

## **CERTIFICATE OF ECONOMIC HARDSHIP APPLICATION**

### **Historic Preservation Program**

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City of Ontario Planning Department: 303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

Dear Applicant,

The City's Historic Preservation Ordinance requires that a Certificate of Appropriateness be approved by the Historic Preservation Commission for any proposed alteration, addition, restoration, rehabilitation, remodeling, relocation or demolition to a property on the Ontario Register, or within an Historic District. The Certificate of Economic Hardship allows for a Certificate of Appropriateness to be approved when denying it will create an economic hardship.

The intent of the Historic Preservation Ordinance is to keep the character and character defining features of a structure intact while allowing improvements to be made without causing hardship to owners of historic properties. The Planning Department has staff available to assist you in making appropriate improvements and finding alternatives that are appropriate and do not cause an economic hardship. Early consultation with Staff can help you identify issues, problems and solutions to your proposed project before it is submitted for review.

If you have any questions, call the Planning Department (909) 395-2036.

Sincerely,



Rudy Zeledon  
Planning Director

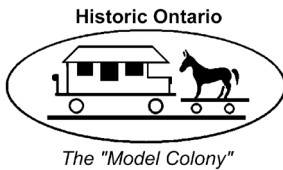
**ATTENTION!**

The City of Ontario strives to provide you with efficient and effective service in a businesslike manner. We are committed to the principle that every interaction you have with the City must be based on honesty and integrity.

City employees are prohibited by law from soliciting or accepting money, services, or gifts of any kind in connection with the discharge of their duties.

If you are approached or are aware of any violation of this policy, please immediately contact any of the following:

- Scott Ochoa, City Manager ..... (909) 395-2396 or [sochoa@ontarioca.gov](mailto:sochoa@ontarioca.gov)
- Mike Lorenz, Police Chief ..... (909) 395-2710 or [mlorenz@ontarioca.gov](mailto:mlorenz@ontarioca.gov)
- Ethics Line ..... (800) 500-0333



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#### **CERTIFICATES OF ECONOMIC HARDSHIP**

##### **What is a Certificate of Economic Hardship?**

A Certificate of Economic Hardship is a permit issued by the Historic Preservation Commission when the denial of a Certificate of Appropriateness has deprived, or will deprive, the owner of the property of all reasonable use of, or economic return on, the property. The Certificate of Economic Hardship is used to ensure that the preservation of an historical resource is economically feasible. The Historic Preservation Commission reviews applications to determine whether or not the proposed changes to a historical resource will cause an economic hardship.

##### **What is the approval process?**

All applications are submitted to the Planning Department for review to determine if denial of a Certificate of Appropriateness will create an economic hardship on the property owner. A staff report is prepared and taken before the Historic Preservation Subcommittee. The Historic Preservation Subcommittee reviews the application and makes a recommendation to the Historic Preservation Commission. Historic Preservation Commission holds a public hearing and determines whether to approve the Certificate of Economic Hardship.

##### **Is there an environmental review required?**

Yes, the California Environmental Quality Act (CEQA) requires that any proposed alteration or demolition be reviewed to determine if there is a significant adverse effect on the environment. Typically, the environmental review will occur with the Certificate of Appropriateness application.

#### **FILING REQUIREMENTS**

##### **Initial Submittal:**

1. A Complete Application.
2. A Complete Application(s) for a Certificate of Appropriateness, if not already submitted.
3. Public hearing information (if not already submitted), as determined by the Planning Department, to include the following:
  - Property Ownership List: A mailing list containing the names, addresses, and assessor's parcel number of all owners of real property within a radius of 300 feet (300') of the site, measured from the exterior boundaries of the property. This information shall be obtained from the latest equalized assessment rolls of San Bernardino County (*property ownership information may be obtained from the San Bernardino County Assessor's Office, 8575 Heaven Avenue, Suite 210, Rancho Cucamonga, California 91730, phone: 909-948-5045*). Include the name and address of the property owner, applicant, and representative of the mailing list in an excel file.
  - Radius Map: A map illustrating the three hundred-foot (300') radius boundary and all parcels within the boundary (copies of the assessor's maps will be accepted).
4. Form of ownership or operation of the property, whether sole proprietorship, for-profit or nonprofit corporation, limited partnership, joint venture, or other.
5. **Cost Estimates.** Cost estimates of the proposed construction, alteration, demolition, or removal, and an estimate of the additional cost(s) that would be incurred to comply with the recommendations of the Commission for issuance of a Certificate of Appropriateness.
6. **Rehabilitation Report.** A report from a licensed engineer or architect with expertise in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation.
7. **Market Value.**
  - Estimated market value of the property in its current condition; estimated market value after completion of the proposed construction, alteration, demolition, or removal; after any change recommended by the Commission; and in the case of a proposed demolition, after renovation of the existing property for continued use.

