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Chapter 6-5

GENERAL PROVISIONS

Article 5 - Demolition in the Downtown

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6-580 Purpose.

The purpose of this article is to require discretionary review of a proposal that involves demolishing, moving, or removing a structure in the Downtown in order to protect structures with historical, cultural or civic importance to Lafayette; and preserve the supply of commercial and residential units in the Downtown.

6-581 Definitions.

In this article, unless the context otherwise requires:

- (a) "Demolish" means to move, remove or destroy all or any exterior portion of any structure, with "move" meaning to transfer all or part of any structure from its current location to alternative on-site or off-site location, and "remove" meaning to move all or part of any structure from its current location to an alternative off-site location, as determined by the manager.
- (b) "Downtown" means any land that falls within the boundaries of the area designated as the Downtown, as shown on General Plan Map I-3.
- (c) "Manager" means the planning and building services manager or the manager's designee.

6-582 Demolition permit required.

No structure in the Downtown may be demolished without a demolition permit issued as provided in this article.

6-583 Demolition permit process; application, hearing body, issuance and appeal.

The procedure for a demolition permit in the Downtown is as follows:

- (a) An application for a demolition permit shall be submitted with an application for design review describing the proposed development, rehabilitation, or physical change for the site, in a form prescribed by the manager;

- (b) The application for a demolition permit shall be reviewed concurrently with the application for design review;
- (c) The hearing body for the application for a demolition permit shall be the hearing body designated for the design review application as established in Title 6;
- (d) The hearing body may approve, conditionally approve, or deny the application; and
- (e) The decision of the hearing body is subject to the right of appeal in the manner as set forth in Chapter 6-2, Article 3, of this code.

6-584 Findings.

In order to approve or conditionally approve an application for a demolition permit, the hearing body shall make the following findings:

- (a) The proposed demolition and development, rehabilitation or other physical change are consistent with the goals and policies of the General Plan and all applicable specific plans; and
- (b) The proposed demolition will not eliminate an integral structure located in a historic block that would negatively impact the character and aesthetics of that block; or
- (c) The proposed demolition will not eliminate a structure of architectural or historical significance in the Downtown, unless the benefits to the community from the proposed development, rehabilitation, or physical alteration significantly outweigh the historic, civic, or cultural significance of the existing structure.

6-585 Conditions of approval.

The hearing body may apply such conditions in connection with the approval of a demolition permit as it deems necessary in order to fulfill the purposes of this article, and may require reasonable guarantees and evidence that such conditions will be complied with. Such conditions may include, but are not limited to, the following:

- (a) Making a good faith effort to preserve, relocate, or reuse all or part of a structure within the city;
- (b) Salvaging fixtures and architectural features from the existing structure and reusing them in the replacement building or elsewhere within the city;
- (c) Documenting the existing structure following the historical, drawing, or photographic guidelines for Historic American Building Survey standards prescribed by the National Park Service under their Heritage Documentation Programs, or to an alternative widely-established standard as determined by the hearing authority;
- (d) Replacing the demolished structure with one commensurate in scale and style with the surrounding development;
- (e) Applying measures to mitigate the visual impact of the structure on surrounding properties, such as landscape screening, fencing, walls, or other means;
- (f) Maintaining the property in a condition so as to not be detrimental to the public health, safety, or general welfare, or in such a manner as to constitute a public nuisance.

6-586 Exemptions.

Structures in the Downtown classified as historical landmarks under Chapter 6-21 of this code are exempt from the provisions of this article. Historical landmarks are subject to regulations contained in Chapter 6-21.

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