Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

October 14, 2014

TO: Esther L. Valadez, Chair
Laura Shell, Vice Chair
David W. Louie
Curt Pedersen
Pat Modugno

FROM: Carmen Sainz, Supervising Regional Planner
Community Studies East Section

SUBJECT: SUPPLEMENTAL PUBLIC HEARING MATERIALS
HISTORIC PRESERVATION ORDINANCE
PROJECT NO. R2012-02290-(1-5)
ADVANCE PLANNING NO. 201200005
HEARING DATE: October 15, 2014
ITEM #6

Since submitting the staff report for the proposed Historic Preservation Ordinance to your Commission on October 2, 2014, recommended minor technical revisions and clarification language have been made to the draft Historic Preservation Ordinance. The recommended changes to the draft ordinance are shown as underlined text for ease of review. Lastly, attached is a summary of additional public comments and staff responses/resolutions.

Should you have any questions regarding this project, please contact Phillip Estes at (213) 974-6425 or via email at pestes@planning.lacounty.gov, Monday through Thursday from 7:30 a.m. to 5:30 p.m.

MC:CS

CC: Richard J. Bruckner, Director

Attachments:
A. Draft Historic Preservation Ordinance (redlined version)
B. Summary of Public Comments and Public Comment Letters

ORDINANCE NO. _____

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code to adopt regulations and conditions to preserve, protect, and enhance buildings, structures, and areas of historic interest and importance within the unincorporated territory of the County of Los Angeles, as authorized by Section 25373 of the California Government Code, for the purposes of perpetuating and preserving historic resources for the educational, cultural, economic and general welfare of the public.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Part 29 of Chapter 22.52 is hereby added to read as follows:

Part 29 Historic Preservation Ordinance

22.52.3000 Title for Citation.

22.52.3010 Purpose.

22.52.3020 Definitions.

22.52.3030 Applicability.

22.52.3040 County of Los Angeles Register of Landmarks and Historic Districts.

22.52.3050 Powers and Duties

22.52.3060 Criteria for Designation of Landmarks and Historic Districts.

22.52.3070 Nomination of a Landmark or Historic District.

22.52.3080 Process for Designation of a Landmark.

22.52.3090 Process for Designation of a Historic District.

22.52.3100 Procedure for Amendment or Rescission of Designation.

22.52.3110 Notice of Modification to or Rescission of Designation.

22.52.3120 Conformity and Permits Required.

22.52.3130 Certificate of Appropriateness Required.

22.52.3140 Certificate of Appropriateness—Application and Hearing.

22.52.3150 Certificate of Appropriateness—Standards.

22.52.3160 Certificate of Appropriateness—Subsequent Modifications.

22.52.3170 Certificate of Economic Hardship.

22.52.3180 Appeals and Calls for Review.

22.52.3190 Public Hearings

22.52.3200 Joint and Common Ownership—Notice and Consent.

22.52.3210 Unsafe or Dangerous Conditions.

22.52.3220 Compliance With Maintenance Requirements.

22.52.3230 Enforcement and Penalties.

22.52.3240 Street Improvements in Historic Districts.

22.52.3250 Waiver of Parking Requirements.

22.52.3260 Time Extensions to Comply with CEQA.

22.52.3000 Title for Citation.

The provisions of this Part 29 of Chapter 22.52 are known as, and may be cited as, the "Historic Preservation Ordinance."

22.52.3010 Purpose.

It is hereby declared as a matter of public policy that the purpose of the Historic Preservation Ordinance is to:

A. Enhance and preserve the distinctive historic, architectural, and landscape characteristics which represent the County's cultural, social, economic, political, and architectural history.

B. Foster community pride in the beauty and noble accomplishments of the past as represented by the County's historic resources.

C. Stabilize and improve property values, and enhance the aesthetic and visual character and environmental amenities of the County's historic resources.

D. Recognize the County's historic resources as economic assets.

E. Encourage and promote the adaptive reuse of the County's historic resources.

F. Promote the County as a destination for tourists and as a desirable location for businesses.

G. Specify significance criteria and procedures for the designation of landmarks and Historic Districts, and provide for the ongoing preservation and maintenance of landmarks and Historic Districts.

22.52.3020 Definitions.

For the purposes of this Part, and in addition to the definitions set forth in Chapter 22.08, the following words and phrases are defined as follows:

A. Addition. An extension or increase in floor area or height of a building or structure.

B. Administrative Certificate of Appropriateness. An administratively approved Certificate of Appropriateness pursuant to Section 22.52.3140.C.

C. Alter and Alteration. Any physical modification or change, or the act of bringing about such physical modification or change, to the exterior of a structure, site, object, or a designated interior that may potentially diminish the significance of a historic resource, including but not limited to new construction of additions, but excluding maintenance and repairs.

D. Certificate of Appropriateness. A certificate issued pursuant to this Part to approve the alteration, restoration, construction, removal, relocation, or demolition of a landmark or property within a Historic District.

E. Certified Local Government Program. The Certified Local Government program established by the National Historic Preservation Act, as amended in 1980, and administered in partnership by local governments, the California Office of Historic Preservation, and the National Park Service.

F. Contributing Property. A property within a Historic District that has been specified in the designation of a Historic District as having characteristics and features that relate to the historic context and historic significance of the Historic District.

G. Demolition. Removal from a building or structure of:

1. More than 25 percent of the surface of all external walls facing one or more public streets; or

2. More than 50 percent of all external walls from their function as external walls; or

3. More than 25 percent of all walls from their function as either external or internal walls; or

4. More than 75 percent of the building's existing internal structural framework or floor plates unless the County determines that such removal is the only feasible means to meet the standards for seismic load and forces of the latest adopted version of the County Building Code and the State Historical Building Code.

H. Demolition by Neglect. The intentional or neglectful failure by an owner or any party in possession to provide maintenance and repair to a landmark or a contributing property which results in one or both of the following conditions:

1. The severe deterioration of exterior features creating any condition which renders the building or structure unsafe as defined in Section 102.1 of Title 26 of the County Code.

2. The severe deterioration of exterior walls, roof, chimneys, doors, windows, porches, structural or ornamental architectural elements, or foundations, that could result in permanent damage or loss of any architectural and/or historic features of a historic resource.

I. Department. The Department of Regional Planning of the County of Los Angeles.

J. Exceptional Importance. Exceptional importance under the applicable evaluation criteria and context as set forth in "Criteria Consideration G: Properties That Have Achieved Significance within the Last Fifty Years" in the "National Register Bulletin: How to Apply the National Register Criteria for Evaluation" (originally published in 1979 and as may be amended from time-to-time).

K. Historic District. A contiguous or noncontiguous geographic area containing one or more contributing properties which is designated as a Historic District by the Board of Supervisors pursuant to this Part.

L. Historic Resource. A district, landscape, object, sign, site, or structure significant in American archeology, architecture, culture, engineering, or history that is either designated or eligible for designation under County, State, or national significance criteria.

M. Landmark. Any property, including any building, structure, object, place, landscape, tree, or natural feature that is designated as a landmark by the Board of Supervisors pursuant to this Part.

N. Landmarks Commission. The Los Angeles County Historical Landmarks and Records Commission.

O. National Register of Historic Places (also National Register). The official inventory of districts, sites, structures and objects significant in American history, architecture, archeology and culture which is maintained by the Secretary of the Interior under the authority of the Historic Sites Act of 1935 and the National Historic Preservation Act of 1966, as amended.

P. Maintenance and Repair. Any work to correct or prevent the deterioration, decay of, or damage to a building, structure or lot, or any Part thereof, including replacement in-kind, and which does not involve a change in the existing design, materials, or exterior paint color.

Q. Owner. Any person, organization, corporation, or other legal entity owning any portion or all of the fee simple interest in a building, structure, condominium unit, or other real property.

R. Preservation. The act or process of applying measures necessary to sustain the existing form, integrity, and materials of a qualified historical property.

S. Reconstruction. The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

T. Rehabilitation. The act or process of making possible an efficient compatible use for a property through repair, alterations, and additions while preserving those portions or features of the property that convey its historical, cultural, or architectural values. For the purposes of this definition, "compatible use" means the property's historical use or a new use that requires minimal change to the property's distinctive materials, features, spaces, and spatial relationships.

U. Relocation. The act or process of moving all or Part of a historic resource from one site to another site, or to a different location on the same site.

V. Restoration. The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of removing features of the property from other periods in its history and reconstructing its missing features from the restoration period.

W. Secretary of the Interior's Standards for Rehabilitation (also Secretary's Standards). The Secretary of the Interior's Standards for Rehabilitating Historic Buildings, issued by the U.S. Department of the Interior, National Park Service (Part 67 of Chapter I of Title 36 of the Code of Federal Regulations) and the publications of the National Park Service, Preservation Assistance Division, Guidelines for Rehabilitating Historic Buildings (1992, N.P.S.) and The Secretary of the Interior's Standards for the Treatment of Historic Resources with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (1995, N.P.S.), and any subsequent publication on the Secretary's Standards by the N.P.S.

22.52.3030 Applicability.

A. The provisions of this Part apply to all privately owned property within the unincorporated territory of the County, except as provided in Section B, below.

B. The provisions of this Part do not apply to:

1. The alteration or demolition, in whole or in part, of any landmark, or of any structure or other property within a Historic District, where a valid permit for the performance of such work was issued prior to the effective date of the designation of the landmark or Historic District, and the permit remains valid and in full force and effect at the time the work allowed by the permit is undertaken.

2. The construction of any structure within a Historic District where a valid permit for the performance of such work was issued prior to the effective date of the designation of the Historic District, and the permit remains valid and in full force and effect at the time the work allowed by the permit is undertaken.

3. Noncommercial property which is exempt from the provisions of this Part pursuant to Section 25373 (d) of the California Government Code.

22.52.3040 County of Los Angeles Register of Landmarks and Historic Districts.

A County of Los Angeles Register of Landmarks and Historic Districts is hereby created to record and maintain an inventory of landmarks and Historic Districts. The Landmarks Commission shall, upon designation by the Board of Supervisors, update and keep a record of landmarks and Historic Districts on the County Register.

22.52.3050 Powers and Duties.

The Landmarks Commission, Regional Planning Commission, and Director shall have and exercise the powers and shall perform the duties set forth in this Section and elsewhere in this Part.

