

**ORDINANCE NO. 578
(AS AMENDED THROUGH 578.5)**

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE GOVERNING THE
ESTABLISHMENT OF HISTORIC PRESERVATION DISTRICTS AND REGULATING
ACTIVITIES THEREIN**

Article I. GENERAL PROVISIONS.

Section 1.1. FINDINGS. The Board of Supervisors finds that the protection, preservation, enhancement, perpetuation, and use of resources of historic, architectural, archaeological, engineering, and cultural merit within Riverside County is necessary and required in the interest of health, safety, social and cultural enrichment and general welfare of the public. To promote these interests, this ordinance authorizes the establishment, disestablishment and modification of Historic Preservation Districts and regulates activities within such Districts.

Section 1.2. PURPOSE. The purpose of this ordinance is to set forth reasonable and uniform procedures for Historic Preservation Districts that do each of the following:

- A. Protect, enhance and perpetuate structures, architectural styles, landmarks and irreplaceable assets that represent past eras, events, and persons important in County history, or which provide significant examples of the physical surroundings in which past generations lived.
- B. Safeguard the County's historic heritage, as embodied and reflected in established Historic Preservation Districts.
- C. Stabilize and improve property values.
- D. Protect and enhance the County's attractiveness to residents, tourists and visitors, and serve as a support and stimulus to business and industry.
- E. Strengthen the economy of the County.
- F. Promote the use of Historic Preservation Districts for the education, pleasure, prosperity and welfare of the County's residents.

Section 1.3. AUTHORITY. This ordinance is adopted pursuant to Government Code Section 25373, Subsection (b) which authorizes counties to provide special conditions or regulations for the protection, enhancement, perpetuation, or use of places, sites, buildings, structures, works of art and other objects having a special character or special historical or aesthetic interest or value.

Section 1.4. DEFINITIONS. As used in this ordinance, the following terms shall have the following meanings:

- A. Adjacent. Adjoining or contiguous.
- B. Applicant. Any person who applies for a Historic District Alteration Permit affecting property subject to this ordinance.
- C. Alteration. Any of the following:
 1. Any act or process which changes or modifies one or more of the exterior architectural features of an existing building, structure or façade within the boundaries of a Historic Preservation District including, but not limited to,

- modifications of architectural details or visual characteristics such as paint color and surface texture; or
2. The placement or removal of any exterior objects such as signs, plaques, light fixtures, street furniture, walls, fences, steps, plantings and landscape accessories affecting the exterior visual qualities of an existing building, structure or façade within the boundaries of a Historic Preservation District;
 3. Alteration does not include maintenance of gardens or ordinary maintenance and repair of an existing building, structure or facade within the boundaries of a Historic Preservation District needed to correct any deterioration, decay of, or damage to a building, structure or facade or any part thereof in order to restore same as nearly as practical to its condition prior to such deterioration, decay or damage.
- D. Alteration Permit Application. The application for a Historic District Alteration Permit.
- E. Board of Supervisors. The Board of Supervisors of Riverside County.
- F. Building. A structure having a roof supported by columns or walls.
- G. Building Official. The Director of the Riverside County Department of Building and Safety or the Director's designee(s).
- H. Contributing Resource. Any Historic Resource that significantly contributes to the historical nature of a Historic Preservation District.
- I. District Application. The application filed with the General Manager of the Riverside County Regional Park and Open-Space District to establish, disestablish, or modify a Historic Preservation District.
- J. Elevation. The flat scale orthographic projected drawings of all exterior vertical surfaces of a building.
- K. Exterior Architectural Feature. The architectural design, general arrangement and components of all of the outer surfaces of a building, structure or façade, including, but not limited to, the kind, color and texture of the building material and the type and style of all windows, doors, lights, signs and other fixtures appurtenant to such building, structure or façade.
- L. Façade. The front, side, rear or superstructure of a building or structure, or any part of a building or structure which is subject to view from a public right of way.
- M. General Manager. The General Manager of the Riverside County Regional Park and Open-Space District or the General Manager's designee(s).

