



## CITY OF PACIFIC GROVE

### AGENDA REPORT

300 Forest Avenue, Pacific Grove, California 93950

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Mayor Bill Kampe, Mayor Pro Tem Robert Huitt  
**MEETING DATE:** March 16, 2016  
**SUBJECT:** Consider Recommendations of the Historic Preservation Ordinance (HPO) Ad Hoc Committee  
**CEQA:** Does not constitute a "Project" under California Environmental Quality Act (CEQA) Guidelines

#### RECOMMENDATION

Adopt the recommendations of the HPO Ad Hoc Committee and direct staff to proceed with necessary changes to the Ordinance and to related operational processes.

#### OVERVIEW

On September 2, 2015, the council directed the creation of an Ad Hoc Committee to consider possible modifications to the Historic Preservation Ordinance. The committee was formed and developed a number of recommendations. The full report of the committee is attached. A summary of the recommendations is included below.

Many thanks to the members of the committee, and to the members of the public, and the members of city staff who provided important comment to guide these recommendations.

#### DISCUSSION

The committee members represent a broad range of experiences and perspectives.

Don Murphy, Planning Commission; Mark Chakwin, Alternate  
Michael Gunby, Architectural Review Board  
Maureen Mason, Historic Resources Committee  
Rudy Munoz, Community Member  
Jean Anton, Community Member  
Robert Huitt, Mayor Pro Tem  
Bill Kampe, Mayor, Chair  
Anastazia Aziz, Planning Staff, Support

Our recommendations include items that require changes to ordinances to implement. Other changes are process related. They are described in general terms, leaving the specific wording

for the expertise of city staff. Some are recommendations to postpone topics for later consideration.

## **Recommendations requiring code changes**

Architectural Review Board (ARB)/Historic Resources Committee (HRC) separation of responsibilities

- Consolidate both historic determinations and historic project reviews with the Historic Resources Committee. This recommendation is in concurrence with the prior Ad Hoc Committee that was formed to explicitly address this topic.
- This recommendation is a top priority, ahead of others below.

Deletions from the Historic Resources Inventory

- Authorize the HRC to delete from the Historic Resources Inventory (HRI) one or more resources recommended for removal as a result of a systematic survey, at no cost to property owner.
- Authorize the HRC to initiate deleting from the HRI any resource undergoing a Historic Preservation Permit Application review when the review reveals that the resource does not meet criteria for listing.

Clarification of “Integrity”

- Link the definition and usage of “Integrity” as a criterion to the definition in the Historic Context Statement, which gives a richer and more relevant context than our current ordinance. (...see p20-22 of the Historic Context Statement.)
- Consider separating Integrity as a companion to the other local criteria for significance along the lines of “...the resource meets one of more of these criteria for significance, **and** also retains integrity as defined in the Historic Context Statement...”

Role of Historic Context Statement (HCS)

- Link decision criteria more explicitly to the Historic Context Statement as a guiding document, especially the descriptions of character defining features of neighborhoods and significant architectural styles.

Multi-Tier aspects of Resources

- Identify a de facto two-tier concept as follows:
  - Resources on the National or State register – goal is to preserve the **resource**. Secretary of Interior Standards apply.
  - Resources on the HRI – goal is to preserve the **character of the neighborhood**. Secretary of Interior Standards are a guide.

## **Recommendations that can be implemented with process adjustments**

Survey of Resources

- Survey currently listed resources to identify those that should be removed from the Historic Resources Inventory.

### Commercial Properties

- Update Architectural Design Guidelines for applicability to non-residential resources as well as residential.

### Need for Training

- Define some level of required training for members of Planning Commission, ARB, HRC. (Policy rather than ordinance.)
- Provide an explicit budget for the training.

### Public Education and Outreach

- Develop additional tools to inform the public about the City's historic preservation ordinance and processes, including benefits to property owners.

## **Recommendations for deferred consideration**

### Certified Local Government

- Once the recommendations above are implemented, consider applying for CLG status.
- Make sure we understand the ongoing obligations and possible benefits.

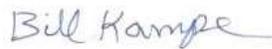
### Historic Districts

- Defining historic districts requires careful documentation and creation of special criteria, plus extensive public outreach.
- Stronger usage of the Historic Context Statement per our recommendations will do much to preserve neighborhoods and significant architectural themes of our city, similar to the intent of designated districts.

## **FISCAL IMPACT**

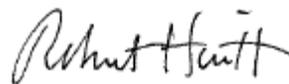
Estimated cost in staff time to implement is \$15,000. This one-time cost may be at least partly offset over time if the changes result in more efficient processes. We believe these recommendations will improve historic preservation practices for the general benefit of the city and its citizens.

