state his/her name and address for the record. The conduct of the community forum shall be limited to a maximum of fifteen (15) minutes, with each speaker limited to three minutes. The Commission may take information but may not take action on any item not on the agenda.

12. **CONSENT CALENDAR AND APPROVAL OF THE AGENDA**

The Commission may adopt the agenda as presented or may rearrange the order of items. Pursuant to the Brown Act, the Commission may not add items to the agenda and the Commission may only discuss items on the agenda.

13. **PUBLIC HEARINGS**

- A. 1918-1920 Sonoma Boulevard – Mills Act Contract #19-0005; a request to enter into a Historic Property Preservation Agreement (Mills Act Contract) pursuant to California Government Code Section 50280.

Recommendation: Adopt Resolution No. 20-02 recommending that the City Council **APPROVE** Mills Act Contract #19-0005.

Contact: Art Henriques, Contract Planner
(707) 648-8604, art.henriques@cityofvallejo.net

B. New Zoning Code: Draft Architectural Heritage and Historic Preservation Chapter

Recommendation:

1. Receive the Staff presentation and public testimony regarding the Draft Architectural Heritage and Historic Preservation Chapter.
2. Provide verbal feedback on the proposed draft to Staff. (Staff will return to the AHLC for a formal recommendation on the final draft prior to City Council action.)

Contact: Aaron Sage, Principal Planner
(707) 648-5391, aaron.sage@cityofvallejo.net

14. OTHER AGENDA ITEMS – None

15. ADJOURNMENT

I, Aaron Sage, AHLC Secretary, do hereby certify that I have caused a true copy of the above notice and agenda to be delivered to each of the members of the Vallejo Architectural Heritage and Landmarks Commission, at the time and in the manner prescribed by law and that this agenda was posted at City Hall, 555 Santa Clara Street, CA at or before 5:00 p.m. on Friday, February 14, 2020.



Aaron Sage, Secretary

Dated Friday, February 14, 2020

Staff Reports



**CITY OF VALLEJO
ARCHITECTURAL HERITAGE
AND LANDMARKS COMMISSION**

DATE OF MEETING: February 20, 2020 **Agenda Item No. 13-A**

PREPARED BY: Arthur Henriques, Contract Planner
(707) 648-8604, art.henriques@cityofvallejo.net

PROJECT NUMBER: Mills Act Contract #19-0005

ADDRESS: 1918-1920 Sonoma Boulevard (APN 0056-165-170)

SUMMARY: Request by the property owners to enter into a Historic Property Preservation Agreement (Mills Act contract) with the City of Vallejo pursuant to California Government Code Section 50280.

ENVIRONMENTAL DETERMINATION: The project is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15331 of the CEQA Guidelines (Class 31, "Historical Resource Restoration/Rehabilitation") as the proposed Mills Act contract requires preservation of an historical resource consistent with the Secretary of the Interior's Standards. Therefore, no further review is required under CEQA.

RECOMMENDATION: Adopt the attached Resolution No. 20-02 recommending that the City Council **APPROVE** Mills Act Contract #19-0005, subject to the findings contained in the Resolution.

APPLICANT/OWNER: Waimen Chee
1918 Sonoma Boulevard, Vallejo, CA 94590

BACKGROUND

The City has received a request for approval of a Mills Act contract for a two-unit residential property located at 1918-20 Sonoma Boulevard. This section of the report provides an overview of State and City provisions for Mills Act contracts, the responsibilities of the property owners and the City, and the Architectural Heritage and Landmarks Commission's (AHLC's) role in the process. The following section provides staff's analysis of the property's compliance with the City's Mills Act criteria.

Mills Act Overview

The Mills Act (California Government Code Section 50280) was adopted by the State

Legislature in 1972 to provide a means for local governments to reduce property taxes on historic properties in exchange for agreements with property owners to maintain those properties' historic character. The primary purpose is to encourage the renovation and maintenance of historic properties throughout the State by providing a financial incentive in the form of reduced taxes. When the property transfers to a new owner, it is not re-assessed at market value, thereby allowing the new owners to enjoy a pre-existing reduced tax rate. This can contribute to the overall value of the historic property. In order to have the reduced tax rate applied during the following tax year, a Mills Act contract must be executed and sent to the County Assessor by the end of the current calendar year.

The Mills Act is a voluntary program – neither the City nor the property owner are obligated to enter into a contract even if a property is eligible. The initial contract term is a minimum of 10 years, and one year is automatically added to the term each year, unless the property owners or the City provide a notice of non-renewal. In such case, the contract remains in effect for the balance of the remaining term, either from its original execution or from the last renewal of the Agreement, whichever may apply.

In 1991, the City Council adopted Resolution No. 91-442 (Attachment 3) to establish a process and eligibility criteria for Mills Act contracts in Vallejo. In addition to meeting the other criteria, in order for a property to be eligible it must be listed on City's Historic Resources Inventory. Staff's analysis of the property's compliance with all criteria of Resolution 91-442 is provided in the "Analysis" section below.

Responsibility of Parties

The property owner must agree to restore (if necessary) and maintain the property in a manner appropriate to its historic character and consistent with the Secretary of the Interior's Standards for Rehabilitation. Per Resolution No. 91-442, Mills Act contracts in Vallejo must include an attached scope of work outlining the repairs and improvements the owners have agreed to complete during the initial 10-year term. The responsibilities of the initial applicants for the contract are transferred to all future owners of the property for as long as the contract is in effect.

The City is responsible for monitoring the property to ensure that the agreed to restoration and/or maintenance has been complied with. The City collects a fee of \$772 to cover its monitoring expenses over the life of the contract. If the City determines that the property owner has not complied with the terms of the contract, the City may bring legal action against the owner or simply cancel the contract. If the contract is cancelled for this reason, a penalty of 12.5% of the market value of the property at the time of cancellation is assessed by the County.

AHLC Scope of Review

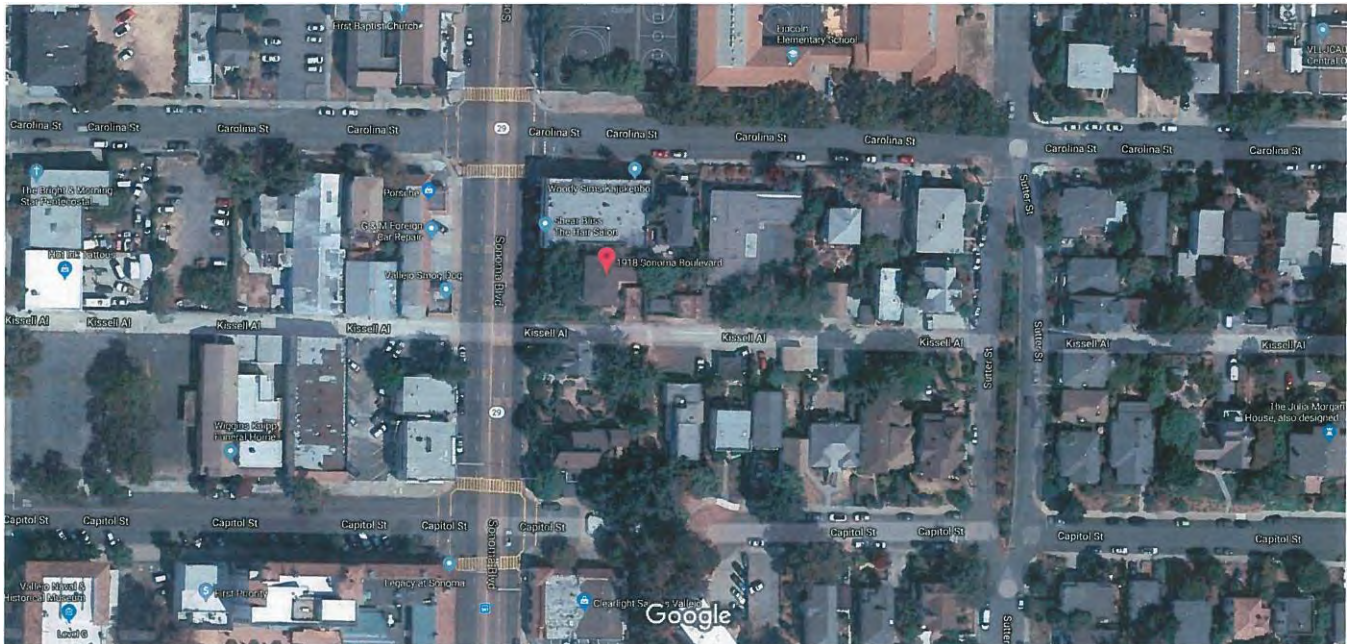
Mills Act contracts are subject to approval by the City Council, with a recommendation by the AHLC. Although some items in the attached scope of work may require staff or AHLC approval of a Certificate of Appropriateness (COA), that approval occurs in the future when a COA application is filed, and the AHLC should limit its review of the scope of work to whether it

meets the City's Mills Act criteria.

SITE LOCATION

The subject property is located at the northeast corner of Sonoma Boulevard and Kissell Alley, a half block north of Capitol Street; see Figure 1 below for location map.

Figure 1 – Location Map



HISTORY AND ARCHITECTURE

The subject property is on the City's Historic Resources Inventory (HRI). A State Department of Parks and Recreation (DPR) form was completed for the property in 1979; please see Attachment 4. According to the DPR form, the build date of the residence is not known but it has been estimated to be around 1900. The builder of the residence is not known at this time. A Mrs. F. McKiernan owned a prior structure on the property in 1894. Site photos are provided in Attachment 5.

PROPOSED IMPROVEMENTS

A draft Mills Act contract, including the applicants' proposed scope of work during the first 10 years, is provided in Attachment 2. The applicants estimate that the proposed work will cost approximately \$128,000. The exterior of the home is in very good repair, no major façade changes or additions are proposed. However, the scope does contain some items that will require staff-level review and (administrative) COAs.

The applicants are planning to repair and replace some significant dryrot on the house and the porches in the first two years of the contract, along with sealing exterior cracks and painting of the interior. They are also planning during that time landscaping improvements, including trimming trees on the property which are overgrown. The tree trimming will be done in a manner to significantly increase the visibility of the residential structure from Sonoma. The property owner is planning in years 3-4 of the contract additional yard improvements, repair/replacement of the electrical system, replacing the roof gutters and exterior lighting. Years 5-6 include exterior painting, additional improvements to the landscaping and replacing the water pipe from the house to the street. Years 7-8 include installing more energy efficient windows, replacing the furnace and additional landscaping improvements. Re-roofing and further landscaping improvements are proposed for years 9 and 10.

ANALYSIS

City Council Mills Act Criteria

Council Resolution No. 91-442 sets forth the following criteria. Staff's analysis of each criteria is provided in *italics*.

1. The property must be on the City's Historic Resources Inventory (HRI) and an evaluation form (DPR) must have been completed and reviewed as to the property's level of significance.

Staff Analysis: The property is on the City's HRI and the DPR form is provided in Attachment 4. Paula Boghosian completed the DPR form in 1979. According to the DPR form, the building is historically significant for its' exceptional design.

2. An application must include the HRI entry, updated to comply with the most current procedures of the State Office of Historic Preservation (OHP), a description of the annual preservation and restoration goals to be undertaken by the owner through the initial ten-year life of the Agreement with the estimated completion time, and projected adjustments of the property taxes as determined by the County Assessor's office.

Staff Analysis: As noted above, the HRI entry (DPR form) is attached to the report. The DPR form generally complies with the most current procedures of the OHP. As the County Assessor no longer provides projected tax adjustments, this requirement has been waived. However, based on information from prior applicants and other cities in Solano County, the tax reduction is anticipated to be roughly 30 to 50 percent. Please see Attachment 6 for a copy of the property tax bill.

3. The Commission will vote to recommend that the City Council approve or deny this project based on the evaluation form from the HRI, taking into special account the level of significance of the structure and its potential as a Landmark, Historical Structure, a Structure of Merit, or a Contributing Structure as outlined in the City Code, Chapter 16.38.150, designation Criteria and 16.38.160, Classification of Designation, and in

accordance with the most current Standards of the State OHP.

Staff Analysis: The property appears to meet the following criteria for designation of landmarks per Section 16.38.150 of the Vallejo Municipal Code (VMC). Staff has not evaluated which of the four types of landmark designations would be appropriate for the property, nor is this required by the Mills Act criteria.

- *Architectural Merit (Criteria A.2):* The project should be highly visible so that it will serve as a catalyst to encourage others to preserve and restore their properties. The subject building is an excellent local example of the Classical Revival Style with architectural features such as a balustrated terrace across the front of the building, a central portion of the terrace being covered by a porch supported by four ionic columns, the porch fascia having flanking angled bays and the hovering hip-roof form soffited at the eave.

