

# CITY OF GRASS VALLEY

## HISTORIC PRESERVATION ORDINANCE

Municipal Code Chapter 17.52 Cultural and Historic Resource Preservation

Sections:

17.52.10	Findings and Purpose . . . . .	1
17.52.20	Applicability . . . . .	2
17.52.30	Definitions . . . . .	3
17.52.40	Grass Valley Historic Commission (GVHC) . . . . .	9
17.52.50	Historic Resource Designation. . . . .	11
17.52.60	Listing Procedures for Historic Resources . . . . .	11
17.52.70	Evaluation Thresholds and Review Requirements . . . . .	12
17.52.80	Historic Resource Evaluation Report . . . . .	13
17.52.90	Criteria for Determination of Historical Significance . . . . .	14
17.52.100	Relocation of Historic Resources . . . . .	15
17.52.110	Demolition of Historic Resources . . . . .	17
17.52.120	Appeals . . . . .	17
17.52.130	Severability . . . . .	17

### 17.52.10 - Findings and Purpose

A. **Findings.** The City of Grass Valley has a distinctive physical character and rich history that is reflected in its many cultural resources, such as historic structures and sites located within Grass Valley's 1872 Historic Townsite and delineated on the City of Grass Valley 1872 Historic Townsite Map. These irreplaceable resources are important to the community's economic vitality, quality of life, and sense of place, and deserve protection from deterioration, damage, and inappropriate alteration or demolition.

The California Environmental Quality Act (CEQA) provides specific treatment measures for significant historic resources and the establishment of clear and concise local guidance for the preservation and enhancement of such resources, which inevitably lends clarity and certainty to the review of development applications involving designated or significant historic resources (rated 1-2) within Grass Valley's 1872 Historic Townsite.

**B. Purpose.** This Chapter promotes the public health, safety and welfare through the protection, enhancement and preservation of those properties, structures, sites, artifacts and other cultural resources that represent significant and distinctive elements within the 1872 Historic Townsite. This includes the City's cultural, educational, social, economic, political and architectural history. Specifically, this Chapter, reflective of the 1872 Townsite boundaries, sets forth regulations and procedures to:

1. Preserve and promote the continuing use and upkeep of Grass Valley's historic buildings, structures, sites and districts.
2. Foster the retention and restoration of historic buildings and other cultural resources that promote tourism, economic vitality, sense of place, and cultural diversity.
3. Encourage private stewardship of historic buildings and other cultural resources through incentives where possible.
4. Implement the historic preservation goals and policies of the City of Grass Valley through the existing Historic Context, Historic Design Review Guidelines, General Plan, and Ordinances.
5. Promote the conservation of valuable material and embodied energy in historic structures through their continued use, restoration and repair, and on-going maintenance.
6. Promote the knowledge, understanding and appreciation of the City's distinctive character, cultural resources, and history.
7. Establish the policy of the City to pursue all reasonable alternatives to achieve compliance with this Chapter for the protection of historic resources.

#### **17.52.20 - Applicability**

The provisions of this Chapter shall apply to new construction, reconstruction, additions, modifications, alterations, rehabilitation, and relocation of Priority 1 and 2 rated resources located within Grass Valley's Historic 1872 Townsite. Demolition of historic resources is addressed in Chapter 15.60 of the Municipal Code.

### 17.52.30 - Definitions

For the purposes of this Chapter, certain terms, words and their derivatives are used as follows:

1. Accessory Structure: a structure which is subordinate or incidental and directly related to a permitted use or structure on the same parcel, such as a barn, shed, or carriage house. As used in this Chapter, accessory structures may include structures that have achieved historic significance in their own right, as determined through survey and appropriate documentation.
2. Adjacent: located on a property which abuts the subject property on at least one point of the property line, on the same property, or located on property directly across the right-of-way from the subject property and able to be viewed concurrently.
3. Adverse Effects: effects, impacts, or actions that is detrimental or potentially detrimental to a historic resource's condition, character, or architectural or historical integrity.
4. Alteration: change, repair, replacement, remodel, modification, or new construction to:
  - a. the exterior of an historic resource.
  - b. the significant character defining features of an historic resource, including, but not limited to, the structural elements which support the exterior walls, roof, or exterior elements, together with windows, doors, siding, porches, roof shapes, dormers, and ornamentation, such as gingerbread.
  - c. other construction on a lot , or
  - d. character defining features of the interior of a historic resource if the structure's significance is wholly or partially based on interior features and the resource is publicly-accessible, such as a library or public type building. "Alteration" does not include ordinary landscape maintenance, unless the landscaping is identified as significant at the time a property is determined to be individually significant or a contributing element to a historic district.

