



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Anastazia Aziz, AICP, Senior Planner
Mark Brodeur, Director, Community & Economic Development(CEDD)

MEETING DATE: June 21, 2017

SUBJECT: Ordinance to modify PGMC Title 3 and Title 23 related to the Architectural Review Board and Historic Resources Committee; Direction as to ARB and HRC responsibilities; and Direction as to *Policy 000-5* residency requirements.

CEQA: Does not constitute a “Project” under CEQA Guidelines

RECOMMENDATION

1. Approve first reading of an ordinance to modify PGMC Title 3 and Title 23 related to the Architectural Review Board and Historic Resources Committee and direct publication of a summary of the ordinance.
2. Provide direction as to ARB and HRC responsibilities.
3. Provide direction regarding amendment of *Policy 000-5 Boards and Commissions* to eliminate residency requirements. (Implementation shall occur together with the second reading of the draft Ordinance.)

BACKGROUND

Between January 6, 2014 and February 22, 2016, the [Historic Preservation Ordinance Ad-Hoc Committee](#) chaired by Mayor Kampe met to discuss and propose changes to the Pacific Grove Municipal Code (P.G.M.C.) 23.76 - the Historic Preservation Ordinance. The Ad-Hoc Committee was comprised of Councilmember Huitt and members of the Historic Resources Committee (HRC), Planning Commission (PC), Architectural Review Board (ARB), Beautification and Natural Resources Committee (BNRC) and a member of the public. The Ad-Hoc Committee also reviewed and considered the recommendations from the [Historic and Design Review Process Evaluation Committee](#) which met concurrently from April 28, 2015 through July 28, 2015, and the [Final Report](#) was adopted on August 5, 2015. At the March 16, 2016 Council meeting, Council adopted the Historic Preservation Ordinance Ad-Hoc Committee’s [Final Report](#).

Various pertinent and well thought through recommendations were in the Final Report. The changes were organized as follows:

HPO Ad Hoc Committee Recommendations

| Code Changes Required | Activities which can be Implemented with Process Adjustments | Deferred Consideration |
|---|--|---|
| <ul style="list-style-type: none"> • ARB/HRC separation of responsibilities • Deletions from the HRI • Clarification of Integrity • Role of Historic Context Statement • Multi-Tier aspects of Resources | <ul style="list-style-type: none"> • Survey of Resources • Commercial Properties • Need for Training • Public Education and Outreach | <ul style="list-style-type: none"> • Certified Local Government • Historic Districts. |

Due to limited staffing and resources, a two phase approach is being implemented to begin to address the changes. The items requiring Code changes were prioritized and divided into two phases. The remaining process adjustments or deferred consideration recommendations will be implemented either through the budget process or pursued once the Code changes are implemented. However, some activities are already being implemented. For example, training opportunities have been made available for staff, members of the ARB, HRC, PC and the public, primarily through California Preservation Foundation webinars hosted by the City.

The proposed changes were brought before the following Boards, Committees, and Commissions for public comment, discussion and recommendation on the following dates:

March 14 & June 13, 2017 - Architectural Review Board

March 22, 2017 - Historic Resources Committee;

April 6 & May 18, 2017 - Planning Commission.

Phased Recommendations

| Phase One Code Changes | Phase Two Code Changes |
|---|------------------------------------|
| Shift <i>Establishment and Membership</i> of ARB and HRC from Title 23(Zoning) to Title 3(Boards and Commissions) | ARB/HRC responsibilities |
| Reduce number of members from seven to five | Deletions from HRI |
| Allow non-resident professionals to be members | Clarification of “integrity” |
| Reduce ARB meetings from two to one per month | Role of Historic Context Statement |
| | Multi-Tier Aspects of Resources |

DISCUSSION

Prior to the specific ordinance changes, consolidation of the provisions governing establishment of the HRC and the ARB into *Title 3 – Boards and Commissions* is recommended. This can be achieved by removing the pertinent sections from *Title 23 –*

Zoning and creating new sections in *Title 3*. For example, the Planning Commission is governed by P.G.M.C. Section 3.02. *Title 3* is a more generally accepted location for this information and consolidates the establishment of both the ARB and HRC with the other City boards and Commissions.

Those references, related to the establishment and duties of the committees, are recommended for deletion, and new sections in *Title 3* are proposed to relocate the information to a more generally accepted location in the City Code. In some cases the language is augmented where it was lacking, such as the Standards section, to better clarify the Standards governing the duties and functions.

The new *Title 3* includes the following Standard sections that govern other Boards and Commissions established in *Title 3*, namely:

1. Standards
2. Creation- Membership
3. Member qualifications
4. Terms designated
5. Removal of members
6. Selection of chairperson
7. Time and place of meetings
8. Powers and duties
9. Required votes for actions

Shifting the establishment of the Board and Committee to Title 3 does not affect the existing authority of the PC. Currently the PC functions as an advisory body to the Council for any changes to Title 23 and the advisory role would continue. The PC can continue to make recommendations on other areas of the City Codes as they currently do, and will continue in that capacity. Moving the language does not affect any existing authority of the PC or its ability to comment on the ARB or HRC.

Community & Economic Development Department staff also recommends changes to the number and residency qualifications of members, and time of meetings in order to ensure an effective and efficient permit review process.

Member residency

Policy 000-5 Boards and Commissions establishes residency requirements for members of Boards and Commissions. Staff recommends that the current residency requirement for professionals be removed. By eliminating the residency requirement, the available pool of qualified professionals eligible to sit on either the ARB or HRC is expanded and broadened and should serve to alleviate the concern regarding the lack of qualified professionals.

To implement this recommendation, *Council Policy 000-5* would require an amendment; action to modify the Policy will be incorporated with the Second Reading of the draft Ordinance, should Council agree. The policy currently allows an exception to the residency requirement for members of the Economic Development Commission and this exception could be expanded to include the ARB and HRC with the caveat that a member with professional experience may be appointed provided the member has completed work within the City within the last five years and live local in the local area.

The PC, ARB and HRC concurred with this recommendation. In the Ad Hoc Committee's August 5, 2015 report to Council, the Committee made a general suggestion that

membership requirements be adjusted to ensure that well-qualified individuals are not excluded.

Number of Members and Organization

The Committee recommended reassessing the number of members on the ARB and HRC. A reduction in the number of members from seven to five is recommended due to ongoing issues with recruitment of qualified candidates for both the HRC and the ARB. The HRC currently has five members and two vacancies, but operated with four members for over 12 months until a recent appointment in late May, and the ARB has six members and one vacancy. The aim is to right size the Board and Committee in order to obtain a full complement of qualified members that will facilitate thoughtful analysis and decision making.

Both the ARB and HRC concurred with the recommendation to reduce the number of members to five. The Historic Review Design Committee recommended the membership remain at seven for both the HRC and ARB. The PC recommended the ARB membership remain at seven, and the HRC be reduced to five.

Summary

| | ARB No. of Proposed Members | HRC No. of Proposed Members |
|-----------------------------|------------------------------------|------------------------------------|
| HRC recommendation | Five | Five |
| ARB recommendation | Five | Five |
| PC recommendation | Seven | Five |
| Staff recommendation | Five | Five |

The *Architectural Review Board Rules and Procedures*, adopted as a supplement to *Council Policy 000-5*, by the ARB will be eliminated. The document was never formally adopted by Council, is redundant, and attempts to appoint members to another Committee, specifically the Historic Resources Committee, which is the purview of Council. The document specifies that two of the seven ARB members shall also be members on the HRC which is problematic as it creates potential conflicts of interest, concentration of power, and undue influence of two ARB members on another Committee. An ARB member has not been part of the composition of the HRC for approximately two years.

Member qualifications

The ARB recommended member qualification changes. At their March 2017 meeting the ARB recommends removing the requirement for professionals on the Board. Board members expressed concern about the City’s difficulties getting requisite professionals to apply and concern that decisions may be challenged if the Board is not composed of the required number of professionals.

Staff does not support this suggested change and recommends instead that professional qualifications and number of members for both the ARB and HRC remain the same at three, which would be the new minimum number to achieve a quorum.

Number of Architectural Review Boards meetings per month

Formal elimination of the ARB’s meeting on the fourth Tuesday of the month and retention of the second Tuesday of the month meeting is proposed. (The ARB has been meeting once-a-month for over three years now.) Meeting preparation is time intensive

and involves many administrative procedures. Given staffing constraints in the Community and Economic Development Department (CEDD) and the Department's responsibility for staffing and administrating a number of Boards, Committees and Commissions, the monthly ARB meetings were reduced from four, (two site visits per month and two Regular meetings), to one Regular meeting in 2013. As a result, the packets of material provided to Board members are more thorough and complete and the outcomes are robust discussions and thoughtful decision making at meetings.

Board members are well qualified and currently conduct individual site visits prior to the regular meeting. On occasion, a site meeting is held and noticed in accordance with *Title 23*, when requested by the Chair for a particularly contentious proposal.

Staff recommends formally changing the meeting schedule to reflect the current practice of one formal meeting per month that reflects current staffing levels, associated administrative tasks and better manages permit activity.

Phase Two Changes

Many changes are deferred to Phase Two as illustrated in the earlier table; however, staff recommends further review and consideration of the ARB/HRC responsibilities.

The Ad Hoc Committee recommended shifting responsibility of Architectural Permit review and decision-making for properties on the City's Historic Resources Inventory (HRI) from the ARB to the HRC which was a suggestion from the Design Review Ad Hoc Committee. Approximately 20% of the properties in the City are listed on the City's HRI. The ARB would remain as the decision-making body for Architectural Permits for non-historic structures. The PC would remain as the approval body for Use Permits. It is not unusual to have joint Architectural and Use Permits for both historic and non-historic structures.

The permitting process directly affects investment in structures throughout the City and the CEDD strives to find the right balance that allows for investment and upgrades in properties while still maintaining City character and public involvement. It is imperative that any decision making body be composed of members that are professionally qualified. Changes to the permitting process, particularly the approval body, may result in unintended consequences that would negatively affect investment and building upgrades in the community. Staff does not agree with this proposed change to the permitting process for a number of reasons:

1. The current permitting process works well. Permits are processed in a thorough, transparent and timely manner;
2. The ARB is a capable and knowledgeable group of citizens and design professionals that understand the architectural design of historic resources and regularly refer to and implement the Secretary of the Interior Standards for historic resources;
3. Ongoing vacancies on the HRC make it difficult to obtain a quorum that further delay the permitting process;
4. There is a small pool of qualified Pacific Grove architects and historic architects available and splitting the permitting responsibilities will make it more difficult to find qualified candidates for both the ARB and the HRC.