A. In addition to any other powers set forth in this Part, and subject to the provisions of this Part, the Landmarks Commission shall have the authority to:

1. Conduct public hearings on and recommend approval, approval with modifications, or disapproval of landmark designations to the Board of Supervisors;

2. Conduct public hearings on and approve, approve with modifications, or deny applications for Certificates of Appropriateness and Certificates of Economic Hardship;

3. Take such measures as authorized by Section 22.52.3140.D.3.b and Section 22.52.3170.C.3.b to encourage the preservation of structures or other features where the Landmarks Commission has suspended action on an application;

4. Act as the County's local historic preservation review commission for the purposes of the Certified Local Government Program, recommend properties for inclusion in the National Register of Historic Places, and review and comment where authorized under the National Historic Preservation Act;

5. At the request of the Board of Supervisors, Regional Planning Commission, or Director, review and provide written reports to the Board of Supervisors, Regional Planning Commission, or Director on proposed actions by the County, including but not limited to the adoption or amendment of the County General Plan, community plans, specific plans, or other ordinances which may have an impact on or affect historic preservation or historic resources;

6. Investigate and study methods other than those provided for in this Part for encouraging and achieving historical preservation, and make appropriate recommendations to the Board of Supervisors and to other bodies and agencies, both public and private, for the adoption or incorporation of such methods;

7. Disseminate information to the public concerning historically significant structures, sites and areas within the unincorporated territory of the County the Landmarks Commission deems worthy of preservation, and encourage and advise owners in the protection, enhancement, perpetuation and use of landmarks and property in Historic Districts;

8. In connection with proposed landmark designations, recommend adoption, certification, or ratification of environmental documents, in accordance with the California Environmental Quality Act (CEQA) or the National Environmental Policy Act (NEPA); and

9. Adopt operational or instructional guidelines necessary to administer and enforce this Part.

B. In addition to any other powers set forth in this Part, and subject to the provisions of this Part, the Regional Planning Commission shall have the authority to conduct public hearings on and recommend approval, approval with modifications, or disapproval of Historic District designations to the Board of Supervisors; and recommend adoption, certification, or ratification of environmental documents, in accordance with the California Environmental Quality Act (CEQA) or the National Environmental Quality Act (NEPA).

C. In addition to any other powers set forth in this Part, and subject to the provisions of this Part, the Director shall have the authority to:

1. Review applications for the nomination of a landmark or Historic District and make recommendations to the Landmarks Commission, Regional Planning Commission, and Board of Supervisors regarding such applications;

2. Review applications for Certificates of Appropriateness and Certificates of Economic Hardship and make recommendations to the Landmarks Commission regarding such applications;

3. Approve Administrative Certificates of Appropriateness;

4. Conduct studies and prepare documents, or cause such studies and documents to be conducted and prepared, in connection with the nomination of a landmark or Historic District as necessary to comply with the California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), or other applicable laws;

5. Carry out, assist, and collaborate in studies and programs designed to identify and evaluate structures, sites and areas within the unincorporated areas of the County worthy of preservation;

6. Disseminate information to the public concerning historically significant structures, sites, and areas within the unincorporated territory of the County the Director deems worthy of preservation, and encourage and advise owners in the protection, enhancement, perpetuation and use of landmarks and property in Historic Districts;

7. Apply to enroll the County in the Certified Local Government Program, and evaluate and apply for grants or funding sources for the purposes of historic preservation; and

8. Propose for adoption by the Landmarks Commission operational or instructional guidelines necessary to administer and enforce this Part.

22.52.3060 Criteria for Designation of Landmarks and Historic Districts.

A. Property which is more than 50 years of age may be designated as a landmark if it satisfies one or more of the following criteria:

   1. It is associated with events that have made a significant contribution to the broad patterns of the history of the nation, State, County, or community.

   2. It is associated with the lives of persons who are significant in the history of the nation, State, County, or community.

   3. It embodies the distinctive characteristics of a type, architectural style, period, or method of construction, or represents the work of an architect, designer, engineer, or builder whose work is of significance to the nation, State, County, or

community; or possesses artistic values of significance to the nation, State, County, or community.

4. It has yielded, or may be likely to yield, information important locally in prehistory or history.

5. It is listed or has been formally determined eligible by the National Park Service for listing on the National Register of Historic Places, or is listed or has been determined eligible by the State Historical Resources Commission for listing on the California Register of Historical Resources.

6. It is one of the largest or oldest trees of the species located in the County.

7. It is a tree, plant, landscape, or other natural land feature having historical significance due to an association with a historic event, person, site, street, or structure, or because it is a defining or significant outstanding feature of a neighborhood.

B. Property less than 50 years of age may be designated as a landmark if it meets one or more of the criteria set forth in Section 22.52.3060.A, above, and exhibits exceptional importance.

C. The interior space of a property, or other space held open to the general public, including but not limited to a lobby, may itself be designated as a landmark or included in the landmark designation of a property if the space is more than 50 years of age and satisfies one or more of the criteria set forth in Subsection A, above, or if the space is less than 50 years of age and satisfies the requirements of Section 22.52.3060.B, above.

D. Historic Districts. A geographic area or a noncontiguous grouping of thematically related properties may be designated as a Historic District if greater than 50 percent of owners in the proposed district consent to the designation, and if the geographic area or noncontiguous grouping meets one or more of the criteria set forth in Sections 22.52.3060.A.1 through A.5, above and one or more of the following criteria:

1. It exhibits a concentration of historic, scenic or thematic sites, which contribute to each other and are unified aesthetically by plan, physical development or architectural quality; or

2. It exhibits significant geographical patterns, associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of parks or community planning.

22.52.3070 Nomination of a Landmark or Historic District.

A. Nomination by Board of Supervisors or Landmarks Commission. The Board of Supervisors or Landmarks Commission may by resolution nominate a landmark or

Historic District. Such resolution shall be in writing and shall include findings of fact in support of the nomination.

B. Nomination of a Landmark by application. Any person or organization may file a nomination application with the Director to nominate a landmark. An application must be accompanied by the applicable application fee, which shall be non-refundable. The application shall contain the following information:

1. Name and address of the applicant;

2. Evidence of the applicant's ownership interest in the subject property, if any~~, including whether the applicant is the sole owner of the subject property or has the written permission of all owners to make such application~~;

3. The location and legal description of the subject property;

4. Evidence that the subject property is eligible and deserving of designation as a landmark; and

5. Such other information as the Director may require.

C. Nomination of a Historic District by application. Any person or organization may file a nomination application with the Director to nominate a Historic District. An application must be accompanied by the applicable application fee, which shall be non-refundable. The application shall contain the information required by Subsection B, above, and shall also contain the following information:

1. The proposed boundaries of the Historic District and a map of all properties proposed to be within the Historic District;

2. A map of the proposed Historic District that depicts the Historic District boundaries, identification by street address of each contributing property and non-contributing property within the proposed Historic District;

3. Evidence that the proposed Historic District is eligible and deserving of designation as a Historic District; and

4. Written certification of more than 50 percent of the owners of real property within the Historic District that such owners consent to the designation of the Historic District.

A nomination by application shall not be effective unless and until the application has been deemed complete by the Director.

D. Development Restrictions upon Nomination.

1. Except as allowed in Section ~~22.52.3060.D.2~~22.52.3070.D.2, below, upon the filing of a complete application to nominate a landmark or Historic District, or

upon the adoption by the Board of Supervisors or the Landmarks Commission of a resolution nominating a landmark or Historic District, any alteration, restoration, construction, removal, relocation or demolition, in whole or in part, of or to property subject to the proposed landmark or Historic District designation is prohibited. No permit shall be issued by any County department, board or commission, including, but not limited to, a conditional use permit, a tentative tract map or tentative parcel map permit, or building permit, which would authorize any such alteration, restoration, construction, removal, relocation or demolition until a final determination on the nomination is rendered by the Director, the Landmarks Commission, or the Board of Supervisors.

2. Notwithstanding the provisions of Subsection D.1, above, a permit may be issued by a County department, board or commission, including, but not limited to, a conditional use permit, a tentative tract map or tentative parcel map permit, or building permit, which would authorize the alteration, restoration, construction, removal, relocation or demolition of or to property which has been nominated for designation as a landmark where:

   a. An application was filed for the permit and deemed complete by the appropriate County department, board or commission, prior to the filing of a complete application to nominate a landmark or Historic District or the adoption by the Board of Supervisors or the Landmarks Commission of a resolution nominating a landmark or Historic District; or

   b. An Administrative Certificate of Appropriateness, Certificate of Appropriateness, or Certificate of Economic Hardship authorizing the work proposed in the permit or other entitlement application has been approved pursuant this Part.

22.52.3080 Process for Designation of a Landmark.

A. Review by the Director.

1. Notice of nomination. Within 30 days of the nomination of a landmark by resolution of the Board of Supervisors or the Landmarks Commission, or by the filing of a complete application, the Director shall by first-class mail notify the owner of any property subject to the nomination that the property was nominated for designation as a landmark, and explain the effect of the proposed landmark designation on the property. The Director shall also request that the owner certify in writing within 30 days of the mailing of the notice of nomination whether the owner consents or does not consent to the landmark designation. An owner who fails to respond within 30 days will be deemed not to consent to the designation.

2. Report and recommendation. Within 90 days of the date the Director mails the notice of nomination, but not sooner than the time allowed for an owner to certify whether or not the owner consents to the designation, the Director shall file a

report with the Landmarks Commission and, if the Board of Supervisors adopted a resolution pursuant to Section 22.52.3070.A with the Board of Supervisors. The report shall contain:

a. A detailed description of the proposed landmark, including any character-defining features of the proposed landmark which warrant preservation;

b. The precise location and boundaries of the proposed landmark site;

c. A recommendation as to whether the proposed landmark designation should be approved, approved with modifications, or disapproved;

d. The factual basis supporting the recommendation; and

e. A statement indicating whether the owner or owners of the property subject to the nomination consent to the designation.

3. Summary denial by the Director. At any time within 90 days of receiving an application to nominate a landmark, but before the Director files a report and recommendation pursuant to Section 22.52.3080.A.2, above, the Director may summarily deny an application to nominate a landmark where the Director finds based on the contents of the application that the nomination is wholly lacking in merit, and where there is evidence that the application was filed solely to delay or frustrate development activity planned for the property subject to the nomination. For the purposes of this Subsection, a nomination is "wholly lacking in merit" if no reasonable professional experienced in historic preservation within the County would find the nomination has merit. Within 10 days of summary denial, the Director shall by first-class mail notify the applicant and the owners of all property subject to nomination of the denial and the specific reasons therefor.

B. Review by Landmarks Commission.

1. The Landmarks Commission shall hold a public hearing on a proposed designation within 90 days of the filing of the Director's report pursuant to Section 22.52.3080 A, above.

2. Within 30 days of the close of the public hearing, but in no event later than 120 days from the date of the filing of the Director's report pursuant to Section 22.52.3080 A, above, the Landmarks Commission shall either:

a. Adopt a resolution recommending the Board of Supervisors approve the designation, in whole or in part and with or without modifications. The resolution shall be in writing; contain a detailed description of the property subject to the landmark designation, including the character-defining features that justify the designation and which should therefore be preserved; delineate the location and boundaries of the proposed landmark; discuss the criteria for the designation of landmarks set forth in Section 22.52.3060 as applied to the nomination; indicate whether the owner or owners of all

property subject to the designation consent to the designation; and state findings of fact supporting the recommendation. The Landmarks Commission shall file the resolution with the Board of Supervisors; or

b. By motion, disapprove the designation. The Landmarks Commission shall disapprove a designation if it determines that the criteria applicable to the designation have not been met.