Staff Analysis: The subject building is in a highly visible location south of Carolina Street at the corner of Sonoma Boulevard and Kissell Alley. The site's visibility is enhanced by its location on a major street. The home's exterior is already in good condition and no major exterior changes are proposed. Exterior work such as repairing dry rot, landscaping improvements (including the significant tree trimming), repairing the staircase and railing to the front entrance, roof repair, gutter replacement and painting will further enhance the appearance of the home and encourage others in the vicinity to invest in their properties.

5. Preservation and restoration activities required for or performed on properties bound under a Mills Act Contract shall be carried out in conformity with the Design Standards of the City of Vallejo, the Secretary of the Interior's Standards for the Treatment of Historic Properties and the Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, and the State Historical Building Code.

Staff Analysis: Staff (and the AHLC, if required) will perform a complete review of any improvements that require a COA to verify they comply with the above requirements. Based on the brief description provided in the attached scope of work, it appears all of the proposed improvements would be consistent with the Secretary of the Interior's Standards.

6. Application for a Mills Act contract shall be accompanied by a filing fee of \$100.00. Upon contract adoption by the City Council, a contract maintenance fee of \$900.00 will be imposed, to be assessed over a three-year period at \$300.00 yearly.

Staff Analysis: The required filing fee was paid. The Mills Act contract requires payment of the contract maintenance fee.

7. No more than five Mills Act contracts will be entered into by the City in a calendar year.

Staff Analysis: Only one other Mills Act contract has been recommended for

approval by the Commission during the current calendar year. That contract is being scheduled for City Council review.

General Plan and Zoning Conformance

No modifications are proposed to the property's use, density or building envelope. Therefore, the proposed improvements would be consistent with all applicable General Plan and Zoning requirements.

RECOMMENDATION

Staff recommends that the Commission adopt a resolution recommending that the City Council **APPROVE** Mills Act Contract #19-0005, subject to the findings contained in the Resolution.

APPEAL

The applicant or any party aggrieved by a determination of the Architectural Heritage and Landmarks Commission may appeal the action to the City Council. Such appeal must be filed in writing with the City Clerk within ten (10) calendar days after the action by the Architectural Heritage and Landmarks Commission. Such appeal shall not be timely filed unless it is received in the Office of the City Clerk no later than the close of business on the tenth day. The City Council may affirm, reverse or modify any decision of the Architectural Heritage and Landmarks Commission that is appealed. The City Council may summarily reject any appeal upon determination that the appellant is not adversely affected by a decision under appeal.

ATTACHMENTS:

1. Resolution No. 20-02
2. Draft Mills Act contract with attached Scope of Work
3. Council Resolution No. 91-442
4. Primary Record Sheet for Contributing Structure Status (DPR Form)
5. Site Photos
6. Copy of Property Tax bill

ARCHITECTURAL HERITAGE AND LANDMARKS COMMISSION**RESOLUTION NO. 20-02 AHLC****RECOMMENDING APPROVAL OF A MILLS ACT CONTRACT
FOR THE PROPERTY LOCATED AT 1918 SONOMA BOULEVARD
(MA #19-0005)****APN 0056-165-170**

I. GENERAL FINDINGS

WHEREAS, July 16, 1991 the Council of the City of Vallejo adopted Resolution No. 91-442, indicating its willingness to enter into Historic Property Preservation Agreements through the Mills Act and the Council's adopted Mills Act Criteria; and

WHEREAS, on October 21, 2019, an application was filed by Waimen Chee seeking to enter into a Historic Property Preservation Agreement ("Mills Act Contract") with the City for their property located at 1017 Marin Street; and

WHEREAS, on February 20, 2020, the City of Vallejo Architectural Heritage and Landmarks Commission ("Commission") conducted a public hearing to consider the proposed Mills Act Contract, at which testimony and evidence, both written and oral, were presented to and considered by the Commission; and

WHEREAS, based on evidence received at the public hearing and in staff's report to the Commission, the Commission makes the following factual findings:

II. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

WHEREAS, the proposed Mills Act Contract is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15331 of the CEQA Guidelines (Class 31, "Historical Resource Restoration/Rehabilitation") as the proposed Mills Act Contract requires preservation of an historical resource consistent with the Secretary of the Interior's Standards. Therefore, no further review is required under CEQA.

III. FINDINGS RELEVANT TO THE CITY'S CRITERIA FOR MILLS ACT CONTRACTS

WHEREAS, the City's criteria for approval of Mills Act Contracts (City Council Resolution 91-442) have been met, as follows:

1. The property is on the City's Historic Resources Inventory (HRI) and an evaluation form (DPR) has been completed and reviewed as to the property's level of significance.
2. The Commission was provided with the HRI entry (DPR form), which generally complies with the most current procedures of the OHP, and the application includes a description of the annual preservation and restoration goals to be undertaken by the owner through the initial ten-year life of the Agreement with the estimated completion time. Projected adjustments of the property taxes are no longer provided by the County Assessor's office.
3. The Commission has considered the evaluation form from the HRI and has taken into special account the level of significance of the structure and its potential as a Landmark, Historical Structure, a Structure of Merit, or a Contributing Structure as outlined in the City Code, Chapter 16.38.150, designation Criteria and 16.38.160, Classification of Designation, and in accordance with the most current Standards of the State OHP. Based on the information in the property's DPR form, the property appears to meet the following criteria for designation of landmarks per Section 16.38.150 of the Vallejo Municipal Code (VMC):
 - Architectural Merit (Criteria A.2): The subject building is an excellent local example of the Classical Revival Style with architectural features such as a balustrated terrace across the front of the building, a central portion of the terrace being covered by a porch supported by four ionic columns, the porch fascia having flanking angled bays and the hovering hip-roof form soffited at the eave.
4. The subject building is in a highly visible location south of Carolina Street on Sonoma Boulevard and will serve as a catalyst to encourage others to preserve and restore their properties. The site's visibility is enhanced by its uphill location on an active street. Although the home's exterior is already in very good condition and no major exterior changes are proposed, exterior work such as repairing dry rot, landscaping improvements, repairing the staircase and railing to the front entrance, roof repair, gutter replacement and painting will further enhance the appearance of the home and encourage others in the vicinity to invest in their properties.
5. Preservation and restoration activities required for or performed on properties bound under a Mills Act Contract shall be carried out in conformity with the Design Standards of the City of Vallejo, the Secretary of the Interior's Standards for the Treatment of Historic Properties and the Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, and the State Historical Building Code.
6. The required filing fee was paid. Payment of the contract maintenance fee is

required by the Mills Act contract.

7. One other Mills Act contract has been recommended to the City Council for approval during the current calendar year, therefore the limit of five Mills Act contracts per calendar year has not been exceeded.

NOW, THEREFORE, BE IT RESOLVED that the Commission hereby recommends that the City Council APPROVE Mills Act Contract MA #19-0005 based on the findings contained herein.

IV. VOTE

PASSED AND ADOPTED at a regular meeting of the Architectural Heritage and Landmarks Commission of the City of Vallejo, State of California, on the 20th day of February 2020, by the following vote to-wit:

AYES:

NOES:

ABSENT:

Angela McDonald, Chairperson
City of Vallejo Architectural Heritage and Landmarks Commission

Attest:

Aaron Sage, Secretary
City of Vallejo Architectural Heritage and Landmarks Commission

Recorded at the Request of:
The City of Vallejo

When recorded, mail to:
City of Vallejo
City Clerk
P.O. Box 3068
Vallejo, CA 94590

HISTORIC PROPERTY PRESERVATION AGREEMENT

THIS AGREEMENT is made and entered into at Vallejo, California, this ____ day of _____, 2020, by and between the CITY OF VALLEJO, a municipal corporation, (hereinafter referred to as the "City"), Waimen Chee, owner (hereafter referred to as the "Owner").

WITNESSETH

A. Recitals

- i. California Government Code Sections 50280, et seq. authorize cities to enter into contracts with the owners of qualified historical property to provide for the use, maintenance, and restoration of such historical property so as to retain its characteristics as property of historical significance;
- ii. Owners possess fee title in and to that certain real property, together with associated structures and improvements thereon, generally located at the street address 1918-1920 Sonoma Boulevard, Vallejo, California, (hereinafter such property shall be referred to as the "Historic Property"). A legal description of the Historic Property is attached hereto, marked Exhibit "A.1" and is incorporated herein by this reference.
- iii. On the ____ day of _____, 2020, the City Council of the City of Vallejo adopted its Resolution No.20-01 N.C. thereby declaring its intention to enter in this Historic Property Preservation Agreement (hereinafter referred to as the "Agreement"); and
- iv. City and Owners, for their mutual benefit, now desire to enter into this Agreement to protect, enhance, and preserve the characteristics of historical significance of the Historic Property and to qualify the Historic Property for an assessment of valuation pursuant to the provisions of Article 1.9 (commencing with Section 439) Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code.

B. Agreement

NOW, THEREFORE, City and Owner, in consideration of the mutual covenants and conditions set forth herein, do hereby agree as follows:

1. Effective Date and Term of Agreement

This agreement shall be effective and commence on _____, 2020 and shall remain in effect for a term of ten (10) years thereafter. Each year, upon the anniversary of the effective date, such initial term will automatically be extended as provided in Paragraph 2, below.

2. Renewal

Each year on the anniversary of the effective date of this Agreement (hereinafter referred to as the "renewal date"), a year shall automatically be added to the initial term of this Agreement unless notice of nonrenewal is mailed as provided herein. If either Owners or City desires in any year not to renew the Agreement, Owners or City shall serve written notice of nonrenewal of the Agreement on the other party in advance of the annual renewal date of the Agreement. Unless such notice is served by Owners to City at least ninety (90) days prior to the annual renewal date, or served by the City to Owners at least sixty (60) days prior to the annual renewal date, one (1) year shall automatically be added to the term of the Agreement as provided herein. Upon receipt by Owners of a notice of nonrenewal from City, Owners may make a written protest of the notice. City may, at any time prior to the annual renewal date of the Agreement, withdraw its notice to the other of nonrenewal in any year. The Agreement shall remain in effect for the balance of the term then remaining, either from its original execution or from the last renewal of the Agreement, whichever may apply.

3. Standards for Historic Property

During the term of this Agreement, the Historic Property shall be subject to the following conditions, requirements and restrictions:

- a. Owners shall preserve and maintain the characteristics of historical significance of the Historic Property and, where necessary, restore and rehabilitate the Historic Property according to the rules and regulations of the Office of Historic Preservation of the State Department of Parks and Recreation, the United States Secretary of the Interior's Standards for the Treatment of Historic Properties, and the State Historical Building Code. Attached hereto, marked as Exhibit "A.2", and incorporated herein by this referee, is a list of improvements pertaining to the restoration or rehabilitation of the Historic Property. Owners shall complete the improvements listed in Exhibit "A.2" within the first 10 years of this Agreement, provided, however, that the Secretary of the Architectural Heritage and Landmarks Commission ("Secretary") may authorize minor amendments to Exhibit "A.2" which do not decrease the total value of the work performed during the first 10 years.
- b. Prior to the commencement of any improvements listed in Exhibit "A.2", Owners shall contact the Secretary to determine what, if any, City of Vallejo permits or approvals may be required.
- c. Owners shall allow reasonable periodic examinations, by prior appointment, of the interior and exterior of the Historic Property by representatives of the County Assessor, State Department of Parks and Recreation, State Board of Equalization, and City, as may be necessary to determine Owners' compliance with the terms

and provisions of this Agreement.

4. Provision of Information of Compliance

Owners hereby agree to furnish City with any and all information reasonably requested by the City, which may be necessary or advisable to determine compliance with the terms and provisions of this Agreement.

5. Cancellation

City, following a duly noticed public hearing as set forth in California Government Code Sections 50280, et seq., may cancel this Agreement if it determines that Owners are in breach of any of the conditions of this Agreement or have allowed the property to deteriorate to the point that it no longer meets the standards for a qualified historic property. City may also cancel this Agreement if it determines that the Owners have failed to restore or rehabilitate the property in the manner specified in Subparagraph 3 (a) of this Agreement. In the event of cancellation, Owners may be subject to payment of those cancellation fees set forth in California Government Code Sections 50280, et seq.