Historic Resources Committee as permit recommending body

If the desire is to have greater involvement of the HRC in the permitting process regarding the design of historic resources, the HRC could be considered a recommending body to the ARB for those projects that are subject to a Historic Preservation Permit which allows exceptions to development standards such as setbacks, parking requirements and height, in order to preserve the integrity of the historic resource. Alternatively, the HRC could also recommend on *any* Architectural Permit that affects an historic resource regardless of whether an Historic Preservation permit is requested, and the HRC would focus and comment on only on the historic aspects of the design changes and any effects on integrity, including the history of any pertinent people and/or events that may have occurred on the property. The final architectural review and decision making authority would rest with the ARB for Architectural permits and Historic Preservation permits. Doing this would slow the process down as it would involve another public hearing and permitting costs may be affected as this would require more staff time to prepare for two public hearings instead of one.

Combined Architectural and Historic Resources Board

Another option to consider is combining both the ARB and HRC into one body that would assume responsibilities for both architectural review and historic resources. The Historic Design Review Committee considered this alternative but dismissed it as it was considered impractical to assign to one combined committee the full scope of responsibilities for designating historic status and conducting all reviews for architectural design as well as various historic preservation permits. The ARB Rules and Procedures currently require two members of the HRC serve on the ARB and a combined body would achieve the intent of this requirement by incorporating members with both historic and architectural experience on one body.

Staff recommends further consideration of this alternative as the combined Board of seven members would be an effective and knowledgeable body for evaluating both historic and non-historic structures. Members with historic qualifications would provide valuable information regarding the historic aspects of the property that may be non-architectural in nature, such as association with significant event or person, and members with architectural and design qualifications would provide valuable comments regarding architecture, including evaluation of changes to historic resources in the context of the Secretary of the Interior standards. Additionally, this would streamline the permitting process, afford greater involvement in the permit decision-making process by member with historic preservation knowledge, and the issue of finding qualified individuals for two bodies would be alleviated.

If the Council wishes to consider this further, staff recommends not adopting Phase 1 changes at this time, and directing staff to bring back changes that reflect a combined body. This would require changes to the zoning code S. 23.70 Community Development Permit Review Authorities and Procedures.

FISCAL IMPACT

Additional permit fees may be required for properties on the historic resources inventory to account for additional administrative time for an additional hearing before the HRC for a recommendation.

OPTIONS

1. Approve recommendations as submitted.
2. Accept the report as information and recommend no changes to the Municipal Code.
3. Provide alternative recommendation.

ATTACHMENTS

1. March 16, 2016 Council Report to Consider Recommendations of the Historic Preservation Ordinance Ad Hoc Committee
2. August 5, 2015 Historic and Design Review Process Evaluation Committee Council Report
3. Proposed Ordinance changes to *Title 3* and *Title 23* changes for Architectural Review Board and Historic Resources Committee
4. Resolution *Council Policy 000-5* and Board and Commission Standard Protocols

SUBMITTED BY:

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Senior Planner



Mark Brodeur
Director

REVIEWED BY:



Ben Harvey
City Manager



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.

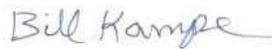
Historic Districts

- 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.

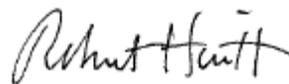
FISCAL IMPACT

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:



Bill Kampe, Mayor



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>



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Robert Huitt, City Councilmember, Chair of ad hoc Historic Design Review Committee, and Members: Anthony Ciani, Luke Coletti, Michael Gunby, and Maureen Mason

MEETING DATE: August 5, 2015

SUBJECT: Report and recommendations from the ad hoc Historic Design Review Committee (HDRC)

CEQA STATUS This action does not constitute a “project” as defined by the California Environmental Quality Act (CEQA) guidelines section 15378

RECOMMENDATION

1. Retain the Architectural Review Board and Historic Resources Committee as two separate seven-member committees.
2. Amend the Municipal Code to reassign responsibilities for review of properties designated as historic from the Architectural Review Board to the Historic Resources Committee.
3. Amend the Municipal Code to modify certain qualifications for the Historic Resources Committee and the Architectural Review Board membership to make them guidelines rather than requirements
4. Address recommendations in the supplement to the City’s Historic Context Statement titled “Pacific Grove Preservation Program Considerations.”

BACKGROUND

At its regular meeting of February 18, 2015, the City Council directed the City Manager to form an ad hoc committee to address structures and duties of the Architectural Review Board (ARB) and Historic Resources Committee (HRC) pertaining to design review of properties designated historic. The ARB and HRC were asked to name representatives, and appointed Michael Gunby and Maureen Mason, respectively. The City Manager solicited applications from residents and selected Luke Coletti and Anthony Ciani as at-large members. Councilmember Robert Huitt agreed to serve as chair. The committee held four public meetings, on April 28, May 26, June 30, and July 28, each at 4:00 at City Hall chambers. All committee members were present at all meetings. Primary staff support was provided by Assistant Planner Laurel O’Halloran.

DISCUSSION

The central issue was which committee—ARB, HRC, or some other—should have design review responsibilities for buildings designated as historic resources. Currently, the ARB is responsible for design review for all architectural permits, including buildings on the Historic Resources Inventory, and for historic preservation, demolition, and relocation permits. The HRC is responsible for determining eligibility for historic designation (see Attachment 1 for current duties and authorities for both bodies).

The committee reviewed existing procedures, including a tabulation of the last twelve months' permit activity, received information from the City Attorney on the legal bases for the city's regulation of architectural design and historic preservation, and heard from a Carmel Planner and a Monterey Planner about design review policies and practices in Monterey and Carmel.

Four main alternatives were identified for the purpose of analysis:

1. Continue the current arrangement, possibly with minor changes.
2. Retain the two existing committees and give the HRC design review responsibilities for historic properties.
3. Create a new combined Historic and Architectural Review Committee to replace the existing committees and assume their current duties.
4. Eliminate the ARB and HRC and have the Planning Commission assume their duties.

In assessing these alternatives, the committee took into account the following:

- Effectiveness in achieving the City's historic preservation purposes and goals
- Effect on the ability to recruit and retain qualified committee members; workload
- Public participation, transparency
- Costs to applicants, including time costs
- Staffing costs
- Eligibility for CLG status

At the May 26 meeting, the four alternatives were narrowed to two (#2 and #3) for further consideration. The current arrangement (#1) has at times been less than fully effective in protecting significant historic resources, and applicants have faced delays because of the scheduling requirements for multiple hearings, which also adds to staffing costs. The Planning Commission-only alternative (#4) was rejected on the basis of most of the evaluation criteria.

The two remaining alternatives were considered at the June 30 meeting. Both would help ensure that sufficient attention is given to historic properties throughout multiple stages of review, from designation of historic status to consideration of permits for demolition or alteration. Both would generally be more efficient and less costly for applicants and staff. And both would satisfy requirements for CLG status. However, it was considered impractical to assign to one combined committee the full scope of responsibilities for designating historic status and conducting all reviews for architectural design as well as various historic preservation permits. Consequently, the committee was unanimous in voting to recommend the two-committee alternative.

Composition of committees. Connected to the question of committee responsibilities is the matter of composition, including the number of members and their qualifications. The committee unanimously agreed that seven-member committees will provide broader representation and greater public participation in the process, and suggests that the current membership requirements be adjusted to ensure that well-qualified individuals are not excluded.

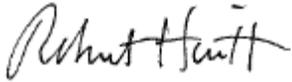
Other issues to be addressed. The committee's discussions frequently touched on aspects of the City's historic preservation program outside the narrow scope of its charge, including the question of Certified Local Government (CLG) status and the adequacy of the existing Historic Resources Inventory. These and other matters are among the "Pacific Grove Preservation Program Considerations" submitted to the City in October, 2011 by Page & Turnbull as a supplement to the Historic Context Statement

(Attachment 2). The committee agreed unanimously to recommend that the Considerations be addressed when the Historic Preservation Ordinance ad hoc committee is reconvened.

ATTACHMENTS

1. Current Duties and Authorities of ARB and HRC
2. Pacific Grove Preservation Program Considerations; supplement to the Historic Context Statement

RESPECTFULLY SUBMITTED:

A handwritten signature in black ink, appearing to read "Robert Huitt". The signature is written in a cursive style with a horizontal line under the name.

Robert Huitt, Councilmember, Chair, HDRC



City of Pacific Grove
Current Duties and Authorities of ARB and HRC

Architectural Review Board (PGMC 23.70.060 (c))

The architectural review board is the decision-making authority for the following permits:

- (1) Outside of the coastal zone, architectural permits for new construction, major alterations to existing structures, or demolition and reconstruction of structures. This section does not apply to any project listed in PGMC 23.70.020, 23.70.030 and 23.70.040, including a design change to an approved architectural permit that meets the provisions of PGMC 23.70.030(b)(4);
- (2) Within the coastal zone, architectural permits for new construction, major and minor alterations to existing structures, or demolition and reconstruction of structures, including an amendment to an approved architectural permit. This section does not apply to any project listed in PGMC 23.70.020(b)(1)(B), (2)(A) through (E), (3)(B) and (D), (4), (5), and (6);
- (3) Within the coastal zone, architectural permits for Category 1 detached accessory structures larger than 120 square feet, pursuant to Table 23.64.180;
- (4) Historic preservation permits for exceptions to land use regulations involving structures on the historic resources inventory, pursuant to PGMC 23.76.060;
- (5) Historic demolition permits for the demolition of any structure on the historic resources inventory, pursuant to PGMC 23.76.090;
- (6) Historic relocation permits for the off-site relocation of any structure on the historic resources inventory, pursuant to PGMC 23.76.100;
- (7) Sign permits, pursuant to Chapter 20.04 PGMC (Signs) and PGMC 20.05.070. This section does not apply to any counter review and determination or administrative sign permit under PGMC 23.70.020, 23.70.030 and 23.70.040;
- (8) If referred by the chief planner, or if a written request for a hearing is received within 10 days of the department's issuance of a notice of administrative decision, for one of the following applications:
 - (A) Administrative architectural permit on HRI;
 - (B) Architectural design change on HRI; and
- (9) Whenever otherwise required by this code.

Historic Resources Committee

PGMC 23.70.070 (c)

(1) Decision-Making Authority. As summarized in Table 23.70.012-1, the historic resources committee is the decision-making authority for historic determinations, which are additions to and deletions from the historic resources inventory, pursuant to the evaluation criteria in PGMC 23.76.025.

(2) Recommending Authority. As summarized in Table 23.70.012-1, the historic resources committee is the recommending authority for initial historic screening requests.

The committee shall make a recommendation to the chief planner as to whether a determination of ineligibility can be made or if a Phase 1 historic assessment is needed to determine the historicity of a structure.

(3) Other Duties. Other duties as set out in this chapter, in Chapter 23.76 PGMC, or as directed by the city council.