3. Within 10 days of adopting a resolution or motion pursuant to Section 22.52.3080 B.2, above, the Landmarks Commission shall serve notice of its action by first-class mail or electronic mail where applicable:

   a. The applicant, if the nomination was made by application;

   b. The owners of all property subject to the proposed landmark designation;

   c. All persons who testified or spoke regarding the nomination at the public hearing, or who submitted timely comments regarding nomination in advance of the public hearing; and

   d. All persons who requested notice of the action on the nomination.

4. In the event the Landmarks Commission fails to act within the time set forth in this Subsection B, the designation shall be deemed denied. In such case the Department shall within 10 days of the expiration of the time period for the Landmarks Commission to act provide the notice required by Section 22.52.3080 B.3.

C. Designation by the Board of Supervisors.

1. Following the filing by the Landmarks Commission of a resolution pursuant to Subsection B.2, above, and after holding a public hearing if required by Subsection C.2, below, the Board of Supervisors may:

   a. Adopt a resolution approving the designation, in whole or in part and with or without modifications. The resolution shall be in writing;

      i. contain a detailed description of the property subject to the landmark designation, including the character-defining features that justify the designation and which should therefore be preserved;

      ii. delineate the location and boundaries of the landmark;

      iii. discuss the criteria for the designation of landmarks set forth in Section 22.52.3060 as applied to the nomination; and

      iv. state findings of fact supporting the recommendation.

The resolution may also establish guidelines and standards for future proposed changes to the landmark, and may specify the nature of any alteration, restoration, construction, removal, relocation or demolition of or to a landmark which may be performed without the prior issuance of a Certificate of Appropriateness.

b. By motion, disapprove the landmark designation. The Board of Supervisors shall adopt written findings of fact supporting its action denying a designation.

2. If the resolution filed by the Landmarks Commission with the Board of Supervisors pursuant to Subsection B.2, above, indicates that at least one owner does not consent to the designation, the Board of Supervisors shall hold a public hearing to consider the proposed landmark designation.

3. Within 10 days of adopting a resolution or motion pursuant to Subsection C.1, above, the Board of Supervisors shall serve notice of its action by first-class mail or electronic mail where applicable:

a. The applicant, if the nomination was made by application;

b. The owners of all property subject to the proposed landmark designation;

c. All persons who testified or spoke regarding the nomination at any public hearing on the designation, or who submitted timely comments regarding nomination in advance of any such public hearing; and

d. All persons who requested notice of the action on the nomination.

D. Upon and from the date of the adoption by the Board of Supervisors of a resolution designating property as a landmark, the landmark shall be subject to the controls and standards set forth in this Part and in the designating resolution.

E. Upon the adoption by the Board of Supervisors of a resolution designating property as a landmark, the Landmarks Commission shall promptly enter the property into the County Register as a "Los Angeles County Landmark."

F. Recordation. When a landmark has been designated by resolution by the Board of Supervisors, the Director shall cause a certified copy of such resolution to be recorded with the Los Angeles County Registrar-Recorder/County Clerk immediately following its effective date. The document to be recorded shall contain:

1. A legal description of the property or properties;

2. The date and substance of the designation;

3. A statement explaining that demolition, alteration, or relocation of the property is restricted; and

4. A reference to this Part authorizing the recordation.

22.52.3090 Process for Designation of a Historic District.

A. Review by the Director.

1. Notice of nomination. Within 30 days of the nomination of a Historic District, the Director shall by first-class mail notify the owner of any property within the boundaries of the proposed Historic District, and explain the effect of the proposed Historic District designation on the property. The Director shall also request that the owner certify in writing within 30 days of the mailing of the notice of nomination whether the owner consents or does not consent to the Historic District designation. An owner who fails to respond within 30 days will be deemed not to consent to the designation. The Director may grant one 90-day extension for owners to certify in writing whether they consent or do not consent, applicable to all properties within the proposed Historic District, where the Director determines that the additional time is necessary based on the size or specific features of the proposed Historic District.

2. Report and recommendation. Within 180 days of the date the Director mails the notice of nomination, as extended by any extension granted by Subsection A.1, above, but not sooner than the time allowed for an owner to certify whether or not the owner consents to the designation, the Director shall file a report with the Regional Planning Commission, and, if the Board of Supervisors adopted a resolution pursuant to Subsection ~~A.1~~A of ~~this~~ Section 22.52.3070, with the Board of Supervisors. The report shall contain:

   a. A detailed description of the proposed Historic District, including each contributing property therein and the character-defining features of the proposed Historic District which warrant preservation;

   b. The precise location and boundaries of the proposed Historic District;

   c. A recommendation as to whether the proposed Historic District should be approved, approved with modifications, or denied;

   d. The factual basis supporting the recommendation; and

   e. A statement indicating the percentage of owners which have consented to the designation.

3. Summary denial by the Director. At any time within 90 days of receiving an application to nominate a Historic District, but before the Director files a report and recommendation pursuant to Subsection A.2, above, the Director may summarily deny the application where the Director finds based on the contents of the application that the nomination is wholly lacking in merit, and where there is evidence that the application was filed solely to delay or frustrate development activity planned for the property subject to the nomination. For the purposes of

this Subsection, a nomination is "wholly lacking in merit" if no reasonable professional experienced in historic preservation within the County would find the nomination has merit. Within 10 days of summary denial, the Director shall by first-class mail notify the applicant and the owners of all property subject to nomination of the denial and the specific reasons therefor.

B. Review by Regional Planning Commission.

1. The Regional Planning Commission shall hold a public hearing on a proposed Historic District designation within 90 days of the filing of the Director's report pursuant to Subsection A, above. The Director shall provide written notice to the Landmarks Commission of the date scheduled for the public hearing.

2. Within 30 days of the close of the public hearing, but in no event later than 120 days from the date of the filing of the Director's report pursuant to Subsection A, above, the Regional Planning Commission shall either:

   a. Adopt a resolution recommending the Board of Supervisors approve the designation, in whole or in part and with or without modifications. The resolution shall be in writing;

      i. contain a detailed description of the property subject to the Historic District designation, including each contributing property therein and the character-defining features that justify the designation and which should therefore be preserved;

      ii. delineate the location and boundaries of the proposed Historic District; discuss the criteria for the designation of Historic Districts set forth in Section 22.52.3060 as applied to the nomination;

      iii. indicate the percentage of owners of all property within the proposed historic district which have consented to the designation; and

      iv. state findings of fact supporting the recommendation.

   Such resolution shall also find that the proposed Historic District is consistent with the General Plan, any applicable area or specific plans, and complies with all applicable requirements of this Title 22. The Regional Planning Commission shall file the resolution with the Board of Supervisors; or

   b. By motion, disapprove the designation. The Regional Planning Commission shall disapprove a designation if it determines that the criteria applicable to the designation have not been met, or if the proposed Historic District is inconsistent with the General Plan, any applicable area or specific plans, or if the proposed designation fails to comply with all applicable requirements of this Title 22. The Regional Planning Commission shall adopt written findings of fact supporting its action disapproving a designation.

3. Within 10 days of adopting a resolution or motion pursuant to Subsection B.2, above, the Regional Planning Commission shall serve notice of its action by first-class mail or electronic mail where applicable on:

    a. The applicant, if the nomination was made by application;

    b. The owners of all property subject to the proposed landmark designation;

    c. All persons who testified or spoke regarding the nomination at the public hearing, or who submitted timely comments regarding nomination in advance of the public hearing;

    d. All persons who requested notice of the action on the nomination; and

    e. The Landmarks Commission.

4. In the event the Regional Planning Commission fails to act within the time set forth in Subsection B, the designation shall be deemed denied. In such case the Department shall within 10 days of the expiration of the time period for the Regional Planning Commission to act provide the notice required by Subsection B.3, above.

C. Designation by the Board of Supervisors.

1. Following the filing by the Regional Planning Commission of a resolution pursuant to Subsection B.2, above, and after holding a public hearing on the proposed Historic District designation, the Board of Supervisors may:

    a. Adopt an ordinance approving the Historic District designation, in whole or in part and with or without modifications. The ordinance shall delineate the location and boundaries of the Historic District and specify the contributing properties therein. The ordinance may also establish guidelines and standards for future proposed changes to property within the Historic District, and may specify the nature of any alteration, restoration, construction, removal, relocation or demolition of or to any property within the Historic District which may be performed without the prior issuance of a Certificate of Appropriateness. The Board of Supervisors shall adopt written findings of fact in support of its designation; or

    b. By motion, disapprove the Historic District designation. The Board of Supervisors shall make written findings in support of its decision to disapprove the designation.

2. Within 10 days of adopting an ordinance or motion pursuant to Subsection C.1, above, the Board of Supervisors shall serve notice of its action by first-class mail or electronic mail where applicable:

    a. The applicant, if the nomination was made by application;

b. The owners of all property subject to the proposed landmark designation;

c. All persons who testified or spoke regarding the nomination at any public hearing on the designation, or who submitted timely comments regarding nomination in advance of any such public hearing;

d. All persons who requested notice of the action on the nomination; and

e. The Landmarks Commission.

D. From and after the effective date of the ordinance designating the Historic District, all property located therein shall be subject to the controls and standards set forth in this Part and in the designating ordinance.

E. Upon the effective date of an ordinance designating a Historic District, the Landmarks Commission shall promptly enter the district into the County Register as a "Los Angeles County Historic District," and the Director shall promptly revise the County's zoning map accordingly.

22.52.3100 Procedure for Amendment or Rescission of Designation.

A. The designation of a landmark or Historic District may be modified or rescinded by the Board of Supervisors if it finds:

1. The evidence used to establish the designation was erroneous, or that material procedural errors were made during the designation process; or

2. The landmark or Historic District no longer meets the criteria for designation set forth in Section 22.52.3060 due to damage caused by natural disaster, including but not limited to flood or earthquake, or other calamity otherwise outside the control of the owner(s).

B. A modification to or rescission of a landmark or Historic District designation may be commenced by resolution of the Board of Supervisors or the Landmarks Commission. The resolution shall be in writing and shall state findings of fact in support of the decision. The procedure for consideration of and hearing on a resolution adopted pursuant to this Section shall conform to the requirements for the consideration and designation of a landmark, as set forth in Section 22.52.3080, or a Historic District, as set forth in Section 22.52.3090.