- N. Historical Commission. The Riverside County Historical Commission.
- O. Historic District Alteration Permit. A permit approved by the Planning Director which allows for the demolition, construction or alteration of a specific building, structure or façade within the boundaries of a Historic Preservation District.
- P. Historic Preservation District. Any area designated by the Board of Supervisors as a historic area pursuant to the provisions of this ordinance.
- Q. Historic Resource. Any building, structure, façade, landmark, site, area, place, feature, sign, landscape accessory, or other object which are significant in historic, archaeological, engineering, scientific, cultural, architectural, social, political or military value to the citizens of the County, the Southern California region, the State of California, or the nation which may be determined eligible for designation pursuant to the provisions of this ordinance or which may be eligible for listing or designation on any current or future State or Federal register of historic resources.
- R. Historic Resource Survey. A survey that documents Historic Resources related to the Historic Preservation District.
- S. Local Governmental Entity. Riverside County or a special district within Riverside County.
- T. Non-Contributing Resource. A resource within a Historic Preservation District that does not possess the qualifications or characteristics of a Contributing Resource, but which has been included within the Historic Preservation District because of its geographic location within the Historic Preservation District.
- U. Person. Any person, association, company, firm, corporation, partnership, copartnership or joint venture.
- V. Planning Director. The Director of the Riverside County Planning Department or the Director's designee(s).
- W. Structure. Anything constructed or erected and the use of which requires more or less a permanent location on the ground or attachment to something having a permanent location on the ground, including, but not limited to, a fence, gate, bridge, water tank, or tunnel, typically made for purposes other than creating shelter.

Article II. HISTORIC PRESERVATION DISTRICTS.

Section 2.1. ESTABLISHING HISTORIC PRESERVATION DISTRICTS.

- A. Any person or local governmental entity may request the establishment of a Historic Preservation District by submitting a District Application to the General Manager and accompanied by the filing fee set forth in County Ordinance No. 671. The District Application shall clearly define the boundaries of the proposed Historic Preservation District, describe the historical significance of the area and include a copy of the applicable Historic

Resource Survey.

- B. The General Manager shall review the District Application and once he deems it complete shall place the District Application on the regular agenda of the Historical Commission for its recommendation.
- C. The Historical Commission shall make a recommendation on the District Application and forward such recommendation to the Planning Director. In making its recommendation, the Historical Commission shall consider the findings listed in Article II. Section 2.1.G. of this ordinance.
- D. Upon receipt of the Historical Commission's recommendation, the Planning Director shall request that the Clerk of the Board of Supervisors place the matter on the regular agenda of the Board of Supervisors for a public hearing.
- E. Not less than ten (10) days prior to the date of the public hearing, the Clerk of the Board of Supervisors shall mail to every property owner within the boundaries of the proposed Historic Preservation District, at the addresses shown on the last equalized assessment roll, a notice of public hearing. All such notices shall include the time and place of the public hearing, a description of the area to be included in the proposed Historic Preservation District, an explanation of the purpose of the proposed Historic Preservation District, a brief description of the type of restrictions that will be applied to all property in the proposed Historic Preservation District, and a statement that written objections to the proposed Historic Preservation District shall be submitted to the Clerk of the Board of Supervisors by the close of business no less than three (3) days prior to the date of the public hearing.
- F. The Board of Supervisors shall make its decision regarding the proposed Historic Preservation District within thirty-five (35) days of the close of the public hearing.
- G. A Historic Preservation District may be established only upon the Board of Supervisors adopting a resolution that includes the boundaries of the Historic Preservation District, the first finding listed below and one or more of the subsequent findings listed below:
 - 1. The proposed Historic Preservation District is in conformity with the Cultural and Paleontological Section of the Multipurpose Open Space Element of the Riverside County General Plan.
 - 2. The area exemplifies or reflects significant aspects of the cultural, political, economic or social history of the County, State or nation; or
 - 3. The area is identified with historic personages or with important events in County, State or national history; or
 - 4. The area embodies the distinguishing characteristics of a significant architectural period which is inherently valuable

for the study of architecture unique to the history of the County, State, or nation.