“Alteration” also does not include ordinary property maintenance or repair that is exempt from a building permit, and is consistent with the Secretary of the Interior Standards for Treatment of Historic Properties.

5. California Register: California Register of Historical Resources defined in California PRC 5024.1 and in CCR Title 14 Chap 11.5, Sec 4850 et seq. as it may be amended.

6. California State Historical Building Code: if the building is determined to be historically significant under any State, Federal, Regional or Local criteria, the building shall be subject to the Historical Building Code. Any improvements to the historic structure either on-site or at a relocated site shall be eligible to be evaluated and regulated by the Historical Building Code.

7. Character Defining Features: as outlined in the City of Grass Valley Design Review Guidelines for the 1872 Historic Townsite (2010) and the U.S. Department of the Interior’s National Register Bulletin 15 and Preservation Brief 17: “How to Identify Character Defining Features”, the architectural character and general composition of a resource, including, but not limited to, type and texture of building material; type, design, and character of all windows, doors, stairs, porches, railings, molding and other appurtenant elements; and fenestration, ornamental detailing, elements of craftsmanship, finishes, etc.

8. Contributing Historic Resources: a designation that may be applied to buildings, structures, or objects within the Historic 1872 Townsite that maintain their original or attained historic and architectural character, and contribute either by themselves or in conjunction with other buildings or structures to the unique or historic character of a neighborhood(s), district, or to the City as a whole. The City maintains an inventory of designated historic resources.

9. Cultural Resource: any prehistoric or historic district, site, landscape, building, structure, or object included in, or potentially eligible for, local, State or National historic designation, including artifacts, records, and material remains related to such a property or resource.

10. Demolition: for the purpose of this Chapter, “demolition” refers to any act or failure to act that destroys, removes, or relocates, in whole or in part, a historical resource such that its historic or architectural character and significance are materially altered (refer to the Municipal Code Chapter 15.60).

11. Deterioration: the significant worsening of a structure's condition and/or architectural or historic integrity, due to lack of maintenance, organisms, neglect, weathering and other natural forces.

12. Exempt: this includes projects generally related to routine maintenance and minor restoration of buildings.

13. Feasible: capable of being accomplished in a successful manner within a reasonable period of time, taking into account cultural, economic, environmental, historic, legal, social and technological factors. Structural feasibility means that a building or other structure can be repaired or rehabilitated so as to be safe and usable without significant loss of historic fabric. Factors to be considered when making this determination include the existence of new technologies that will allow the design of the work and the ability to repair, supplement or replace loadbearing members and the thermal and moisture protection systems required for continued use of the structure, as well as the physical capacity of the structure to withstand the repair and/or rehabilitation process without the danger of further damage.

14. Grass Valley Design Guidelines for the 1872 Historic Downtown: the City's design guidelines used to assist property owners in making decisions on the preservation, restoration, and rehabilitation of their property or buildings.

15. Grass Valley Historic Commission (GVHC): The Grass Valley Historical Commission consists of five (5) members and one (1) alternate each appointed by the City Council for a four year term. The Commission's function is to identify and verify historical resources and encourage their preservation.

16. Historic Building Code: the most recent version of the California Historical Building Code, Title 25, Part, 8, as defined in Sections 18950 to 18961 of Division 12, Part 2.7 of Health and Safety Code (H&SC), a part of California State law.

17. Historic Context: Historic context are those events or themes in the history of Grass Valley by which a specific occurrence, property, or site is understood and its meaning and significance is made clear, and as defined in the adopted City of Grass Historic Context available through the City of Grass Valley Planning Department.

18. Historic District/Historical Preservation District: areas or neighborhoods with a collection or concentration of listed contributing historic properties, where historic

properties help define the area or neighborhood's unique architectural, cultural, and historic character or sense of place. Historic districts are delineated on the official Grass Valley Historic District Maps maintained by the City.