6. Enforcement of Agreement

In lieu of and/or in addition to any provisions to cancel the Agreement as referenced herein, City may specifically enforce, or enjoin the breach of, the terms of this Agreement. In the event of a default under the provisions of this Agreement by Owners, the City shall give written notice to Owners by registered or certified mail addressed to the address stated in this Agreement, and if such violation is not corrected to the reasonable satisfaction of the City within thirty (30) days thereafter or if not corrected within such a reasonable time as may be required to cure the breach or default if said breach or default cannot be cured within (30) days (provided that acts to cure the breach or default must be commenced within thirty (30) days and must thereafter be diligently pursued to completion by Owners), then City may, without further notice, declare a default under the terms of this Agreement and may bring any action necessary to specifically enforce the obligations of Owners growing out of the terms of this Agreement; apply to any court, state or federal, for injunctive relief against any violation by Owners; perform the work (or cause its performance) and assess the property for the work's value, as set forth in Chapters 11-16 of the Uniform Housing Code, as adopted; or apply for such other relief as may be appropriate.

City does not waive any claim or default by Owners if City does not enforce or cancel this Agreement. All other remedies at law or in equity which are not otherwise provided for in this Agreement or in City's regulations governing historic properties are available to the City to pursue in the event that there is a breach of this Agreement shall be deemed to be a waiver of any other subsequent breach thereof or default hereunder.

7. Binding Effect of Agreement

The Owners hereby subject the Historic Property described in Exhibit "A.1" hereto to the covenants, reservations, and restrictions as set forth in this Agreement. City and Owners hereby declare their specific intent that the covenants, reservations, and restrictions as set forth herein shall be deemed covenants running with the land and shall pass to and be binding upon the Owners' successors and assigns in title or interest to the Historic Property. Each and every contract, deed, or other instrument hereinafter executed, covering or conveying the Historic Property, or any portion thereof, shall conclusively be held to have been executed, delivered, and accepted subject to the covenants, reservations, and restrictions expressed in this Agreement regardless of whether such covenants, reservations, and restrictions are set forth in such contract, deed, or other instrument.

City and Owners hereby declare their understanding and intent that the burden of the covenants, reservations, and restrictions set forth herein touch and concern the land in that Owners' legal interest in the Historic Property is rendered less valuable thereby. City and Owners hereby further declare their understanding and intent that the benefit of such covenants, reservations, and restrictions touch and concern the land by enhancing and maintaining the historic characteristics and significance of the Historic Property for the benefit of the public and Owners.

8. Notice

Any notice required to be given by the terms of this Agreement shall be provided at the address of the respective parties as specified below or at any other address as may be later specified by the parties hereto.

To City: Planning Manager
City of Vallejo
555 Santa Clara Street
Vallejo, CA 94590

To Owner: Waimen Chee
1918 Sonoma Boulevard
Vallejo, CA 94590

9. General Provisions

- a. No later than one hundred eighty (180) days after the parties execute and enter into this Agreement, Owners shall provide written notice of this Agreement to the Office of Historic Preservation, Department of Parks and Recreation, P.O. Box 942896, Sacramento, CA 94296-0001.
- b. None of the terms, provisions or conditions of this Agreement shall be deemed to create a partnership between the parties hereto and any of their heirs, successors, or assigns, nor shall such terms, provisions or conditions cause them to be considered joint venturers or members of any enterprise.
- c. Owners agree to and shall hold City and its elected officials, officers, agents, and employees harmless from liability for damage or claims for damage for personal

injuries, including death, and claims for property damage that may arise from the direct or indirect use or operations of Owners or those of their contractor, subcontractor, agent, employee, or other person acting on their behalf that relate to the use, operation, and maintenance of the Historic Property. Owners hereby agree to and shall defend the City and its elected officials, officers, agents, and employees with respect to any and all actions for damages caused, or alleged to have been caused, by reason of Owners' activities in connection with the Historic Property. This hold harmless provision applies to all damages and claims for damages suffered, or alleged to have been suffered, by reason of the operations referred to in this Agreement regardless of whether or not the City prepared, supplied, or approved the plans, specifications or other documents for the Historic Property.

- d. All of the agreements, rights, covenants, reservations, and restrictions contained in this Agreement shall be binding upon and shall inure to the benefit of the parties herein, their heirs, successors, legal representatives, assigns, and all persons acquiring any part or portion of the Historic Property, whether by operation of law or in any manner whatsoever.
- e. Upon approval of the Historic Property Preservation Agreement, by the City Council, the property owners or their successors in interest shall be responsible for a Mills Act contract maintenance fee per the City's most recently adopted fee schedule.
- f. In the event legal proceedings are brought by any party or parties to enforce or restrain a violation of any of the covenants, reservations, or restrictions contained herein, or to determine the rights and duties of any party hereunder, the prevailing party in such proceeding may recover all reasonable attorney's fees to be fixed by the court, in addition to court costs and other relief ordered by the court.
- g. In the event that any of the provisions of this Agreement are held to be unenforceable or invalid by any court of competent jurisdiction, or by subsequent preemptive legislation, the validity and enforceability of the remaining provisions, or portions thereof, shall not be affected thereby.
- h. This Agreement shall be construed and governed in accordance with the laws of the State of California.

10. Recordation

No later than twenty (20) days after the parties execute and enter into this Agreement, City shall cause this Agreement to be recorded in the office of the County Recorder of the County of Solano.

11. Amendments

This Agreement may be amended, in whole or in part, only by a written and recorded instrument executed by the parties hereto, in the manner in which it originally was executed except that Exhibit "A.2" may be amended upon mutual consent of the Owners, the Secretary, and the City Manager.

IN WITNESS WHEREOF, City and Owners have executed this Agreement on the day and year first written above.

CITY OF VALLEJO

OWNER

Greg Nyhoff
City Manager

Waimen Chee

Dawn Abrahamson
City Clerk

(City Seal)

EXHIBIT A.1
Legal Description

APN: 0056-165-170

To be provided at City Council adoption.

EXHIBIT A.2

10 Year Scope of Work
1918 – 1920 Sonoma Boulevard

Years 1-2

Landscape Work (Trim Overgrown English Ivy and Overgrown Trees) \$6,000

Repair and replace dry rotted patio deck \$15,000

Repair Staircase and hand railing leading to front entrance \$8,000

Seal Exterior Cracks and Painting of House Interior \$10,000

Repair Wooden Side Gates and Repave Concrete in Driveway \$10,000

Years 3-4

Repair / Replace electrical System \$ 6,000

Yard Work Improvement of Landscape Surrounding the House \$ 6,000

Repair black metal fence around house

Replace Roof Gutter \$5,000

Exterior Lighting in Yard and Front Steps \$3,000

Years 5-6

Prepare and Complete Painting of House Exterior \$15,000

Replace Galvanized Water Pipe with Copper Pipes from Street to House \$12,000

Years 7-8

Replace Windows with Dual Pane Windows \$7,000

Yard Work Improvement of Landscape Surrounding the House \$ 6,000

Replace Furnace and Upgrade Heating in Upstairs and Downstairs Unit \$15,000

Years 9-10

Replace Roof Shingles \$10,000

Yard Work Improvement of Landscape Surrounding the House \$ 6,000

TOTAL \$128,000

Note: the Applicant is also planning to install new cabinets and countertops in the upstairs and the downstairs units as well as new bathtubs during the ten-year period and will do additional landscaping improvements if warranted.

RESOLUTION NO. 91-442 N.C.

BE IT RESOLVED by the Council of the City of Vallejo as follows:

WHEREAS, the California Constitution provides the Legislature with the power to promote the preservation of properties with historical significance by offering substantial property tax incentives (Cal. Const., Art. XIII, Sect 8.); and

WHEREAS, the Constitution provides that when historical properties are enforceably restricted, the property is to be valued for property tax purposes only on a basis consistent with its restrictions and uses; and

WHEREAS, state law provides that owners may enter into historic property contracts with legislative bodies pursuant to Sections 50280-90 of the California Government Code, and that these properties then qualify for the property tax incentives contained in Section 439.2 of the California Revenue and Taxation Code; and

WHEREAS, Section 50280.1 of the Government Code provides that a property qualifies as a historical property if it (1) is privately owned property, (2) is not exempt from property taxation, and (3) is: (c) listed "in any state, city, or county official register of historical or architecturally significant sites, places, or landmarks"; and

WHEREAS, the City of Vallejo has adopted an Architectural Heritage and Historic Preservation Ordinance, in part, to preserve, protect, enhance and perpetuate those historic structures which contribute to the cultural and aesthetic heritage of Vallejo, and to stabilize and improve the economic value of certain historic structures; and

WHEREAS, the Architectural Heritage and Landmarks Commission has completed an architectural heritage survey and established a list of structures having special historical, cultural, architectural or aesthetic interest or value; and

WHEREAS, the Architectural Heritage and Landmarks Commission did at its regular monthly meetings of January through May of 1990 review the "Mills Act" Historic Property Contract provisions contained in Sections 50280-90 of the Government Code, and the Negative Declaration which was prepared for this matter; and

WHEREAS, the Commission recommends that the Council adopt the Negative Declaration based upon a determination that entering into these contracts would not have a significant adverse impact on the environment, but would rather assist in the preservation of listed historic structures; and

WHEREAS, the City Council did on July 31, 1990 review the above referenced sections of the Government and Revenue and Taxation Codes, and does concur with the Commission that these contracts will not have a significant adverse impact on the environment, and would promote the preservation of structures which are listed on the City's Historic Resources Inventory; now, therefore

BE IT RESOLVED, that the City Council does hereby approve the Negative Declaration which evaluates the potential impacts of Historic Property Contracts; and

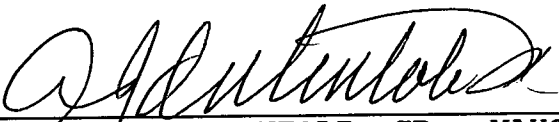
BE IT FURTHER RESOLVED, that the City Council does hereby indicate its willingness to enter into Historic Property Contracts with owners of private property, that is not exempt from property taxation, provided that the property complies with the attached Mills Act criteria.

ADOPTED by the Council of the City of Vallejo at a regular meeting held on July 16, 1991, by the following vote:

AYES: Councilmembers Boschee, Exline, Higgins, Hoffman, Intintoli, Kay and Villanueva

NOES: None

ABSENT: None


ANTHONY J. INTINTOLI, JR., MAYOR

ATTEST: 
MILDRED R. WATSON, CITY CLERK

plrs719

MILLS ACT CRITERIA

1. The property must be on the City's Historic Resources Inventory and an evaluation form must have been completed and reviewed as to the property's level of significance.
2. An application must include the Historic Resources Inventory entry, updated to comply with the most current procedures of the State Office of Historic Preservation, a description of the preservation and restoration goals to be undertaken by the owner and the estimated completion time, and projected adjustments of the property taxes as determined by the County Assessor's Office.
3. The Commission will vote to recommend that the City Council approve or deny the project based on the evaluation form from the Historic Resources Inventory, taking into special account the level of significance of the structure and its potential as a Landmark, Historical Structure, a Structure of Merit, or a Contributing Structure, as outlined in the City Code, Chapter 16.38.150, designation Criteria and 16.38.160, Classification of Designation, and in accordance with the most current Standards of the State Office of Historic Preservation.
4. The project should be highly visible, so that it will serve as a catalyst to encourage others. If the project is to be adopted for a new use, the use should be compatible with the building and the neighborhood.
5. Preservation and restoration activities required for or performed on properties bound under a Mills Act Contract shall be carried out in conformity with the Design Standards of the City of Vallejo, the Guidelines and Standards for Rehabilitating Historic Buildings issued by the U. S. Secretary of the Interior, and the State Historic Building Code.
6. Applications for a Mills Act Contract shall be accompanied by a filing fee of \$100.00. Upon contract adoption by the City Council, a contract maintenance fee of \$900.00 will be imposed, to be assessed over a three-year period at \$300.00 yearly.
7. No more than five Mills Act Contracts will be entered into by the City in a calendar year.