C. The Board of Supervisors may, without a prior written resolution, prior notice, or public hearing, rescind a landmark designation if it finds that a landmark has been lawfully demolished, destroyed, removed, or relocated in conformance with the provisions of this Part. The decision to rescind a landmark designation pursuant to this Subsection shall be by written resolution and shall state findings of fact in support of the decision.

22.52.3110 Notice of Modification to or Rescission of Designation.

When a landmark or Historic District designation has been modified or rescinded, the Department shall promptly notify the owners of the property included therein, and shall cause a copy of the appropriate resolution or ordinance, or notice thereof, to be recorded with the County Registrar-Recorder/County Clerk.

22.52.3120 Conformity and Permits Required.

No person shall carry out or cause to be carried out on a landmark or in a Historic District any construction, alteration, removal or demolition of a structure, or any work involving a sign, awning, marquee, canopy, mural or other appendage, except in conformity with the provisions of this Part and any other applicable law or regulation.

22.52.3130 Certificate of Appropriateness Required.

A. Except as set forth in Subsection B, below, or as set forth in the resolution or ordinance designating the landmark or Historic District, no person shall conduct any of the following work or activities unless a Certificate of Appropriateness or Administrative Certificate of Appropriateness authorizing such work or activities has been issued pursuant to this Part:

   1. Construction, alteration, demolition, reconstruction, rehabilitation, relocation, restoration, or removal of a structure, part of a structure, tree, or natural land feature which is itself a landmark or a component or feature of a landmark, or which is in a Historic District.

   2. Construction, alteration, demolition, reconstruction, rehabilitation, relocation, restoration, removal or other work involving a sign, awning, marquee, canopy, or other appendage, for which a County permit is required, on a landmark or in a Historic District.

   3. Any other work which requires a Certificate of Appropriateness or Administrative Certificate of Appropriateness as set forth in the resolution or ordinance designating the landmark or Historic District.

B. Notwithstanding any other provision of this Part, a Certificate of Appropriateness or Administrative Certificate of Appropriateness shall not be required where the Director determines that the proposed work constitutes the following:

   1. Maintenance and repair.

   2. Alterations to the interior of a building or structure which will not impact the exterior of the building or structure, unless such interior area is an historic, architectural, or character-defining feature of a landmark or Historic District, or the resolution or ordinance designating the landmark or Historic District requires a Certificate of Appropriateness or Administrative Certificate of Appropriateness for such alterations to such interior area.

3. Improvements to streets and sidewalks, including sidewalk widening, accessibility, and bulb-outs, unless such streets and sidewalks are listed as have been identified in the resolution or ordinance designating a landmark or Historic District as character-defining features of the landmark or Historic District.

4. Work or activities on a landmark or within a Historic District, which work and activities are exempt from a Certificate of Appropriateness or Administrative Certificate of Appropriateness as set forth in the resolution or ordinance designating the landmark or Historic District.

5. Change in sign copy with does not involve a change in the existing design or materials of the sign.

6. Work or activities which are necessary to correct an unsafe condition pursuant to Section ~~22.52.3180~~22.52.3210.

C. Coordination among County Departments.

1. The Department shall provide a current record of landmarks and Historic Districts to all other County departments which have authority to issue permits for the construction, alteration, removal, or demolition of any structure, part of a structure, tree, or natural feature.

2. Upon receipt of an application for a permit or other approval to carry out any work or activities which would require a Certificate of Appropriateness or Administrative Certificate of Appropriateness pursuant to this Part, the County department receiving such application shall refer it to the Department to determine whether a Certificate of Appropriateness or Administrative Certificate of Appropriateness is required for the work proposed in the application, and whether such Certificate of Appropriateness or Administrative Certificate of Appropriateness has been issued or granted. Except as required by State or federal law, the department receiving the application shall not process the application until the Department certifies that a Certificate of Appropriateness or Administrative Certificate of Appropriateness is either (i) not required or (ii) is required and has been issued.

22.52.3140 Certificate of Appropriateness—Application and Hearing.

A. Application.

1. An owner of the subject property, or the owner's authorized agent, may file an application with the Director for a Certificate of Appropriateness. The application must be accompanied by the applicable application fee, which shall be non-refundable. The application shall contain the following information:

   a. Name and address of the applicant;

b. Evidence that the applicant is the sole owner of the subject property or has the written permission of all owners to make such application;

c. The location (address or vicinity) and legal description of the subject property;

d. A site plan drawn to a scale satisfactory to and in the number of copies prescribed by the Director, indicating the use, location, and size of all buildings and structures, yards, driveways, access areas, vehicle and bicycle parking areas, pedestrian facilities, landscaping, walls or fences, and other similar features;

e. A detailed description of work proposed to be carried out, and any plans, drawings, diagrams, or photographs as may be required by the Director to determine compliance with the provisions of this Part and with this Title 22; and

f. Such other information as the Director may require.

2. The Director shall notify the applicant within 30 days of submittal whether the application is complete or whether additional information is required.

B. Review by the Director. Within 90 days of the receipt of a complete application accompanied by all required fees, unless extended in writing by the applicant, the Director shall conduct or cause to be conducted any research, inspections, studies, or other activities necessary to determine whether a Certificate of Appropriateness warrants an approval, approved with modifications, or denied. Within 30 days of the completion of the Director's review pursuant to this Subsection, the Director shall either approve, modify and approve, or deny the application pursuant to Subsection C, below, or file a report with the Landmarks Commission pursuant to Subsection D, below.

C. Administrative Certificate of Appropriateness. If the work proposed constitutes reconstruction, rehabilitation, restoration, or an addition of less than 500 square feet, the Director shall administratively approve or approve with modifications the application if the work proposed conforms to the standards set forth in Section 22.52.3150. The Director shall administratively deny the application if the work proposed does not conform to the standards set forth in Section 22.52.3150. In the event the Director fails to act within the time set forth in this Section, the application shall be deemed ~~approved~~denied. This administrative review and approval or denial by the Director is known as an "Administrative Certificate of Appropriateness."

D. Review by Landmarks Commission.

1. Except where the Director approves or denies an Administrative Certificate of Appropriateness pursuant to Subsection C, above, the Director shall file with the Landmarks Commission a report summarizing the research, investigations, inspection, studies or other activities with respect to the Certificate of

Appropriateness. The report shall contain a recommendation to approve, approve with modifications, or deny the Certificate of Appropriateness.

2. The Landmarks Commission shall schedule a public hearing on the application for a Certificate of Appropriateness. The public hearing shall take place within 60 days of the filing of the Director's report pursuant to Subsection D.1, above, unless extended in writing by the applicant.

3. Within 30 days of the close of the public hearing, but in no event later than 90 days from the filing of the Director's report pursuant to Subsection D.1, above, as extended in writing by the applicant, the Landmarks Commission shall either:

    a. Approve, modify and approve, or disapprove the application. The decision of the Landmarks Commission shall be in writing and state findings of fact in support of its decision. Or;

    b. Extend the time to render its decision on the application for a period not to exceed 180 days, at the conclusion of which the Landmarks Commission must render a decision in conformance with Subsection D.3.a, above. The decision to extend time must be in writing and state findings of fact which demonstrate that the work proposed in the application may have an adverse effect on a historic or character-defining feature of a landmark or Historic District, and that the extension of time is needed to investigate alternatives to the work proposed in the application.

4. Within 10 days of rendering its decision pursuant to Subsection D.3.a, above, the Landmarks Commission shall serve notice of its action by first-class mail or electronic mail where applicable:

    a. The applicant;

    b. All owners of the subject property;

    c. All persons who testified or spoke regarding the Certificate of Appropriateness application at the public hearing, or who submitted timely comments regarding nomination in advance of the public hearing; and

    d. All persons who requested notice of the action on the Certificate of Appropriateness application.

5. In the event the Landmarks Commission fails to act within the time set forth in Subsection D.3, above, the application shall be deemed denied. In such case the Department shall within 10 days of the expiration of the time period for the Landmarks Commission to act provide the notice required by Subsection D.4, above.

E. Where a Certificate of Appropriateness includes work that requires a permit or other approval from a County department, commission, or other governmental agency, such permit or approval application must be submitted within one year from the date the Certificate of Appropriateness is approved. The Director may extend this deadline by up to six (6) months where the applicant demonstrates that additional time is necessary regardless of the applicant's good faith efforts to prepare and submit the required applications.

22.52.3150 Certificate of Appropriateness—Standards.

A decision to approve, modify and approve, or disapprove an application for an Administrative Certificate of Appropriateness or a Certificate of Appropriateness shall be based on all of the following standards and criteria:

A. ~~Whether the~~The proposed work ~~is~~ shall be appropriate for and consistent with the purposes of this Part;

B. ~~Whether the~~ The proposed work ~~complies~~ shall comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties for landmarks and contributing properties.

C. ~~Whether the~~The proposed work shall preserve~~s~~, enhance~~s~~, or restore~~s~~, and does not damage or destroy, the exterior and character-defining interior features of a landmark or contributing property.

D. ~~Whether the~~The proposed work shall not adversely affects the special character or special historical, architectural, or aesthetic interest or value of a landmark, contributing property, or Historic District.

E. For proposed work involving the construction of, addition to, or alteration in the exterior of a structure or building in a Historic District, which structure or building is not designated as a landmark or contributing property, ~~whether~~ the proposed work ~~is~~ shall be compatible with the character of the Historic District.

F. ~~Whether the~~ The proposed work shall ~~complies~~ comply with the standards set forth in the applicable resolution or ordinance designating the landmark or Historic District.

G. ~~Whether the~~The proposed work shall ~~complies~~ comply with any guidelines adopted by the County for the treatment of landmarks and properties within Historic Districts.

22.52.3160 Certificate of Appropriateness—Subsequent Modifications.

Where a Certificate of Appropriateness includes work that requires a permit or other approval from a County department, commission, or other County entity, the department, commission, or entity responsible for issuing such permit or approval may, following consultation with the Director, authorize modifications to the work proposed by

the Certificate of Appropriateness, where such modifications are necessary for health or safety reasons, or because the modifications are required by applicable law or County code, provided such modifications are minor in nature and will not have an adverse effect on the historic or character-defining features of any landmark or contributing property, and are compatible with any applicable Historic District.