Respectfully submitted:



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Bill Kampe, Mayor



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Robert Huitt, Mayor Pro Tem



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# Ad Hoc Committee on the Historic Preservation Ordinance

February 22, 2016

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## **I. Background**

On August 5, 2015, an Ad Hoc Committee on the roles of the Architectural Review Board (ARB) and the Historic Review Committee (HRC) completed its recommendations to the council, and those recommendations were adopted. One of those recommendations was to restart a prior Historic Preservation Ordinance (HPO) Ad Hoc Committee that had been exploring possible modifications to the HPO. That committee had suspended its work in February, 2014. This report builds on the prior work, and extends to include consideration of Next Steps as outlined in the City's Historic Context Statement.

## **II. Goal Statement**

Drawing from the work of the prior HPO Ad Hoc Committee, the goals for the committee are:

- Reduce the time, cost, and complexity for historic determinations, both for additions and deletions
- Improve the clarity of our processes for historic determinations and for project applications, especially the criteria used for decisions.
- Create equitable benefits and constraints from our historical review processes to maintain the intended character of our city while allowing reasonable enhancements to our built environment.

## **III. Committee Members**

The committee members represent a broad range of experiences and perspectives.

Don Murphy, Planning Commission; Mark Chakwin, Alternate  
Michael Gunby, Architectural Review Board  
Maureen Mason, Historic Resources Committee  
Rudy Munoz, Community Member  
Jean Anton, Community Member  
Robert Huitt, Mayor Pro Tem  
Bill Kampe, Mayor, Chair  
Anastazia Aziz, Planning Staff, Support

## **IV. Approach**

The committee met and deliberated with open public meetings in compliance with the Brown Act. We considered the work of the prior HPO Ad Hoc Committee and the direction of Council in selecting the topics for discussion.

This report represents the final record of the committee. The report was ratified at our meeting of February 22, 2016, with a motion by Robert Huitt, seconded by Jean Anton and Maureen Mason, and approved unanimously by the six members present.

## V. Recommendations – Thumbnail Synopsis

Our recommendations include items that require changes to ordinances to implement. Other changes are process related. They are described in general terms, leaving the specific wording for the expertise of city staff.

Some are recommendations to postpone topics for later consideration.

### A. Recommendations requiring code changes

1. Architectural Review Board (ARB)/Historic Resources Committee (HRC) separation of responsibilities
  - Consolidate both historic determinations and historic project reviews with the Historic Resources Committee. This recommendation is in concurrence with the prior Ad Hoc Committee that was formed to explicitly address this topic.
  - This recommendation is a top priority, ahead of others below.
2. Deletions from the Historic Resources Inventory
  - Authorize the HRC to delete from the Historic Resources Inventory (HRI) one or more resources recommended for removal as a result of a systematic survey, at no cost to property owner.
  - Authorize the HRC to initiate deleting from the HRI any resource undergoing a Historic Preservation Permit Application review when the review reveals that the resource does not meet criteria for listing.
3. Clarification of “Integrity”
  - Link the definition and usage of “Integrity” as a criterion to the definition in the Historic Context Statement, which gives a richer and more relevant context than our current ordinance. (...see p20-22 of the Historic Context Statement.)
  - Consider separating Integrity as a companion to the other local criteria for significance along the lines of “...the resource meets one of more of these criteria for significance, **and** also retains integrity as defined in the Historic Context Statement...”
4. Role of Historic Context Statement (HCS)
  - Link decision criteria more explicitly to the Historic Context Statement as a guiding document, especially the descriptions of character defining features of neighborhoods and significant architectural styles.
5. Multi-Tier aspects of Resources
  - Identify a de facto two-tier concept as follows:

- Resources on the National or State register – goal is to preserve the **resource**. Secretary of Interior Standards apply.
- Resources on the HRI – goal is to preserve the **character of the neighborhood**. Secretary of Interior Standards are a guide.

## **B. Recommendations that can be implemented with process adjustments**

1. Survey of Resources
  - Survey currently listed resources to identify those that should be removed from the Historic Resources Inventory.
2. Commercial Properties
  - Update Architectural Design Guidelines for applicability to non-residential resources as well as residential.
3. Need for Training
  - Define some level of required training for members of Planning Commission, ARB, HRC. (Policy rather than ordinance.)
  - Provide an explicit budget for the training.
4. Public Education and Outreach
  - Develop additional tools to inform the public about the City's historic preservation ordinance and processes, including benefits to property owners.

## **C. Recommendations for deferred consideration**

1. Certified Local Government
  - Once the recommendations above are implemented, consider applying for CLG status.
  - Make sure we understand the ongoing obligations and possible benefits.
2. Historic Districts
  - Defining historic districts requires careful documentation and creation of special criteria, plus extensive public outreach.
  - Stronger usage of the Historic Context Statement per our recommendations will do much to preserve neighborhoods and significant architectural themes of our city, similar to the intent of designated districts.

