

AN ORDINANCE OF THE CITY OF RICHMOND AMENDING CHAPTER 6.06 OF THE RICHMOND MUNICIPAL CODE PERTAINING TO HISTORIC PRESERVATION.

The Council of the City of Richmond do hereby ordain as follows:

Chapter 6.06 HISTORIC STRUCTURES CODE (Ordinance 60-99, adopted December 14, 1999)

6.06.010 Administration.

- (a) These regulations shall be known as the "Historic Structures Code," may be cited as such, and will be referred to herein as "this chapter."
- (b) This Code is one of the technical codes of Building Regulations and is administered under Chapter 6.02 of the Municipal Code of the City as such.

6.06.020 Purpose.

The purpose of this chapter is to promote the general welfare by providing for the identification, protection, enhancement, perpetuation, and use of improvements, buildings, structures, signs, features, sites, places, and areas within the City that reflect special elements of the City's historical, architectural, archaeological, cultural, or aesthetic heritage for the following reasons:

- (1) To encourage public knowledge, understanding, appreciation, and use of the City's past;
- (2) To foster civic pride in the beauty and personality of the City and in the accomplishments of its past;
- (3) To enhance the visual character of the City by encouraging new design and construction that complement the City's historical buildings;
- (4) To increase the economic benefits of historic preservation to the City and its inhabitants;
- (5) To protect property values within the City;
- (6) To identify as early as possible and resolve conflicts between the preservation of historical resources and alternative land uses;
- (7) To conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment;
- (8) Provide a procedure for detailed application of the California Environmental Quality Act (CEQA) as it pertains to historic cultural resources as defined in Section 21084.1 of the California Environmental Quality Act;
- (9) Achieve designation as a Certified Local Government under 36 CFR Part 61 and satisfactorily perform responsibilities delegated by the State of California;
- (10) Provide for detailed application of Federal legislation affecting historic properties, including Section 106 of the National Historic Preservation Act (16 USC Section 470f, Section 4(f) of the Department of Transportation Act (Section 4(f): 49 USC Section 303 and 23 USC Section 138, Highways; and 49 USC Section 2208(b)(5), Airports) and the Public Buildings Cooperative Use Act (40 USC Sections 490.601a, 606, 611 and 612a);
- (11) Maintain a system for the survey and inventory of historic properties;
- (12) Provide for adequate public participation in the application of public policy in historic preservation, including the process of recommending properties for nomination to the National Register of Historic Places, the California Register, or the Richmond Historic Register;
- (13) Provide owners of historic properties reasonable economic uses;
- (14) Provide a constitutional right of owners for due process for restrictions or proposed restrictions on the use of historic properties.

6.06.030 Terminology.

For purposes of this chapter, certain terms and words are defined in this section. If any of these definitions are in conflict with the provisions of Title 24 of the State of California Building Code, then the requirements of Title 24 shall govern.

- (1) "Alteration" means any exterior change or modification, through public or private action, of any historical resource, outstanding historical resource, or of any contributing property located within an historic district which involves exterior changes to or modification of a structure, its surface texture, or its architectural details; new construction; demolition; relocation of structures onto, off of, or within a designated property; or other changes to the site affecting the significant historical or architectural features of the property.
- (2) DRB means the Design Review Board as defined in Section 15.04.930.030A of this Code.
- (3) "City" means all the area within the boundary of the City.