22.52.3170 Certificate of Economic Hardship.

A. Application.

1. An owner of the subject property, or the owner's authorized agent, may, concurrently with an application for a Certificate of Appropriateness or within 30 days of the denial by the Director or the Landmarks Commission of an application for a Certificate of Appropriateness, file an application with the Director for a Certificate of Economic Hardship on the basis that the denial of the Certificate of Appropriateness will result in the loss of all reasonable and beneficial use of or return from the property. The application shall be accompanied by the applicable application fee, which shall be non-refundable. The application shall contain all of the information required by Section 22.52.3140 A.1 and shall contain the following additional information:

    a. The estimated market value of the property in its current condition.

    b. The estimated market value of the property after completion of the proposed alteration, demolition, or relocation.

    c. Estimates of the costs of the proposed alteration, demolition, or relocation.

    d. In the case of demolition, the estimated market value of the property after rehabilitation of the existing property for continued use and an estimate from an architect, developer, real estate consultant, or appraiser with experience in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structures on the property.

    e. A rehabilitation report from a licensed engineer or architect with expertise in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation.

    f. For income producing properties, information on annual gross income, operating and maintenance expenses, tax deductions for depreciation, and annual cash flow after debt service, current property value appraisals, assessed property valuations, and real estate taxes.

    g. The remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the two years preceding the date of the application.

h. All appraisals obtained by the owner or applicant within the two years preceding the date of the application.

i. The date the property was purchased and, if purchased within the previous 36 months, the amount paid for the property, the party from whom the property was purchased, including a description of the relationship, if any, between the owner or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer.

j. Any listing of the property for sale or rent, and prices or rent amounts asked, and offers for purchase or lease received, if any, within the two years preceding the date of the application.

k. Any other information the Director may require determining whether or not the property does or may yield a reasonable return to the owner.

B. Review by the Director. Within 60 days of the receipt of a complete application accompanied by all required fees, unless extended in writing by the applicant, the Director shall conduct or cause to be conducted any research, inspections, studies, or other activities necessary to determine whether a Certificate of Economic Hardship should be approved, approved with modifications, or denied.

C. Review by the Landmarks Commission.

1. Within 30 days of the completion of the Director's review pursuant to Subsection B, above, the Director shall file with the Landmarks Commission a report summarizing the research, investigations, inspection, studies or other activities with respect to the Certificate of Economic Hardship. The report shall contain a recommendation to approve, approve with modifications, or deny the Certificate of Economic Hardship.

2. The Landmarks Commission shall schedule a public hearing on the application for a Certificate of Economic Hardship. The public hearing shall take place within 60 days of the filing of the Director's report pursuant to Subsection C.1, above, unless extended in writing by the applicant.

3. Within 30 days of the close of the public hearing, but in no event later than 90 days from the filing of the Director's report pursuant to Subsection C.1, above, as extended in writing by the applicant, the Landmarks Commission shall either:

a. Approve, modify and approve, or disapprove the application. The decision of the Landmarks Commission shall be in writing and state findings of fact in support of its decision. Or;

b. Extend the time to render its decision on the application for a period not to exceed 180 days, at the conclusion of which the Landmarks Commission

must render a decision in conformance with Subsection C.3.a, above. The decision to extend time must be in writing and state findings of fact which demonstrate that the work proposed in the application may have an adverse effect on a historic or character-defining feature of a landmark or Historic District, and that the extension of time is needed to investigate alternatives to the work proposed in the application.

4. The Landmarks Commission may not approve an application for a Certificate of Economic Hardship unless the information submitted by the applicant and/or presented at public hearing substantiates all of the following findings:

    a. The existing use of the property does not provide the owner with reasonable or beneficial use of or return from the property;

    b. The sale, rental, rehabilitation, or adaptive reuse of the property is not financially feasible, considering the cost of utilizing the property for uses allowed in the applicable zone, including any existing allowed non-conforming uses; and

    c. Denial of the Certificate of Appropriateness would damage the owner of the property unreasonably in comparison to the benefit conferred on the community.

5. For the purposes of making the findings required by Subsection C.4, above, evidence of actual financial loss or lost opportunity to obtain increased return from the property is not by itself sufficient to approve a Certificate of Economic Hardship.

6. Within 10 days of rendering its decision pursuant to Subsection C.3.a, above, the Landmarks Commission shall serve notice of its action by first-class mail or electronic mail where applicable:

    a. The applicant;

    b. All owners of the subject property;

    c. All persons who testified or spoke regarding the application at the public hearing, or who submitted timely comments regarding nomination in advance of the public hearing; and

    d. All persons who requested notice of the action on the application.

    e. In the event the Landmarks Commission fails to act within the time set forth in Subsection C.3, above, the application shall be deemed denied. In such case the Department shall within 10 days of the expiration of the time period for the

Landmarks Commission to act provide the notice required by Subsection C.6, above.

D. Where a Certificate of Economic Hardship includes work that requires a permit or other approval from a County department or other governmental agency, such permit or approval application must be submitted within one year from the date the Certificate of Economic Hardship is approved. The Landmarks Commission may extend this deadline by up to six (6) months where the applicant demonstrates that additional time is necessary despite the applicant's good faith efforts to prepare and submit the required applications.

22.52.3180 Appeals and Calls for Review.

A. A decision of the Director or the Landmarks Commission pursuant to this Part shall be effective on the 15th calendar day following the date of the decision, except and unless the decision is timely appealed or called up for review, where available. To be timely, an appeal or call for review shall be initiated on or before the 14th calendar day following the date of the decision unless said 14th day falls on a non-business day of the applicable appellate body, in which case, the appeal deadline shall be extended to the next business day and the effective date of the decision shall be the following day. Decisions or determinations made pursuant to this Part which may be appealed or called for review are set forth in Subsections B and C, below. All other decisions or determinations made by the Director, the Landmarks Commission, or the Board of Supervisors pursuant to this Part are final and not subject to administrative appeal.

B. Appeals.

1. Appeals to the Landmarks Commission. Any person may appeal the following decisions or determinations to the ~~Board of Supervisors~~Landmarks Commission:

   a. A decision by the Director to summarily deny a nomination pursuant to Section 22.52.3080.A.3 or Section 22.52.3090.A.3.

   b. A decision by the Director to approve, ~~including deemed approvals~~, modify and approve, or deny, including deemed denials, an Administrative Certificate of Appropriateness pursuant to Section 22.52.3140.C. to the Landmarks Commission.

   The decision by the Landmarks Commission on any such appeal shall be final and not subject to further administrative appeal.

2. Appeals to the Board of Supervisors. Any person may appeal the following decisions or determinations to the Board of Supervisors:

   a. A decision by the Landmarks Commission to disapprove, including deemed disapprovals, the designation of a landmark pursuant to Section 22.52.3080.B.

b. A decision by the Landmarks Commission to approve, modify and approve, or disapprove, including deemed disapprovals, a Certificate of Appropriateness pursuant to Subsection D of Section 22.52.3140.

c. A decision by the Landmarks Commission to approve, modify and approve, or disapprove, including deemed disapprovals, a Certificate of Economic Hardship pursuant to Section 22.52.3170.C.

The decision by the Board of Supervisors on any such appeal shall be final and not subject to further administrative appeal.

3. An appeal must be accompanied by all applicable fees and shall be on a form provided by the appellate body. In addition to any appeal fees required to be paid by this Title 22, the filing of an appeal with the Board of Supervisors must be accompanied by a fee in an amount determined by the Executive Officer-Clerk of the Board of Supervisors to be ample to cover the cost of a hearing to be held by the Board of Supervisors. The appellant shall state specifically wherein a determination or interpretation is not in accord with the purposes of this Part; wherein it is claimed that there was an error or abuse of discretion; wherein the record includes inaccurate information; or wherein a decision is not supported by the record. The appellate body may refuse to consider any issue not specifically stated in the appeal.

C. Calls for Review.

1. A call for review may be initiated by the affirmative vote of the majority of the members present of the designated review body. A call for review by a designated review body shall be made prior to the effective date of the decision being reviewed. No fee shall be required.

2. The Landmarks Commission may call for review any decision by the Director which may be appealed pursuant to this Section. A decision by the Landmarks Commission on a matter called for review shall be final and not subject to further calls for review or administrative appeal.

3. The Board of Supervisors may call for review any decision by the Landmarks Commission which may be appealed pursuant to this Section, and any decision rendered by the Landmarks Commission on a matter appealed to it pursuant to this Section. A decision by the Board of Supervisors on a matter called for review shall be final and not subject to further calls for review or administrative appeal.

D. Procedure for Appeals and Calls for Review.

1. An appeal or review hearing shall be a public hearing if the decision being appealed or reviewed required a public hearing. The appellate body shall consider the matter directly at its public hearing.

2. At the appeal or review hearing, the appellate or review body shall review the record on which the decision below was based, hear testimony of the appellant, the applicant, the Director, and any other interested party, and may consider any other testimony or evidence.

3. After the hearing, the appellate or review body shall affirm, modify, or reverse the original decision. Decisions on appeals or reviews shall be rendered within 30 days of the close of the public hearing. If the appellate or review body fails to act upon an appeal or call for review within 30 days of the close of the public hearing, the decision from which the appeal was taken or which was called for review shall be deemed affirmed.

E. Notice of Decision. Within 10 days of rendering its decision on an appeal or call for review, the appellate or review body shall serve notice of its action by first-class mail or electronic mail where applicable on:

1. The appellant;

2. The applicant;

3. All owners of the subject property;

4. All persons who testified regarding the application at the public hearing, or who submitted timely comments regarding nomination in advance of the public hearing; and

5. All persons who requested notice of the action on the application.

F. Failure to Act. In the event the appellate or review body fails to render its decision within the time set forth in Subsection D.3, above, the Department shall within 10 days of the expiration of such time period provide the notice required by Subsection E, above.

G. Resubmission, Reconsideration. When a determination or decision becomes final pursuant to this Section, no subsequent nomination or application that is the same or substantially the same may be made for a period of one year from the effective date of the final determination or decision.

22.52.3190 Public Hearings

A. Whenever a public hearing is required or permitted to be held pursuant to this Part, the public hearing shall conform to the procedures prescribed in this Section.

B. Notice of Public Hearing. Prior to conducting a public hearing under this Part, the hearing body shall give notice of the time, place, and purpose of the public hearing as follows:

1. Notice shall be published once in a newspaper of general circulation in the County not less than 20 days prior to the date of the hearing.

2. Nominations, Landmarks. Not less than 20 days prior to the date of the public hearing, notice shall be given by first-class mail to the applicant, if any, and to the last known owner subject to the nomination to be considered at the public hearing.

3. Nominations, Historic Districts. Not less than 20 days prior to the date of the public hearing, notice shall be given by first-class mail to the applicant, if any, and to the last known owner of each property proposed to be located within a Historic District.

4. Certificate of Appropriateness/Certificate of Economic Hardship, Landmarks. Not less than 20 days prior to the date of the public hearing, notice shall be given by first-class mail to the applicant, to the owners of the subject property, and to all owners within 150 feet of the subject property.

5. Certificate of Appropriateness/Certificate of Economic Hardship, Historic Districts. Not less than 20 days prior to the date of the public hearing, notice shall be given by first-class mail to the applicant, to the owners of the subject property, and to the owners of all properties within 300 feet of the subject property.