19. Historic Preservation Report (Report): a document which describes preservation, rehabilitation, restoration, or reconstruction measures for a historic resource, based on the Secretary of the Interior's Standards for Treatment of Historic Properties, and which includes standards and guidelines for recommended treatments for preserving the resource. The Report is only necessary when a building permit is required and the proposed project does not meet the standards for "exemptions" as defined in Section 17.52.70 A.

20. Historic Property or Resource: a property, including land and buildings, which possesses aesthetic, architectural, cultural, historic or scientific significance, and which is included in and rated a 1 or 2 in the Grass Valley Historical Resource Inventory of the 1872 Historic Townsite, or otherwise is potentially eligible for local, State or National historic designation.

21. Historical Resource Inventory: an inventory and survey of all buildings within the 1872 Historic Townsite.

22. Historic Status: historic designation of a listed resource or property as approved by the City Council.

23. Improvement: any building, structure, fence, gate, landscape, hardscape, wall, work of art, or other object constituting a physical feature of real property or any part of such feature.

24. Inappropriate Alteration: alterations to historic resources which are inconsistent with these provisions and/or the Historic Preservation Program Guidelines.

25. In-kind: using materials that are identical in composition, shape, form, and design. This does not preclude the use of modern materials nor does it discourage other materials that are sympathetic or more appropriate to meet energy calculations or structural demands.

26. Integrity, Architectural or Historical: the ability of a property, structure, site, building, improvement or natural feature to convey its identity and authenticity, including, but not limited to, its original location, period(s) of construction, setting, scale, design, materials, detailing, workmanship, uses and association.

27. Inventory of Historic Resources: the list of historically designated resources and properties, consisting of the Master List and Contributing Properties List of Historic Resources within the Grass Valley 1872 Historic Townsite, and any properties, objects, sites, gardens, sacred places and resources subsequently added to the inventory, as determined to meet criteria outlined herein and approved by the City Council.

28. Listed Resource: properties, including buildings and structures included in the Master List or Inventory of significant (rated 1 and 2) historic resources.

29. Maintenance: a term that refers to keeping a historic property in a condition that does not result in deterioration or damage to significant architectural features or elements resulting in its degradation to a level that it would not be considered a significant resource.

30. Major Projects: projects that have the potential to significantly alter the character of a historic property through additions, changes in massing, height, scale, and design elements.

31. Massing: the spatial relationships, arrangement and organization of a building's physical bulk or volume.

32. Minor Projects: a smaller scale project that does not involve a major alteration to a significant property.

33. Minor Restoration: a term that implies maintaining a building to a standard that preserves its historic character.

34. Modern Contributing Resources: designation which may be applied to properties and resources which are less than 50 years old, but which exemplify or include significant works of architecture or craftsmanship or are associated with a person or event significant to the City's history.

35. National Register of Historic Places (NRHP): the official inventory of districts, sites, buildings, structures, and objects significant in American history, architecture, engineering, archaeology 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.

36. Neglect: the lack of maintenance, repair or protection of a listed property, resource, site or structure, which results in significant deterioration, as determined by the GVHC, Director, or City Council, based on visual and physical evidence.

37. Non-Contributing Resource: designation which may be applied to properties and resources in historic districts which are typically less than 50 years old, have greatly diminished integrity, and do not support the prevailing historic character of the district or other listing criteria as outlined herein.

38. Preservation: the act or process of applying measures necessary to sustain a historic site, building or other structure's historically significant existing form, integrity, and materials through stabilization, repair and maintenance.

39. Primary Structure: the most important building or other structural feature on a parcel in terms of size, scale, architectural or historical significance, as determined by the Committee.

40. Qualified Professional: an individual meeting the Secretary of the Interior's Professional Qualifications Standards (36 CFR Part 61) in history, architectural history, historic architecture and other designated categories, or an individual determined by the GVHC to have the qualifications generally equivalent to the above standards based on demonstrated experience.

41. Reconstruction: the act or process of recreating the features, form and detailing of a non-surviving building or portion of building, structure, object, landscape, or site for the purpose of replicating its appearance at a specific period of time and in its historic location.

42. Rehabilitation: the act or process of making possible a compatible use for a property through repair, alterations, and additions, while preserving those portions or features which convey its architectural, cultural, or historic values.

43. Relocation: removal of a resource from its original site and its re-establishment in essentially the same form, appearance and architectural detailing at another location.

44. 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 the removal of features from other periods in its history and reconstruction of missing features from the restoration period.