- (4) "Contributing structure" means a structure in an historic district, which by its age, historical integrity, or historical significance is an essential part of the historic fabric of the district, or would reduce the integrity of the district by its inappropriate alteration or removal.
- (A) A building contributing to the historic significance of a district is one which by location, design, setting, materials, workmanship, feeling and association adds to the district's sense of time and place and historical development.
- (B) A building not contributing to the historic significance of a district is one which does not add to the district's sense of time and place and historical development; or one where the location, design, setting, materials, workmanship, feeling and association have been so altered or have so deteriorated that the overall integrity of the building has been irretrievably lost.
- (C) Ordinarily buildings that have been built within the past 50 years shall not be considered to contribute to the significance of a district unless a strong justification concerning their historical or architectural merit is given or the historical attributes of the district are considered to be less than 50 years old.
- (5) Committee means the Historic Preservation Review Committee as defined in this section.
- (6) "Council" means the Council of the City of [Richmond](#).
- (7) "Dangerous structure" means "dangerous building" as defined in Chapter 6.10 of the Richmond Municipal Code or by CCR Title 24, the California Building Standards Code.
- (8) "Demolition by neglect" means permitting a structure or its components to deteriorate to a state that it becomes economically or functionally impractical to rehabilitate due to damage to structural components or those that define the essential historic characteristics (also see Chapter 9.22).
- (9) "Design Review Board" means the Design Review Board established pursuant to the provisions of Section 15.04.930 of this Code.
- (10) "Director" means the Director of Community Development and Planning Services of the City of Richmond.
- (11) "Exterior architectural feature" means the architectural elements embodying style, design, general arrangement, and components of all of the outer surfaces of an improvement, including, but not limited to, the kind, color, and texture of the building materials and the type and style of all windows, doors, lights, signs, and other fixtures appurtenant to such improvement.
- (12) "Historic District" means a district within the City containing improvements which have a special character, historical interest, or aesthetic value, or which represent one or more architectural periods or styles typical of the history of the City, and which improvements constitute a distinct section of the City that has been designated an historic district pursuant to this chapter. Included in this designation are all districts listed, at the time of adoption of the ordinance codified in this chapter, on the National Register of Historic Places or the California Register, including but not limited to:
- (A) Point Richmond Historic District;
- (B) Winehaven Historic District.
- (13) "Historic Preservation Review Board" means the Design Review Board as defined in this section.
- (14) "Historic Preservation Advisory Committee" means the Historic Preservation Advisory Committee as defined in this section.
- (15) "Historic resource" means buildings, structures, signs, features, sites, places, areas, or other improvements of scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to citizens of the City and designated as such by the Council pursuant to the provisions of this chapter, including Richmond Historic Landmarks, and contributing structures in historic districts.
- (16) "Richmond Historic Register" means the inventory of structures and areas designated by the Council as historic resources.
- (17) "Ordinary maintenance and repair" means any work, for which a building permit is not required by law, where the purpose and effect of such work is to correct any deterioration of or damage to a structure or any part thereof and to restore the same, as nearly as may be practicable, to its condition prior to its deterioration or damage.
- (18) "Richmond Historic Landmark" means one or more buildings or structures or sites having significant historic or architectural worth and designated as such by the Council pursuant to the provisions of this title, including structures, signs, features, sites, places, areas, or other improvements of the highest scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Richmond and designated as such by the Council pursuant to the provisions of this chapter. A Richmond Historic Landmark is deemed to be so important to the historical and architectural fabric of the City that its loss would be a major loss to the City. Included in this designation are all individual sites, which at the time of adoption of the ordinance codified in this chapter, are listed in or eligible for the National Register of Historic Places or the California Register or listed as Registered California State Historic Landmarks, including but not limited to:
- (A) Alvarado Park, East Bay Regional Park District;
- (B) Carquinez Hotel (formerly Hotel Don);
- (C) East Brother Light Station, U.S. Coast Guard;
- (D) Ellis Landing Site;
- (E) Ellis Landing Shellmound Site;
- (F) Ferry Point Pier, East Bay Regional Park District;
- (G) Ford Motor Company Assembly Plant;
- (H) Giant Powder Works, East Bay Regional Park District;
- (I) Lower San Pablo Creek Archaeological District;
- (J) Richmond Museum of History (4th and Nevin);
- (K) Shipyard No. 3, Port of Richmond;
- (L) Stege Mounds Archaeological District.

(19) "Proposed designation" means building, structures or areas nominated as Richmond Historic Landmarks or Historic Districts by the Committee.

(20) "The California Register" means "California Register" as defined in Section 5020.1(a) of the California Public Resources Code.

(21) "The Secretary of the Interior's Standards for Rehabilitation" means the latest edition of the guidelines prepared by the National Park Service for rehabilitating historic buildings with the most current guidelines for applying the standards. The Standards (36 CFR Part 67) apply to historic buildings of all periods, styles, types, materials, and sizes. They apply to both the exterior and the interior of historic buildings. The standards also encompass related landscape features and the building's site and environment as well as attached, adjacent, or related new construction.