HISTORIC RESOURCES INVENTORY

UTM _____ 0 _____ NR 3D SHL _____
Lat _____ Lon _____ Era _____ Sig _____
Adm _____ T2 _____ T3 _____ Cat _____ HABS _____ HAER _____ Fed _____
10-565440-4217410

IDENTIFICATION

1. Common name: _____
2. Historic name, if known: _____
3. Street or rural address 1918 Sonoma Boulevard
City: Vallejo ZIP: 94590 County: Solano
4. Present owner, if known: Barry D. Bradley Address: 1918 Sonoma Blvd.
City: Vallejo ZIP: 94590 Ownership is: Public ☐ Private ☒
5. Present Use: Residential
Original Use: Residential
Other past uses: None known

DESCRIPTION

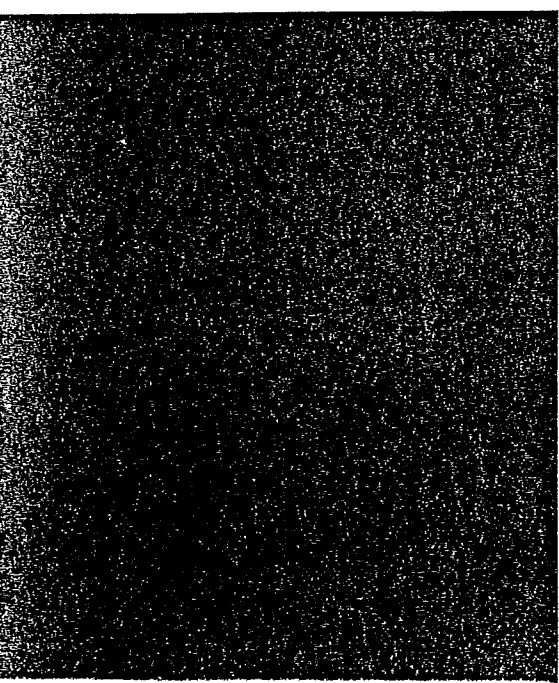
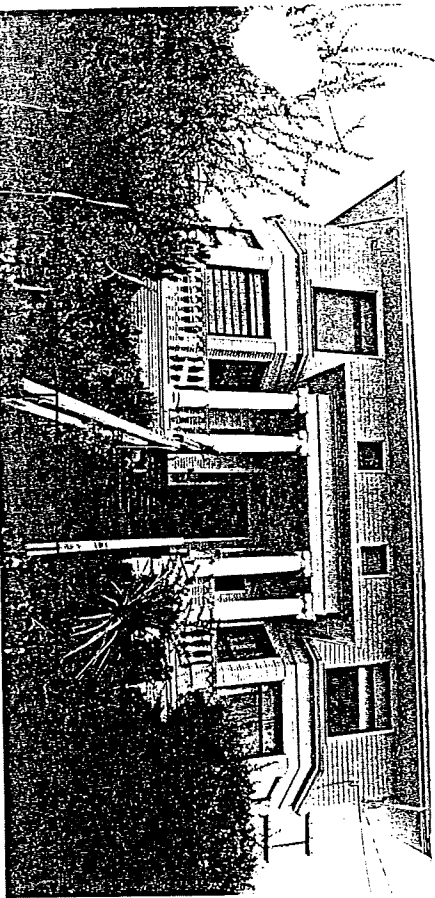
6. Briefly describe the present physical appearance of the site or structure and describe any major alterations from its original condition:

This formal symmetrical 2-story Classical Revival house has a balustrated terrace across the full front of the building. The central portion of the terrace is covered by a porch and supported by a row of four ionic columns. The porch fascia detail is repeated in the flanking angles bays. The hovering hip-roof form is soffited at the eave.

7. Locational sketch map (draw and label site and surrounding streets, roads, and prominent landmarks):

8. Approximate property size:
Lot size (in feet) Frontage 65'
Depth 100'
or approx. acreage _____.

9. Condition: (check one)
a. Excellent ☒ b. Good ☐ c. Fair ☐
d. Deteriorated ☐ e. No longer in existence ☐
10. Is the feature a. Altered? ☐ b. Unaltered? ☒
11. Surroundings: (Check more than one if necessary)
a. Open land ☐ b. Scattered buildings ☐
c. Densely built-up ☐ d. Residential ☒
e. Commercial ☒ f. Industrial ☐
g. Other ☐
12. Threats to site:
a. None known ☒ b. Private development ☐
c. Zoning ☒ d. Public Works project ☐
e. Vandalism ☐ f. Other ☐
e(s) of enclosed photograph(s): 1978



14. Primary exterior building material: a. Stone ☐ b. Brick ☐ c. Stucco ☐ d. Adobe ☐ e. Wood ☒
f. Other ☐ _____

15. Is the structure: a. On its original site? ☒ b. Moved? ☐ c. Unknown? ☐

16. Year of initial construction 1900 This date is: a. Factual ☐ b. Estimated ☒

17. Architect (if known): Unknown

18. Builder (if known): Unknown

19. Related features: a. Barn ☐ b. Carriage house ☐ c. Outhouse ☐ d. Shed(s) ☐ e. Formal garden(s) ☐

f. Windmill ☐

g. Watertower/tankhouse ☐

h. Other ☐ _____

i. None ☒

20. Briefly state historical and/or architectural importance (include dates, events, and persons associated with the site when known):

This residence is an exceptionally elegant and formal version of the style. The raised position adds considerably to the impressiveness of the structure, but insensitive street widening has badly impacted the site. The house is an important companion piece of the more free-wheeling but stylistically related structure at 1910 Sonoma.

The structure also stands as an impressive environmental piece on the block, due to its uphill siting and fine design.

The property, owned in 1894 by Mrs. F. McKiernan, apparently held an earlier structure prior to the construction of this building which reflects styles generally utilized around 1900.

21. Main theme of the historic resource: (Check only one): a. Architecture ☒ b. Arts & Leisure ☐

c. Economic/Industrial ☐

d. Exploration/Settlement ☐

e. Government ☐

f. Military ☐

g. Religion ☐ h. Social/Education ☐

22. Sources: List books, documents, surveys, personal interviews, and their dates:

Vallejo City Water Department records
Compiled resources: HEC

23. Date form prepared: 3-28-79 By (name): Paula Boghosian for City of Vallejo

Address: 555 Santa Clara St. City Vallejo ZIP: 94590

Phone: (707) 553-4326
Organization: Vallejo Architectural Heritage Commission

(State Use Only)

James architect - Kate Mead / William
son of Admiral Keadland Keadland
2 children - he 1961 sold to Robert Kead
Jan 1963.

EVALUATION FORM

Address:	1918 Seneca Blvd							
Evaluator:	DJ	JL	[Signature]	[Signature]	GAC	DM		
Level of Significance:								
National Register	X	X	X	X	X	X		
State Inventory	X	X	X	X	X	X		
Local Importance								
Prime	X	X	X	X	X	X		
Other								



1420



TRUCK
NO
TURNS

Shea's Bar
Food & Drink
Hair Salon
Roses







1918

1920













NO
PARKING









CHARLES LOMELI TAX COLLECTOR
675 TEXAS STREET, SUITE 1800
FAIRFIELD, CA 94533-4337
PHONE 707-784-7493
E-MAIL: TTCCC@SOLANOCOUNTY.COM

SOLANO COUNTY 2019-2020
SECURED PROPERTY TAX STATEMENT
FOR THE FISCAL YEAR JULY 1, 2019 TO JUNE 30, 2020

ASSESSMENT NUMBER

0056-165-170 01

Original

PROPERTY ADDRESS / DESCRIPTION

1918 Sonoma Boulevard Vallejo

0.15 Acres

MAIL TO:

Mailing address and owner
information is not available online
- It has been removed -

7000

*C 5801

TAX RATE AREA

CORTAC AGENCY

*** INTERNET COPY ***

ASSESSED VALUE

LAND	95,000
IMPROVEMENTS	470,000
PERSONAL PROPERTY	0
MINERALS	0
GROSS TOTAL ▶	565,000
HOMEOWNERS EXEMPTION	0
OTHER EXEMPTIONS	0
NET TOTAL ▶	565,000

* A mortgage company has requested your tax bill. If this is not correct, please pay as indicated.

TAXING ENTITY	TAX RATE	CHARGE AMOUNT
1 PCT Tax Limitation	1.000000%	\$5,650.00
SC Water Agency St Water Proj	0.020000%	\$113.00
VJO USD GOB 2018 Ser 2019	0.053373%	\$301.54
VJO USD A 2002 GOB Refunding	0.051793%	\$292.62
SCC 2015 Go Refunding Bonds	0.000726%	\$4.10
SCC GOB 2012 Series A	0.005117%	\$28.90
SCC GOB 2012 Series B	0.003135%	\$17.70
SCC 2014 GOB Ref Series A	0.001466%	\$8.28
SCC 2014 GOB Ref Series B	0.013470%	\$76.10
SCC 2012 GOB Series C	0.008121%	\$45.88
VJO USD 2017 GOB Refunding	0.016236%	\$91.72

TAXING ENTITY	PHONE NUMBER	CHARGE AMOUNT
Greater VJO Recre Dist Pcl Tax	(800) 676-7516	\$72.00
Sf Bay Rest Auth-Measure Aa	(888) 508-8157	\$12.00
Annual Sewer And Storm Fee	(707) 644-8976	\$1,352.88

ADD 10% PENALTY
AFTER

1st Installment

Dec 10, 2019

\$4,033.36

ADD 10% PENALTY
AND \$20.00 COST AFTER

2nd Installment

Apr 10, 2020

\$4,033.36

SOLANO COUNTY 2019-2020 SECURED TAX SECOND INSTALLMENT *C 5801 Original

RETURN STUB WITH PAYMENT

Mailing address and owner
information is not available online
- It has been removed -

TOTAL BOTH INSTALLMENTS SEND BOTH STUBS WHEN PAYING TOTAL	TAX RATE AREA	ASSESSMENT NUMBER
\$8,066.72	7000	0056-165-170 01

PAY ONLINE AT: SOLANOCOUNTY.COM

*** INTERNET COPY ***

IF YOUR PAYMENT IS DELINQUENT, YOU WILL BE CHARGED AN ADDITIONAL
10% PENALTY PLUS \$20.00 COST
2nd INST + PEN + COST = \$4,456.70

2

2nd INSTALLMENT DUE ▶

February 1, 2020

\$4,033.36

DELINQUENT AFTER

April 10, 2020

MAKE CHECKS PAYABLE AND MAIL TO:

SOLANO COUNTY TAX COLLECTOR
PO BOX 7407
SAN FRANCISCO, CA 94120-7407

00561651707 0000017 201920 201920 0000004033361 0000004456703 202004104 SC2

SOLANO COUNTY 2019-2020 SECURED TAX FIRST INSTALLMENT *C 5801 Original

RETURN STUB WITH PAYMENT

Mailing address and owner
information is not available online
- It has been removed -

TOTAL BOTH INSTALLMENTS SEND BOTH STUBS WHEN PAYING TOTAL	TAX RATE AREA	ASSESSMENT NUMBER
\$8,066.72	7000	0056-165-170 01

PAY ONLINE AT: SOLANOCOUNTY.COM

*** INTERNET COPY ***

IF YOUR PAYMENT IS DELINQUENT, YOU WILL BE CHARGED AN ADDITIONAL
10% PENALTY
1st INST + PEN = \$4,436.70

1

1st INSTALLMENT DUE ▶

November 1, 2019

\$4,033.36

DELINQUENT AFTER

December 10, 2019

MAKE CHECKS PAYABLE AND MAIL TO:

SOLANO COUNTY TAX COLLECTOR
PO BOX 7407
SAN FRANCISCO, CA 94120-7407

00561651707 0000017 201920 201920 0000004033361 0000004436700 201912104 SC1

Other



MEMORANDUM

PLANNING DIVISION

DATE: February 20, 2020
TO: Architectural Heritage and Landmarks Commission
FROM: Michelle Hightower, Senior Planner
Afshan Hamid, Planning Manager
Aaron Sage, Principal Planner
SUBJECT: New Zoning Code: Draft Architectural Heritage and Historic Preservation Chapter

BACKGROUND

As discussed during the Architectural Heritage and Landmarks Commission (AHLC) meetings on October 17 and November 21, 2019, the new Zoning Code project is well underway. Planning staff and consultants Dyett & Bhatia have completed the four Zoning Code modules and are currently developing district standards in two phases, District Standards A: Residential Districts and District Standards B: Non-residential and Overlay Districts. The City's current historic preservation ordinance (VMC Chapter 16.38) is being updated as part of the second phase. At the AHLC's November meeting, staff presented a broad overview of the overall Zoning Code project, current provisions of VMC Chapter 16.38, and potential amendments to VMC Chapter 16.38.

The attached report provides the draft regulations for a new "Architectural Heritage and Historic Preservation" chapter in the new Zoning Code that will replace VMC Chapter 16.38. The Planning Commission will also review these regulations at its meeting on February 19, 2020 because they are part of the Zoning Code. The deadline to provide public comments on the draft regulations is March 25, 2020. Staff will consider and incorporate comments and discussion as appropriate from the public and both commissions in the final Draft Code scheduled for completion by early May. City Council action on the new Zoning Code is tentatively scheduled for September 2020, and Staff will bring the final draft code back to both Commissions for a formal recommendation prior to City Council action.