45. Scale: the proportions of architectural design that relate to human size or other relative size measure.

46. Secretary of the Interior's Standards: the Secretary of the Interior's Standards for the Treatment of Historic Properties, as published by the U.S. Department of the Interior and as amended from time to time.

47. Stabilization: the act or process of applying measures designed to reestablish a weather resistant enclosure and the structural stability of an unsafe or deteriorated property, while maintaining the essential form as it exists at present.

48. Statement of Historic Significance: an explanation of why a resource is important within its historic context. It explains how the resource meets the eligibility criteria and integrity thresholds as established by local, state or federal government.

49. Survey: a systematic process for identifying and evaluating a community's historic resources using established criteria. "Survey" may also refer to the documentation resulting from a survey project.

50. Threatened Resource: properties or resources at risk of loss of architectural, cultural or historic value due to physical alteration, relocation or demolition.

#### **17.52.40 - Grass Valley Historic Commission (GVHC)**

**A. Duties.** The duties of the GVHC as it pertains to the implementation of this Chapter includes the following:

1. Recommend historic resource preservation program guidelines that implement this Chapter and provide guidance to persons or institutions planning development projects subject to City review that involve historic properties within the Grass Valley Historic 1872 Townsite.

2. Review properties for potential inclusion on the City's List of Historic Resources, including those properties, areas, sites, buildings, structures or other features having significant historical, cultural, architectural, community, scientific or aesthetic value to the citizens of Grass Valley.

3. Maintain and update the Historical Resources Inventory in the Grass Valley Historic 1872 Townsite.

4. Consolidate information about cultural resources and promotion, participation in, or sponsorship of educational and interpretive programs that foster public awareness and appreciation of cultural resources.

5. Support and promote incentive programs approved by the Council that are directed at preserving and maintaining cultural resources.

6. Provide information for property owners preparing local, state and federal historic nominations to utilize preservation incentives, such as the Mills Act and federal tax incentives, including, but not limited to rehabilitation tax credits.

**C. Specific Actions Subject to GVHC review.** The GVHC shall review and make recommendations to the Director, Planning Commission or City Council on applications and development review projects which include any of the following:

1. Changes to the Historical Resources Inventory.

2. Alterations or changes to historic districts.

3. Minor or major projects that involve new construction, additions or alterations to properties located in historic districts, and on historically listed properties rated 1 and 2.

4. Applications to demolish or relocate listed historic resources or structures.

5. Referrals to the Committee by the Director, and Planning Commission or Council.

6. Proposed actions of public agencies that may affect historic or cultural resources within the City.

**D. GVHC and Role of the City Staff.** The GVHC is assisted by staff of the City, including, but not limited to, the Community Development Department. The Director is responsible for interpreting and implementing this Chapter and helping the GVHC carry out its duties. The Director may

determine that GVHC review is not required for actions or projects that: 1) do not adversely affect historic resources, or 2) are consistent with this Chapter, the Secretary of the Interior's Standards and the Historic Preservation Program Guidelines and no public purpose would be served by requiring GVHC review.

#### **17.52.50 - Historic Resource Designation**

The City utilizes two classifications to designate historic resources and properties. The two categories of historic significance are the "Contributing" and "Non-Contributing" properties.

- A. Contributing Historical Resources.** The most unique and important resources and properties in terms of age, architectural or historical significance, rarity, or association with important persons or events in the City's past, which are rated as Priority 1 and 2 properties in the Historical Resources Inventory.
- B. Non-Contributing Resources.** Buildings, properties and other features in historic districts, which are less than 50 years old, have not retained their original architectural character, or which do not support the prevailing historic character of the district, and are rated as Priority 3 and 4 properties in the Historical Resources Inventory.

#### **17.52.60 – Listing Procedures for Historic Resources**

- A. Application for Historic Listing.** The property owner may request a resource be designated as a Contributing Historical Resource by submitting an application to the Director, accompanied by all available information documenting the historic significance and architectural character of the resource. The GVHC, and Planning Commission may also recommend, or the City Council may directly request, the addition of a resource to the Historical Resources Inventory.
- B. Review Process.** The GVHC shall review all applications for historic listing, whether initiated by the City or a property owner, to determine if a property proposed for listing meets eligibility criteria for historic listing. The GVHC will review the eligibility criteria for a proposed listing at a noticed public hearing. The Director shall provide notification to the property owner and public, as required by City standards. At the public hearing, or in no

case more than 60 days from the hearing date, the GVHC shall forward a recommendation on the application to the City Council. The City Council will take action on the application to add or not add the resource to the Historical Resources Inventory. The decision of the City Council is final.