(22) "The National Register" means the "National Register of Historic Places" as defined in Section 5020.1(l) of the California Public Resources Code.

(23) "Substantial deterioration or decay" means those conditions of the structure or property which are not so serious as to constitute demolition by neglect but nevertheless threaten the structural or historical integrity of the resource (also see Chapter 9.22 of this Code).

6.06.040 Applicability.

(a) This chapter shall be applied to historic resources and to historic districts, as defined and designated by this chapter.

(b) Property that has been designated an historic resource or that is located within an historic district shall continue to be subject to all zoning ordinances and State and Federal laws and regulations that would apply to such property if it were not so designated or located. By designating historic resources and historic districts, the Council shall not be construed to be repealing or waiving any other portion of the Richmond Municipal Code as it applies to the designated property.

6.06.050 Historic preservation policy and implementation.

(a) Design Review Board. The Design Review Board of the City established by Section 15.04.930 shall review and approve, reject, or approve with conditions all proposed projects involving the alteration, addition, or demolition of historic resources. For projects requiring Planning Commission approval, the Design Review Board shall approve only the design related entitlements and make a recommendation to the Planning Commission.

(1) In order to exercise this responsibility, each member of the Design Review Board shall complete eight hours of training in historic preservation public policy and local historic resources conducted by professional architects, historians, archaeologists, planners and/or attorneys affiliated with or sponsored by established organizations, public agencies or institutions with extensive experience in historic preservation public policy implementation, such as the State Office of Historic Preservation, State Historical Resources Committee, colleges and universities, American Institute of Architects or the California Preservation Foundation.

(2) Technical Assistance. The Design Review Board, when acting under the provisions of this chapter, shall consider the evaluation and analysis of a qualified preservation architect, archaeologist, architectural historian, or preservation landscape architect, who may be either a City staff member or a consultant retained by the City for this purpose. Such individual shall be appropriately licensed by the State in the profession pertinent to the type of project under consideration and shall have extensive experience in historic preservation, including the evaluation, nomination, qualification and rehabilitation of properties listed on the National Register of Historic Places. The cost of technical assistance shall be incorporated into the fee charged by the City for processing applications by the Design Review Board.

(3) Historic Preservation Advisory Committee and Design Review. The Design Review Board and Planning Commission, when acting under the provisions of this chapter, shall consider the evaluation of the Historic Preservation Advisory Committee, which shall appoint a Design Review Subcommittee of three members. Land use applications involving historic resources shall be conveyed, upon receipt, to the Design Review Subcommittee, which shall review and provide timely written recommendations or oral testimony to the Design Review Board and/or Planning Commission for consideration at the regularly scheduled meeting when such application is considered.

(b) Historic Preservation Advisory Committee. For the purpose of recommending public policy related to historic resources and conducting historic resources surveys or studies a ~~nineteen~~^{nine}-member Historic Preservation Advisory Committee is established. Members shall have documented experience, education and/or commitment related to historic preservation, be nominated by the Mayor and approved by the Council. The term of each member and alternate shall be four years, with the initial appointments randomly staggered so that four members have a four-year term and three members have a two-year term. Committee members shall include two representatives from the community at-large and five include representatives from the following associations, commissions, boards, committees, and community organizations. Members shall ~~that~~ have demonstrated an interest and pertinent experience in historic preservation issues and ideally include at least one architect, landscape architect and general building contractor:

(1) ~~One officer or board member from the~~ Richmond Museum Association;

(2) ~~One officer or board member from the~~ Point Richmond History Association;

(3) ~~One commissioner from the~~ Richmond Planning Commission;

(4) ~~One board member from the~~ Design Review Board;

- (5) ~~One representative from the~~ Rosie ~~the~~ Riveter ~~Committee~~ Trust;
- (6) ~~One commissioner from the~~ Richmond Arts and Cultural Commission;
- (7) ~~One officer or board member from the~~ Contra Costa County Historical Society;
- (8) ~~One officer or board member from the~~ Richmond Chamber of Commerce;
- (9) [American Institute of Architects](#)
- (10) [Society of Architectural Historians](#)
- (9) ~~Two representatives from the Richmond community at large.~~