# **VI. Additional Details for the Recommendations**

This section provides more detail on these topics, as discussed in our committee.

## **A. ARB/HRC Separation of Responsibilities**

Our committee echoes and endorses the recommendation of the recent Ad Hoc Committee that studied the alternatives for roles of the ARB and HRC. We concur and urge that the zoning code be updated to place responsibility for historic determinations and historic project reviews with the

HRC, while the ARB focuses on the non-historic projects. The change will provide greater focus and concentrate expertise on the subject of historic preservation.

In making these changes, we need to define the basic qualifications of the group members.

### **B. Deletions from the Historic Resources Inventory**

Our current code only specifies that a property owner may request a review for removal of a resource. For the property owner that requires a fee and a Phase 1 study.

There is no mechanism for the city to initiate a review for removal. We believe a significant number of resources should be removed from the Inventory, including some that are no longer extant. The number is unknown and may best be determined by a professional survey. We know that about 600 listed resources are not adequately documented.

Our recommendation is that the HRC should also be authorized to initiate removal of a resource, in the context of a professional survey, with no charge to the property owner. This recommendation requires a change to our code.

The committee notes that a resource is either historic or not based on stated criteria for determination. It is not a matter of personal preference – the resource is either historic or not.

We also noted that the opinion that a property “could be restored” is not appropriate in making a historic determination.

### **C. Clarification of “Integrity”**

In reviewing the criteria for historic determinations, we considered the difference from the national and state framework for determining historicity. As described in those processes, an assessment is first made of the significance of the resource. Then an assessment is made for integrity relative to the period of significance. Integrity with no significance does not merit a historic determination in that framework.

For Pacific Grove, we list integrity as a co-equal criterion to other factors of significance. The general feeling of the committee was that everything is working fine. However, Maureen Mason noted that in HRC determinations of historicity, the integrity factor can cause confusion. She offered to draft an approach to clarify integrity.

The recommendation as adopted by the committee is to include reference to the Historic Context Statement definition of integrity, with explicit inclusion of the 7 factors that make up the character of a historic resource: location, design, setting, materials, workmanship, feeling and association.

The Historic Context Statement has 2 implications for the usage of the Pacific Grove criteria. That definition also refers to a period of significance. Therefore, it takes us beyond a concept solely of “as originally built” and allows integrity to be linked to some later period of a resources’ existence. Further, it expands the aspects of integrity to the seven factors in some more general sense than

simply the concept of “original”. Even a modified structure can have integrity if the 7 elements remain consistent with the significant characteristics of the resource or even of the neighborhood.

#### **D. Role of Historic Context Statement**

Throughout our discussions, we found a pivotal role for the Page & Turnbull Historic Context Statement. In 3 specific areas it provided guidance that was important to our discussions: Integrity, “The Collection”, and Historic Districts. The implications are described in each of these topics in the following paragraphs.

#### **E. Multi-Tier aspects of Resources**

We considered the concept of multi-tier historicity, with the idea that some resources are clearly more significant than others and therefore deserving of the most diligent attention to preservation.

After discussion, we recognized that there is complexity in establishing the necessary criteria to differentiate tiers. There is also the companion challenge to define both the different restrictions and benefits associated with those tiers.

The conclusion was that Pacific Grove resources on the National or California Register constitute a top tier. Other resources on the Historic Resources Inventory constitute a second tier.

We did state an important idea for the objectives of the two levels:

- In the top tier, the goal is to preserve the **resource**. That implies a strict application of the Secretary of Interior Standards for the preservation of the resource, separate and apart from issues of neighborhood or city characteristics. The resources currently on the National Register are:
  - F. L. Buck House
  - Oliver Smith Trimmer House (also a California Point of Historical Interest)
  - Centrella Hotel
  - Gosby House
  - Pt. Pinos Lighthouse
  - Asilomar State Beach and Conference Grounds National Historic Landmark
- Chautauqua Hall is a California Registered Historical Landmark
- In the second tier, the goal is to preserve the **character** of the resource and the neighborhood. The implication is more flexibility for any modifications to the specific resource, using the Secretary of Interior Standards as a guide. There is still an emphasis on the character of the resource remaining suitable for the neighborhood.

There may be modifications to our HPO that embed these concepts as guides for review. Also, once again, the Historic Context Statement provides guidance on the issue of character and integrity for this purpose.

## **F. Need for Training**

During the course of our discussion, we noted frequently that both historic determinations and project reviews require some specialized knowledge of the topic. It is the belief and recommendation of the committee that training investments for HRC members are important and ultimately worthwhile for the city, the HRC members, and for applicants. (Planning Commission and ARB members would also benefit.)