ARCHITECTURAL HERITAGE AND HISTORIC PRESEVATION CHAPTER

Like the current VMC Chapter 16.38, the proposed "Architectural Heritage and Historic Preservation" chapter contains regulations to protect and preserve archaeological, historic, and other cultural resources. Cultural resources are buildings, objects, features, structures or locations with historic or cultural value. Currently, the City has three historic districts, namely St. Vincent's Hill, Architectural Heritage District, and the Mare Island Historic District. (See Attachment 2) The City also has over 1,400 contributing cultural resources to the districts and over 75 City Landmarks or buildings/structures that have significant historical, architectural, or cultural meaning and given legal protection from alteration and destruction.

Vallejo is a Certified Local Government (CLG) by the National Park Service (NPS) and the California Office of Historic Preservation (OHP), and has the authority to identify, evaluate, register and preserve historic properties in the City through the adoption and implementation of regulations for historic resources. Pursuant to the City's CLG agreement with OHP, a draft of these regulations will be sent to OHP for an assessment

following the Planning Commission and AHLC's review. Staff will update the AHLC on OHP's review at a future meeting.

The new chapter builds on Chapter 16.38 of the existing Code to protect and preserve resources within the historic districts and designated Landmarks, and maintains the requirement for a Certificate of Appropriateness (COA) permit to allow alterations, additions, demolitions, and relocations of historic resources. The chapter also provides a summary table listing when a COA permit is required and the corresponding review authority and public noticing period if required. The chapter further includes specific provisions to address "demolition by neglect" and reinforces the duty to maintain historic resources.

Key changes and enhancements to the chapter include the following:

- Specifying that designation of a historic district or Landmark, or amendments to existing designations, shall be recommended by the AHLC and approved by City Council. (The current code requires approval by the AHLC with appeal to City Council.)
- Specifying that designation ordinances may identify non-contributing (i.e. not historically significant) structures or features that may be demolished or altered without a Certificate of Appropriateness (COA).
- Limiting authority for initiation of a proposed district or Landmark designation to City Council, AHLC, property owners (for proposed Landmarks) and 50% of affected property owners (for proposed districts).
- Removing provisions regarding the Historic Resources Inventory or HRI (a.k.a. "Heritage Survey") from the code. OHP has advised that the historic resource surveys are generally a planning tool and survey procedures are typically not addressed in the actual code. As resources allow, staff would continue to maintain and update the HRI, with AHLC's input.
- Allowing staff approval (with appeal to AHLC) of COAs for the following types of projects:
 - o Demolition or relocation of a structure that is not on the HRI and is not a contributing resource to the applicable district or Landmark designation.
 - o New accessory structures less than 500 square feet.
 - o Additions to primary structures that do not exceed 20% of existing floor area or 500 square feet (whichever is less)
 - o Alterations to existing structures that do not involve substantial changes to a character-defining feature (as identified in the Landmark designation or in a subsequent analysis for a qualified historian)
- Adding a process where owners of historic properties determined by the Chief Building Official to be at risk of "demolition by neglect" due to a state of poor repair are notified to meet and discuss ways to improve the building or property appearance.
- Including specific measures the Chief Building Official can implement once a Notice to Comply is issued for properties considered a public nuisance due to neglect or vandalism.
- Appeal provisions would be removed from this chapter and covered in the general appeal procedures section for the entire Zoning Code.

Staff and the consultant will not host a Community Open House for the new historic preservation chapter; however, public comments are encouraged following staff's presentation to the AHLC.

RECOMMENDATION

Staff recommends the AHLC:

1. Receive the Staff presentation and public testimony regarding the Draft Architectural Heritage and Historic Preservation Chapter
2. Provide verbal feedback on the proposed draft to Staff. (Staff will return to the AHLC for a formal recommendation on the final draft prior to City Council action.)

ATTACHMENTS

1. Proposed Draft Zoning Code: Architectural Heritage and Historic Preservation Chapter
2. Existing Preservation Code (VMC Chapter 16.38)
3. Map of Vallejo's Historic Districts and Landmarks Outside of the Districts

**PROPEL
VALLEJO**



NEW ZONING CODE
Shaping Vallejo the Way We Envisioned!



ARCHITETURAL HERITAGE AND HISTORIC PRESERVATION CHAPTER

Prepared for

City of Vallejo

Michelle Hightower, Project Manager

Afshan Hamid, Planning Manager

By

DYETT & BHATIA

Urban and Regional Planners

February 2020

INTRODUCTION

The new Zoning Code will include an update to Chapter 16.38 Architectural Heritage and Historic Preservation of the existing Code. Regulations in this chapter will be combined with base district standards and are intended to implement the following General Plan 2040 policy:

Policy NBE-1.9

Cultural Resources. Protect and preserve archaeological, historic, and other cultural resources.

The City of Vallejo has three historic districts, namely St. Vincent's Hill, Architectural Heritage District, and the Mare Island Historic District, over 1,400 contributing cultural resources to the districts and 75 City Landmarks or buildings/structures that have significant historical, architectural, or cultural meaning and have been given legal protection from alteration and destruction. Vallejo is also a Certified Local Government (CLG) by the National Park Service (NPS) and the California State Historic Preservation Office (SHPO), and has the authority to identify, evaluate, register and preserve historic properties in the City through the adoption and implementation of regulations for historic resources. In order for Vallejo to maintain status as a CLG, the regulations must meet requirements established by the federal and State governments. These include, but are not limited to, specific professional requirements for commissioners, a system for survey and inventory of historic properties, and a process for review and recommendation of properties to the National Register. CLGs are also required to submit annual reports detailing preservation program accomplishments and actions. Pursuant to the City's CLG agreement with SHPO, a draft of the following regulations will be sent to SHPO for their assessment once the Planning Commission and AHLC have completed their review.

The draft Architectural Heritage and Historic Preservation chapter of the new Zoning Code offers enhanced provisions for historic preservation, and clear rules and criteria for designating historic districts and landmarks, and approving alterations and additions for designated resources. It builds on Chapter 16.38 in the existing Code and maintains the requirement for a Certificate of Appropriateness (COA) permit required for physical changes to historic resources. The chapter provides a summary table listing when a COA permit is required and identifies the review authority and public noticing required for each review or permit. The chapter also includes specific provisions to address the problem of "demolition by neglect" and reinforces the duty to maintain historic resources.

Chapter 16.05

Architectural Heritage and Historic Preservation

Sections:

16.05.010	Specific Purposes
16.05.020	Historic Resources Inventory
16.05.030	Mare Island Historic District
16.05.040	Establishment of "H" Districts and "L" Landmark Designations
16.05.050	Initiation of Designation
16.05.060	Criteria for Establishment of Historic Districts and Landmarks
16.05.070	Amendments to "H" Historic District or "L" Landmark
16.05.080	Land Use and Property Development Regulations
16.05.090	Certificate of Appropriateness
16.05.100	Maintenance and Upkeep

16.05.010 Specific Purposes

The purpose of the Architectural Heritage and Historic Preservation chapter is to create and establish regulations for historic districts and landmark designations for specific properties that will conserve and enhance the city's architectural heritage and historic resources.

More specifically, the Historic district and landmark designations are intended to:

- A. Designate, preserve, protect, enhance and perpetuate those historic buildings, structures, landscaping, districts and neighborhoods that contribute to and serve as visible reminders of the cultural, aesthetic and architectural heritage of Vallejo;
- B. Foster civic pride in the beauty and accomplishments of the past;
- C. 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;
- D. 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;
- E. Provide a review process for appropriate alterations and additions to cultural, architectural and historical resources, consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties where applicable;
- F. Promote maintenance of a harmonious outward appearance of both historic and modern structures through complementary scale, form, color, proportion, texture and material;
- G. Stabilize and improve the economic values of designated historic buildings, structures, architectural resources, districts and neighborhoods; and

- H. Implement the policies of the General Plan related to cultural and historical resources.

16.05.020 Historic Resources Inventory (Text for this section to be provided.)

16.05.030 Mare Island Historic District

- I. **Development Review.** All new construction, demolition, alteration and relocation of contributing resources, including but not limited to landscaping, signage, and fencing within the Mare Island Historic District, as defined in the Mare Island Specific Plan, shall be subject to the standards, regulations and procedures contained in the Mare Island Specific Plan/Master Plan, and all of its appendices, particularly:
1. Appendix B.1 Mare Island Historic District Project Guidelines
 2. Appendix B.4 Design Guidelines for the Mare Island Historic District

16.05.040 Establishment of "H" Historic Districts and "L" Landmark Designations

An "H" Historic District designation may be combined with any base zoning district and an "L" property designation may be within any base zoning district or "H" Historic District. The standards set forth in this chapter shall apply to all properties within a designated "H" Historic District and any "L" designation of a property.

16.05.050 Initiation of Designation

- A. An application to add a new "H" Historic District designation or "L" Landmark property designation may be initiated by the City Council or the Architectural Heritage and Landmarks Commission. In addition, an application to add a new "H" Historic District designation may be initiated by at least fifty percent of the affected property owners, and an application to add a new "L" Landmark property designation may be initiated by the subject property owner.
- B. After an analysis is conducted by staff, the City Council may, after determining that the criteria of Section 16.05.050 have been met, adopt an ordinance designating certain structures, sites, landscape elements, objects, works of art, or portions or groups thereof, as an "H" Historic District or an "L" Landmark property. Each such ordinance shall include the location of the designated Historic District or Landmark, a description of the characteristics which justify its designation, a description of the particular features that shall be preserved, and, where appropriate, a list of features or structures which do not contribute to the historical significance of the Historic District and Landmark and which may be altered or demolished without a certificate of appropriateness.

16.05.060 Criteria for Establishment of Historic Districts and Landmarks

Prior to adopting an ordinance designating an "H" Historic District or "L" Landmark, the City Council shall determine that the area, structure, feature or site to be designated satisfies at least one of the following criteria:

- A. Possesses value as a visible reminder of the cultural heritage of the City.

- B. Is identified with a person, group, or event that contributed significantly to the cultural or historical development of the City.
- C. Is listed in, or has been determined eligible for listing in, the California Register of Historical Resources or the National Register of Historic Places.
- D. Exemplifies a particular architectural style, a significant period in the City's historical development, or a way of life important to the City.
- E. Is the first, last, only, or most significant remaining example of an architectural style in a neighborhood, the city or region, or is an area containing a significant concentration of such examples.
- F. Is identified as the work of a person or group whose work has influenced the heritage of the City or region.
- G. Embodies elements of outstanding attention to architectural or landscape design, detail, materials, or craftsmanship.
- H. Is related to a designated historic District or Landmark in such a way that its preservation is essential to the integrity of the District or Landmark.

16.05.070 Amendments to "H" Historic District or "L" Landmark.

An amendment to an "H" Historic District and historic district conservation plan or Historic District specific plan or an "L" Landmark designation shall be initiated, recommended by the Architectural Heritage and Landmarks Commission, and approved by the City Council in the same manner as specified for new designations.

16.05.080 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 "L" Landmark designation shall be as prescribed for the base zoning district with which it is combined, provided that where conflicts arise, the criteria and requirements of any applicable historic district conservation plan or specific 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 feature in or on any property subject to an "H" or "L" designation that does not involve a change in design, material or external appearance thereof. Nor is this Section intended to prohibit the construction, reconstruction, alteration, restoration, demolition or removal of any such architectural feature when the Chief Building Official certifies that such action is required for the public safety, due to an unsafe or dangerous condition which cannot be otherwise rectified, and where in such case, the Architectural Heritage and Landmarks Commission shall be notified.
- B. **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. For any property subject to an "H" or "L" designation, such work on cultural resources shall be subject to the provisions of the California State Historical Building Code, rather than the Uniform Building Code, as provided by Section 6.06.071 of the Municipal Code.

- C. **The Secretary of the Interior's Standards for the Treatment of Historic Properties.** The latest published version of the U.S. Secretary of the Interior's "Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings" shall be used as guidelines in carrying out responsibilities for such actions under this chapter, as refined by Historic District conservation plans and specific plans and master plans adopted by the City.
- D. **Allowable Modifications in Base District Standards.** The Director may modify the dimensional requirements specified in this Code by up to 25 percent, and the Architectural Heritage and Landmarks Commission may allow additional modification, upon finding that the requested modification is necessary to facilitate conservation, rehabilitation, restoration, and adaptive reuse of, and appropriate additions to, identified historic buildings and landmarks. Such modifications shall be subject to the same procedures as specified for certificates of appropriateness. Specific waivers and modifications may be granted for:
1. **Setbacks.** Front, side, and rear yard setback standards.
 2. **Parking.** The dimensional standards for parking spaces, aisles, driveways, landscaping, garages on sloping lots, and parking facility design.
 3. **Fences and Walls.** Standards for the location, height, and design of fences and walls.
 4. **Lot Coverage.** Standards for the maximum amount of lot coverage.
 5. **Height.** Maximum building height or other height limitations.
 6. **Other Standards.** Up to 25 percent of other development standards not listed above.