6. Posting. Posting of a public hearing notice sign shall be required in compliance with Section 22.60.175, except that the posting of the hearing notice sign shall be not less than 20 days prior to the date of the public hearing and that Section 22.60.175.D shall be modified as follows: The notice shall be prominently displayed on the place, building, object, or structure subject to the public hearing or on the public right-of-way abutting it. In the case of designation of a Historic District, the notice shall be placed on the principal boundaries thereof, or alternative posting location as may be directed by the Director.

7. Appeals. In the case of an appeal, not less than 20 days prior to the date of the public hearing on the appeal, notice shall be given by first-class mail to the appellant, in addition to any other person to whom notice is required to be given pursuant to this Subsection B.

C. For the purposes of mailed notice, the latest County Assessor assessment roll for names and addresses of owners shall be used. Failure to send notice in compliance with this Section to any such owner where the address of such owner is not shown on such assessment roll shall not invalidate any proceedings in connection with such action, if such notice is mailed in accordance with this Section.

D. The hearing body shall provide a reasonable opportunity for all interested persons to present testimony or evidence under such rules as the hearing body may adopt governing the proceedings of a hearing. The hearing may be continued to a date certain, and a record shall be kept of all proceedings.

22.52.3200 Joint and Common Ownership—Notice and Consent.

A. Where notice is required to or may be given pursuant to this Part, notice may be given as follows:

   a. Where a building or group of buildings has been divided into condominiums with any common areas maintained or operated by an association of the condominium owners, to the association only.

   b. Where a building or group of buildings has been dividing into condominiums with any common areas maintained or operated by an association of the condominium owners, and a proposed designation includes commonly owned features and features which are not commonly owned, such as but not limited to the interior of a condominium unit, to the association and the owner of any of the features which are not commonly owned.

   c. Where a building, structure, or other real property is owned by a cooperative corporation, to the corporation only.

B. Where consent of an owner is required to or may be given pursuant to this Part, or where the provisions of this Part require or allow an owner to take any action with respect to a proposed designation, landmark, contributing property, or other real property:

   a. Where a building, structure, or other real property has been divided into condominiums with any common areas maintained or operated by an association of the condominium owners, the association shall be deemed the sole owner, except that where a proposed designation includes commonly owned features and features which are not commonly owned, such as but not limited to the interior of a condominium unit, the owner of any of the features which are not commonly owned shall also be deemed an owner.

   b. Where a building, structure, or other real property is owned by a cooperative corporation, the corporation shall be deemed the sole owner.

   c. Where a building, structure, or other real property is owned jointly by one or more persons, organizations, corporations, or other legal entities, the owners must act unanimously as though there were only one owner. No County employee, department, or body, including but not limited to the Department, Director, Landmarks Commission, and Board of Supervisors, shall have an obligation to investigate or determine the legal relationship among the joint owners governing the owners' respective rights to grant consent or take any action pursuant to this Part.

   d. Where a building, structure, or other real property is owned in trust, the trustee shall be considered the sole owner unless the trustee notifies the Department in writing of the identity of the beneficial owner or owners of the building, structure, or other real property, and certifies in writing that the

beneficial owner or owners will act on behalf of the trust for the purposes of this Part.

22.52.3210 Unsafe or Dangerous Conditions.

None of the provisions of this Part shall be construed to prevent any construction, alteration, or demolition necessary to correct an unsafe or dangerous condition of any structure, other feature, or part thereof, where such condition has been declared unsafe or dangerous by the Director of Public Works or the Fire Chief of the Fire Department, and where the proposed measures have been declared necessary by such official to correct the condition; provided, however, that only such work as is absolutely necessary in the opinion of the Director of Public Works or the Fire Chief of the Fire Department to correct the unsafe or dangerous condition may be performed pursuant to this Section. In the event any structure or other feature is damaged by fire or other calamity or natural disaster to such an extent that in the opinion of the aforesaid officials it cannot reasonably be repaired and restored, it may be removed in conformity with any applicable permit requirements and all applicable laws without further reference to the provisions of this Part.

22.52.3220 Compliance With Maintenance Requirements.

The owner, lessee or other person in actual charge of a landmark, or of a structure in a Historic District, shall comply with all applicable codes, laws and regulations governing the maintenance of the property. It is the intent of this Section to preserve from deliberate or inadvertent neglect the exterior portions of such landmark or structure, the interior portions thereof when subject to control as specified in the designating resolution or ordinance, and all interior portions thereof whose maintenance is necessary to prevent deterioration and decay of any exterior portion. Failure to comply with this Section shall be subject to enforcement and penalties pursuant to Section 22.52.3230.

22.52.3230 Enforcement and Penalties.

A. In addition to the enforcement procedures and penalties set forth in Part 6 of Chapter 22.60, the failure to comply with a requirement of this Part or to obey an order issued by the Landmarks Commission or Director, or to comply with a condition of approval of any approval issued pursuant to this Part, shall be declared to be a public nuisance and may be abated as deemed appropriate by the County.

B. Any person who alters or removes a landmark or a contributing property to a Historic District, or erects a structure or building on a property with a landmark or in a Historic District in violation of this Part, shall restore the building, object, site, or structure to its original setting prior to the violation. The County may seek relief in any court having jurisdiction against any person from using any property contrary to the provisions of this Part. This civil remedy is cumulative to any other remedy, including criminal prosecution, and the imposition of any administrative fines, penalties and noncompliance fees as provided by law.

C. If any person demolishes, including demolition by neglect, a landmark or a contributing property to a Historic District in violation of this Part, no building or construction related permits, or permits to use the property as a parking area, shall be issued for a period of 60 months from the date the County receives actual notice that the demolition has occurred, except permits to replicate the lost landmark or contributing property, or to move a designated historic resource to the property.

22.52.3240 Street Improvements in Historic Districts.

Whenever street or streetscape improvements are proposed by the County in areas that are Historic Districts, the County shall consider the use of materials, landscaping, light standards, and signage that are compatible with the area's historic and architectural character where specified in the ordinance designating the historic district.

22.52.3250 Waiver of Parking Requirements.

The parking requirements pursuant to this Title 22 for a landmark or contributing property shall be deemed to be those existing parking spaces in effect as of the effective date of designation of the landmark or historic district, including a lawful change of use as long as the gross square footage is the same or less.

22.52.3260 Time Extensions to Comply with CEQA.

Any time periods set forth in this Part may be extended by the Director by such periods as are necessary to comply with the California Environmental Quality Act (CEQA).

SECTION 2. Section 22.44 Supplemental Districts is hereby added to read as follows:

Part 10 Historic District.

22.44.600 Establishment and Purpose.

Historic Districts are established as supplemental districts to provide a means of implementing special development standards to promote, protect, enhance, perpetuate, and preserve Historic Districts for the educational, cultural, economic and general welfare of the public through the preservation, protection and regulation of buildings, structures, and areas of historic interest or importance within the unincorporated areas of the County, and to:

A. Implement the General Plan by ensuring development consistent with the urban design, neighborhood enhancement, housing, land use, and historic and cultural resources elements thereof;

B. Deter the demolition, destruction, alteration, misuse or neglect of architecturally significant buildings that form an important link to the County'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; and

E. Encourage development tailored to the character and significance of each Historic District through a conservation plan that includes goals, objectives, and design criteria.

22.44.610 Applicability.

The Historic District supplemental district classification shall apply only to Historic Districts so designated by the Board of Supervisors. All properties located within the designated Historic District shall be subject to the standards, limitations, and conditions contained in the designating ordinance, and Part 29 of this Title 22.

22.44.620 Development Restrictions.

Except as otherwise expressly provided within a Historic District ordinance, property may be used for any purpose permitted in the basic zone to which the district is added, subject to the same development standards, limitations, and conditions. Where the regulations of a Historic District differ from any other provisions in this Title 22, with the

exception of qualified projects allowed by Part 17 of Chapter 22.52 and Part 18 of Chapter 22.56, such regulations shall supersede any contrary provisions as specified in said district.

22.44.630 Zoning Map Designation.

Historic Districts shall be depicted on the Zoning Map by adding the suffix "HD" to the base district designation, followed by the number of the Historic District based on order of adoption.

22.44.640 Application of Historic District and development review procedures.

The requirements of this Title 22 for the application of the Historic District to property and administrative procedures for the review of proposed development within a Historic District shall be subject to the provisions contained in Part 29 of Title 22 (Historic Preservation).

22.44.650 List of Historic Districts.

The following Historic Districts are added by reference, together with all maps and provisions pertaining thereto:

District Number	District Name	Ordinance of Adoption	Date of Adoption

SECTION 3. Part 2 of Section 22.60.100 is hereby amended to read as follows:

22.60.100 Filing Fees and Deposits.

A. For the purpose of defraying the expense involved in connection with any application or petition required or authorized by this Title 22, the following fees shall accompany the application or petition:

. . .

— Appeal to Landmarks Commission, Applicant — $4059.

— Appeal to Landmarks Commission, Non-Applicant — $735.

— Certificate of Economic Hardship Application Fee — $2,949.

— Certificate of Appropriateness Application Fee — $2,949.

— Certificate of Appropriateness, Administrative Application Fee — $1,383.

— Historic District Nomination Application Fee — $8,487.

— Landmark Nomination Application Fee — $3,715.

Proposed Historic Preservation Ordinance
Summary of Comments

No	Name/ Organization	Type	Rec'd	Comments	Response / Resolution
1.	Los Angeles Conservancy	Letter	9/26/14	Section 22.52.3020 Applicability: As currently written, the scope of the ordinance's applicability is limited to structures within unincorporated territory of the County, leaving unmentioned the existence of several, historically significant County-owned and operated structures that are often in incorporated municipalities but none-the-less fall under the jurisdiction of the County for zoning-related matters. The provision on applicability should be revised to include structures owned by the County of Los Angeles, regardless of their location in other jurisdictions. The applicability provision is silent on the possibility that a designated Los Angeles County landmark could someday become part of a separate jurisdiction, through either annexation to an existing incorporated municipality or the incorporation of unincorporated County territory. A subjection should be included to address this, such as that included in the history preservation ordinance of Ventura County, which states: "At any time in the future, if the territory upon which a Designated Cultural Heritage Site is annexed to any city, it shall also retain its designated status."	The County does not apply the same development regulations to county-owned and operated property that are applied to private property, due to the often unique land use circumstances needed for the development of public use property. When property is annexed into a city, the County transfers all land use jurisdiction and zoning control measures to that city. As such, the regulation of all property within an incorporated city would fall within that jurisdiction. No further revisions proposed.
				Section 22.52.3060 Criteria for Designation of Landmarks and Historic Districts: As currently written, this provision adopts the age threshold applied by the National Register that nominated properties should be 50 years of age or older (with allowance for applying a special significance criterion for properties less than 50). It is strongly suggested that this age requirement language be omitted from the County's ordinance, which will still allow the merits of a nominated property to be considered through the landmark designation process. The National Register sets a higher threshold than state or local ordinances in a few key areas, including age. Local historic preservation ordinances are generally written with few eligibility requirements beyond consideration of landmark designation criteria to allow for wider consideration of nominated properties that may possess a level of significance that merits designation solely at the local level. The Los Angeles region possesses of wealth of significant properties from the recent past that have, in several instances, been identified for their landmark designation eligibility. Therefore, the County ordinance should remain silent on age.	The proposed baseline for landmarks designation is that property would need to be at least 50 years of age. However, properties less than 50 years of age may be designated if the property exhibits exceptional importance as defined in the proposed ordinance. This approach is consistent with National Register of Historic Places standards. No further revisions proposed.