- C. Removal from Historic Listing.** It is the general intention of the City not to remove a property from historic listing. Council may, however, rezone a property to remove Historic Overlay Zoning, or remove the property from historic listing if the structure on the property no longer meets eligibility criteria for listing, following the process for listing set forth herein.

### **17.52.70 – Evaluation Thresholds and Review Requirements**

The level of review required shall be determined in accordance with the following thresholds and requirements which are based upon a structure's designation as a contributing historical resource as listed in the City's Historical Resources Inventory (Properties rated Priority 1 or 2).

- A. Exempt Projects.** Routine maintenance and/or restoration are generally considered exempt from review, as are any interior modifications. Maintenance and minor restoration generally includes in-kind replacement of deteriorated or damaged historic fabric or materials. For example, an exempt project may include replacement of windows and doors if the material matches the historic materials, and the dimensions and number of glass panes or lights remains the same. Exceptions include maintenance or minor restoration where historic or historic-like materials are supplemented for non-historic materials resulting in a more historically correct final product (refer to City of Grass Valley Design Guidelines for the 1872 Historic Townsite).

- B. Minor Projects.** The following examples are generally approved over-the-counter by staff or through the established development review process by the Development Review Committee. Minor projects generally do not require a Report, but the Community Development Director or Development Review Committee may first require review by the GVHC.

1. Minor projects include exterior modifications to a contributing historical resource that do not alter the significant character defining features of a building or structure, such as its shape, elevation, massing, and scale and are found consistent with the Design Guidelines for the 1872 Historic Townsite. Examples include:

- a. Replacement of roof using similar color and material.
- b. Façade alterations if the exterior materials or architectural changes are in-kind or sympathetic to the historic design of the building.
- c. Replacement of signs when determined consistent with the applicable City's design standards and guidelines.
- d. Solar installations that are not attached to the existing historic structure or not facing public roads or right-of ways.

**C. Major Projects.** The following examples are generally approved over-the-counter by staff (for residential structures) or through the established development review process by the Development Review Committee or Planning Commission. Major projects found to be consistent with the City of Grass Valley Design Guidelines for the 1872 Historic Townsite may not require a Historic Resource Evaluation Report, but require review by the GVHC prior to approval by the City.

1. Major projects include exterior modifications to a contributing historical resource that has the potential to significantly alter the historic character or appearance of the resource. Those alterations include, but are not limited to:

- a. Changes in massing.
- b. Changes in shape.
- c. Changes in the character defining features or design elements.
- d. Changes to the height and scale.
- e. The addition of solar panels and sky lights.

#### **17.52.80 – Historic Resource Evaluation Report**

A Historic Resource Evaluation Report (Report), provided at the expense of a property owner, shall be submitted with an Application for a building permit if the project qualifies as a "major project" as defined in subsection 17.52.70.C Elements required for the Report include:

- A. Purpose and Scope
- B. Methods of Evaluation: Field and Archival
- C. Location and Setting
- D. Architectural Description of the Resource
- E. Historical Background
- F. Discussion of Eligibility for listing on National and/or State Register of Historic Resources
- G. Statement of Significance
- H. Conclusions
- I. Recommendations (may include proposed mitigation)
- J. Archival Documentation (Appendices)

The Statement of Significance element (Item G. above) shall include a discussion of the related historical contextual themes. The archival documentation (Item J. above) of the resource shall include a completed California Department of Parks and Recreation DPR 523 Form (refer to SHPO website for examples) and archival quality photo documentation, unless a DPR 523 Form has been previously completed. In that case, a supplemental DPR 523 Building, Structure, and Object (BSO) record will be required. This information shall be included as an appendix to the Report. Preparation and submittal of the Report shall be the responsibility of the applicant. All Reports shall be prepared by consultants who meet the professional qualification standards for the field of Historic Preservation as described by the USDA, National Park Service and in the Federal Register.