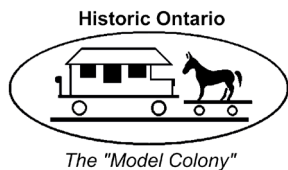
## **CERTIFICATE OF ECONOMIC HARDSHIP- Historic Preservation Program**

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- In the case of a proposed demolition, an estimate from an architect, developer, real estate consultant, appraiser, or other real estate professional experiences in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property and its market value for continued use after rehabilitation.
  - For income-producing properties, information on annual gross income, operating and maintenance expenses, depreciation deductions and annual cash flow after debt service, current property value appraisals, assessed property valuations, real estate taxes, and any other information considered necessary by the Commission to determine whether substantial evidence of economic hardship exists.
  - Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two years.
  - All appraisals obtained within the previous two years by the owner or applicant in connection with the purchase, financing, or ownership of the property.
  - Amount paid for the property, if purchased within the previous thirty-six (36) months, the date of purchase, and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer; any listing of the property for sale or rent, price asked, and offers received, if any, within the previous two (2) years.
8. Pictures of the site and surrounding area. Pictures may be submitted digitally in the following formats: JPEG, BMP, TIF, or PSD; provided a list is also submitted with the file name, date the photo was taken, the photographer, and brief description.
9. Any other information considered necessary by the Commission to a determination as to whether the property does yield or may yield a reasonable return to the owners.
10. Filing Fees (NOTE: If the Planning and/or Engineering Departments determine that a review by the San Bernardino County Flood Control District is necessary, the applicant shall submit an additional check to the Planning Department in the amount of \$520, made payable to San Bernardino County Flood Control District).

### **FINDINGS OF FACT:**

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.
3. An adaptive reuse study has been conducted and found that utilization of the property for lawful purposes is prohibited or impractical.
4. Rental at a reasonable rate of return is not feasible.
5. Denial of the Certificate of Appropriateness would damage the owner of the property unreasonably in comparison to the benefit conferred to the community.
6. All means of involving City sponsored incentives, such as transfer of development rights, tax abatements, financial assistance, building code modifications, changes in the zoning ordinance, loans, grants and reimbursements, have been explored to relieve possible economic disincentives.



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## Historic Preservation Program

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### GENERAL INFORMATION (print or type)

Property Owner: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Telephone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

Applicant: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Telephone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Email: \_\_\_\_\_

Applicant's Representative: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Telephone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Email: \_\_\_\_\_

### PROPERTY LOCATION

Street Address of Property: \_\_\_\_\_  
 Zip Code: \_\_\_\_\_ Assessor's Parcel No(s): \_\_\_\_\_  
 Precise Legal Description (attach additional sheets if necessary):  
 Tract: \_\_\_\_\_ Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_  
 Other: \_\_\_\_\_  
 Ownership:  Private  Public  
 Present Use: \_\_\_\_\_ Original Use: \_\_\_\_\_  
 General Plan: \_\_\_\_\_ Zoning: \_\_\_\_\_  
 Architectural Style: \_\_\_\_\_

### DESCRIPTION OF WORK:

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**APPLICANT AFFIDAVIT**

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STATE OF CALIFORNIA                    )  
COUNTY OF SAN BERNARDINO        ) ss  
CITY OF ONTARIO                        )

I, \_\_\_\_\_, being duly sworn, depose and say that I am the applicant in the foregoing application, that I have read the foregoing application and know the content thereof and state that the same is true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Applicant Signature

*Note: A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.*

STATE OF CALIFORNIA                    )  
COUNTY OF SAN BERNARDINO        ) ss  
CITY OF ONTARIO                        )

On \_\_\_\_\_ before me, \_\_\_\_\_,  
(Date) (insert name of Notary Public)

Notary Public, personally appeared \_\_\_\_\_,  
Name(s) of Signer(s)

Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

Place Seal Above