- H. When a Historic Preservation District has been established by the Board of Supervisors, the Planning Director shall promptly notify by mail the property owners within the Historic Preservation District and transmit the Board of Supervisors resolution to the following: Riverside County Regional Park and Open-Space District, Fire Department, Code Enforcement Department, Assessor-County Clerk-Recorder and Building and Safety Department.

Section 2.2. DISESTABLISHING OR MODIFYING HISTORIC PRESERVATION DISTRICTS.

All requests to disestablish or modify the boundaries of a Historic Preservation District shall be filed with the General Manager and processed in accordance with Article II. Section 2.1. of this ordinance.

Article III. ACTIVITIES WITHIN HISTORIC PRESERVATION DISTRICTS.
Section 3.1. DEMOLITION AND CONSTRUCTION.

- A. Within the boundaries of a Historic Preservation District, no person shall demolish, cause to be demolished, construct, or cause to be constructed, any building, structure or façade, except in strict compliance with this ordinance and any plans approved in conjunction with the issuance of a Historic District Alteration Permit.
- B. Within the boundaries of a Historic Preservation District, no demolition or building permit shall be issued except in strict compliance with this ordinance and any plans approved in conjunction with the issuance of a Historic District Alteration Permit.
- C. Upon receipt of a demolition or building permit application for a building, structure or façade within a Historic Preservation District, the following procedures shall be followed:
 - 1. The Building Official shall submit such permit application to the General Manager who shall determine whether a Historic District Alteration Permit is required pursuant to Article III. Section 3.3. of this ordinance.
 - 2. Within thirty (30) days of receipt of the permit application, the General Manager shall provide a written determination to the Building Official as to whether a Historic District Alteration Permit is required in accordance with this ordinance. A Historic District Alteration Permit shall be required when the permit application for the demolition or construction of a building, structure or façade involves a Contributing Resource as determined by the General Manager.
 - 3. If a Historic District Alteration Permit is required, an Alteration Permit Application shall be filed and processed in accordance with Article III. Section 3.3. of this

ordinance.

4. If a Historic District Alteration Permit is not required, the permit application for the demolition or construction of a building, structure or façade shall be processed by the Building Official.

D. Nothing in this section shall be construed so as to exempt any person from complying with any other provision of law.

Section 3.2. ALTERATION.

A. Within the boundaries of a Historic Preservation District, no person shall alter or cause to be altered any building, structure or façade, except in strict compliance with this ordinance and any plans approved in conjunction with the issuance of a Historic District Alteration Permit.

B. When the Building Official determines that an alteration to a building, structure or façade within a Historic Preservation District requires a demolition or building permit, the procedures set forth in Article III. Section 3.1 of this ordinance shall be followed.

C. When the Building Official determines that an alteration to a building, structure or façade within a Historic Preservation District does not require a demolition or building permit, the Building Official shall refer the person proposing the alteration to the General Manager who shall determine, within thirty (30) days, whether a Historic District Alteration Permit is required pursuant to Article III. Section 3.3 of this ordinance. A Historic District Alteration Permit shall be required when the alteration of a building, structure or façade within a Historic Preservation District involves a Contributing Resource as determined by the General Manager.

D. If a Historic District Alteration Permit is required, an Alteration Permit Application shall be filed and processed in accordance with Article III. Section 3.3 of this ordinance.

Section 3.3. HISTORIC DISTRICT ALTERATION PERMIT.

A. Any owner, or person authorized by the owner, of property within the boundaries of a Historic Preservation District, may request the issuance of a Historic District Alteration Permit by filing an Alteration Permit Application with the Planning Director. The Alteration Permit Application shall be accompanied by the filing fee set forth in Ordinance No. 671, and such data and other information as is required by the Planning Director, including any required environmental documentation, and drawings signed by any architect responsible for the demolition, construction or alteration of the building, structure or facade. The drawings must be in sufficient detail to meaningfully show, insofar as they relate to exterior appearances, the proposed architectural design, including elevations, proposed materials, textures, colors, site layout, including walls, walks, terraces, plantings, accessory buildings, signs, lights, and other elements.

B. Upon receipt of an Alteration Permit Application, the Planning

Director shall submit a copy of the Alteration Permit Application to the following, each of which shall have 60 days to submit written comments to the Planning Director: the Local Review Board referenced in Article IV of this ordinance, the General Manager or his or her designee, and any other agency or department deemed necessary by the Planning Director.

- C. The Planning Director shall approve or deny the Alteration Permit Application within 15 days after the expiration of time for the above-referenced written comments. The Planning Director shall give notice of the decision, by mail, to the Applicant, together with any required conditions of approval. The Planning Director's decision is final.
- D. The Planning Director shall also mail a copy of the decision to the Local Review Board and persons that have filed an annual written request to be notified of any such decisions within a specified Historic Preservation District and who have paid an annual fee to cover the costs involved.
- E. No Alteration Permit Application may be approved unless the Planning Director finds that the proposed demolition, construction or alteration is consistent with and conforms to the Cultural and Paleontological Section of the Multipurpose Open-Space Element of the Riverside County General Plan, this ordinance, and the Local Review Board's design standards for the specific Historic Preservation District in which the proposed demolition, construction or alteration is located.

Section 3.4. MAINTENANCE REQUIREMENTS.

- A. The owner, lessee or other person legally in possession of any building, structure or façade within a Historic Preservation District, regardless of whether or not it is a Contributing Resource, shall comply with all applicable laws and regulations governing the maintenance of such building, structure or facade. Additionally, the owner, lessee or other person legally in possession of such building, structure or façade shall not permit such building, structure or façade to fall into a state of disrepair which may result in the deterioration of any exterior appurtenance or architectural feature so as to produce or tend to produce a detrimental effect upon the character of the Historic Preservation District as a whole or the building, structure or façade in question, including but not limited to the following:
 - 1. The deterioration of exterior walls or other vertical supports, roofs or other horizontal members, or exterior chimneys that causes leaning, sagging, splitting, listing, or buckling.
 - 2. The deterioration or crumbling of exterior stucco, plaster or mortar.
 - 3. The ineffective waterproofing of exterior walls, roofs and foundations including broken windows or doors.
 - 4. The failure to protect exterior walls and roof coverings

from weathering, including lack of paint or other protective covering.

5. The deterioration of exterior stairs, porches, handrails, window and door frames, cornices, wall facings, and architectural details that causes delamination, instability, loss of shape and form, or crumbling.
6. The failure to protect the building, structure or façade from rotting, holes, and other forms of decay.
7. The deterioration of sidewalks, steps, or pathways that cause heaving or subsidence.
8. Any deterioration that contributes to a hazardous or unsafe condition.

Section 3.5. APPLICATION OF CALIFORNIA BUILDING CODE.

The Building Official shall apply the California Historical Building Code in the issuance of permits for repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, moving, or continued use of Historic Resources within a Historic Preservation District.

Section 3.6. UNSAFE OR DANGEROUS CONDITIONS.

- A. If the Building Official has determined that action is required to correct an unsafe or dangerous condition within a Historic Preservation District, such action may be taken without complying with Sections 3.1, 3.2 or 3.3 of Article III of this ordinance.
- B. Only such action as is necessary to correct the unsafe or dangerous condition may be performed pursuant to this section.

Article IV. LOCAL REVIEW BOARD FOR HISTORIC PRESERVATION DISTRICTS.

