



City Council Staff Report

DATE: February 19, 2014 CONSENT CALENDAR

SUBJECT: SECOND READING AND ADOPTION OF ORDINANCE NO. 1844
AMENDING PALM SPRINGS MUNICIPAL CODE SECTION 8.05.125, TO
CHANGE FROM PRE-1945 TO PRE-1969, THE AGE OF BUILDINGS
ELIGIBLE FOR UP TO A SIX MONTH STAY OF DEMOLITION

FROM: David H. Ready, City Manager

BY: Office of the City Clerk

SUMMARY:

The City Council will consider adoption of Ordinance No. 1844.

RECOMMENDATION:

Waive the reading of the full text of the ordinance and adopt Ordinance No. 1844, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 8.05.125 OF, AND ADDING SUBSECTION (c) TO SECTION 8.05.020 OF, THE PALM SPRINGS MUNICIPAL CODE, RELATING TO CLASS 3 HISTORIC STRUCTURES/SITES."

STAFF ANALYSIS:

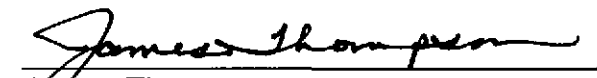
On February 5, 2014, Ordinance No. 1844 was introduced for first reading, as noted below:

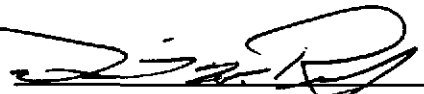
3.A. PROPOSED ORDINANCE AMENDING PALM SPRINGS MUNICIPAL CODE SECTION 8.05.125, TO CHANGE FROM PRE-1945 TO PRE-1969, THE AGE OF BUILDINGS ELIGIBLE FOR UP TO A SIX MONTH STAY OF DEMOLITION:

ACTION: Waive the reading of the ordinance text in its entirety and read by title only and introduce on first reading Ordinance No. 1844, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 8.05.125 OF, AND ADDING SUBSECTION (c) TO SECTION 8.05.020 OF, THE PALM SPRINGS MUNICIPAL CODE, RELATING TO CLASS 3 HISTORIC STRUCTURES/SITES." **Motion Councilmember Foat, seconded by Mayor Pro Tem Hutcheson and carried 4-1 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Lewin, Mayor Pro
Tem Hutcheson, and Mayor Pougnet.
NOES: Councilmember Mills.

This report provides for the City Council to waive further reading and adopt the ordinance. The ordinance shall be effective 30-days from adoption.


James Thompson
City Clerk


David H. Ready, Esq., Ph.D.
City Manager

/kdh

Attachment: Ordinance No. 1844

ORDINANCE NO. 1844

AN ORDINANCE OF THE CITY OF PALM SPRINGS,
CALIFORNIA, AMENDING SECTION 8.05.125 OF, AND
ADDING SUBSECTION (c) TO SECTION 8.05.020 OF,
THE PALM SPRINGS MUNICIPAL CODE, RELATING TO
CLASS 3 HISTORIC STRUCTURES/SITES

City Attorney's Summary

Under the current provisions of the Palm Springs Municipal Code, Class 3 historic structures include all structures/sites constructed prior to 1945. This Ordinance will include all structures/sites constructed prior to 1969 as Class 3 historic structures. This Ordinance also defines the term "demolition."

The City Council of the City of Palm Springs, California, ordains:

Section 1. Subsection (c) is added to Section 8.05.020 of the Palm Springs Municipal Code to read:

(c) Demolition.

The term "demolition" means the total tearing down or destruction of the building envelope as described in the State Energy Code, as may be amended from time to time.

Section 2. Section 8.05.125 of the Palm Springs Municipal Code is amended to read:

Section 8.05.125 Created by Council

The City Council may designate one or more historic sites or districts by following the procedures specified in this Chapter. Designations will be made by categorizing nominated sites and districts into one of the following classifications and such other categories as may be designated by resolution:

Class 1.

Structure/site qualified for city designation; may be qualified at the federal, state and/or county level. Archival file will be maintained. Structure/site may not be modified nor objects removed without the approval of the city council; usage may be limited by the City Council to the extent that it may impair the integrity of the site. Site will be plaqued. (Intended for use when the structure or site still exists as it did during the historical period or is restorable).

Class 2.

Site qualified for city designation; may be qualified at the federal, state and/or county level. Archival file will be maintained. Site is eligible for plaquing. (Intended for use when the site is not occupied by a modern structure or use which is different than that of the historical period or if structure is unusable, nonconforming, unrestorable, or

the like).

Class 3.

Structure/site was constructed before 1969, or a year to be determined by the City Council, or construction date cannot be confirmed. Eligible for a six-month stay of demolition. Action of the HSPB may include recommendation to reclassify. All structures built prior to the subject date would be automatically so classified.

Historic District.

Qualified for city designation; may be qualified at the federal, state and/or county level. Archival file will be maintained and shall contain a map delineating contributing and noncontributing structures or sites. Contributing structures/sites shall be subject to Class 1 regulations until such time that they may be reclassified. Noncontributing structures/sites shall be subject to review by the HSPB before demolition or construction. A specific plan, containing special regulations pertaining to the subject area, may be adopted for each district.

Section 3: The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after passage.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2014.

STEPHEN P. POUCKET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK