Article 2. Thousand Oaks Cultural Heritage Board and Regulations

Sec. 1-9.201. Purpose.

This article is to promote the economic and general welfare of the City by preserving and protecting landmarks, and points of historic interest in the City, be they publicly or privately owned, and having a special historic or aesthetic character or interest, or by relocating or recreating an historic monument for the use, education and view of the general public in order to remind the citizens of this community, and to visitors and tourists of this community, of the rich historic, cultural, and natural heritage of the City and Conejo Valley.

(§ 1, Ord. 868-NS, eff. September 18, 1984, as amended by § 1, Ord. 1420-NS, eff. December 17, 2003)

Sec. 1-9.202. Thousand Oaks Cultural Heritage Board.

The Thousand Oaks Cultural Heritage Board is hereby established, and the Thousand Oaks City Council and Ventura County Cultural Heritage Board shall perform the duties and functions as set forth herein to preserve landmarks and points of historic interest in the City.

(§ 1, Ord. 868-NS, eff. September 18, 1984, as amended by § 1, Ord. 1015-NS, eff. December 6, 1988, Ord. 1276-NS, eff. February 12, 1997, and § 1, Ord. 1420-NS, eff. December 17, 2003)

Sec. 1-9.203. Definitions.

(a) Landmark. For purposes of this article, “landmark” shall mean any object, building, structure, site, area, place, or natural formation which has historic, architectural, archaeological, cultural or aesthetic significance to the City of Thousand Oaks, and:

(1) Exemplifies or reflects special elements of the City’s social, aesthetic, engineering, architectural or natural history;

(2) Is associated with events that have made a significant contribution to the broad patterns of the City’s cultural heritage;

(3) Is associated with the lives of persons important to the City;

(4) Has yielded or has the potential to yield information important to the prehistory or history of the City; or,

(5) Embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of a master, or possesses high artistic values.

(b) Point of Historic Interest. For purposes of this article, “point of historic interest” shall mean any object, building, structure, site, area, place, or natural formation which has historic, architectural, archaeological, cultural or aesthetic significance to the City of Thousand Oaks that:

(1) No longer exists or was associated with historic events, important persons or embodied a distinctive character or architectural style;

(2) Has been altered to the extent that the integrity of the original workmanship, materials or type has been substantially compromised; or,

(3) Is a site of an historic event which has no distinguishable characteristics other than that an historic event occurred there and the site is not of

sufficient historic significance to justify the establishment of a landmark.

(§ 1, Ord. 868-NS, eff. September 18, 1984, as amended by § 1, Ord. 1015-NS, eff. December 6, 1988, Ord. 1276-NS, eff. February 12, 1997, and § 1, Ord. 1420-NS, eff. December 17, 2003)

Sec. 1-9.204. Thousand Oaks City Council functions.

The City Council shall preserve landmarks and points of historic interest not in conflict with the public health, safety, and general welfare, and is the final authority whether an item is designated a landmark of point of historic interest.

(a) The functions of the City Council shall be to:

(1) Identify and refer potential landmarks and points of historic interest which it has a reason to believe are, or will become in the near future, an historic landmark or point of historic interest, to the Ventura County Cultural Heritage Board to evaluate consistent with its functions identified in section 1-9.205;

(2) Deliberate whether to ratify the decision of the Ventura County Cultural Heritage Board regarding the designation of a landmark or point of historic interest;

(3) Amend this article when circumstances indicate;

(4) Determine which designated landmarks and points of historic interest shall be marked with uniform and aesthetic markers, and appropriate public funds therefore;

(5) Hear and consider applications for certificates of appropriateness for any alteration to a landmark or point of historic interest as provided in Section 1-9.206;

(6) Apply to the appropriate state agency for state registration of landmarks or points of historic interest which meet state registration criteria, and where the registration would assist in preservation; and,

(7) Develop guidelines, standards and criteria for fulfilling its duties and functions under this article as well as running of its meetings.

(b) The City Council may, in its discretion, inspect and investigate a potential landmark and point of interest rather than refer the item to Ventura County Cultural Heritage Board in the manner set forth in subsection (a)(1), as follows:

(1) The City shall perform the functions of the Ventura County Cultural Heritage Board set forth in Section 1-9.205; and,

(2) The City Council shall post an agenda and hold a public hearing for the purpose of identifying the landmark or point of historic-interest. Such hearing shall be held at least fifteen (15) days or more after the property owner of the potential landmark or place of historic interest has been notified of the time and place of the hearing by registered mail.