PACIFIC GROVE PRESERVATION PROGRAM CONSIDERATIONS

PACIFIC GROVE, CALIFORNIA

Prepared for
CITY OF PACIFIC GROVE

11 OCTOBER 2011

FINAL
DRAFT

PACIFIC GROVE PRESERVATION PROGRAM CONSIDERATIONS

**Final Draft
11 October 2011**



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PACIFIC GROVE PRESERVATION PROGRAM CONSIDERATIONS

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A. Introduction

This document serves as a supplement to the City of Pacific Grove Historic Context Statement, and provides suggestions for tasks that could be considered by the Pacific Grove community as the City's preservation program is further developed in the future.

The City of Pacific Grove has already taken several critical steps to protect its historic resources, including the adoption of a Historic Preservation Ordinance, the creation of a Historic Resources Inventory, the establishment of a Historic Resources Committee, and the inclusion of historic preservation goals in the City's current General Plan (See Chapter II of the Historic Context Statement for a complete overview of Pacific Grove's existing historic preservation program).

The research and policy recommendations presented here are intended to help prioritize future historic preservation related efforts, as well as ensure appropriate treatment for those properties already listed as historic resources. These recommendations are suggested as "next steps" for the City to consider, after the Historic Context Statement (HCS) has been implemented and used. The recommendations included in this document are based on discussions held during the HCS public comment process, "best practices" in the historic preservation field, and Page & Turnbull's experience in other jurisdictions. Please note that except for Recommendation #1 which could be implemented as part of existing processes, City decision-makers and the Pacific Grove community would need to take further action in order to move these recommendations forward. A participatory public process would further vet and tailor these recommendations to the needs and desires of Pacific Grove.

B. Summary of Recommendations for Future Preservation Efforts

The Historic Context Statement found that surviving examples of Pacific Grove's nineteenth century development are historically significant for associations with the founding of Pacific Grove as both a religious retreat and its early development as an incorporated resort community. Many buildings developed during the early twentieth century may also be significant for their associations with a key transitional period in the city's development. It is the opinion of this study that much of Pacific Grove's post-World War II development is unlikely to be historically significant, save for those buildings that serve as outstanding examples of mid-century property types and/or architectural styles.

It appears that many of the city's historically significant buildings are already included in the city's Historic Resource Inventory (HRI). However, the HRI is based primarily on surveys conducted during the 1970s, and many potentially significant buildings constructed after 1926 were not studied. Thus, it is recommended here that the City undertake focused survey efforts to identify additional buildings that may qualify for listing in the HRI. This includes a study of buildings constructed

between 1927 and 1945 in the historic core area of the city, as well as a survey of the city's post-war subdivisions to identify potentially significant buildings constructed during this era.

Conversely, since the establishment of the HRI during the 1970s, some buildings listed on the inventory appear to have been altered to the extent that they have lost their historic integrity. Thus, it is recommended that the context statement be used on a case-by-case basis to help resolve questions as to whether individual properties should be deleted from the HRI.

It is important to note that while the HRI focuses on individual properties, Pacific Grove may also wish to consider protection of its historic resources through the creation of historic districts and/or conservation zones. The primary benefit of such efforts would be to protect the historic character of designated areas through the use of design guidelines and controls on infill construction. Such examples are already used by several other jurisdictions in California, and it is recommended that the City look to these efforts for further guidance.

Finally, the City of Pacific Grove may also consider updating its Historic Preservation Ordinance so that it is more closely aligned with State and National criteria, particularly as it relates to the separation of significance and integrity. Other updates to the City's preservation program might include pursuing Certified Local Government (CLG) status, as well as the creation of historic preservation incentives. For any such undertaking, community outreach and participation should be an essential component of the process.

Using the Historic Context Statement and these Recommendations as a foundation, the City can continue its efforts to promote responsible stewardship of historic resources, and to engage and educate the community about historic preservation in Pacific Grove.

C. Definition of Terms

The following terms are used throughout this document, and are defined here for reference:

Windshield / Sidewalk Survey – A visual or predictive survey of a large area that records the physical attributes of historic properties, but does not include property-specific historic research. Survey work is typically conducted by car or on foot, and only those features visible from the street are recorded. Deliverables may include a survey report or recommendation memorandum that synthesizes the findings.

Reconnaissance Survey – A basic level of documentation that concerns only the physical attributes of a historic property, with a preliminary evaluation based solely on architectural qualities. For the most part, reconnaissance-level documentation is based purely on visual observation and information collected in the field. Some additional information garnered from city data may also be included, but property-specific historic research is not typically included. Deliverables may include a

list or database recording the findings, as well as individual inventory forms, if desired (DPR 523 A forms in California).

Intensive Level Survey – A detailed study of an area which includes an architectural survey, historic research, and an evaluation of significance for each property. In addition to DPR 523A forms, deliverables may include individual inventory forms and district records (DPR 523 B and D forms), and a historic context statement documenting existing conditions and historical background.

Historic District – Defined by the National Park Service as “a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.” Districts must be a definable entity with distinct boundaries or characteristics, and can contain both contributing and non-contributing elements. A historic district can be designated at the local, state, or national level, depending on the significance and integrity of the resources.

Conservation Zone – Conservation Zones, known in some jurisdictions as Historic Preservation Overlay Zones, are a way to provide protection and design review for historic resources through zoning policies. Because they are administered differently, Conservation Zones may offer more flexibility than traditional historic districts. Conservation Zones are often “combined zoning districts,” where a parcel’s historic status is appended to its other zoning classifications.

Period of Significance – According to the National Park Service, “Period of Significance is the length of time when a property [or district] was associated with important events, activities, or persons, or attained the characteristics which qualify it for National Register listing.”¹ Establishing a period of significance is an essential part of any historic resource analysis, and can be especially helpful when deciding whether or not a historic district is present.

Design Guidelines – These are preservation tools designed to protect the historic character of a neighborhood by regulating height, bulk, and the character of alterations and infill development. Design Guidelines can be completed in conjunction with, or following, an intensive-level survey or some other type of area character appraisal. The guidelines provide property owners, architects, and city officials with information regarding appropriate rehabilitation, and/or how new construction should complement historic fabric.

¹ National Park Service, *National Register Bulletin 16A: How to Complete the National register Registration Form* (1997), 42.

D. Recommendations / Next Steps

The following section provides a list of recommended “next steps” to be considered by City decision-makers and the Pacific Grove community.

#1: CONTINUE TO ADD OR DELETE INDIVIDUAL BUILDINGS FROM THE CITY’S HISTORIC RESOURCE INVENTORY (HRI) ON A CASE-BY-CASE BASIS

When a development project is proposed that involves an older building, the Pacific Grove Community Development Department requires that buildings that are 50 years of age or older and not listed on the HRI be evaluated as to whether they meet the criteria of a historical resource. An owner may request an Initial Historic Screening or have a Phase 1 Historic Assessment prepared by a qualified historic consultant in order for the City to make a Historic Determination. If an Initial Historic Screening is inconclusive as to a building’s eligibility as a historical resource, a Phase 1 Historic Assessment is required. Once the assessment is made, it is entered into the HRI database. It is recommended that this existing process continue to be used to add or delete individual buildings from the HRI on a case-by-case basis.

The City’s current Historic Assessment process is required in order to comply with the California Environmental Quality Act (CEQA). The Pacific Grove Historic Context Statement will provide useful information to aid in the preparation of Phase 1 Historic Assessments by qualified consultants, potentially reducing the time and cost involved. Using the HCS as a foundation for Phase 1 Historic Assessments will help to strengthen and accredit the HRI, which includes approximately 1,300 buildings, about 21% of Pacific Grove’s total parcels.² The HCS will also be very helpful to the Historic Resources Committee, and should be used as a reference point when questions arise concerning the significance or integrity of individual properties.

#2: CONDUCT ADDITIONAL HISTORIC RESOURCE SURVEYS

Many of Pacific Grove’s historic resources have been previously documented through survey efforts that resulted in the City’s Historic Resource Inventory (HRI). The HRI provides an excellent foundation for the City’s preservation efforts, but it should be updated periodically to reflect current standards and/or correct errors. Based on a preliminary review of properties currently listed in the inventory, it does not appear that a wholesale revision of the HRI is warranted. Although Pacific Grove’s HRI is generally comprehensive, relatively few buildings constructed post-1926 or located outside the City’s historic core were listed. Surveys that focus on adding younger properties to the inventory should be conducted as follows:

² Rough calculation by Page & Turnbull in September, 2011, based on best-available GIS parcel information obtained from the Monterey County Assessor.

- **HRI Deletions Survey**

The Historic Resources Committee has already identified a number of properties throughout the City that are currently listed in the HRI, but appear to lack integrity. Although deletions from the existing HRI could occur on a case-by-case basis (Recommendation #1), these low-integrity properties could be formally identified through a survey, using the significance and integrity thresholds provided in the Historic Context Statement as a guide. Those properties found to lack integrity could then be removed from the HRI as part of a broader effort to improve the existing inventory. However, if undertaken, the implications of deleting a group of properties from the HRI should be considered under the California Environmental Quality Act (CEQA).

- **“City of Homes” Historic Core Survey**

Pacific Grove’s prior survey efforts focused primarily on pre-1926 resources, especially Victorian and turn-of-the-century architecture in the city center. Thus, it is recommended that an intensive-level survey of the historic core (original Retreat & First through Fifth Additions) be conducted with a focus on buildings constructed during the “City of Homes” period (1927 - 1945). This survey would expand the age range, property types and architectural styles examined by previous surveys, encompassing items such as period revival architecture, auto-related industrial and commercial buildings, and other important property types and themes that are significant to Pacific Grove’s history.

- **Historic Outliers & Early Subdivisions Survey**

Because Pacific Grove’s prior survey efforts focused primarily on resources in the city center, it is also recommended that a survey be conducted of properties constructed before 1945 *outside* the Historic Core to expand the HRI geographically. This survey would include a handful of Victorian-era and turn-of-the-century residences, as well as important early subdivisions such as Spazier’s Addition, the Hillcrest Tract, Country Club Heights, Pacific Grove Beach Tract, and Pacific Grove Acres. This Historic Outliers & Early Subdivisions Survey would ideally be carried out in conjunction with the City of Homes Historic Core Survey, but could also be undertaken as a separate phase to accommodate budget constraints.

- **Suburbanization Survey**

It is recommended that a reconnaissance survey of neighborhoods developed during the post-war era be conducted, with a focus on identifying outstanding examples of property types and/or architectural styles. Neighborhoods such as Pacific Grove Acres, Pacific Grove Beach Tract, Del Monte Park, Sea View Tract and Marino Pines were late to develop and have a high concentration of post-war resources. These neighborhoods have not been previously surveyed; being proactive about identifying historic resources and ineligible properties in these areas would help to streamline the Historic Assessment process and relieve the burden on property owners.

The context statement suggests that post-war residences in Pacific Grove are not likely to be significant as a group, but may be significant as individual examples of a type or architectural style. At the conclusion of a focused reconnaissance survey, a list of properties deemed ineligible for inclusion on the HRI could be easily created, and additional research could be

conducted on potential historic resources. This survey could be carried out as one large project (a few thousand properties), or could be phased over the course of several years. Methodology for such a survey should be developed in consultation with the California Office of Historic Preservation.

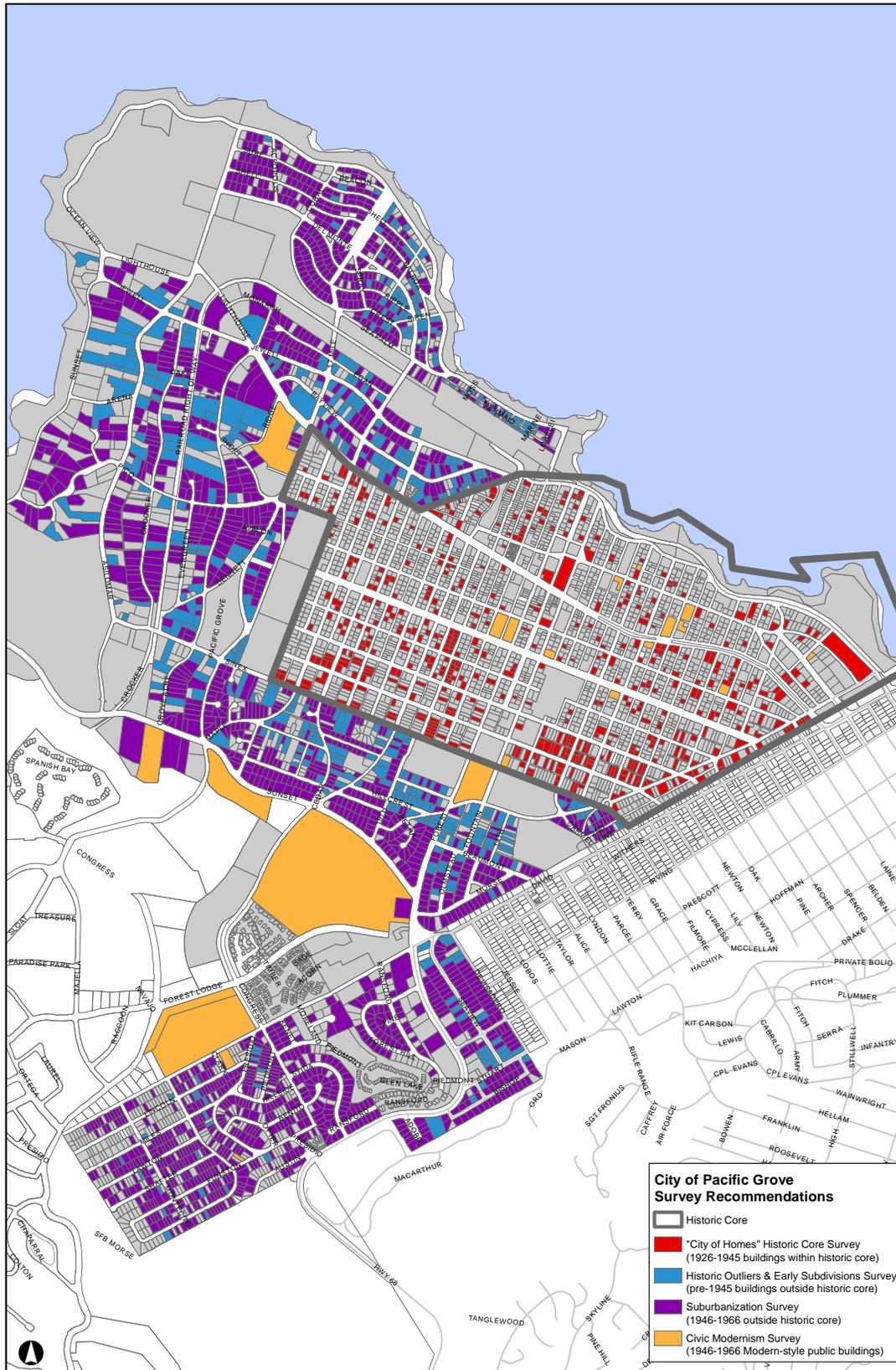
- **Civic Modernism Survey**

Research for the context statement suggests that post-war public assembly (especially churches) and commercial properties are more likely than residences to exhibit the hallmarks of Modern architectural styles. Thus, an intensive-level survey of these property types focused on Modern-style buildings 45 years or older is recommended. Looking at these resources as a group would provide the best comparative information on which to base significance and integrity evaluations.

Surveys: Additional Resources

The following examples of historic resource surveys in other jurisdictions could be referenced by Pacific Grove if the abovementioned surveys are undertaken:

- **SurveyLA** is a comprehensive survey program currently underway in Los Angeles. This methodology is specifically designed to survey a large number of properties in a short period of time, and has been well-received by preservationists. SurveyLA may be a good model to apply to the Pacific Grove “Suburbanization” survey.
<http://www.preservation.lacity.org/survey>
- The City of Napa established its **Heritage Napa** program in 2008, which began with the preparation of a city-wide historic context statement. The city has since completed intensive-level surveys of five neighborhoods, and has been using this information to systematically update its inventory:
http://www.cityofnapa.org/index.php?option=com_content&task=view&id=656&Itemid=701
- A study of **San Jose Modernism** was completed in 2009, including a reconnaissance survey and focused historic context statement. San Francisco also completed a modern architecture survey and context statement in 2010. A similar approach might be appropriate for the Pacific Grove “Civic Modernism” survey. <http://www.sanjoseca.gov/planning/historic/>



Page & Turnbull, Inc. / 1 September 2011

#3: UPDATE HISTORIC PRESERVATION ORDINANCE

The Historic Preservation Ordinance (Pacific Grove Municipal Code, Chapter 23.76) could be updated to improve the clarity of the city's historic preservation policies and processes, and to reflect changes to survey and evaluation methodology that have occurred since the ordinance was first written in 1994. When updating the ordinance, consider the following:

- Consider streamlining or simplifying the PGMC evaluation criteria to align more closely with National and State criteria, particularly as it applies to separating significance and integrity criteria
- Consider including a provision for cultural landscapes and other non-traditional resource types
- Consider including clear documentation requirements for both additions and deletions to the HRI (i.e. DPR 523 forms, list of character-defining features, etc.)
- Consider whether delegating some types of design review to city staff would streamline the application/design review process for the HRC.
- Consider whether establishing a multi-tiered approach to historic resources would satisfy the community's needs. With a tiered system, different levels of reviews may be warranted depending on historic status. For example, should protections and processes for National Register-listed buildings differ from those for local landmarks or historic district contributors?
- Consider including a provision for Conservation Zones and/or Historic Districts (see Recommendation #4)
- Consider whether changes to the Historic Preservation Ordinance will need to be reconciled with other aspects of the PGMC. For example, do current zoning designations (i.e. height and bulk) conflict with recommendations and goals established by the ordinance?

Additionally, community outreach and participation will be an essential component of an ordinance update. Time and funds should be dedicated to educating and engaging the public if the historic preservation ordinance is to be rewritten.

Ordinance Update: Additional Resources

The **California Office of Historic Preservation (OHP)** is the best resource regarding Historic Preservation Ordinances, with publications and links: http://www.parks.ca.gov/?page_id=1243

- *Drafting and Amending Historic Preservation Ordinances: A Manual for California's Local Governments* (Technical Assistance Bulletin #14) identifies key issues that communities should address when drafting or revising an ordinance, and provides pros and cons to various approaches: <http://ohp.parks.ca.gov/pages/1072/files/tab14hordinances.pdf>
- Presentations and workshops by OHP staff about preservation ordinances are available online for reference: <http://www.parks.ca.gov/pages/1054/files/fresno%204-29-2011.pdf>; <http://www.parks.ca.gov/pages/1054/files/napaord11.pdf>

The **National Park Service** has also collected information and compiled “frequently asked questions” about ordinances on an easy-to-read, user-friendly website:

<http://www.nps.gov/history/hps/workingonthepast/guardian.htm>

The following California cities have recently adopted new preservation ordinances or have undergone major ordinance updates, and thus may have information useful to Pacific Grove:

- **Napa County** (proposed update to preservation ordinance in 2011 includes more incentives, utilizes state significance criteria, and establishes a multi-tiered approach to design review): http://www.countyofnapa.org/Planning/Landmark_Preservation/
- **Alameda County** (proposed amendment to zoning ordinance in 2011 to include historic preservation issues): <http://www.co.alameda.ca.us/cda/planning/landuseprojects/phpo.htm>
- **Paso Robles** (new ordinance proposed in 2011 includes multi-tiered approach to significance and provisions for both historic districts and conservation zones): <http://www.prcity.com/Government/departments/commdev/pdf/HistoricPreservationOrdinance-Final.pdf>
- **Benicia** (revisions to the historic overlay district proposed in 2011 included simplifying the review process for applicants, adopting National Register criteria, adding provisions for deleting properties, and expanding the area where historic resources may be designated): <http://beniciaherald.wordpress.com/2011/06/25/historic-overlay-revision-nears-end/>
- **Redondo Beach** (an update to the ordinance proposed in 2003 would make it easier to designate historic districts and would clarify appropriate treatments for historic resources, but inclusion in the inventory would still be voluntary): <http://home.earthlink.net/~beckers912/presprog/news.htm>
- **Santa Cruz** (amended 2001-02): <http://www.parks.ca.gov/pages/1072/files/city%20of%20santa%20cruz.pdf>

#4: CONSIDER POTENTIAL DISTRICTS AND/OR CONSERVATION ZONES

Pacific Grove has an unusually large number of historic properties whose collective significance may benefit from the creation of historic districts or conservation zones. Previous surveys in Pacific Grove have focused on identifying the city's individually significant resources, but there may be an opportunity to better recognize and protect the city's high concentration of historic resources and overall historic character. Evaluating the presence of potential historic districts could therefore be a future step in the development of Pacific Grove's preservation program, and may be a way to introduce a "tiered" system of significance evaluations and design review. Establishing Historic Districts or Zones helps to preserve neighborhoods and not just individual buildings, by articulating community character that could inform an approach to new additions and infill construction. However, since the city does not currently have any historic districts, this approach should be carefully vetted to determine whether the creation of historic districts or conservation zones will meet the needs of the community.

Preliminary District Locations

Pacific Grove's historic buildings are typically interspersed in areas that also include more recent construction. Thus, the windshield survey efforts undertaken by this study did not reveal any obvious, large concentrations of historic properties that appear to qualify as historic districts (based

on the traditional National Register definition of a district). However, it is likely that a more thorough examination will reveal pockets of properties with sufficient architectural cohesion and integrity to merit designation as small historic districts. It is therefore recommended that a focused reconnaissance-level survey of the city's historic core be conducted to identify and evaluate potential historic districts. For example, the following areas all exhibited cohesive character, and with further study, may be good candidates for consideration as potential historic districts:

- Northwest corner of the historic core centered on Union Street
- Portion of the original Retreat north of Central and west of 5th Street
- Second Addition
- Spazier's Addition
- Hillcrest Tract
- Mermaid Alley

While the city's historic core (original Retreat boundaries & First through Fifth Additions) does not appear to qualify as a traditional historic district, it may be a good candidate for a large Conservation Zone. In the Retreat, the lot pattern and scale of buildings—even those that are less than 50 years of age—are unique, and convey Pacific Grove's historic character better than any other neighborhood in the city.

Districts & Zones: Things to Consider

Establishing Historic Districts or Conservation Zones would allow the City to conduct design review and regulate development within the district boundaries. When evaluating potential districts or zones, consider the following:

- Identify why the district is significant (especially significant themes), and establish a clear period of significance. This is essential to any district evaluation.
- Consider the pros/cons of large areas with long periods of significance versus smaller, more focused districts with narrower periods of significance. Valuable guidance may be found in the *National Register Bulletin for Historic Residential Suburbs*.
- Understand that National Register-eligible districts will likely require a higher concentration of contributing resources than locally-eligible districts.
- Consider that creating districts may be a way to create a tiered system of significance, and can allow controls to be placed on infill construction to ensure retention of historic character, if desired. Non-contributing structures would not be required to preserve current fabric. Alterations and new infill construction on non-contributing parcels would likely only be reviewed for compatibility with the surrounding district. Guidelines for development within a district would vary depending on the district's size and character. For instance, a larger district's guidelines might be limited to overall scale, massing, and form, whereas smaller districts may have more restrictions on style and materials.
- Establishing a large Conservation Zone or Historic Preservation Overlay Zone may afford protections similar to that of a historic district, but without the same integrity requirements. A Conservation Zone would still need to be based on the themes, patterns, and property types, but its boundaries and the required percentage of contributing resources may be more

flexible than that of a traditional historic district. Design review of infill construction within a Conservation Zone could help ensure that the scale of the surrounding area is preserved, especially in areas such as the historic core where the small lot sizes largely dictated the nature of the buildings that were constructed.

Although concern about negative economic effects is often raised when considering potential historic districts, many studies have shown a direct correlation between the creation of historic districts and a long-term increase in property values. One of the nation's leading authorities on this matter is real estate and economic development consultant Donovan Rypkema of PlaceEconomics. While presenting a recent study about property values and historic districts in Philadelphia, "...Rypkema showed statistics that homes in Philadelphia's local historic districts, once those districts took effect, enjoyed an immediate 2 percent increase in values relative to the city average. Afterward, the historic district homes appreciate at an annual rate that is 1 percent higher than the city average."³ A number of similar studies have been conducted in communities across the country, and data from these reports might be applicable in Pacific Grove (see section **D. Additional Resources**).

Districts & Zones: Additional Resources

Historic Districts and Conservation Zones are widely used in other jurisdictions, and Pacific Grove could look to other cities for guidance if the concept of districts is further pursued:

- The **City of Los Angeles** utilizes Historic Preservation Overlay Zones to protect its historic neighborhoods. The City's Office of Historic Resources has collected excellent information about the creation and administration of these zones:
<http://www.preservation.lacity.org/hpoz>
- **San Francisco** has two types of historic districts: Historic Districts and Conservation Districts. The former are similar to National Register districts, while the latter are exclusively located Downtown and focus on architectural quality. Contributors and non-contributors in both types of districts are administered by the City's Historic Preservation Commission.
<http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=5082>
- **San Diego's** historic district program has established four primary types of recognized districts: geographic/traditional; thematic; voluntary/traditional; and emerging. Each type of district is significant for a different reason, and registration requirements and design review process varies accordingly:
<http://www.sandiego.gov/planning/programs/historical/districts.shtml>
- Historic districts in **Glendale** must be initiated by members of the neighborhood, and can only be formed when a majority of neighbors consent. The city has created a Historic District Overlay Zone and a series of design guidelines to regulate changes to properties within its historic districts. <http://www.ci.glendale.ca.us/planning/HPHistoricDistricts.asp>;
<http://glendalehistorical.org/district.html#faqs>

³ Don Nelson, "There's value in preserving towns' historic homes," *Athens Banner Herald* (Georgia, 8 May 2011), at http://www.onlineathens.com/stories/050811/bus_825928005.shtml (accessed 1 September 2011)

- The **City of Napa** is in the process of creating several new local historic districts, and has prepared a fact sheet about the economic benefits of districts: <http://www.cityofnapa.org/images/CDD/planningdivisiondocs/heritagenapa/econbenhistdist.pdf>
- In the **City of Monterey**, much of downtown has been designated as a National Historic Landmark (NHL) District, the highest level of protection, while Cannery Row is protected as a Conservation Zone. Additionally, property owners may apply for “H” Zoning designation, which provides various benefits: <http://www.monterey.org/en-us/departments/planspublicworks/planning/historicpreservation.aspx>

The following publications may also be of assistance as Pacific Grove considers whether or not to create historic districts and/or conservation zones:

- The **National Park Service** has compiled information about the benefits of historic districts—as well as how to create and regulate them—on their website in an article entitled, “Working on the Past in Local Historic Districts” <http://www.nps.gov/history/hps/workingonthepast/index.htm>
- The **National Trust for Historic Preservation** has a series of publications about maintaining community character through the use of historic districts and conservation zones: <http://www.preservationbooks.org/Bookstore.asp?Item=1284>

#5: CREATE LOCAL PRESERVATION INCENTIVE PROGRAM

Preservation is not just about placing restrictions on historic properties; a healthy preservation program should also offer positive benefits to property owners in order to promote preservation of significant resources. The City of Pacific Grove currently provides an opportunity for properties listed in the HRI to receive an exception to certain land use regulations as an incentive to preserve the property. Project sponsors may apply for a historic preservation permit, which grants an exception to zoning district regulations—such as parking, setbacks, height and coverage regulations—where those requirements would otherwise require a variance to conduct an appropriate preservation or restoration effort. This incentive is discussed further in the Pacific Grove Municipal Code, Section 23.76.060.

The City of Pacific Grove may also consider offering additional local economic incentives that would encourage the preservation of historic resources. A comprehensive local preservation incentive program could include a variety of financial and procedural tools, such as using the Mills Act to provide property tax relief, authorizing the use of the California Historical Building Code, or offering discounted fees or expedited permit processing. Encouraging property owners to nominate their properties to the National Register may make additional incentives available, such as Federal Historic Preservation Tax Credits for income-producing properties. It is recommended to look to other cities for examples of successful preservation incentive programs.

Preservation Incentives: Additional Resources

A variety of incentives are available from national, state, and local agencies, and many California cities have creatively combined these offerings to maximize benefits to property owners . The following sources may be of assistance when building a comprehensive preservation incentive program in Pacific Grove:

- The **City of Palo Alto** offers incentives and exceptions throughout their Municipal Code to encourage the preservation and rehabilitation of historic resources:
<http://www.cityofpaloalto.org/knowzone/news/details.asp?NewsID=540&TargetID=127>
- The **City of Eureka** has detailed provisions for a Mills Act program (State-sponsored property tax credit that is administered locally):
http://www.ci.eureka.ca.gov/depts/cd/mills_act/default.asp
- **Los Angeles'** Office of Historic Resources summarizes available incentives on their website:
<http://www.preservation.lacity.org/incentives>
- In **Riverside**, incentives for historic property owners include permit fee reductions, landmark plaques, and technical assistance from the city's preservation planners:
<http://www.riversideca.gov/historic/preservation.asp>
- **Technical Assistance Bulletin #15**, published by the California Office of Historic Preservation (OHP), outlines the myriad preservation incentives available across the state:
http://www.parks.ca.gov/?page_id=24626

#6: EXPAND EXISTING DESIGN GUIDELINES FOR HISTORIC RESOURCES

Design guidelines can help facilitate appropriate treatment or restoration efforts for historic resources in accordance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*. They can also help lessen the impact of new infill construction on the setting of historic properties, while also maintaining a consistent architectural vocabulary in terms of scale, massing, materials, etc. The City of Pacific Grove currently applies the *Secretary of the Interior's Standards* for alterations to HRI properties through the City's Phase 2 Historic Assessment process, and already maintains a set of design guidelines—the *City of Pacific Grove Architectural Review Guidelines for Single-Family Residences* (1998)—that provides guidance for appropriate modifications and infill construction in Pacific Grove's historic residential neighborhoods. However, it is recommended that updated or expanded guidelines be developed for other property types. Additionally, if historic districts are designated, additional focused guidelines could be implemented to further guide development within the district boundaries.

Design Guidelines: Additional Resources

Consider the following publications and examples of design guidelines from other cities and organizations:

- The National Park Service publication entitled “**Creating & Using Design Guidelines**” should be consulted: <http://www.nps.gov/history/hps/workingonthepast/roletheyplay.htm>
- The California Office of Historic Preservation (OHP) has also developed a “**Guide to Developing Downtown Design Guidelines:**” <http://ohp.parks.ca.gov/pages/1074/files/devdwtwndsnpdf>
- The **Town of Los Gatos** has a set of Residential Design Guidelines, as well as a separate set of guidelines for each of its five historic districts: <http://www.losgatosca.gov/index.aspx?NID=198>
- **Santa Barbara** has developed design guidelines based on neighborhood and building type. All documents are collected on one page of the city's website for easy access: <http://www.santabarbaraca.gov/Resident/Home/Guidelines/>
- **San Jose Downtown Historic Design Guidelines** is one of several sets of design guidelines for the city. This document includes a helpful matrix for understanding when each set of guidelines apply: http://www.sanjoseca.gov/planning/historic/pdf/Dwntwn_Hist_Dsgn_Guidelines.pdf
- A collection of over 15 design standards and guidelines in the **City of Monterey**—including “Cannery Row Conservation District Design Program,” “Architectural Review Committee Design Guidelines,” “Downtown Mixed Use Design Guidelines,” and others—can be used to guide development associated with historic properties: <http://www.monterey.org/en-us/departments/planspublicworks/planning/documentandformlibrary.aspx>

#7: EDUCATION & OUTREACH

Public education and outreach are key components of any successful preservation program, and it is recommended that efforts are made to engage and educate the community about historic preservation in Pacific Grove. The City could consider sponsoring walking tours, brochures, workshops, and various web and print resources to promote public awareness of historic preservation issues. The Heritage Society of Pacific Grove already offers many of these services, but those existing efforts could be further expanded or publicized by the City.

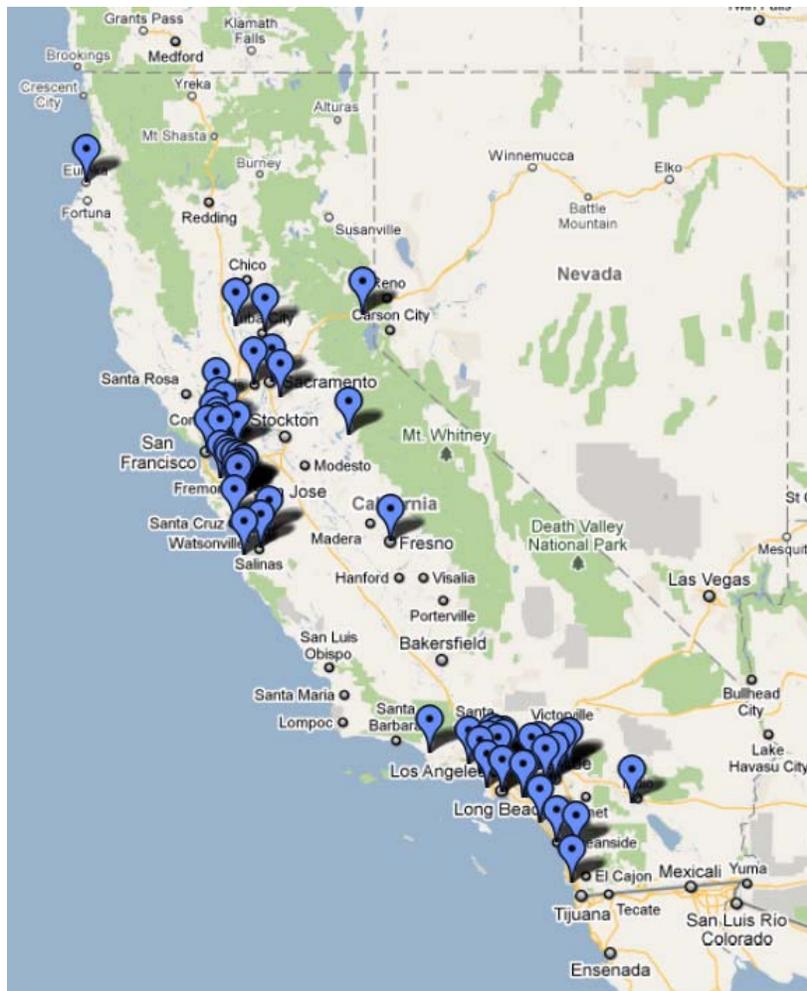
Education & Outreach: Additional Resources

The following resources may be helpful as Pacific Grove develops a public education and outreach program:

- The **City of San Clemente** has prepared a series of illustrated historic preservation brochures that outline the City's programs and policies and answer frequently asked questions. The City also sponsored a Historic Preservation Education Workshop Series, funded in part by grants received from the National Park Service & the California Office of Historic Preservation: <http://san-clemente.org/sc/standard.aspx?pageid=440>
- A series of "Historic Homes Workshops"—intensive, hands-on, educational workshops for homeowners focusing on weatherization and sustainability options—were successful in the **City of Napa**: http://www.cityofnapa.org/index.php?option=com_content&task=view&id=656&Itemid=701; <http://www.cityofnapa.org/images/CDD/planningdivisiondocs/heritagenapa/windowwrkshp.pdf>
- As part of its burgeoning preservation program, the City of **Paso Robles** provided training for Planning Commission, City Council, City staff, and interested community members: <http://www.prcity.com/government/departments/commdev/preservation.asp>
- The website of the **San Francisco Planning Department** includes a lengthy list of Frequently Asked Questions, links to helpful resources, and updates on current Department projects: <http://www.sf-planning.org/index.aspx?page=1825>. An interactive San Francisco Property Information Map on this site allows members of the public to readily access previous survey data, <http://ec2-50-17-237-182.compute-1.amazonaws.com/PIM/>
- The **City of Burbank** received a \$5,000 CLG Grant from the California Office of Historic Preservation in 2011-2012 to "Develop an education and outreach campaign to provide more information to the public about Burbank's preservation programs and to engage the community in on-going preservation efforts." http://www.parks.ca.gov/?page_id=21239
- **Non-profit organizations** such as the California Preservation Foundation (CPF), the Los Angeles Conservancy, and San Francisco Architectural Heritage also offer publications and workshops that have a wide variety of useful applications.

#8: APPLY TO BE A CERTIFIED LOCAL GOVERNMENT (CLG)

The Certified Local Government (CLG) Program is “a preservation partnership between local, state and national governments focused on promoting historic preservation at the grass roots level.”⁴ The program is jointly administered the National Park Service (NPS) and the California Office of Historic Preservation (OHP), and more than 60 cities in California and 1,600 local governments nationwide have achieved CLG status. CLGs are eligible to receive exclusive funds and grants to undertake historic resource surveys and other preservation-related programs; receive technical advice and support from NPS and OHP; partner with non-profit organizations such as the National Trust for Historic Preservation; and take advantage of a wide range of other resources and opportunities. In return, a CLG must enforce appropriate federal, state and local laws; establish and maintain a local inventory, historic preservation review commission, and local ordinance; and report to NPS and OHP annually on preservation activities.



Map showing all the Certified Local Governments (CLGs) in California
(Google Maps, edited by Page & Turnbull)

⁴ National Park Service, “Certified Local Government Program,” <http://www.nps.gov/history/hps/clg/> (accessed 8 June 2011).

Each state is required to allocate a minimum of 10% of the annual Federal funds received through the Historic Preservation Fund (HPF) Grants Program to CLG activities. According to the National Park Service, “Types of activities that can be funded include: architectural, historical, archeological surveys; nominations to the National Register of Historic Places; staff work for historic preservation commissions; design guidelines and preservation plans; public outreach materials such as publications, videos, exhibits, and brochures; training for commission members and staff; and rehabilitation or restoration of National Register listed properties.”⁵ In California, the 2011 HPF allocation was \$1.4 million; OHP received 15 grant applications, and selected 10 local governments to receive grants totaling \$184,500, exceeding the required 10% allocation.⁶

The City of Pacific Grove could consider pursuing CLG status to demonstrate its commitment to preserving the community’s history and ensure credibility for the city’s local preservation program. Many of the programs and processes already in place in Pacific Grove would meet the requirements for CLG designation, although some procedural changes may be required. City of Pacific Grove staff estimates that the annual cost of maintaining CLG status would be approximately \$3,000, plus any city match for grant funds (required to be 40%). CLG grants can be valued at up to \$25,000, so the City of Pacific Grove would be responsible for contributing a maximum of \$10,000 (can be given in staff time or funds) for each grant received.

CLGs: Additional Resources

Additional information about the CLG Program is available from OHP & NPS:

- OHP website: http://www.parks.ca.gov/?page_id=21239
- NPS website: <http://www.nps.gov/history/hps/clg/>

The following California cities have become CLGs within the last 5 years, and might be able to provide guidance to Pacific Grove about the CLG application process. Contact information for these cities can be found here:

<http://www.parks.ca.gov/pages/1072/files/clg%20contact%20list.pdf>

- Benicia (2007)
- Calabasas (2009)
- Ventura (2011)
- Elk Grove (2010)
- Los Angeles (2007)
- Norco (2009)
- Richmond (2007)
- Santa Clara County (2008)
- Sausalito (2011)

⁵ National Park Service, “Certified Local Government Opportunities,” at http://www.nps.gov/history/hps/clg/CLG_opportunities.html (accessed 1 September 2011).

⁶ http://www.parks.ca.gov/?page_id=21239

E. Additional Resources

In addition to the detailed references above, the following sources are recommended to provide specific technical advice or answer questions.

NATIONAL PARK SERVICE PUBLICATIONS

Preservation Briefs

The National Park Service's Technical Preservation Services (TPS) division has prepared a series of *Preservation Briefs*, provide guidance on preserving, rehabilitating and restoring historic buildings. There are currently 47 briefs on a variety of topics, ranging from how to repair steel windows, clean terra cotta, and gently remove graffiti from historic masonry, to identifying character-defining features, designing appropriate storefronts, and improving accessibility.

These documents are available for purchase or free download at <http://www.nps.gov/history/hps/tps/briefs/presbhom.htm>

National Register Bulletins

The National Register Bulletin series provides guidance on evaluating, documenting, and listing different types of historic resources. The bulletins include advice about how to apply the National Register Criteria for Evaluation; guidelines for evaluating various property types, such as landscapes and traditional cultural properties; assistance for identifying properties associated with significant persons; and answers to Frequently Asked Questions by owners of historic properties.

These documents are available for purchase or free download at <http://www.nps.gov/history/nr/publications/>

CALIFORNIA OFFICE OF HISTORIC PRESERVATION

The California Office of Historic Preservation (OHP) is one of the best resources for local governments and communities interested in historic preservation. A variety of preservation tools are available for download, including technical assistance bulletins, publications, workshop presentations, and information about state and federal laws such as the California Environmental Quality Act (CEQA).

Visit OHP online at <http://ohp.parks.ca.gov/>

NATIONAL TRUST FOR HISTORIC PRESERVATION

The National Trust for Historic Preservation (NTHP) is a national nonprofit organization dedicated to preserving America's historic places. According to NTHP, their organization "provides

leadership, education, advocacy, and resources to save America's diverse historic places and revitalize our communities.” NTHP has technical assistance publications, case studies, and other information available for purchase or free download at <http://www.preservationnation.org/>

CALIFORNIA PRESERVATION FOUNDATION

Founded in 1977, the California Preservation Foundation (CPF) is a statewide nonprofit organization that is committed to preserving California’s diverse cultural and architectural heritage. CPF hosts educational workshops across the state and publishes books and brochures about historic preservation. Useful information can be found at the CPF website:

<http://www.californiapreservation.org/shopcpf.shtml#navtop>

<http://www.californiapreservation.org/events.shtml#navtop>

PRESERVATION ECONOMICS STUDIES

Many studies have been conducted about the economics of historic preservation, and much of this data is available online. A Master’s Thesis by Prema Katari entitled “Preservation and Residential Property Values: The Case of Philadelphia” (2005) gathered some of these studies into a table entitled “A Matrix of Selected Studies on the Economic Impact of Local Historic Designation.” This table was prepared as an appendix to the thesis, and is reproduced here for reference.⁷

| Report | Author(s) | Year | Findings |
|--|--------------------------------|-------------|---|
| Investing in Michigan's Future | Clarion Associates | 2002 | local historic district designation has an effect that is either positive or consistent with appreciation in comparable areas |
| Preservation and Property Values in Indiana | Donovan Rypkema | 1997 | property values in local historic districts increase with designation, equaling if not outpacing undesignated areas |
| Profiting from the Past: The Economic Impact of HP in Georgia | David Listokin et al. | 2001 | local districting increases property values |
| Smiling Places, Historic Places: The Economic Benefits of HP in South Carolina | Chad Lennox and Jennifer Revel | 2000 | positive correlation between historic district designation and property values, often outpacing comparable neighborhoods |

⁷ Prema Katari, “Preservation and Residential Property Values: The Case of Philadelphia,” (Master’s Thesis, University of Pennsylvania, 2005), in Scholarly Commons, http://repository.upenn.edu/hp_theses/32/ (accessed 1 September 2011).

| Report | Author(s) | Year | Findings |
|--|---------------------------------------|--------------------------|---|
| Economic Benefits of Historic Designation in Knoxville, Tennessee | Ann Bennett | 1996 | increased rehabilitation activity in historic districts lead to greater gains in property values in local historic district |
| Economic Benefits of HP in Colorado | Clarion Associates | 2002 | marginal appreciation in historic districts over comparable neighborhoods; designation enhances existing economic climate |
| Economic Impact of HP in Florida | David Listokin et al. | 2001 | historic districting helps to maintain property values |
| Economics of HP: A Community Leader's Guide | Donovan Rypkema | 1994 (2005 edition also) | Several arguments for the economic benefits of local historic designation summarized |
| Effect of Historic District Designation of Single Family Home Prices | Deborah Ann Ford | 1989 | hedonic; price premium in local historic districts attributed to assurance that surrounding neighborhood will not change in character |
| Historical Preservation Districts and Home Sales Prices: Evidence from the Sacramento Housing Market | David E. Clark and William E Herrin | 1997 | greater property value appreciation attributed to positive authenticity and upkeep externalities outweigh higher costs of maintenance |
| HP at Work for the Texas Economy | David Listokin et al. | 1991 | designation may have a catalytic effect on surrounding areas; location may be a more important factor than designation in examining property appreciation |
| Impact of Historic District Designation in Washington, D.C. | Dennis Gale | 1996 | no evidence that historic designation affects property values |
| Impact of Historic Districts on Residential Property Values | NYC Independent Budget Office | 2003 | properties in a historic district trade at a premium when compared to comparable properties |
| Internal and External Impact of Historical Designation on Property Values | N. Edward Coulson and Robin Liechenko | 2001 | historic district designation substantially raises property values in both designated areas and adjacent properties in Abeline, TX |



ORDINANCE NO. 17-

**AN ORDINANCE OF THE CITY OF PACIFIC GROVE
AMENDING PACIFIC GROVE MUNICIPAL CODE
TITLE 3 AND TITLE 23 REGARDING THE ESTABLISHMENT OF THE HISTORIC
REVIEW COMMITTEE AND THE ARCHITECTURAL REVIEW BOARD**

WHEREAS, the City Council of the City of Pacific Grove (City) desires to have decisions made by those who will be most impacted by the decisions and therefore created and regulates a full set of Committees, Boards and Commissions;

WHEREAS, the effective and expeditious operation of the City’s committees, boards and commissions is vital for the satisfactory completion of the City’s business;

WHEREAS, City staff conducted a comprehensive review of the City’s Municipal Code provisions, and determined that revisions are necessary to consolidate the Historic Resources Committee and the Architectural Review Board into Title 3 – Boards and Commissions;

WHEREAS, the City seeks to reduce the number of members from seven to five due to a persistent lack of qualified applicants for a full complement of members;

WHEREAS, the City seeks to reduce the number of Architectural Review Board meetings from two to one due to staffing levels, administrative tasks and permit activity;

WHEREAS, this ordinance amends Title 3 of the Municipal Code pertaining to the establishment of Boards and Commissions and deletes portions of Title 23 of the Municipal Code;

WHEREAS, Notice of the public hearing was published or posted _____
on _____;

WHEREAS, In the enactment of this ordinance, the City followed the guidelines adopted by the State of California and published in the California Code of Regulations, Title 14, Section 15000, et seq.; and

WHEREAS, enactment of this Ordinance does not constitute a “project” as defined by CEQA because it is an organizational or administrative activity that will not result in a direct or indirect physical changes in the environment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE:

SECTION 1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.

SECTION 2. The text set forth in existing Chapter 3 of the Pacific Grove Municipal Code entitled, "Boards and Commissions" shall be amended by the addition of all text shown in bold, italic, underscored text (***bold, italic, underscored text***), deletion by ~~striketrough~~ as follows:

CHAPTER 3.50
HISTORIC RESOURCES COMMITTEE

Sections:

3.50.010 Standards.

3.50.020 Creation – Membership.

3.50.030 Member qualifications.

3.50.040 Terms designated.

3.50.050 Removal of members.

3.50.060 Selection of chairperson.

3.50.070 Time and place of meetings.

3.50.080 Powers and duties.

3.50.090 Required votes for actions.

3.50.010 Standards.

The standards which shall guide the Historic Resources Committee in performing its duties and functions under this chapter are as follows:

(a) The City of Pacific Grove considers that its unique combination of rich architectural heritage and natural resources creates a special place.

(b) The existing heritage, historic character and natural beauty of the city should be preserved and protected for the benefit of future generations.

(c) A harmonious relationship between old and new structures and between buildings and the natural environment shall be maintained.

(d) Additions and deletions to the Historic Resources Inventory in the City should be part of City government in order to promote and preserve the City's heritage.

3.50.020 Creation – Membership.

An Historic Resources Committee for the city of Pacific Grove is hereby established.

3.50.030 Member qualifications.

The Committee shall consist of five voting members appointed by the mayor and approved by the council. At least one of the members shall have professional experience as an architect with preservation experience, one member shall be a licensed general contractor, and one shall be a representative of The Heritage Society. Residency within the City of Pacific Grove is not required for members with professional or building industry experience.

3.50.040 Terms designated.

Term of Office, Attendance. All appointees shall serve for a two-year term, and may be removed at the pleasure of the council. Three of the board members shall be appointed for terms ending on January 31st in odd-numbered years, and two for terms ending on January 31st in even-numbered years.

3.50.050 Removal of members.

A member's seat shall be deemed vacated upon two consecutive absences from regular meetings without being excused by the chair.

3.50.060 Selection of chairperson.

The voting members of the Board shall select one of their members to be chairperson for a one-year term, the chairperson to be selected and the term to commence at the first meeting in February.

3.50.070 Time and place of meetings.

All meetings of the Board shall be open to the public and shall be held at a time and place determined to facilitate public convenience and involvement. The Committee shall meet no less frequently than once per month. Notice of meetings shall be given in accord with the Ralph M. Brown Act.

3.50.080 Powers and duties.

The Historic Resources Committee shall have the following powers and duties:

(a) Historic determinations or additions and deletions from the Historic Resources Inventory;

(b) Recommending authority for initial historic screening requests.

(c) To perform the functions prescribed for the Historic Review Committee under PGMC Title 23.070.060, as amended from time to time;

(d) To advise the City council and other boards and commissions on historic resources;

(e) To advise the planning commission, and the City council on ordinances and amendments thereto that may be proposed relating to historic resources in the City;

(f) Other duties set out in Chapter 23.76 as amended from time to time or as directed by the City Council;

3.50.90 Required votes for actions.

An affirmative vote of a majority of the total members of the Board shall be required for any action by the commission.

Chapter 3.60
ARCHITECTURAL REVIEW BOARD

Sections:

3.60.010 Standards.

3.604.020 Creation – Membership.

3.60.030 Member qualifications.

3.60.040 Terms designated.

3.60.050 Removal of members.

3.60.060 Selection of chairperson.

3.60.070 Time and place of meetings.

3.60.080 Powers and duties.

3.60.090 Required votes for actions.

3.60.010 Standards.

The standards which shall guide the Architectural Review Board in performing its duties and functions under this chapter are as follows:

(a) The City of Pacific Grove considers that its unique combination of rich architectural heritage and natural resources creates a special place.

(b) The character and natural beauty of the City should be preserved and protected for the benefit of future generations.

(d) A harmonious relationship between old and new structures and between buildings and the natural environment shall be maintained.

(e) The decisions concerning the built environment and architecture in the City should be part of City government in order to promote orderly development.

3.60.020 Creation – Membership.

An Architectural Review Board for the City of Pacific Grove is hereby established.

3.60.030 Member qualifications.

The Board shall consist of five voting members appointed by the mayor and approved by the council. At least two of the members shall have professional experience as an architect, landscape architect, engineer, designer, or draftsman; at least one members shall have experience in the building industry. Residency within the City of Pacific Grove is not required for members with professional or building industry experience. The Director of Community and Economic Development shall serve as an ex officio member.

3.60.040 Terms designated.

Term of Office, Attendance. All appointees shall serve for a two-year term, and may be removed at the pleasure of the council. Three of the board members shall be appointed for terms ending on January 31st in odd-numbered years, and two for terms ending on January 31st in even-numbered years.

3.60.050 Removal of members.

A member's seat shall be deemed vacated upon two consecutive absences from regular meetings without being excused by the chair.

3.60.060 Selection of chairperson, vice-chair and secretary.

The voting members of the Board shall select one of their members to be chairperson, one of their members to be vice-chair, and one of their members to be secretary for a one-year term. The chairperson, vice-chair and secretary are to be selected and the term to commence at the first meeting in February.

3.60.070 Time and place of meetings.

All meetings of the Board shall be open to the public. The board shall meet the second Tuesday of each month and may adopt rules as needed for the conduct of its deliberations. Notice of meetings shall be given in accord with the Ralph M. Brown Act.

3.60.080 Powers and duties.

The Architectural Review Board shall have the following powers and duties:

(a) To support, encourage, and facilitate orderly development in the City through the permit process;

(b) To implement the General Plan, Local Coastal Program, Title 23 and the Architectural Review Guidelines for Single-Family Residences to guide review and decision-making of development permits;

(c) To perform the functions prescribed for the Architectural Review Board under PGMC Title 23.070.060, as amended from time to time;

(d) To advise the City council and other boards and commissions on architectural design plans,;

(e) To advise the planning commission, and the city council on ordinances and amendments thereto that may be proposed relating to construction and development in the city;

3.60.090 Required votes for actions.

An affirmative vote of a majority of the total members of the Board shall be required for any action by the commission.

SECTION 3. The text set forth in existing Chapter 23.70 of the Pacific Grove Municipal Code entitled, "Community Development Permit Review Authorities and Procedures" shall be amended by the addition of all text shown in bold, italic, underscored text (***bold, italic, underscored text***), deletion by ~~strike through~~ as follows:

Chapter 23.70 ARCHITECTURAL REVIEW BOARD

23.70.060 Architectural review board.

(a) Purpose. This section establishes procedures for the City's architectural review of structures, in order to promote the orderly and harmonious development of the City, and to protect its architectural character.