Section 4.1. MEMBERSHIP.

- A. Each Historic Preservation District shall have a Local Review Board composed of five (5) members, who shall serve without pay or compensation of any kind. All five (5) members shall reside within a three (3) mile radius of the Historic Preservation District's boundaries.
- B. At least one (1) member shall be knowledgeable in architectural and construction techniques and all members shall exhibit an interest in and knowledge of the history and architecture of the Historic Preservation District.
- C. Members shall be appointed by the Board of Supervisors for terms of 2 years, except that 2 members initially appointed to the Local Review Board shall be appointed for one-year terms.

Section. 4.2. MEETINGS AND PROCEDURES.

- A. The Local Review Board shall hold regular public meetings and adopt such rules and procedures as may be appropriate or necessary for the orderly conduct of its business. At its first meeting, the appointed members shall elect the following officers who shall serve for terms of one year: Chairman, Vice Chairman

and Secretary.

- B. The Chairman shall preside at all meetings of the Local Review Board and shall submit the written comments referenced in Article III, Section 3.3.B. of this ordinance. The Vice Chairman shall perform the duties of the Chairman in the absence of the Chairman. The Secretary shall keep the records of the Local Review Board, prepare and post meeting agendas, record all votes and keep a record of the proceedings.
- C. Three members shall constitute a quorum, and decisions of the Local Review Board shall be determined by majority vote of those members present at any meeting.

Section 4.3. POWERS AND RESPONSIBILITIES.

- A. The Local Review Board shall be advisory to the Planning Director in the processing of Historic District Alteration Permits.
- B. The Local Review Board shall adopt a Historic Preservation District Plan that contains the following:
 - 1. A statement of the goals for the Historic Preservation District, which at a minimum do each of the following:
 - a. Maintain distinguished original qualities or character of buildings, structures and facades;
 - b. Retain distinctive stylistic features;
 - c. Encourage alterations that do not compromise significant historical or architectural materials and design.
 - 2. A description of the buildings, structures, facades, design elements, and heritage which combine to constitute the Historic Preservation District.
 - 3. A set of guidelines for achieving the goals of the Historic Preservation Plan based on Historic Resource Survey findings, applicable preservation laws and standards, and appropriate design criteria.
- C. The Local Review Board shall develop the format and required contents for the Alteration Permit Application.
- D. The Local Review Board shall adopt design standards that describe and depict compatible and acceptable architectural design, color, texture, exterior architectural features, construction and construction materials within the Historic Preservation District.
- E. Prior to approval of both the Alteration Permit Application and design standards set forth above, the Local Review Board shall submit these documents to the Planning Director for a determination of consistency with the Cultural and Paleontological Section of the Multipurpose Open-Space Element of the Riverside County General Plan and this ordinance.

Article V. ENFORCEMENT, VIOLATIONS, FINES AND PENALTIES. In

addition to any other remedies provided by law, violations of this ordinance shall be enforced as authorized in Riverside County Ordinance No. 725. Each day a violation is committed or permitted to continue shall constitute a separate offense. Violations of this ordinance shall be treated as a public nuisance and strict liability offense regardless of intent.

Article VI. SEVERABILITY. If any provision, clause, sentence or paragraph of this ordinance of the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.”

Section 2. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

Adopted: 578 10/23/1979 (Eff: 11/22/1979)

Amended: 578.1 Item 3.15d of 02/10/1987 (Eff: 03/12/1987)

578.2 Item 9.3 of 05/05/1987 (Eff: 07/04/1987)

578.3 Item 3.1i of 05/03/1988 (Eff: 07/01/1988)

578.4 Item 3.11i of 03/28/1989 (Eff: 04/27/1989)

3/14/2000 (Eff: 04/13/2000) (Amended by Ord 802 - Violation Provision)

578.5 Item 3.70 of 01/11/2011 (Eff: 02/10/2011)