#### **17.52.90 – Criteria for Determination of Historical Significance**

For the purpose of determining the historical significance of a building or structure the following criteria shall apply:

1. The building or structure has character, interest or value as a part of the heritage of the City of Grass Valley; or,
2. The location of the building or structure is the site of a significant historic event; or,
3. The building or structure is identified with a person(s) or group(s) who significantly contributed to the culture and development of the City of Grass Valley; or,

4. The building or structure exemplifies a particular architectural style or way of life important to the City; or,
5. The building or structure exemplifies the best remaining architectural type in a neighborhood; or,
6. The building or structure is identified as the work of a person whose work has influenced the heritage of the City, the State or the United States; or,
7. The building or structure reflects outstanding attention to architectural design, detail, materials or craftsmanship; or,
8. The building or structure is related to landmarks or historic districts and its preservation is essential to the integrity of the landmark or historic district; or,
9. The unique location or singular physical characteristics of the building or structure represent an established and familiar feature of a neighborhood; or,
10. The building, structure or site has the potential to yield historical or archaeological information.

#### **17.52.100 – Relocation of Historic Resources**

Relocation has the potential to adversely affect the significance of a historic resource and is discouraged. Relocation applications shall be evaluated as follows:

- A. Review.** The GVHC and City staff shall review applications to relocate structures listed in the Historical Resource Inventory and provide a recommendation to the appropriate review authority.
- B. Criteria for Relocation.** Relocation of contributing historical structures included in the Historical Resource Inventory, or those that are determined by the GVHC and Director to be potentially historic or significant, is the least preferred preservation method. This method should be used and permitted only when relocation is consistent with goals and policies of the General Plan, any applicable area or specific plan, and the City of Grass Valley Design Review Guidelines for the 1872 Historic Townsite. The review authority shall consider the following criteria in making its decision:

- (1) The relocation will not significantly change, destroy, or adversely affect the historic, architectural or aesthetic value of the resource; and
- (2) Relocation will not have a significant adverse effect on the character of the historic district or neighborhood, or surrounding properties where it is located or at its proposed location, and;
- (3) The original site and the proposed receiving site are controlled through ownership long term lease or similar assurance by the person(s) proposing relocation, to the City's approval, and
- (4) The proposed receiving site is relevant to the resource's historic significance; and
- (5) The relocation is necessary to correct an unsafe or dangerous condition on the site and no other measures for correcting the condition are feasible.

**C. Relocation Timing.** The historic resource shall not be relocated unless the Chief Building Official issues a permit for relocation and all permit or impact fees for new development are paid; or where no new development is proposed, an appropriate security is posted to guarantee that relocation plans are implemented, to the Director's or City staff's approval.

**D. Historical and Architectural Documentation.** Prior to issuance of a construction permit for relocation, the resource and its site shall be historically documented as specified herein, to the satisfaction of the GVHC and the Director.

**E. Relocation Plan and Procedures.** Relocations shall follow a plan approved by the GVHC or the Director, standards and procedures in the Demolition and Building Relocation Code, the California Building Code, and the following:

- (1) Application for relocation shall be made on forms provided by the Department and shall include information to respond to the criteria in subsection B of this Section.

(2) The GVHC shall hold a noticed public hearing and recommend action to the Historic Subcommittee or City Council on the application for relocation of a historic resource, and the Council shall consider the GVHC's recommendation in making the final determination to approve or deny the permit.

(3) The GVHC or City Council will not grant an approval for the relocation of a listed historic resource unless the criteria for relocation under subsection B of this Section can be met.

### **17.52.110 – Demolition of Historic Resources**

The City's Demolition Ordinance, Chapter 15.60 of the Municipal Code, applies to the demolition of all structures within Grass Valley's Historic 1872 Townsite.

### **17.52.120 – Appeals**

Any person may appeal the decisions of the Director or the GVHC pursuant to this Chapter to the Planning Commission. Decisions of the Planning Commission pursuant to this Chapter may be appealed to the City Council. An appeal must be submitted in writing with the required appeal fee (if applicable) to the Community Development Department within fifteen (15) days following the final date of the action for which an appeal is made. The written appeal shall include the reason(s) why the Report should or should not be required; or why the Building Permit should be granted, denied or exempt from the provisions of this Chapter.

### **17.52.130 – Severability**

If any section, subsection, sentence, clause or phrase or any portion of this Chapter is for any reason declared invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declare that it would have adopted this Chapter and each and every section, subsection, sentence, clause or portion thereof irrespective of the fact that any phrase, or any portion thereof, would be subsequently declared invalid or unconstitutional.