16.05.090 Certificate of Appropriateness.

A certificate of appropriateness shall be required prior to the construction, demolition, alteration, or relocation of, or addition to, any main or accessory structure or other designated feature in a Historic District, or on the property of a designated Landmark. 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 Landmarks that are of historical or architectural significance.

- A. **Authority.** The Architectural Heritage and Landmarks Commission or Director shall have the authority to review and approve, approve with conditions, or disapprove a certificate of appropriateness pursuant to the procedures and criteria in this Section.
- B. **Exemptions.**
1. No certificate of appropriateness is required for ordinary maintenance, or for the demolition, alteration or relocation of, or addition to, a structure or feature identified as non-contributing in the applicable designation ordinance. Maintenance shall include, but not be limited to, painting, minor repair, routine maintenance and upgrading that does not involve significant changes to the designated structure, feature or site.
 2. No certificate of appropriateness is required to prevent any work necessary to correct the unsafe or dangerous condition of any structure, other feature or part thereof, where such condition has been declared unsafe or dangerous by the Chief Building Official or Fire Marshal, and where such work has been declared necessary by such officials to correct the condition; provided, however, that only such work as is reasonably necessary to correct the unsafe or dangerous condition may be performed.

3. No certificate of appropriateness is required for alteration of the interior of a structure, unless such structure is designated as a Landmark.
 4. No certificate of appropriateness is required for development or alteration of an Accessory Dwelling Unit.
 5. No certificate of appropriateness is required for paving, decks, fences, and retaining walls except those identified in Table 16.05.01.
- C. Initiation.** An application for a certificate of appropriateness shall only be submitted by a qualified applicant, as defined in Section TBD of this Code.
- D. Procedure.** Shall be as prescribed in Section TBD of this Code.
- E. Review Authority and Public Notice.** The authority to review a certificate of appropriateness and public notice shall be as provided in Table 16.05.01.

Table 16.05.01

Project Type	Decision Authority	Notice (Calendar Days)
Demolition or Relocation of Primary Structure or Accessory Structure		
Structure on HRI or identified as contributor to District or Landmark	AHLC	14 days
Structure not on HRI ^a and identified as non-contributor to Historic District or Landmark	Secretary*	None
New Principal Structure	AHLC	14 days
New Accessory Structure		
500 square feet or more	AHLC	14 days
Less than 500 square feet	Secretary*	None
Additions		
Additions over 500 square feet or 20% of existing floor area (whichever is less)	AHLC	14 days
All other additions	Secretary*	None
Alterations		
Alteration of character defining features of a Landmark	AHLC	None
All other alterations	Secretary*	None
New Driveway	Secretary*	None
Paving over 33% or 200 square feet of required front yard (whichever is less)	Secretary*	None
Sign (New/Alteration)	Secretary*	None
Fence in required yard abutting a street	Secretary*	None
Retaining Wall in front yard	Secretary*	None
Deck over 30 inches tall and visible from street	Secretary*	None

*Secretary or Director's designee

^a Historic Resources Inventory

- F. Findings for Approval.** To approve an application for a certificate of appropriateness, the Architectural Heritage and Landmarks Commission or Director shall find, as applicable:
1. The project is in conformance with the U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties applicable to the project and any ordinance designating the Historic District or Landmark.
 2. For projects located in a Historic District, the proposed project is consistent with any conservation plan or specific plan adopted for the Historic District.
 3. For projects that require demolition, the Architectural Heritage and Landmarks Commission shall also find, as applicable:
 - a. It is not feasible to preserve or restore the structure after considering alternatives and balancing interest in preservation versus cost.
 - b. The retention of the structure constitutes a hazard to public safety.
 - c. The structure is a deterrent to a major improvement program which substantially benefits the City.
 - d. Retention of the structure in the judgment of the commission is not in the interest of the majority within the Historic District.
- G. Conditions of Approval.** The Director may impose, or recommend that the Architectural Heritage and Landmarks Commission impose, such conditions in a certificate of appropriateness that are necessary to accomplish the purposes of this Code and prevent or minimize adverse impacts upon the public. These conditions shall run with the land and not be affected by a change in ownership.
- H. Effect of Issuance of a Certificate of Appropriateness.** Issuance of a certificate of appropriateness shall authorize the development, exterior alteration, restoration, or relocation of the site or structure within the Historic District or of the Landmark designation pursuant to the terms and conditions of the certificate of appropriateness and authorize the applicant to apply for a zoning or building permit.
- I. Expiration of a Certificate of Appropriateness.** Approval of the certificate of appropriateness shall expire automatically twenty-four months after the date of approval, unless authorized construction has commenced prior to the expiration date; except that upon written request prior to expiration, the Director may extend the approval for an additional twelve months. If the Secretary denies the application for extension, the applicant may appeal to the commission within ten calendar days after the Director has denied the extension.
- J. 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.

16.05.100 Maintenance and Upkeep.

- A. General.** All owners of sites, structures or features included in the City's Historic Resources Inventory, in an Historic District or subject to a Landmark designation, shall maintain such sites, structures or features in good repair, and no owner shall permit such sites, structures or features to fall into a state of disrepair that would, in the judgment of the Director, produce a detrimental effect upon the character of such sites, structures or features. Structures and premises shall be considered

in good repair if they do not present material evidence of disrepair or material variance in condition from surrounding structures that comply with the provisions of this Code. The purpose of this Section is to prevent an owner or other person having legal custody and control over a property from facilitating demolition of a historic resource by neglecting it and by permitting damage to it by weather, vandalism, wood-destroying insects, or other factors within the owner's means to prevent.

B. Standards of Review. The standards of review for "good repair" and "disrepair" are 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.
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.

C. Minimum Maintenance. Consistent with all other state and city codes requiring that buildings and structures be kept in good repair, and subject to approval of a certificate of appropriateness if required, the owner or other person having legal custody and control of a property shall repair such building or structure if it is found to have any of the following defects.

1. Building elements so attached that they may fall and injure members of the public or property.
2. Deteriorated or inadequate foundation.
3. Defective or deteriorated flooring.
4. Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.
5. Members of ceilings roofs, ceilings or roof supports or other horizontal members which sag, split or buckle due to defective materials or deterioration.
6. Fireplaces or chimneys which list, bulge or settle due to defective material or deterioration.
7. Deteriorated, crumbling or loose exterior plaster.
8. Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken windows or doors.
9. Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other protective covering.
10. Any fault, defect or deterioration in the building which renders it structurally unsafe or not properly watertight.

D. Notice to Comply.

1. **Unmaintained Resources.** If the Director or Chief Building Official determines that any site or structure is not being maintained in accordance with this Section, the Director or Chief Building Official shall issue a Notice to Comply requiring the owner or other person having legal custody and control of the site or structure to take action in order that the site

or structure may be preserved in accordance with this Section. The Director and/or Chief Building Official may also meet with the owner or other person having legal custody and control of the site or structure to discuss ways to bring the site or structure into conformance with this Section.

2. ***Protection of Deteriorated, Vacant and Vandalized Resources.*** The Director and/or Chief Building Official shall have the authority to issue a Notice to Comply to any owner of any property subject to this Section upon determining that the property has become subject to vandalism or constitutes a public nuisance. In such circumstances, the Chief Building Official shall have the authority to issue any order deemed appropriate to keep the property from being further vandalized or from becoming a public nuisance including, but not limited to, ordering that the building be secured and fenced.
3. For the purposes of this provision, the property shall include exteriors of any accessory building located on a property in the City's Historic Resources Inventory.
4. Security measures that the Chief Building Official may order shall include, but not be limited to, the following:
 - a. The installation of the maximum allowed height under this Code of chain-link perimeter fencing and at least one securely-locked pedestrian gate and the posting of "NO TRESPASSING" signs at regular intervals.
 - b. Steel or plywood closures, with one-inch diameter air holes, installed at all doors and windows. (Sandwich panel installation shall be used so as to avoid drilling into window frames and sashes, doors, ornament or masonry units.)
 - c. The removal of all debris from the premises, including but not limited to wood, paper, cans, bottles and fecal matter.
 - d. Any temporary modifications required to be made to secure the building shall be reversible.
5. Any plans or proposals for work required to be performed pursuant to an Notice to Comply to secure any building from being further vandalized or from becoming a public nuisance must first be reviewed by the Director and Chief Building Official to ensure that any work to secure the building will not damage or alter the historic character of the building. This review by the Director and Chief Building Official shall be completed within 10 calendar days from the date any request for review is submitted. If the work to be performed includes substantial alteration, the procedures set forth in this Section shall be utilized for review.
6. Nothing herein shall be interpreted to prohibit an owner from taking immediate temporary measures to secure a building from unauthorized entry.
7. It shall be unlawful for any property owner to fail to comply with any Notice to Comply issued by the Chief Building Official under this provision.
8. In addition to the remedies provided by this Code, should an owner fail to comply with Order to Comply, the City may take the necessary measures, including those authorized under this Code, to immediately secure the property against vandalism or prevent it from becoming a public nuisance. The City shall have the authority to assess the cost of performing this work as a lien against real property on which the building is located and take whatever additional action the City deems necessary to recover its costs and further secure the property and provide for its preservation. Prior to taking these measures, the City shall send a Notice of Intention to the owner.

Chapter 16.38 - ARCHITECTURAL HERITAGE AND HISTORIC PRESERVATION

I. - Title and Purpose of Chapter

16.38.010 - Title of chapter.

The ordinance codified in this chapter shall be known and may be cited as the "Architectural Heritage and Historic Preservation Ordinance."

(Ord. 1410 N.C.(2d) § 1 (part), 1999: Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.020 - Purpose of chapter.

It is found that protection, enhancement, perpetuation and, use of buildings, structures, landscaping, districts and neighborhoods of historic, architectural and engineering significance located within the city are of cultural, aesthetic and economic benefit to the community and region. It is further found that the economic, cultural and aesthetic standing of the city will be enhanced by preserving the heritage of the city. The purpose of this chapter is to:

- A. Designate, preserve, protect, enhance and perpetuate those historic buildings, structures, landscaping, districts and neighborhoods which contribute to the cultural and aesthetic heritage of Vallejo;
- B. Foster civic pride in the beauty and accomplishments of the past;
- C. Stabilize and improve the economic values of certain historic buildings, structures, landscaping, districts and neighborhoods;
- D. Protect and enhance the city's cultural and aesthetic heritage;
- E. Recognize the uniqueness of historic resources on Mare Island that have contributed to the history of Vallejo, California and the United States and that have significant value to the economic development and land use goals for the island and the community; and
- F. Promote and encourage continued private ownership, where appropriate, and utilization of such buildings and other structures now so owned and used, to the extent that the objectives listed above can be obtained under such policy.

(Ord. 1410 N.C.(2d) § 1 (part), 1999: Ord. 792 N.C.(2d) § 2 (part), 1985.)

II. - Mare Island Amendment

16.38.030 - Sources of regulatory authority for contributing resources on Mare Island.

The purpose of Sections 16.38.030 through 16.38.032 is to establish the sources of regulatory authority which set forth the standards, procedures and regulations for contributing resources on the former Mare Island Naval Shipyard (Mare Island). The sources listed in this section are in addition to any other applicable local, state or federal law which may apply.

(Ord. 1593 N.C. (2d) § 1, 2007.)

16.38.031 - Development review within the Mare Island Historic District.

All new construction, demolition, alteration and relocation of contributing resources, including but not limited to landscaping, signage, and fencing within the Mare Island Historic District, as defined in the Mare Island Specific Plan, shall be subject to the standards, regulations and procedures as contained in the following documents:

- A. The Mare Island Specific Plan/Master Plan, and all of its appendices, particularly:
 - 1. Appendix B.1 Mare Island Historic District Project Guidelines.

(Ord. 1593 N.C. (2d) § 2, 2007.)

16.38.032 - Designation of landmarks.

Additional contributing resources including previously unevaluated or undiscovered resources may be designated as city landmarks by the commission pursuant to Part III of this chapter. Such previously unevaluated or undiscovered resources may be potentially eligible for listing in the California Register of Historical Resources.

(Ord. 1593 N.C. (2d) § 3, 2007.)

16.38.033—16.38.049 Reserved. -

III. - Landmarks

16.38.120 - Heritage survey—List.