(c) The Historic Preservation Advisory Committee shall meet at least four times annually to perform the following tasks:

- (1) Act in an advisory capacity to the Council in all matters pertaining to historical resources;
- (2) Maintain a local inventory of historical resources within the City; publicize and update periodically the inventory;
- (3) Recommend the designation of historical resources, including outstanding historical resources, priority historic resources and historic districts;
- (4) Investigate and report to the Council on the use of various federal, state, local, or private funding sources and mechanisms available to promote historical resource preservation in the City;
- (5) Review and comment on the decisions and documents (including environmental assessments, environmental impact reports, and environmental impact statements) of other public agencies when they affect historical resources in the City;
- (6) Cooperate with local, county, state, and federal governments in the pursuit of the objectives of historic preservation and request and receive any appropriate information from any City departments or Design Review Boards;
- (7) Participate in, promote, and conduct public information, educational, and interpretive programs pertaining to historical resources;
- (8) Render advice and guidance upon the request of the property owner or occupant, on the restoration, alteration, decoration, landscaping, or maintenance of any historical resource;
- (9) Perform any other functions that may be designated by resolution or motion of the Council.

(d) The Historic Preservation Advisory Committee shall submit an annual report to the Council at the end of each calendar year describing, but not limited to:

- (1) Appointments to the Committee;
- (2) Resumes of Committee members and staff;
- (3) Attendance records;
- (4) Minutes of official meetings;
- (5) Recommendations for revisions in this chapter, if applicable;
- (6) Sponsorship or participation in special programs, workshops, training or conferences;
- (7) New properties designated;
- (8) Cultural resource surveys undertaken.

(e) Surveys and Inventories. The Committee shall develop procedures for conducting an inventory of cultural resources. Such surveys shall be conducted in accordance with guidelines published by the California State Office of Preservation, including the use of State-approved inventory forms (DPR v523), encoding sheets (DPR 660) and the California Historic Resources Inventory Survey Workbook. Procedural standards for evaluation of properties shall be consistent with the National Register of Historic Places Criteria. (Amended by Ordinance No. 10-00 N.S.)

6.06.060 Historic resource designation criteria.

Upon the recommendation of the Committee and the and approval of the Council a structure, site, or other improvement, not already designated as such, may be designated a historic resource within the City or may be designated an historic district if it meets any of the following criteria:

- (1) It exemplifies or reflects valued elements of the City's cultural, social, economic, political, aesthetic, engineering, archaeological, or architectural history; or
- (2) It is identified with persons or events important in local, state, or national history; or
- (3) It reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning; or
- (4) It embodies distinguishing characteristics of an architectural style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or
- (5) It is representative of the notable work of a builder, designer, or architect whose style influenced the City's architectural development; or
- (6) A structure, site, or other improvement which meets any of the above criteria at the highest level, and whose loss would be a major loss to the City, may be designated an outstanding historical resource.