Proposed Historic Preservation Ordinance
Summary of Comments

No	Name/ Organization	Type	Rec'd	Comments	Response / Resolution
				Section 22.52.3070 Nomination of a Landmark or Historic District: The language of this provision, containing language pertaining to the written permission of property owners when submitting a nomination, which also appears referentially in different format in other provisions, is not presented in a clear or concise manner and could lead to confusion about the intended landmark designation process. Meanwhile, the flow chart suggests that owner consent is not a requirement. Subsection (B) states "Any person or organization may file a nomination application with the Director to nominate a landmark" while subsection (B)(2) states "Evidence that the applicant is the sole owner of the subject property or has the written permission of all owners to make such application" as a requirement for submitting a nomination. If owner consent is not a requirement for nominating a property, those portions indicating "written permission" should be reworded to clarify the reason is to demonstrate owner consent to allow for eventual consent calendar format, as opposed to review before the Board of Supervisors in the case that the nomination might be opposed.	Revised language to clarify intent is to determine the applicant's ownership interest in the property, if any.
				Section 22.52.3080 Process for Designation of a Landmark: Subsection (3) "Summary denial by the Director" provides language allowing the Director to summarily deny a nomination in two types of instances: either when "the nomination is wholly lacking in merit," or "where there is evidence that the application was filed solely to delay or frustrate development activity planned for the property subject to the nomination." This section should be eliminated from the ordinance, as it would codify language that gives the County the authority to prevent a landmark nomination from proceeding through the public review process (which contains opportunities for a nomination to be denied based on lack of merit) by giving sole discretion to the Director to deny a nomination in a situation where the nominated structure might be historically significant yet threatened with demolition to make way for a project. For transparency of the nomination review process, any decision to dismiss an otherwise complete nomination should happen in a public venue and not in the Director's office.	Revised language which clarifies that there is a two-part burden of proof to summarily deny a nomination by the Director. The application must 1) wholly lack merit and 2) be found to have been filed solely to block development activity. Further, if the nomination is summarily denied by the Director, such action may be appealed to the Landmarks Commission.

No	Name/ Organization	Type	Rec'd	Comments	Response / Resolution
				Section 22.52.3090 Process for Designation of a Historic District: The language of this provision omits any review of a nominated historic district by the Historic Records and Landmarks Commission and instead places the initial review by a County Commission in a public hearing before the Regional Planning Commission. This provision should be edited to give the Los Angeles County Historical Landmarks and Records Commission, which is the County's dedicated reviewing body with expertise and background on historic preservation, the opportunity to review applications for historic districts in a public hearing and make a recommendation vote to the Regional Planning Commission before that commission's subsequent review and vote. Subsection (A)(1) outlines a procedure for gauging the percentage of property owner support among subject properties within a nominated historic district. The process includes contacting all property owners associated with properties in the proposed district and requesting consent to designation via mail. However, the language in the provision states that "an owner who fails to respond within 30 days will be deemed not to consent to the designation." A lack of response should never be construed to equate non-consent, and could unnecessarily hinder the designation and protection of historic districts by providing an inaccurate representation of true property owner support in the district.	The action of designating a historic district overlay zone is viewed primarily as a land use matter, which is under the jurisdiction of the Regional Planning Commission. Further, a goal is to streamline the designation process without requiring multiple commission reviews. As such, it is recommended that historic district nominations be reviewed by the Regional Planning Commission and forwarded to the Board of Supervisors for consideration. No further revisions are recommended.
				Section 22.52.3140 Certificate of Appropriateness—Application and Hearing: Subsection (C) outlines the procedure for review of Administrative Certificates of Appropriates by the Director and includes language stating "In the event the Director fails to act within the time set forth in this section [90 days as described in subsection (B)], the application shall be deemed approved." This language, which could result in the possible approval of inappropriate work to a historic resource through inadvertent inaction by the Director, should be removed.	Revised language: "In the event the Director fails to act within the time set forth in this Section, the application shall be deemed ~~approved~~ <u>denied</u>."

Proposed Historic Preservation Ordinance
Summary of Comments

No	Name/ Organization	Type	Rec'd	Comments	Response / Resolution
2.	Martin, Karen	Phone call	9/5/14	Commenter called regarding information she heard that the County was going to designate View Park as a historic district; concerned that designation is happening without property owners knowing about it. Staff explained the intent and effect of the adoption of the proposed historic preservation ordinance.	Comments are related to the designation of a specific historic district. The adoption of this ordinance would not designate or create any specific historic district. It would establish criteria and procedures with which to designate landmarks and historic districts through a transparent public review process. No further revisions recommended.
3.	Mobley, Eric	Email	9/12/14	Commenter's view is that 70 to 75% of property owners should consent to the designation of a historic district.	The proposed ordinance would require greater than 50% of owners within a proposed historic district to consent to such designation in order for the application to be considered. The intent of this threshold is the gauge community support and to establish that a majority of property owners consent to the designation. Majority consent in itself would not be sufficient to designate, as the historic district would need to meet other applicable criteria as well as be approved by the Board of Supervisors through a transparent public review process. This approach is consistent with most peer ordinances reviewed. No further revisions recommended.
4.	Mobley, Eric	Email	9/15/14	Commenter's view is that 70 to 75% of property owners should consent to the designation of a historic district.	See response to comment No. 3.
5.	Simmons, Lucille	Letter	9/29/14	Opposed to the designation of View Park as a historic district.	See response to comment No. 2.
6.	Martin, Mary	Email	9/29/14	Opposed to the designation of View Park as a historic district.	See response to comment No. 2.
7.	Martin, Karen	Email	9/30/14	Opposed to the designation of View Park as a historic district.	See response to comment No. 2.

Proposed Historic Preservation Ordinance
Summary of Comments

No	Name/ Organization	Type	Rec'd	Comments	Response / Resolution
8.	Email address	Email	9/30/14	Opposed to preservation.	This adoption of this ordinance is intended to help protect and preserve the County's valuable historic and cultural resources. Upon adoption, it will not designate a specific landmark or historic district. It would establish criteria and procedures with which to designate landmarks and historic districts through a transparent public review process. No further revisions recommended.

#1

LOS ANGELES
CONSERVANCY

523 West Sixth Street, Suite 826
Los Angeles, CA 90014

213 623 2489 OFFICE
213 623 3909 FAX
laconservancy.org

Submitted electronically
Phillip Estes, Principal Planner
Department of Regional Planning
320 W. Temple St., 13th Floor
Los Angeles, CA 90012
(213) 974-6425
Email: preservation@planning.lacounty.gov

September 30, 2014

Dear Phillip,

Thank you for the opportunity to comment on the County's draft Historic Preservation Ordinance. The Conservancy is very pleased to review this document and look forward to when an ordinance is officially adopted. Below are our comments and some suggested revisions to address some of our questions and concerns at this time. These are organized by the various sections of the draft ordinance.

Section 22.52.3020 Applicability:
As currently written, the scope of the ordinance's applicability is limited to structures within unincorporated territory of the County, leaving unmentioned the existence of several, historically significant County-owned and operated structures that are in incorporated municipalities but none-the-less fall under the jurisdiction of the County for zoning-related matters. One example is the 1964-67 Music Center complex in Los Angeles, which is now celebrating its fiftieth anniversary. We would suggest that the provision on applicability be revised to also include those buildings and structures owned by the County of Los Angeles, regardless of their location in other jurisdictions.

The applicability provision is silent on the possibility that a designated Los Angeles County landmark could someday become part of a separate jurisdiction, through either annexation to an existing incorporated municipality or the incorporation of unincorporated County territory. A subsection should be included to address this, such as a similar provision featured in the history preservation ordinance of

Ventura County, which states: "At any time in the future, if the territory upon which a Designated Cultural Heritage Site is annexed to any city, it shall also retain its designated status."

Section 22.52.3060 Criteria for Designation of Landmarks and Historic Districts:
As currently written, this provision adopts the age threshold applied by the National Register of Historic Places that calls for nominated properties to be fifty years of age or older (with allowances for applying a special significance criterion for properties less than fifty).

The Conservancy suggests omitting any age requirement language from the County's ordinance as do other municipalities. This will still allow the merits of a nominated property to be considered through the landmark designation process. The National Register sets a higher threshold than state or local ordinances in a few key areas, including age. Local historic preservation ordinances are generally written with few eligibility requirements beyond consideration of landmark designation criteria to allow for wider consideration of nominated properties that may possess a level of significance that merits designation solely at the local level.

The Los Angeles region possesses a wealth of significant properties from the recent past that have, in several instances, been identified for their landmark designation eligibility. We have also found that age requirements can also cause negative consequences, inadvertently prompting actions such as demolition of historic buildings that are just coming of age or, in this case, attaining fifty years or older status. Therefore, we suggest the County ordinance should remain silent on age.

Section 22.52.3070 Nomination of a Landmark or Historic District:
The language of this provision, containing language pertaining to the written permission of property owners when submitting a nomination, is not presented in a clear or concise manner and could lead to confusion about the intended landmark designation process. The flow chart suggests that owner consent is not a requirement though it is unclear and language pertaining to this is referenced elsewhere throughout the draft ordinance.

Subsection (B) states "Any person or organization may file a nomination application with the Director to nominate a landmark" while subsection (B)(2) states "Evidence that the applicant is the sole owner of the subject property or has the written permission of all owners to make such application" as a requirement for submitting a nomination. If owner consent is not a requirement for nominating a property, those portions indicating "written permission" should be reworded to clarify the reason is to demonstrate owner consent to allow for eventual consent calendar format, as opposed to review before the Board of Supervisors in the case that the nomination might be opposed.

Section 22.52.3080 Process for Designation of a Landmark:
Subsection (3) "Summary denial by the Director" provides language allowing the Director to summarily deny a nomination in two types of instances: either when "the nomination is wholly lacking in merit," or

"where there is evidence that the application was filed solely to delay or frustrate development activity planned for the property subject to the nomination."