The commission shall undertake and complete one or more architectural heritage surveys. Upon completion of such survey(s), the commission shall undertake to establish and maintain a list of structures, objects and areas having a special historical, cultural, architectural or aesthetic interest or value. This list may include single structures or sites, portions of structures, groups of structures, manmade or natural landscape elements, objects, works of art, or integrated combinations thereof.

(Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.130 - Heritage survey—List—Studies and analysis.

Upon completion of such list, the commission:

- A. May carry out, assist and collaborate in studies and programs designed to identify and evaluate structures, objects, sites and areas worthy of preservation, and establish archives where pictorial evidence of the structures and their architectural plans, if any, may be preserved and maintained;
- B. May consult with and consider the ideas and recommendations of civic groups, public agencies and citizens interested in historic preservation;
- C. With permission of the owner or, where appropriate, of the owner's authorized agent, inspect structures, objects, sites and areas which it has reason to believe worthy of preservation;
- D. May disseminate information to the public concerning those structures, objects, sites and areas deemed worthy of preservation, and may encourage and advise property owners and members of the community generally in the protection, enhancement, perpetuation and use of designated

structures, property in historical districts, and other officially recognized property of historical, cultural or architectural interest;

- E. May consider methods for encouraging and achieving preservation, and may establish such policies, rules and regulations as it deems necessary to administer and enforce this chapter, subject to approval by the city council.

(Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.140 - Designation of landmarks.

From the heritage survey list, the commission may designate certain structures, sites, portions of structures, groups of structures, landscape elements, objects, works of art, or integrated combinations thereof as landmarks. Each such designation shall include a description of the characteristics of the designated item which justifies its designation, and shall also include a description of the particular features that should be preserved, and also include the location of the landmark.

(Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.150 - Designation—Criteria.

The commission shall use the following criteria when deciding whether to designate property as a landmark:

- A. Architectural Merit:
 - 1. Property that is the first, last, only, or most significant architectural property of its type in the city or region.
 - 2. Property that is the prototype of, or outstanding example of, periods, styles, architectural movements, engineering or construction techniques, or an example of the more notable work, or of the best surviving work in the city or region of an architect, designer or master builder.
 - 3. Architectural examples worth preserving for the values they add when integrated into the total fabric of the city's neighborhoods.
- B. Cultural Value: Structures, objects, sites and areas associated with the movement or evolution or religious, cultural, governmental, social and economic developments of the city;
- C. Educational Value: Structures worth preserving for their educational value;
- D. Historical Value: Preservation and enhancement of structures, objects, sites and areas that embody and express the history of Vallejo, Solano County, California, or the United States. History may be social, cultural, economic, political, religious or military;
- E. Any property which is listed on the National Register and is described in Section 470a of Title 16 of the United States Code and/or is a registered state landmark.

(Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.160 - Classification of designations.

Any property which the commission finds to meet the criteria specified in Section 16.38.150 may be classified and designated as follows:

- A. City Landmark. City landmarks shall include those structures found to have unique historical, architectural or aesthetic interest or value and which are eligible for or listed on the National Register of Historic Places.
- B. Historic Structure. Historic structures shall include those structures found to have outstanding historical, architectural or aesthetic interest or value.
- C. Structure of Merit. Structures of merit shall include those structures found to have significant historical, architectural or aesthetic interest or value.
- D. Contributing Structure. Contributing structures shall include those structures found to warrant special historical, architectural or aesthetic interest or value.

(Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.170 - Initiation of designation.

The commission shall initiate the designation of a structure. In addition, initiation may be made by the city council or planning commission, or upon the request of the Vallejo Architectural Heritage Foundation, neighborhood associations, historic preservation organizations, the verified application of the owner or authorized agent of property to be designated, or by the application of at least twenty-five unrelated residents of the city.

Any such application shall be filed with the commission upon forms which it shall provide, and shall be accompanied by all data required by the commission.

(Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.180 - Action by commission—Public hearing.

Upon receipt of a request for designation, or the property owners' consent to the designation if nominated by the commission or council the commission, or the secretary, shall schedule a public hearing and cause notice thereof to be published once in a newspaper of general circulation in the city. The secretary shall also cause all owners of property within a two-hundred-foot radius of the property in question, and any neighborhood group applicable to the property, to be notified of such application by mail. These notifications shall be made at least twenty-one days prior to the date scheduled for the hearing. After conducting a public hearing, the commission shall determine whether to designate the structure as a city landmark, provided that no such designation shall be final prior to ratification at a subsequent meeting of the commission.

(Ord. 1164 N.C.(2d) § 1, 1991: Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.190 - Action by commission—Time limitation.

The commission shall offer a public hearing, approve, disapprove or modify the request within one hundred eighty days after receipt of the request.

(Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.200 - Action by commission—Notice of action taken.

The commission shall promptly notify in writing the applicant and owner of the property of such action taken. The commission shall also mail a notice of its decision to persons requesting such notification. A copy of the notice of decision shall be filed with the secretary.

(Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.210 - Resubmission—Reconsideration.

If a proposal initiated by application has been disapproved by the commission, or by the city council on appeal, subsequent application that is the same or substantially the same may not be submitted or reconsidered for at least one year from the effective date of final action on the original proposal unless substantial additional data becomes available, in which case the commission may rule to hear a resubmitted application after six months.

(Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.220 - Additional native of action.

When a structure has been designated as provided above, the commission shall cause a copy of the designation, or notice thereof, to be recorded in the office of the county recorder and copies filed with the following: planning division, building department, housing authority, Solano County board of realtors, Vallejo Architectural Heritage Foundation, American Institute of Architects—Solano County Branch, Northern California Chapter. Such structure shall also appear on all zoning maps.

(Ord. 1368 N.C.(2d) § 17, 1996: Ord. 792 N.C.(2d) § 2 (part), 1985.)

IV. - Districts

16.38.230 - Establishment of overlay districts.

This chapter establishes two overlay zoning districts, the architectural heritage district (AHD) and the historic district (HD).

(Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.240 - Classification and intent of districts.

- A. Architectural Heritage District. This district may be made applicable to any area in the city with significant architectural heritage. Any zoning district, or a portion thereof, may be designated an "architectural heritage district." This district is adopted to preserve areas and specific buildings and structures which reflect elements of the cultural, social, economic, political and architectural history of the city. This district is intended to stabilize and improve property values in historical areas and to preserve specific buildings and structures which are considered to be of historical or architectural value, to foster civic pride and beauty, and to strengthen the community's economy.
- B. Historic District. This district may be made applicable to any area in the city found to have significant historical, architectural or aesthetic value. Any zoning district, or a portion thereof, may be designated an "historic district." It is the purpose of this district and the intent of the city council in adopting same to achieve maximum feasible rehabilitation. Rehabilitation, as distinct from

restoration, is the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use. In rehabilitation, those portions of the property important to illustrating historic, architectural and cultural values are preserved or restored.

(Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.250 - Initiation of amendment—Procedure.

Any one of the above overlay districts may be applied to property, or amendments regarding such classification of property shall be accomplished, using the procedures established in Chapter 16.86 of this code; however, whenever Chapter 16.86 refers to the "planning commission," for the purposes of this chapter such reference means the architectural heritage and landmarks commission.

(Ord. 792 N.C.(2d) § 2 (part), 1985.)

V. - Certificates of Appropriateness

16.38.260 - When a certificate of appropriateness is required.

Activity on a site or structure, as set forth in Section 16.38.270A, shall require a certificate of appropriateness when such site or structure is:

- A. In an Architectural Heritage District;
- B. In an Historic District;
- C. A designated City Landmark Structure;
- D. A designated Historic Structure;
- E. A designated Structure of Merit;
- F. A designated Contributing Structure.

(Ord. 1298 N.C.(2d) § 1 (part), 1994: Ord. 1261 N.C.(2d) § 2 (part), 1993: Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.270 - Applicability—Type of activity; exceptions.

- A. A certificate of appropriateness shall be required before the following actions affecting a site or structure designated under Section 16.38.260 may be undertaken:
 - 1. The construction of a new principal or accessory structure;
 - 2. The alteration of an existing structure in any manner which affects the exterior architectural appearance of the structure. "Exterior architectural appearance" is defined as the architectural character and general composition of the exterior of a structure, including, but not limited to, the type and texture of the building material and the type, design, and character of all windows, doors, stairs, porches, railings, molding and other appurtenant elements;
 - 3. The erection or alteration of a sign, accessory structure, fence (see Section 16.38.300C and D) or deck which is more than thirty inches above grade level;
 - 4. The installation or placement of concrete, asphalt or other impervious surfacing, for a purpose other than a driveway, which covers thirty-three and one-third percent or more, or two hundred square feet or more, whichever is greater, of a front yard on a through lot or covers thirty-three

and one-third percent or more, or two hundred square feet or more, whichever is greater, of the front and/or side yards on a corner lot. For the purpose of this section, a "yard" is defined as the area from the back of the sidewalk to the building line parallel to the street;

5. The erection or alteration of a retaining wall within a front yard. For the purpose of this section, a "yard" is defined as the area from the back of the sidewalk to the building line parallel to the street;
6. The addition of one-hundred square feet or more of new building construction or an expansion of one hundred square feet or more of floor area into any existing portion of a structure which will result in modification to the exterior of the structure;
7. The installation or placement of a driveway (see Section 16.38.300F);
8. The interior alteration of a structure designated as a city landmark;
9. The moving or demolition of an existing primary or accessory structure, excluding signs and fences.

B. Exceptions.

1. Commission approval is not required and the provisions of this section do not apply to the painting, routine maintenance, or minor repair has defined in the rules of the commission), nor to the interiors of a structure, unless such structure is designated city landmark.
2. Nothing herein shall prevent any changes in the interior features of a church where such changes are necessitated by changes in the liturgy, it being understood that the appropriate church officials, as owner of the property, are the exclusive authority on liturgy and are the decisive parties in determining what architectural changes are appropriate to the liturgy; provided, that when it is proposed to make changes necessitated by changes in liturgy, the church officials shall communicate the nature of the change to the commission in order to receive comment and, if required, the commission shall issue a certificate of appropriateness. However, prior to the issuance of any certificate, the commission and church officials shall jointly explore such possible alternative design solutions as may be appropriate or necessary in order to preserve the interior features of such church.
3. No certificate of appropriateness shall be required to prevent any emergency measures of construction, alteration or demolition which are deemed necessary to correct the unsafe or dangerous condition of any structure, other feature or part thereof, where such condition has been declared unsafe or dangerous by the building official or the fire marshal, and where the proposed measures have been declared necessary by such officials to correct the condition; provided, however, that only such work as is reasonably necessary to correct the unsafe or dangerous condition may be performed.

(Ord. 1298 N.C.(2d) § 1 (part), 1994: Ord. 1261 N.C.(2d) § 2 (part), 1993: Ord. 181 N.C.(2d) § 1, 1990: Ord. 133 N.C.(2d) § 1, 1989: Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.280 - Contents of application.

The application shall contain the name, address, and phone number of the applicant, the location of the proposed activity, a concise statement of the nature and extent of the proposed activity, and all other necessary information prescribed by the rules of the commission. The application shall be signed by the applicant, or the applicant's agent. The application shall be accompanied by any required fee as prescribed by the city council. If, at the time of filing of the application, the applicant has made application or submission of the proposed activity for approval by the planning commission or other city agencies, the

secretary shall make every reasonable effort to assure that the matters are processed and heard concurrently.

(Ord. 1298 N.C.(2d) § 1 (part), 1994: Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.290 - Certificate of appropriateness—Process.

