

Chapter 16.44

HISTORIC OVERLAY DISTRICT

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16.44.010 Purpose.

The purposes of the historic overlay district are to:

- A. Implement the City's General Plan.
- B. Deter demolition, destruction, alteration, misuse, or neglect of historic or architecturally significant buildings that form an important link to Ripon's past.
- C. Promote the conservation, preservation, protection, and enhancement of each historic district.
- D. Stimulate the economic health and residential quality of the community and stabilize and enhance the value of property. (Ord. 606, 1999)

16.44.020 Applying the District Zoning Map Designation.

- A. HO Overlay district may be combined with any other district. Each HO Overlay district is to be

shown on the district zoning map by adding an "HO" designator to the base district. (Ord. 606, 1999)

16.44.030 Land Use and Development Regulations.

Land use and development regulations applicable in an HO district shall be as prescribed for the base district with which it is combined unless modified by another combining district.

16.44.040 Exceptions for Historically and Architecturally Significant Structures and Sites.

It is sometimes in the public interest to retain the historic appearance of a neighborhood or site to make an exception to normal setback, parking, landscaping, fencing and screening requirements of Ripon's ordinances and codes when the exception does not interfere with health and safety. The City Council or Planning Commission may initiate or approve exceptions to Ripon's land use regulations for properties in Historic Districts. (Ord. 606, 1999)

16.44.050 Eligibility for Local Historical Designation.

In order for a property or a group of properties to be eligible for "HO" district designation, the property must be listed on the National Register of Historic Places, listed on a state, county or city register of historic places, or be deemed historic by the City Council or Planning Commission to be of local historical significance. (Ord. 606, 1999)

16.44.060 Criteria for the Establishment of an HO District.

Any building, site, natural feature or part of the City may be designated as a locally significant historical or cultural resource if one or more of the following criteria, rigorously applied, are met:

- A. The site or area possesses character, interest or value reflecting the heritage of the city region, state or nation.

B. The site or area is the location or a significant historical event.

C. The area is identified with a person or group that contributed significantly to the culture, history or development of the city, region, state or nation.

D. The structures within the area are the best remaining examples of an architectural style or way of life important to the city, region, state or nation.

E. The area or its structures are identified as the work of a person or group whose work influenced the heritage of the city, region, state or nation.

F. The area of its structures embody elements of outstanding attention to architectural or landscape design, detail, materials or craftsmanship.

G. The area is related to a designated historic building or district so its preservation is essential to the integrity of the building or district

H. The area's unique location or singular characteristics represent an established and familiar visual feature of a neighborhood.

I. The area has potential for yielding information of archaeological interest.

J. The area's integrity as a natural environment strongly contributes to the well being of the people of the city, region, state or nation.

K. The resource is one of the few remaining examples in the city, region, state, or nation possessing distinguishing characteristics of an architectural or historical type or specimen. (Ord. 606, 1999)

16.44.070 Criteria for Designating Landmark Buildings.

Individual buildings may be designated as historically significant landmarks if one or more of the criteria listed in Section 16.44.060 are met. A LANDMARK so designated is eligible for the same review procedures as building within an H district. (Ord. 606, 1999)

16.44.080 Review of Permits.

A. Reclassifications, use permits, variances,

site plan reviews and tentative subdivision maps within the boundaries of the HO district must be reviewed by the Planning Commission for significant historical or cultural characteristics. Applications for building permits for alterations, relocations, demolition or new construction within the HO district must also be reviewed.

B. Every application for approval in relation to property in the HO district must be accompanied by plans, photographs, specifications and a written statement fully describing the proposed work.

C. At a regular meeting, as soon as practical, following the submittal, the Planning Commission must consider the application to determine if the proposed action will adversely affect the preservation and architectural character of the area or site.

D. The Commission shall forward its recommendation to the Building Official or City Council. (Ord. 606, 1999)

16.44.090 Review Procedure

A. The Building Official shall not issue a permit for construction, alteration or demolition of a building or structure in an HO district or of a designated landmark without prior approval of the Planning Commission. Prior approval by the Planning Commission is not required for permit applications of an emergency nature or those necessary to repair an unsafe building or to demolish a structure for safety reasons.

B. If after review of a request for a demolition permit, the Planning Commission determines a structure to be of historical, cultural, or architectural interest or value, the Commission may withhold approval for demolition for one hundred eighty (180) days from the Commission's action, or until an environmental review is completed. During this period the Commission may direct the staff to consult with recognized historic preservation organizations and other civic groups, public agencies and interested citizens for recommendations. Staff may make suggestions for acquisition of property by public or private bodies or agencies, explore the

possibility of moving one or more of the structures or other features, and take other reasonable measures.

At the end of the review period, the demolition permit must be issued if an environmental review determines that there shall not be a significant impact on the environment and all regulations of this chapter are met, or if there may be substantial environmental impacts, that a finding is made that specific economic, social or other considerations make infeasible the mitigation measures or alternatives identified during the environmental review.

C. If, after review of the request for a demolition permit, the Planning Commission determines that the building or structure has no substantial historical, cultural or architectural interest or value, a demolition permit may be issued.

D. The Planning Commission must recommend against approval of new construction or alterations in HO districts unless it finds that the proposed action will be compatible with and help achieve the purposes of the HO district.

E. Review and comment by the Planning

Commission is required before the removal or alteration of landscape materials identified as significant resources. Removal or alteration of such materials shall require a finding that the proposed action will not adversely affect the character of the HO district, or that the safety of persons or property requires the removal or alteration. No provision of this subsection shall be construed as restricting routine maintenance of landscape materials. (Ord. 606, 1999)

16.44.100 Maintenance of Structures and Premises.

All property owners in HO districts and owners of designated landmarks shall have the obligation to maintain structures and premises in good repair. Good repair includes and is the level of maintenance that insures the continued availability of the structure and premises for a lawfully permitted use, and prevents deterioration, dilapidation and decay of the exterior portions of the structure and premises. (Ord. 606, 1999)