6.06.065 Historic resource designation procedure.

- (a) Initiation of Designation. Designation of an historic resource may be initiated by the Committee or by any resident of Richmond. Applications for designation originating from outside the Committee must be accompanied by such historical and architectural information as is required by the Committee to make an informed recommendation concerning the application, together with a fee set by the Council.
- (b) Public Hearing. The Committee shall schedule a public hearing on all proposed designations, whether originating with the Committee or with another party. Notices of hearings shall be in writing and shall be noticed as required by Section 15.04.930.060. In the case of a proposed historic district, notice of the date, place, time, and purpose of the hearing shall be made to owners of all properties within the proposed district, and to all property owners within three hundred feet of the proposed boundary.
- (c) Work Moratorium. While the Committee's public hearing or the Council's decision on the Committee's recommendation is pending, the Council, upon the Committee recommendation, may declare a work moratorium. Such moratorium shall be ratified by the Council at the first regular Council meeting occurring after the Committee's action, or the moratorium shall be terminated. During the moratorium, any work that would require review by the Design Review Board if the improvement were already designated an historic resource or if it were already located in an historic district shall not be carried out. The work moratorium will end at the time of the Council's decision to designate or not to designate, or earlier if the Committee so declares, but shall not exceed one hundred eighty calendar days in any event.
- (d) Committee Recommendations. Within thirty days of the close of the public hearing, the Committee shall recommend approval in whole or in part or disapproval of the application for designation in writing to the Council, setting forth those findings that constitute the basis for decision.
- (e) Technical Assistance. The Committee may require and request the evaluation and analysis of a qualified preservation architect, archaeologist, architectural historian, or preservation landscape architect, who may be either a City staff member or a consultant retained by the City for this purpose. Such individual shall be appropriately licensed by the State in the profession pertinent to the type of project under consideration and shall have extensive experience in historic preservation, including the evaluation, nomination, qualification and rehabilitation of properties listed on the National Register of Historic Places. When applications are made by parties other than the Committee, the cost of technical assistance may be required by the Committee to be paid by the applicant.
- (f) Approval of Committee Recommendations. The Council, within sixty days of receipt of the Committee's recommendations concerning proposed designations, shall by resolution approve the recommendations in whole or in part, or shall by motion disapprove them in their entirety. Notice of the Council's decision shall be sent to applicants and owners of designated property. Notice shall also be sent to the Building Official and to the Director of Community Development and Planning Services.
- (g) Failure to Send Notice. Failure to send any notice by mail to any property owner where the address of such owner is not a matter of public record shall not invalidate any proceedings in connection with the proposed designation. The Committee and Council may also give other notice as they may deem desirable and practicable.
- (h) Richmond Historic Register. Resolutions adopting designations of historic resources, along with this chapter, shall be known as the Richmond Historic Register. The Richmond Historic Register and any subsequent amendments or deletions thereto shall be on file with the City Clerk, the Director of Community Development and Planning Services, the Building Official, the Richmond Museum Association, the Richmond Library, the State Office of Historic Preservation and the Contra Costa County Historical Society. The City Clerk shall cause the Richmond Historic Register and all changes thereto to be recorded with the Contra Costa County Recorder.
- (i) Demolition of a Listed Structure. When a listed structure has been demolished pursuant to any provisions of this Code, the City Clerk upon notice thereof, shall cause such listed structure to be deleted from the Richmond Historic Register. Upon such deletion the provisions of this title shall not be deemed to encumber or otherwise restrict the use of the subject remaining property.
- (j) Amendment or Rescission. The Committee may initiate and the Council, with or without the Committee's initiation, may amend or rescind any designation of an historical resource or historic district in the same manner and procedure as are followed for designation, if the resource no longer meets the designation criteria found to apply due to the subsequent discovery of information on the significance of the resource or the destruction of the resource by a catastrophic event.

6.06.070 Alterations, additions and demolition require discretionary approval.

- (a) No exterior addition, alterations or demolition shall be made by any person to a historic resource without review and approval by the Design Review Board or on appeal by the Council. Nor shall the building official grant any permit to carry out such work on a designated historic resource without approval by the Design Review Board or on appeal by the Council.
- (b) Demolition by neglect shall be deemed an alteration or demolition under this chapter.
- (c) The Design Review Board is given the authority to delegate certain minor projects to the Technical Review Committee as defined in Section 15.04.930.040 of this Code for review and approval or denial. The Design Review Board shall establish guidelines for such projects to be reviewed by the Technical Review Committee.
- (d) Appeals of decision of the Technical Review Committee or the Design Review Board shall follow the procedures established in Section 15.04.930.080 of this Code.

6.06.071 Historic Building Code.

To the extent allowable under State law, the building official shall apply the State Historic Building Code (Title 8, CCR Title 24) for alterations and additions to structures on the Richmond Historic Register.

6.06.072 Standard of review.

(a) The Design Review Board, with the advice of Committee, shall promulgate and publish such standards as are a necessary supplement to the provisions of this chapter to inform property owners and the general public of those standards of review by which applications for discretionary approval are to be judged. Any such standards shall be approved by the Council by resolution.

(b) In evaluating applications for alteration permits, the Design Review Board or the Council upon appeal shall consider the architectural style, design, arrangement, texture, materials, color, and any other factors. The Design Review Board, the Council upon appeal, or the Technical Review Committee shall approve the issuance of an alteration permit for any proposed work if and only if it determines:

(1) With regard to a designated historical resource, the proposed work neither adversely affects the exterior architectural features of the designated resource nor adversely affects the character or historical, architectural, or aesthetic interest or value of the designated resource and its site. Exterior alterations and additions shall conform to the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitation of Historic Buildings.