Within five working days after an application for a certificate of appropriateness has been found to be complete and accepted for processing, the secretary of the commission shall do one of the following:

- A. If the proposed project consists of exterior alterations to an existing building, consists of the installation of a driveway, installation of impervious surfacing, the erection or alteration of a sign, fence, retaining wall or deck which is thirty inches or more above grade level, or constitutes new building construction of less than one hundred square feet, and meets the design standards adopted by the commission, the secretary shall approve the certificate of appropriateness. If the proposed project does not, in the judgment of the secretary, meet the design standards adopted by the commission, the secretary shall schedule the project for the next available commission meeting.
- B. If the proposed project consists of the moving or demolition of an existing accessory structure which is not listed on the city's historical resource inventory, the secretary shall mail a notice of the pending application to the owners of property within two hundred feet of the affected site, the commission, and the president of the Architectural Heritage Foundation, the St. Vincent's Hill Neighborhood Association and the Old City Neighborhood Association, at least seven days prior to the secretary's action on the application. If the secretary or any of the parties notified believe that the project may adversely affect the character of the district, the secretary shall schedule the project for the next available commission meeting. Failure of any party to receive notice of the pending action shall not invalidate the proceedings.
- C. If the proposed project is for the interior alteration of a structure designated as a city landmark, the secretary shall schedule the project for the next available commission meeting.
- D. If the proposed project is for the construction of a new principal or accessory structure or constitutes new construction of one hundred square feet or more, the secretary shall schedule the project for the next available commission meeting. At least seven days prior to the project being considered by the commission, a notice shall be sent to owners of property within two hundred feet of the subject property and any neighborhood group applicable to the property.
- E. If the proposed project consists of the moving or demolition of an existing primary structure, or an accessory structure which is listed on the city's historical resources inventory, the secretary shall schedule a public hearing before the commission. At least twenty-one days prior to said hearing, notice of said public hearing shall be published in a local newspaper, and mailed to the owners of property within 500 feet of the affected site, and the president of the Architectural Heritage Foundation, the St. Vincent's Hill Neighborhood Coalition and the Old City Neighborhood Committee. Failure of any party to receive notice of the hearing shall not invalidate the proceedings.
- F. With respect to subsections A. and B. of this section, any interested person may appeal the decision of the secretary to approve the certificate of appropriateness as meeting the minimum design standards by filing notice of appeal with the secretary within five working days after the decision is made. If such an appeal is taken, the secretary shall schedule the matter for the next available meeting and so advise the applicant and the appellant. The secretary shall notify the commission in a timely manner of every application approved by the secretary.

- G. Whenever the secretary of the commission finds that the decision on any application is beyond his or her purview of authority, the application shall be forwarded to the commission for its determination.

(Ord. 1298 N.C.(2d) § 1 (part), 1994: Ord. 1261 N.C.(2d) § 2 (part), 1993: Ord. 1195 N.C.(2d) § 1, 1991: Ord. 1165 N.C.(2d) § 1, 1991: Ord. 1072 N.C.(2d) § 1, 1990: Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.295 - Design review standards.

- A. Adoption of Standards. The commission shall develop and adopt minimum regulations and standards. The commission may appoint an advisory board or committee of such number as it determines advisable to recommend such regulations and standards. Upon adoption of such regulations and standards, the commission shall forward them to the city council with a recommendation that such regulations and standards be incorporated into this chapter. The commission shall not so adopt and recommend until it has conducted a public hearing thereon.
- B. Basic Site Development Standards. Whenever a property is subject to a zoning district, and has been designated under Section 16.38.260, all of the site development standards and provisions applicable to that zoning district shall also be applicable. In addition, the site development standards and provisions set forth in this chapter shall likewise apply.
- C. New Construction Standards. To review and approve new buildings when a certificate of appropriateness is required pursuant to Section 16.38.260, the commission shall adopt and apply "new construction standards."
- D. Secretary of Interior's Standards. To review and approve any alterations or other work on existing buildings when a certificate of appropriateness is required pursuant to Section 16.38.260, the commission shall adopt and apply the most current Secretary of Interior's Standards provided by the U.S. Department of the Interior.

(Ord. 1298 N.C.(2d) § 1 (part), 1994: Ord. 1261 N.C.(2d) § 2 (part), 1993: Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.300 - Special considerations and policies.

- A. The following policies of the city shall guide the commission in its deliberations and actions:
1. It is the purpose of this chapter and the intention of the city council in adopting same to achieve the maximum restoration architecturally feasible. "Restoration" is the process of accurately recovering the form and details of a property as it appeared at a particular period of time by removing later work and by replacing missing original work.
 2. It is also the purpose of this chapter and the intention of the city council in adopting same that the commission be lenient in its judgment of plans for structures which have little or no historic value, or of plans for new construction unless such plans would seriously impair the historic or architectural value of surrounding structures.
- B. With respect to applications containing the moving or demolition of a structure, the following special considerations shall be utilized by the commission when the matter before it so dictates:
1. If an application proposes to move or demolish a structure which the commission considers will be a great loss to the city, the commission shall enter into negotiations with the owner thereof to work out an economically feasible plan for the preservation of the structure;

2. If the commission finds that the retention of the structure constitutes a hazard to public safety and the hazard cannot be eliminated by economic means available to the owner, the commission shall approve the application;
 3. If the commission considers the structure valuable for the period of architecture it represents and important to the neighborhood in which it exists, the commission may nevertheless approve the application if any of the following circumstances exists:
 - a. The structure is a deterrent to a major improvement program which substantially benefits the city.
 - b. Retention of the structure in the judgment of the commission is not in the interest of the majority within the architectural heritage district;
 4. The commission may approve the moving of a structure of historical or architectural value as an alternative to demolition.
- C. All fencing erected within the architectural heritage or the St. Vincent's historic districts shall be wood, decorative metal, shrubbery, or any other material found by the commission to be in keeping with the character/period of these districts. Cyclone or chain link fences came into general use after 1940; therefore they are detrimental to the renovation/restoration of these districts and are specifically not allowed.
- D. The maximum height for fences within any required front yard and/or required street side yard shall be three feet six inches and six feet thereafter. For the purpose of this section, a "required yard" for interior or through lots shall be a minimum depth of fifteen feet from the front property line. For corner lots, required yards shall be a minimum depth of fifteen feet from the front property line and ten feet from any other property line abutting a street. The maximum height for all other fences shall be six feet.
- E. Manufactured housing proposed for installation in places listed on the National Register of Historic Places shall be subject to all applicable city design review standards as provided in Section 16.75.040G.
- F. With respect to applications for the installation of a driveway, a certificate of appropriateness shall not be issued unless the subject property retains a nonpaved area equal to or greater than the square footage of the footprint of all buildings or structures on the property.

(Ord. 1298 N.C.(2d) § 1 (part), 1994: Ord. 1260 N.C.(2d) § 1, 1993: Ord. 1249 N.C.(2d) § 1, 1992: Ord. 1081 N.C.(2d) § 2, 1990: Ord. 1033 N.C.(2d) § 2, 1989: Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.310 - Required findings.

Prior to granting a certificate of appropriateness the architectural heritage and landmarks commission or the secretary of the commission, as is appropriate, shall find:

- A. With respect to property in an architectural heritage district or a historic district, that the proposed work shall not adversely affect the exterior features of the subject property or the relationship and congruity between the subject structure or feature and its neighboring structures and surroundings, including facade, setback, bulk, height, color and wall of continuity; nor shall the proposed work adversely affect the special character or special historical, cultural, architectural or aesthetic interest or value of the district.
- B. With respect to the alteration of a designated city landmark, that the proposed work shall not affect the exterior architectural features of the structure or its major interior architectural features; nor shall the proposed work adversely affect the character of special historical,

cultural, architectural or aesthetic interest or value of the landmark and its site, viewed both as to the structure and as to the setting.

- C. With respect to the demolition, or portion thereof, of a designated city landmark, that the structure is in such condition that it is not feasible to preserve or restore it, taking into consideration the economic feasibility of alternatives to the proposal, and balancing the interest of the public in preserving the designated landmark or portion thereof, and the interest of the owner of the landmark site in its utilization.
- D. With respect to historic structures or structures of merit, that the proposed work shall not adversely affect the exterior architectural feature; nor shall the proposed work adversely affect the character or special historical, cultural, architectural or aesthetic interest or value of the structure and its site, viewed both as to the structure and as to its setting.

(Ord. 1298 N.C.(2d) § 1 (part), 1994.)

16.38.315 - Variances—Public hearing.

The owner of property which is subject to the provisions of this chapter as specified in Section 16.38.260 may apply for a variance to the development standards of this chapter. Upon receipt of a request for a variance, the secretary shall schedule a public hearing and cause notice thereof to be published once in a newspaper of general circulation in the city, and also mail a notice of the hearing to appropriate property owners as defined by the noticing procedures specified by state law and/or city policy. The variance shall be reviewed in accordance with the provisions of Chapter 16.84 of this code, entitled variances, except that whenever Chapter 16.84 refers to the "planning commission" for the purposes of this chapter such reference means the "architectural heritage and landmarks commission."

(Ord. 1132 N.C.(2d) § 1, 1990.)

16.38.316 - Minor exceptions.

The owner of property which is subject to the provisions of this chapter as specified in Section 16.38.260 may apply for a minor exception to the development standards of this chapter. Said requests shall be governed by the provisions of Chapter 16.80 and be processed as described therein, except that the request shall be subject to review and approval by the secretary of the architectural heritage and landmarks commission or his/her designee.

(Ord. 1249 N.C.(2d) § 2, 1992.)

16.38.318 - Time limitation of approval.

Approval of the certificate of appropriateness shall expire automatically eighteen months after the date of approval by the architectural heritage and landmarks commission or by the secretary, unless authorized construction has commenced prior to the expiration date; except that upon written request prior to expiration, the secretary may extend the approval for an additional twelve months. If the secretary denies the application for extension, the applicant may appeal to the commission within ten days after the secretary has denied the extension.

(Ord. 1261 N.C.(2d) § 1 (part), 1993.)

16.38.319 - Revocation or suspension of a certificate.

The architectural heritage and landmarks commission shall have the power to revoke or suspend a certificate of appropriateness where the permit was obtained by fraud; or where the conditions of such certificate have not been or are not complied with.

(Ord. 1261 N.C.(2d) § 1 (part), 1993.)

16.38.320 - Certificate of appropriateness—Refiling application.

At the conclusion of the hearing, or within thirty days thereafter, the commission shall render its decision approving or disapproving the application. If the application is approved, the secretary shall issue a certificate of appropriateness. No application for the same or substantially similar proposed activity may be filed within one year after disapproval of the activity.

(Ord. 1261 N.C.(2d) § 2 (part), 1993: Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.330 - Certificate of appropriateness—Appeal process.

Any person aggrieved by the decision of the secretary of the commission may appeal the matter to the commission by filing a notice of appeal within five days of the secretary's decision. Any person aggrieved by the decision of the commission may appeal to the city council by filing a notice of appeal with the city clerk within ten days after the commission renders its decision. Notice and hearing on such appeal shall be the same as prescribed by the city council for zoning and land use appeals under this title. The decision of the city council shall be final and conclusive in the matter.

(Ord. 1261 N.C.(2d) § 2 (part), 1993: Ord. 792 N.C.(2d) § 2 (part), 1985.)

VI. - Other Provisions

16.38.340 - Fees.

The planning division may collect such application or other fees for the administration of this chapter as are authorized from time to time by the city council.

(Ord. 1368 N.C.(2d) § 17, 1996: Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.350 - Alternative building code.

The building official may use the State Historic Building Code in his review of any designated structure.

(Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.360 - Duty to keep in good repair.

The owner of a designated structure, or of a structure in an historic or heritage district shall keep in good repair all of the exterior portions thereof and such interior portions as are necessary to prevent deterioration or decay.

(Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.370 - Property owned by public agencies.

The commission shall notify all public agencies which own or may acquire property in the city about the existence and character of designated landmarks and historic districts. In the case of any public agency which is not subject to the zoning jurisdiction of the city, it is encouraged to seek the advice of the commission prior any construction, alteration or demolition of any structure in an historic or heritage district or of any designated structure.

(Ord. 792 N.C.(2d) § 2 (part), 1985.)

16.38.380 - Notice; recording.

With respect to the parcels of real property located within the boundaries of the architectural heritage district (AHD) and the historic district (HD) and other parcels designated and made subject to the requirements of Chapter 16.38 of this code, the city clerk shall cause to be recorded in the office of the recorder of Solano County, California, a "Notice of Restriction" substantially as follows:

NOTICE OF RESTRICTION

Notice is hereby given that this property in the City of Vallejo, Solano County, California, is subject to City of Vallejo Municipal Code Restrictions as provided in Chapter 16.38 entitled Architectural Heritage and Historic Preservation Ordinance. Prior to commencing any construction remodeling the property owner shall consult with the Secretary to the Architectural Heritage and Landmarks Commission, in the Planning Division, City of Vallejo and secure a Certificate of Appropriateness if required by the above referenced ordinance.

	City of Vallejo
By	_____
	City Clerk

(Ord. 1261 N.C.(2d) § 2 (part), 1993: Ord. 1020 N.C.(2d) § 1, 1989.)

16.38.390 - Amendments.

The commission may initiate amendments to this chapter as needed to accomplish its purpose as defined in Section 16.38.020. Said amendment shall be processed in accordance with the provisions of Chapter 16.86 except that whenever Chapter 16.86 refers to the "planning commission" for the purposes of this chapter such reference means the "architectural heritage and landmarks commission."

(Ord. 1132 N.C.(2d) § 2, 1990.)

MAP NBE-2 Historic Resources



Source: City of Vallejo, 2014; ESRI 2010; PlaceWorks, 2016.