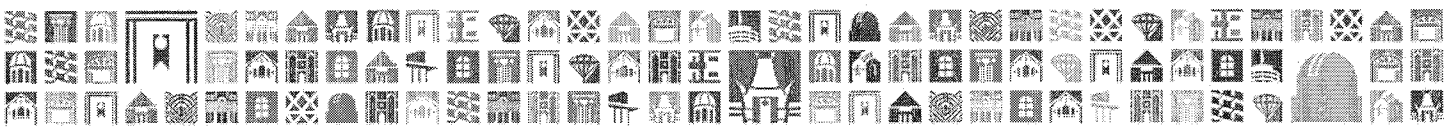
This section should be eliminated from the ordinance, as it would codify language that gives the County the authority to prevent a landmark nomination from proceeding without the benefit of a public review process (which contains opportunities for a nomination to be denied based on lack of merit). Otherwise it gives sole discretion to the Director to deny a nomination in a situation where the nominated structure might be historically significant yet threatened with demolition to make way for a project.

The Conservancy believes this to be especially problematic as there should be an opportunity for a public process irrespective of whether or not it may obstruct a proposed project or development. For transparency of the nomination review process, we strongly suggest any decision to dismiss an otherwise complete nomination should happen in a public venue and not in the Director's office.

Section 22.52.3090 Process for Designation of a Historic District:
The language of this provision omits any review of a nominated historic district by the Historic Records and Landmarks Commission and instead places the initial review by a County Commission in a public hearing before the Regional Planning Commission. This provision should be edited to give the Los Angeles County Historical Landmarks and Records Commission, which is the County's dedicated reviewing body with expertise and background on historic preservation, the opportunity to review applications for historic districts in a public hearing and make a recommendation vote to the Regional Planning Commission before that commission's subsequent review and vote. This will be consistent with the treatment and process afforded for individual landmark nominations.

Subsection (A)(1) outlines a procedure for gauging the percentage of property owner support among subject properties within a nominated historic district. The process includes contacting all property owners associated with properties in the proposed district and requesting consent to designation via mail. However, the language in the provision states that "an owner who fails to respond within 30 days will be deemed not to consent to the designation." A lack of response should never be construed to equate non-consent, and could unnecessarily hinder the designation and protection of historic districts by providing an inaccurate representation and "false read" of true property owner support in the district. The conservancy suggests this specific language be removed.

Section 22.52.3140 Certificate of Appropriateness—Application and Hearing:
Subsection (C) outlines the procedure for review of Administrative Certificates of Appropriates by the Director and includes language stating "In the event the Director fails to act within the time set forth in this section [90 days as described in subsection (B)], the application shall be deemed approved." This language, which could result in the possible approval of inappropriate work to a historic resource through inadvertent inaction by the Director, should also be removed.



Thank you again for the opportunity to comment of the County's draft Historic Preservation Ordinance. Please let us know if the Conservancy can be of any assistance as this effort moves forward.

Sincerely,

Adrian Scott Fine

Adrian Scott Fine
Director of Advocacy

Phillip Estes

From: Eric Mobley [successservice@aol.com]
Sent: Friday, September 12, 2014 10:47 PM
To: DRP Historic Preservation
Subject: Comments on the County Ordinance

Hi Philip we talked a while back when you were developing the plan. I have read the guidelines and the ordinance and one of the things that I am very concerned about is the fact that the percentage for adaption of a Community or neighborhood to become a zone is only above 50%. That leaves almost half of the residents who could possibly disagree and not want to participate of be involved forced to. Property owners rights are greatly infringed of someone does not want to participate. 51% of a Community should not be able to make changes or determine what happens to a community especially something as significant as what is done to ones own property. That is even more important if a majority or many of the residents have lived in that community and may not want to participate. Even the city ordinance requires a much higher number for approval. It is I believe 70-75%. Please reconsider the number as the higher number would be at least show or possible reflect the desires of the community or neighborhood.

Thank you

Eric Mobley
323-440-4331

Sent from my iPhone

4

Phillip Estes

From: Eric Mobley [successservice@aol.com]
Sent: Monday, September 15, 2014 5:21 PM
To: DRP Historic Preservation
Subject: Re: Comments on the County Ordinance

ThNk you for the reply but what I am saying is that say 51-55% is not a sufficient member to claim a reasonable majority. Considering the significance and drastic way that it will impact homeowners in the 49% or so that do not want to participate or be involved. As I said at least the number for the city ordinance is 75% which at least is more representative of a legitimate majority. As well a split of just over 50% is going to cause decisiveness within a neighborhood or community and very likely lead legal battles and conflicts. Please at least increase the approval ratio or percentage to the 75% of the city program.

Thank you

Eric Mobley

Sent from my iPhone

> On Sep 15, 2014, at 2:19 PM, DRP Historic Preservation <D13e5d8@planning.lacounty.gov> wrote:
>
> Thank you for your letter on the draft historic preservation ordinance.
>
> Your comment addresses one of a number of proposed criteria to designate a historic district, specifically that greater than 50 percent of owners consent to the designation a historic district. This provision is intended to demonstrate that at least a majority of the property owners within a proposed district consent to the designation. To be clear, property owners would not by a majority vote designate a historic district. Further, majority support in itself would not be sufficient to designate a historic district. All designation processes would go through a public review and public hearing process, with the Board of Supervisors making a final determination as whether to approve or disapprove any designation.
>
> Again, thank you for your letter. Your letter, as well as others, commenting on the draft ordinance will be included in the staff report filed with the Regional Planning Commission.
>
>
> COUNTY OF LOS ANGELES | Department of Regional Planning Historic
> Preservation
> 320 W. Temple Street, 13th Floor | Los Angeles, CA 90012 Phone
> 213.974.6425 | Fax 213.626.0434 | TDD 213.617.2292
> planning.lacounty.gov/preservation
>
>
> -----Original Message-----
> From: Eric Mobley [mailto:successservice@aol.com]
> Sent: Friday, September 12, 2014 10:47 PM
> To: DRP Historic Preservation
> Subject: Comments on the County Ordinance
>
> Hi Philip we talked a while back when you were developing the plan. I have read the guidelines and the ordinance and one of the things that I am very concerned about is the fact that the percentage for adaption of a Community or neighborhood to become a zone is only above 50%. That leaves almost half of the residents who could possibly disagree and not want

to participate of be involved forced to. Property owners rights are greatly infringed of someone does not want to participate. 51% of a Community should not be able to make changes or determine what happens to a community especially something as significant as what is done to ones own property. That is even more important if a majority or many of the residents have lived in that community and may not want to participate. Even the city ordinance requires a much higher number for approval. It is I believe 70-75%. Please reconsider the number as the higher number would be at least show or possible reflect the desires of the community or neighborhood.

>

> Thank you

>

> Eric Mobley

> 323-440-4331

>

> Sent from my iPhone

September 23, 2014

Mr. Phillip Estes, Principal Planner
Department of Regional Planning
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012

Dear Mr. Estes,

This is a grievance letter in the concern of turning View Park into an HPOZ or Historic Zone. The residents have not been contacted in regards to this. Thanks to a Ben Khale, a "white" real estate flipper this is being considered. He just moved into the area 2 years ago, plopped down $420,000.00 for a home on Angeles Vista Blvd. and now wants to make money off of it.

In the meantime the County of Los Angeles and politicians are going behind the backs of residents, some who have been here for almost sixty years to turn the area into what they want. Why have you decided now, you have had almost sixty years to do this? I suppose the County of Los Angeles would like to push out the African-Americans from this community and that is what this is all about? I am disgusted with USC and the County of Los Angeles going behind the resident's backs to do a survey to even consider this. You are trying to break up a community, which includes View Park and Windsor Hills.

My response to an HPOZ and Historic Designation is NO!!!

Kind Regards,

Lucile Simmons

RECEIVED
SEP 29 2014
BY:

6

Phillip Estes

From: memgolfer32@aol.com
Sent: Monday, September 29, 2014 4:51 PM
To: DRP Historic Preservation
Subject: (no subject)

Follow Up Flag: Follow up
Flag Status: Flagged

I am not pleased about the idea of View Park being made HOPZ. I have lived in the area for over a half a century and I do not see the need for that being done. Some one changed the name of the area to View Park, Ca. instead of Los Angeles, Ca. I get a call from one of my monitoring companies to verify the city I live in. I think the residence should have been consulted before that took place. I certainly do not have the funds they are requesting to have this done. I hope it does not happen.

Thank You

Mary Martin
memgolfer32@aol.com

Phillip Estes

From: Karen Martin [soundsculpture@sbcglobal.net]
Sent: Tuesday, September 30, 2014 9:03 AM
To: DRP Historic Preservation
Subject: HPOZ View Park

Follow Up Flag: Follow up
Flag Status: Flagged

Phillip Estes, Principal Planner
Department of Regional Planning
320 W. Temple St., 13th Floor
Los Angeles, CA 90012

Dear Mr. Estes,

I would like to comment on the possibility of View Park becoming an HPOZ. I am totally against anything remotely of something like this taking place in the View Park-Windsor Hills community.

I heard about this from another concern resident. Why hasn't this been brought to the attention of the residents? From what I have read about HPOZ's, is that this is another way to gentrify the area by raising property values and in turn property taxes. I am pretty sure you heard about the recession in 2008, but did you know that the middle class shrank which means the African-American middle class shrank even more! We already have Santa Monica, Beverly Hills, all of the westside of Los Angeles and several other areas as being predominately white, does the View Park and Windsor Hills area have to become that as well?

Since the recession, real estate agents and "flippers" have been tearing away at this community with no regard to the residents and our culture. Who changed Los Angeles 90043 to View Park, CA 90043? Whose grand scheme was this anyway? Are the developer's behind this, Eli Broad and Richard Riordan?

This taken from the Office of Historic Resources:

- **"Enhanced sense of community:** The HPOZ approval process can often bring a neighborhood together around a common source of pride: a neighborhood's history and architectural character. The designation itself can help create a sense of identity among neighborhood residents and greater awareness of the neighborhood throughout the city."

We already have an "enhanced sense of community! We are a very proud African-American community with a brilliant history and culture in this area which dates back to the early 1950s. Why are you trying to erase it by driving African-American's out of this community? It's not going to happen! We have programs set-up preserving the African-American history and culture of the area along with Leimert Park.

Myth #1: "Historic designation will reduce my property values."

Fact: Study after study across the nation has conclusively demonstrated that historic designation and the creation of historic districts actually increase property values which will increase property taxes. Again, let's push out the African-American's.

Again I must say that I am **AGAINST** any type of HPOZ or Historic designation in the View Park-Windsor Hills area.

Best,

8

Phillip Estes

From: ynaynablues4@aol.com
Sent: Tuesday, September 30, 2014 1:37 PM
To: DRP Historic Preservation
Subject: Preservation

Follow Up Flag: Follow up
Flag Status: Flagged

No ,no,on the preservation ! This is just another way for white people to take what is ours!

Sent from my iPad