(c) The City shall compile and maintain a list of all current historic, cultural and natural landmarks, monuments and points of historic interest which shall be declared as such. This information shall be made available to the public.

(d) The City Council may apply to the appropriate state agency for state registration of landmarks or sites which have historic significance, which meet-state registration criteria, and where the registration would assist in preservation. The City Council may find that even though an item has been designated a landmark or point of historic interest, it does not warrant registration as a state “historical landmark.” The City Council shall determine the appropriate state registration, if any.

(e) In the event the City Council does not ratify the Ventura County Cultural Heritage Board’s decision regarding the designation or rejection of an item as a landmark or point of historic interest, the item shall remain undesignated absent further review consistent with this article.

(§ 2, Ord. 1015-NS, eff. December 6, 1988, as amended by Ord. 1276-NS, February 12, 1977, and § 1, Ord. 1420-NS, eff. December 17, 2003)

Sec. 1-9.205. Ventura County Cultural Heritage Board Functions.

The functions of the Ventura County Cultural Heritage Board shall be to:

(a) Inspect and investigate all potential landmarks and points of historic interest referred to it by the City Council consistent with the standards of review set forth in the Ventura County Ordinance Code Sections 1360 through 1373, and determine whether the item is suitable for designation as a landmark or point of historic interest in the City of Thousand Oaks.

(b) Evaluate the historic, architectural, archaeological, cultural or aesthetic significance of the potential landmark or point of historic interest to the City of Thousand Oaks including whether the item:

(1) Exemplifies or reflects special elements of the City's social, aesthetic, engineering, architectural or natural history;

(2) Is associated with events that have made a significant contribution to the broad patterns of the City's cultural heritage;

(3) Is associated with the lives of persons important to the City;

(4) Has yielded or has the potential to yield information important to the prehistory or history of the City;

(5) Embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of a master, or possesses high artistic values;

(6) Has interest to the general public or is limited in interest to a special group of persons;

(c) Determine whether designation of the item as a landmark or point of historic interest:

(1) Would require the expenditure by the City of any amount of money not commensurate with the value of the item to be preserved;

(2) Infringe upon the rights of a private owner thereof to make any and all reasonable uses thereof which are not in conflict with the purposes of this Article.

(d) Establish the authenticity of the item's physical identity evidenced by lack of deterioration and significant survival of characteristics that existed during its period of importance, including the retention of location, design, setting, materials, workmanship, feeling and association.

(e) Conduct a public hearing, with due notice to the property owner of the potential landmark or place of historic interest, to determine whether the item is suitable for designation.

(§ 2, Ord. 1015-NS, eff. December 6, 1988, as amended by § 1, Ord. 1420-NS, eff. December 17, 2003)

Sec. 1-9.206. Prohibition of alteration: Certificate of appropriateness/removal of designation.

(a) Designation and prohibition on alteration. A property owner or tenant is prohibited from defacing, demolishing, adding to, altering, relocating or removing the specified portion of any structure, land formation or other item that is designated a landmark or point of historic interest, except as provided in this article.

(b) Landmark alteration; Certificate of appropriateness. If a property owner desires to demolish, add to, alter, relocate or remove the specified portion of any structure, land formation or other item that is designated a landmark or point of historic interest, he or she must apply to the City for a Certificate of Appropriateness. The issuance of any other City entitlement permit for the parcel on which the structure or land formation designated a landmark or point of historic interest shall be conditioned upon the City Council's acting upon such a Certificate, and the required one hundred eighty (180) day waiting period.

Upon a filing of a request for a Certificate, the City Council shall have ninety (90) days from the date of filing for review of the application and to set a noticed public hearing on the matter. If the request for a Certificate is disapproved by the City Council, the property owner shall be prohibited from demolishing, adding to, altering, relocating or removing the specified portion of the structure or land formation designated as a landmark or monument, or any plaque or other aesthetic marker identifying the point of historic interest, for one hundred eighty (180) days from the date of the Council's disapproval action.

During such Certificate review and one hundred eighty (180) day period, the City Council may take steps necessary to preserve any structure or land formation designated as a landmark or point of historic interest, such as, but not limited to, the creation of civic and citizens preservation committees, the establishment of private and/or public funding efforts for acquisition or restoration of the declared landmark or point of historic interest, or the requesting of grant monies for acquisition or restoration.

(§ 2, Ord. 1015-NS, eff. December 6, 1988, as amended by § 1, Ord. 1420-NS, eff. December 17, 2003)