(2) With regard to any property located within an historic district but which is not a contributing structure, the proposed work does not adversely affect the character and integrity of the district.

(3) For a new historic district designated after the adoption of the ordinance codified in this chapter, in order to implement the authority granted hereunder, and prior to the exercise thereof, the board shall promulgate a preservation area plan for each preservation area, which shall contain, but is not necessarily limited to, the following elements and findings:

(A) A statement of the goals for design review;

(B) A representation of existing land uses;

(C) The historical period to which the area is significant;

(D) The predominant architectural periods or styles of the buildings therein;

(E) The specific features of said architectural periods or styles, as represented in the preservation area, including, but not limited to, building height, bulk, distinctive architectural details, materials, textures, and landscaping; and

(F) A statement of the standards and criteria to be utilized in determining the appropriateness of any proposed building or structure or alteration thereof within the preservation area.

6.06.073 Design review procedures.

(a) Filing of Application. Applications for alteration permits shall be filed as required for design review pursuant to Section 15.04.930 of this Code. The application shall be accompanied by any other information that the Design Review Board determines is required for them to make an informed judgment of the proposed work according to the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitation of Historic Buildings.

(b) Processing of Application. The application shall be processed in accordance with Section 15.04.930 of this Code.

(c) Appeals. The Design Review Board's decision to approve, disapprove, or approve subject to conditions any application for an alteration permit may be appealed in accordance with Section 15.04.930 of this Code.

6.06.074 Demolitions.

(a) Demolitions. When an application is made to demolish a historic resource, the Design Review Board's disapproval of the application means that no alteration permit shall be issued.

(b) The Design Review Board's disapproval shall suspend the issuance of an alteration permit for a period of not less than thirty and not more than one hundred eighty days, during which time the Historic Preservation Advisory Committee shall take steps within the scope of its powers and duties as it determines are necessary for the preservation of the site. Such steps may include, but shall not be limited to, consultation with civic groups, public agencies, and interested citizens; recommendations for acquisition of property by public or private bodies or agencies; and exploration of the possibility of moving one or more structures or features.

(c) At the end of the first thirty days, the Design Review Board may withdraw its objection to the proposed demolition. If the Design Review Board determines to withdraw its objection and approve the demolition, the alteration permit may be issued. If at the end of the first one hundred days of the aforesaid one hundred eighty-day period it is found that the preservation of the site structure cannot be fully accomplished within the one hundred eighty-day period, and the Design Review Board determines that such preservation can be satisfactorily completed within an additional period not to exceed one hundred eighty days, the Design

Review Board may recommend to the Council that an additional one hundred eighty-day postponement of the issuance of the alteration permit be allowed. The Council may authorize such postponement when it appears that the historic resource may be protected or preserved by reason of such postponement. In no event shall issuance of an alteration permit for a demolition be postponed for more than a total of three hundred sixty days after said permit is applied for.

6.06.075 Ordinary maintenance and repair.

Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any exterior feature of any property covered by this chapter, so long as such maintenance or repair does not involve a change in exterior design, material, or appearance, or a technique that is contrary to the Secretary of the Interior Standards for Rehabilitation.

6.06.076 Unsafe or dangerous conditions.

(a) None of the provisions of this chapter shall prevent any measures of construction, alteration, or demolition necessary to correct the unsafe or dangerous conditions of any structure, other feature, or part thereof, where such condition has been declared unsafe or dangerous by the Building Official or the Fire Chief, and where the proposed measures have been declared necessary by such official, to correct the said condition, provided, however, that only such work as is absolutely necessary to correct the unsafe or dangerous condition and as is done with due regard for preservation of the appearance of the structure involved may be performed pursuant to this section. In the event any structure or other feature shall be damaged by fire, or other calamity, or by Act of God, to such an extent that in the opinion of the aforesaid officials it cannot be reasonably repaired and restored, it may be removed in conformity with normal permit procedures and applicable laws.

(b) If the condition of an unsafe or dangerous historical resource does not pose an immediate threat to life or safety, the official in charge of correcting such a condition shall consult with the Design Review Board before carrying out corrective measures.

6.06.077 Duty to keep in good repair.

(a) Demolition by Neglect. The owner, lessees and any other person in actual charge or possession of an historical resource shall prevent demolition by neglect.

(b) Showing of Extreme Hardship. If the applicant presents facts clearly demonstrating to the satisfaction of the Design Review Board that failure to approve an application will cause an immediate extreme hardship because of conditions peculiar to the particular structure or other feature involved, the Design Review Board may approve or conditionally approve such application even though it does not meet the standards set forth herein. In determining whether extreme hardship exists, the Design Review Board shall consider evidence which demonstrates that:

(1) Denial of the application will diminish the value of the subject property so as to leave substantially no value.

(2) Sale or rental of the property is impractical, when compared to the cost of holding such property for uses permitted in this zone.

6.06.080 Enforcement and penalties.

(a) Any person who violates a requirement of this chapter or fails to obey an order or permit issued pursuant thereto shall be guilty of a misdemeanor.

(b) Any person who constructs, alters, removes or demolishes a historic resource in violation of this chapter shall be required to restore the building, object, site or structure to its appearance or setting prior to the violation to the extent such restoration is physically possible. Any action to enforce this provision may be brought by the City or any other interested party. This civil remedy shall be in addition to, and not in lieu of, any criminal prosecution and the penalty or other remedy provided by law.

(Source: Ordinance No. 60-99 N.S.)

6.06.085 Term of office of members.

The term of office of members of the Committee shall be for two years, except as provided herein. No member shall serve for more than four consecutive full terms. Any vacancies on the Committee shall be filled by appointment by the Mayor with the concurrence of at least four other members of the City Council for the unexpired portion of the term. For the initial members appointed in 2000, lots will be drawn so that one-half will have two-year terms and one-half will have three year terms.

6.06.090 Absence from meetings.

The absence of any member of the Committee from more than ~~one-third~~three of the regularly scheduled meetings of the Committee within any twelve-consecutive-months period shall constitute an automatic resignation from the Committee; provided, that the nonattendance by a member of the Committee at a regularly scheduled meeting due to the requirements of other city business shall not constitute an absence. Such a resignation shall not, however, disqualify an individual from subsequently being appointed to the same or any other city committee or board. In the event of any such resignation, the vacancy shall be filled by appointment for the unexpired portion of the term of the appointee's predecessor in the manner prescribed in Section 6.06.0850.

(The above two sections were added by Ordinance 10-01 NS on April 10, 2001)

HPAC Members Appointed September 19, 2000

	Organization	Representative
1.	Planning Commission	Robert Strauss 60 belvedere Drive Richmond, CA 94801 510/235-0738 bestrauss1@earthlink.net
2.	At-Large	Diane M.Hedler 415 Commodore Drive Richmond, CA 94804 510/215-6032 diane.hedler@kp.org dianehedler@msn.com
3.	Contra Costa county Historical Society	Mary Ellen Jones 2 Los amigos Court Orinda, CA 94563 925/254-2294 jonesmaryellen@prodigy.net
4.	Richmond Museum Association	Emma Jean Clark 5821 Highland Avenue Richmond, CA 94804-5013 510/529-0369 emmaclark@citycom.com
5.	Design Review Board	Charles G. Duncan 117 West Richmond Richmond, CA 94801 510/231-0222 415/773-0773 cduncan@carey-sf.com
6.	Richmond Arts & Culture Commission	Rebecca Ines 1226 Almondwood Drive Antioch, CA 94509 925/778-5373 925/646-5800 inezarts@yahoo.com
7.	Richmond Chamber of Commerce	Judy Morgan 4504 Whitecliff Richmond, CA 94801 510/758-8381 510/234-3512 judy@rcoc.com
8.	Point Richmond History Association	Mildred Dornan 225 Clarence Street Richmond, CA 94801 510/234-5334 mldornan@earthlink.net
9.	Rosie the Riveter Committee	D'Emanuel Grosse, Sr. 3081 Colette Drive Richmond, CA 94806 510/223-3584 grosseprimerica@msn.com