We should consider some level of required training, e.g. for new members, and some continuing education, supported by budgeted funds. Both internal personnel and external sessions could be part of a recommended approach.

## **G. Historic Districts**

We considered the possible designation of Historic Districts. We noted that an Historic District could be a geographical area, or it could be a Thematic District of specific resources spread out in the City. Designation requires very careful documentation of the characteristics of a district, and very clear guidelines on what modifications may be allowed, along with modifications that are not allowed. The process of designation also requires close engagement with the property owners that may be affected. In fact, some cities require a vote of property owners before designation.

Our committee does not recommend seeking designation of Historic Districts at this time. We do note that the Historic Context Statement provides very useful guidance on the primary characteristics for our major neighborhoods, and by using it diligently, we will be preserving those characteristics, even under our current processes.

## **H. Concept of “The Collection”**

We discussed the concept of preserving “the collection,” a term that has been broadly stated. We do have a collection, and it’s the Historic Resources Inventory. We have made progress in our Historic Preservation processes, and it is time to retire any other notion of the collection.

We again noted that the Historic Context Statement provides useful guidance for historic determinations and for evaluating projects. In each of the neighborhoods described in the Historic Context Statement, there is a description of the defining characteristics of that neighborhood. When making an historic determination, or reviewing a project, those characteristics are specified and considered. The result is that by using the Historic Context Statement as a reference and guide, we will inherently preserve the collection. No special definition or guidelines are required beyond the Historic Context Statement.

## **VII. Topics from the Historic Context Statement**

The council asked this subcommittee to consider the implications and potential of pursuing the next steps that were listed in the Page & Turnbull Historic Context Statement. The committee considered each of these steps during the discussions above. For completeness, the Next Steps are

listed here in summary form. Recommendations for the review are incorporated in the proceeding sections of this report.

- A. Continue to add or delete individual buildings from the City's Historic Resources Inventory on a case-by-case basis;
- B. Conduct additional historic resource surveys;
- C. Update Historic Preservation Ordinance;
- D. Consider potential districts and/or conservation zones;
- E. Create local preservation incentive program;
- F. Expand existing design guidelines for historic resources;
- G. Education and outreach;
- H. Apply to be a certified location government (CLG).

## **VIII. Summary**

This Ad Hoc Committee delivers this report and recommendations to the City Council and City Staff. We urge action on these recommendations based on a practical approach to translating the concepts into the ordinances, resolutions, and guidelines that are necessary for implementation.

The first recommendation separating duties of the ARB and HRC are the top priorities. Other recommendations should follow the current more urgent priorities for the Planning Commission.

## **Appendix 1. Historic Preservation References**

### **A. Comparison Matrix of 8 City's Historic Preservation Practices**

1. <http://www.cityofpacificgrove.org/sites/default/files/historic-preservation-ordinance/2016/1-4-2016/historic-preservation-ordinance-1-4-2016-6a.pdf>

### **B. Pacific Grove Municipal Code**

<http://www.cityofpacificgrove.org/about-city/charter-municipal-code>

Please click the link above and drill down to the sections. The municipal code site does not provide direct URL's to individual chapters or sections

1. Chapter 23.76 – Historic Preservation
  - a. 23.76.025 – Evaluation Criteria
  - b. 23.76.050 – Ordinary Maintenance and Repair
  - c. 23.76.070 – Unsafe or Dangerous Conditions
  - d. 23.76.090 – Minimum maintenance
2. Chapter 23.77 - Environmental Impact Reports
  - a. 23.77.010 – Required – Generally (CEQA)
  - b. 23.77.020 – Determination of significant environmental effect

### **C. Pacific Grove Historic Resources**

<http://www.cityofpacificgrove.org/living/community-economic-development/planning/historic-resources>

Please click the link above to see a listing of Pacific Grove's important historic documents and records:

1. Historic Resources Inventory
2. Historic Context Statement
3. Guidelines for Historic Assessments

### **D. California State Parks – Office of Historic Preservation**

<http://ohp.parks.ca.gov/>

Find information on Certified Local Government, Preservation Training, and other resources.

### **E. California Code of Regulations**

1. Title 14, Division 6, Resources Agency:
  - a. [Chapter 3 - Guidelines for Implementation of the California Environmental Quality Act](#)
2. Title 14, Division 3, Department of Parks and Recreation:
  - a. [Chapter 11.5 – California Register of Historical Resources](#) – How resources are

assessed the California state level. Compare to PG Chapter 23.76

**F. National Park Service**

1. Secretary of Interior Standards for the Treatment of Historic Properties
  - a. <http://www.nps.gov/tps/standards.htm>