(b) Establishment. ~~The architectural review board is hereby established as follows:~~

~~(1) Membership. The board shall consist of seven voting members, appointed by the mayor, with the approval of the council. At least two of the members shall have professional experience as an architect, landscape architect, engineer, designer, or draftsman; at least two members shall have experience in the building industry. The secretary of the planning commission shall serve as secretary to the board. The chief planner shall serve as an ex-officio member.~~

~~(2) Term of Office, Attendance. All appointees shall serve for a two-year term, and may be removed at the pleasure of the council. Three of the board members shall be appointed for terms ending on January 31st in odd-numbered years, and four for terms ending on January 31st in even-numbered years. A member's seat shall be deemed vacated upon two consecutive absences from regular meetings without being excused by the chair.~~

~~(3) Meetings. The board shall meet the second and fourth Tuesdays of each month and may adopt rules as needed for the conduct of its deliberations, including the selection of the member who shall serve as chair.~~

(b) Applicability. As summarized in Table 23.70.012-1, the architectural review board is the decision-making authority for the following permits:

(1) Outside of the coastal zone, architectural permits for new construction, major alterations to existing structures, or demolition and reconstruction of structures. This section does not apply to any project listed in PGMC 23.70.020, 23.70.030 **or** 23.70.040, including a design change to an approved architectural permit that meets the provisions of PGMC 23.70.030(b)(4);

(2) Within the coastal zone, architectural permits for new construction, major and minor alterations to existing structures, or demolition and reconstruction of structures, including an amendment to an approved architectural permit. This section does not apply to any project listed in PGMC 23.70.020(b)(1)(B), (2)(A) through (E), (3)(B) **or** (D), (4), (5), and (6);

(3) Within the coastal zone, architectural permits for Category 1 detached accessory structures larger than 120 square feet, pursuant to Table 23.64.180;

(4) Historic preservation permits for exceptions to land use regulations involving structures on the historic resources inventory, pursuant to PGMC 23.76.060;

(5) Historic demolition permits for the demolition of any structure on the historic resources inventory, pursuant to PGMC 23.76.090;

(6) Historic relocation permits for the off-site relocation of any structure on the historic resources inventory, pursuant to PGMC 23.76.100;

(7) Sign permits, pursuant to Chapter 20.04 PGMC (Signs) and PGMC 20.05.070. This section does not apply to any counter review and determination or administrative sign permit under PGMC 23.70.020, 23.70.030 and 23.70.040;

(8) If referred by the chief planner, or if a written request for a hearing is received within 10 days of the department's issuance of a notice of administrative decision, for one of the following applications:

(A) Administrative architectural permit on HRI;

(B) Architectural design change on HRI; and

(9) Whenever otherwise required by this code.

(cd) Review Process. Upon submittal of one of the community development permit applications listed in this section, the department shall process it in accordance with Chapter 23.72 PGMC (Permit Application Filing and Processing) and the following:

(1) Staff reviews for compliance with the general plan, certified local coastal program, these regulations, and other applicable conditions and regulations.

(2) Staff schedules the item for an architectural review board hearing and prepares the noticing, pursuant to the procedures in Chapter 23.86 PGMC (Public Meeting and Hearing Procedures).

(3) The board holds a public hearing and approves, approves with conditions or disapproves each item. The action is subject to appeal in accordance with Chapter 23.74 PGMC (Appeals and Call-Ups).

(ed) Review Criteria. In carrying out the purposes of this chapter, the board shall consider in each specific case any or all of the following as may be appropriate:

(1) The city of Pacific Grove architectural review guidelines.

(2) The siting of any structure on the property as compared to the siting of other structures in the immediate neighborhood and the surrounding area.

(3) All structures shall have simplicity of mass and detail and shall not strive for bizarre effects. There shall be an appropriate use of material. Except as exempt pursuant to PGMC 23.70.015 (Exemptions), colors shall be in good taste and never harsh, garish, or

inappropriate to the other colors designated for the structure or to the surrounding environment. Architectural character shall be aesthetically pleasing of itself and shall either harmonize with adjacent structures, or shall complement architectural characteristics of adjacent structures by means of dignified contrast.

In consideration of architectural or stylistic character and detail, the simple dignity of early California architecture and the romantic character of the Victorian styles as exemplified in the early buildings of Pacific Grove shall be considered as models suitable for emulation, but studied copying of past styles shall be considered as neither necessary nor greatly to be desired.

(4) When required, landscaping shall be designated as required by PGMC Title 12 (Trees and Vegetation), the State Model Landscape Ordinance, and these regulations.

(A) At least 80 percent of the street frontage of gasoline or service stations unused for driveways shall be landscaped.

(B) Parking lots, used car lots, service stations, or similar uses that park or store over five vehicles shall be landscaped.

(5) The size, location, and arrangement of on-site parking and paved areas together with ingress, egress, and internal traffic circulation shall be considered and shall be subject to the board's approval.

(f) Findings Required for Approval. The board shall determine from the materials submitted whether:

(1) The architecture and general appearance of the completed project are compatible with the neighborhood; and

(2) The completed project will neither be detrimental to the orderly and harmonious development of the city nor impair the desirability of investment or occupation in the neighborhood; and

(3) The board has been guided by and has made reference to applicable provisions of the architectural review guidelines in making its determinations on single-family residences.

(4) Additional findings for exterior alterations to structures on the historic resources inventory (HRI):

(A) The exterior alteration of any structure on the historic resources inventory is consistent with the Secretary of the Interior's Standards for Rehabilitation of Historic Buildings; and

(B) The exterior alteration of any structure on the historic resources inventory complies with Appendices I through IV of the Pacific Grove architectural review guidelines;

(5) Additional Finding for Sign Permits. The proposed sign effectively conveys the business identity to the public and possesses pleasing elements of design that protect and enhance the architectural character and harmony of the buildings and neighborhood in which it is located.

(ef) Effective Date of Permit Approval. The permit approval shall become effective only when:

- (1) The appeal period has expired or, if appealed, prior to final action on the appeal by the appeal authority in accordance with Chapter [23.74](#) PGMC (Appeals and Call-Ups); and
- (2) All necessary prior approvals have been obtained.

Chapter 23.70

HISTORIC RESOURCES COMMITTEE

23.70.70 Historic resources committee.

(a) Purpose. This section establishes procedures for the city's determinations on additions and deletions to the historic resources inventory, in order to preserve, protect, enhance and perpetuate those historic structures and neighborhoods that contribute to the cultural and aesthetic heritage of Pacific Grove.

~~(b) Establishment. The historic resources committee is hereby established pursuant to PGMC [23.76.021](#).~~

(be) Applicability.

(1) Decision-Making Authority. As summarized in Table 23.70.012-1, the historic resources committee is the decision-making authority for historic determinations, which are additions to and deletions from the historic resources inventory, pursuant to the evaluation criteria in PGMC [23.76.025](#).

(2) **Recommending Authority.** As summarized in Table 23.70.012-1, the historic resources committee is the recommending authority for initial historic screening requests. The committee shall make a recommendation to the chief planner as to whether a determination of ineligibility can be made or if a Phase 1 historic assessment is needed to determine the historicity of a structure.

~~(3) **Other Duties.** Other duties as set out in this chapter, in Chapter [23.76](#) PGMC, or as directed by the city council.~~

(c d) Review Process. Upon submittal of one of the applications listed in this section, the department shall process it in accordance with Chapter [23.72](#) PGMC and the following:

(1) Staff reviews for compliance with the general plan, certified local coastal program, these regulations, and other applicable conditions and regulations.

(2) Staff schedules the item for a historic resources committee hearing and prepares the noticing, pursuant to the procedures in Chapter [23.86](#) PGMC (Public Meeting and Hearing Procedures).

(3) The committee holds a public hearing and approves or disapproves each item for which the committee is the decision-making authority. The action is subject to appeal in accordance with Chapter [23.74](#) PGMC (Appeals and Call-Ups). The committee holds a public hearing and makes a recommendation on each item for which the committee is the recommending authority.

(d e) Review Criteria. In carrying out the purposes of this chapter, the historic resources committee shall consider the evaluation criteria in PGMC [23.76.025](#) (Evaluation criteria).

(e f) Findings Required for Approval. The historic resources committee shall determine from the application materials submitted whether historic determinations comply with the provisions of Section 15064.5 of the California Environmental Quality Act (CEQA) Guidelines (California Code of Regulations Title 14, Chapter 3) and the evaluation criteria in PGMC [23.76.025](#).

(f g) Effective Date of Approval. Historic determinations shall become effective only when:

(1) The appeal period has expired or, if appealed, prior to final action on the appeal by the appeal authority in accordance with Chapter [23.74](#) PGMC (Appeals and Call-Ups); and

(2) All necessary prior approvals have been obtained.

SECTION 3. The text set forth in existing Chapter 23.76 of the Pacific Grove Municipal Code entitled, “Historic Preservation” shall be amended by the addition of all text shown in bold, italic, underscored text (***bold, italic, underscored text***), deletion by ~~striketrough~~ as follows:

Chapter 23.76

HISTORIC RESOURCES COMMITTEE

23.76.020 Definitions.

Throughout this chapter, the following definitions shall apply:

“Addition” means expansion of the size of a historic building by construction physically connected with the existing structure.

“Alteration” means any exterior change or modification to a structure which alters 50 percent or less of the total lateral length of the exterior walls, including porches and other projections, within a 24-month period. However, if the proposed modification alters more than 25 percent of the surface of all exterior walls facing a public street or streets, this shall constitute a demolition; see the definition of “demolition” in this section.

Exception: “maintenance and repair” as defined in this section. Painting is also exempt.

“Demolition” means an act or process which destroys a building, or a major portion of a building, or impairs its structural integrity. Demolition includes:

(a) Destruction of the entire building;

(b) “Partial demolition” means all changes to the exterior of a building, including but not limited to moving or removing windows, doorways, walls, or other structural features, if such changes alter more than 25 percent of the surface of all exterior walls facing a public street or streets, and/or if these changes alter more than 50 percent of the total lateral length of the exterior walls, including porches and other projections of the building, within a 24-month period.

Exception: “Maintenance and repair” as defined in this section.

“Historic resources committee” means a committee created to perform certain duties hereunder, as more particularly set out at PGMC ~~23.76.021~~ ***Title 3***.

“Historic resources inventory” means:

(a) The list of existing structures initiated in 1978 through a matching grant from the State Office of Historic Preservation and adopted by the city of Pacific Grove. The list was updated by the heritage society and the city of Pacific Grove to include structures built prior to 1927¹; and

(b) Other properties determined by the historic resources committee to be of architectural and/or historical significance.

“Integrity” means the authenticity of a property’s historic identity, evidenced by the survival of physical characteristics that existed during the property’s historic period.

“Maintenance and repair” means the act or process of conserving or repairing a structure without modifying the form, detail, or type of material. “Maintenance and repair” includes the placement of a concrete foundation for buildings and structures listed on the city’s historic resources inventory.

“Reconstruction” means the process of reproducing by new construction the exact form and detail of a vanished structure, or part thereof, as it appeared during a specific period of time.

“Rehabilitation” means the process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property that are significant to its historical, architectural, and cultural values.

“Relocation” means any change in the location of a structure on its site or to another site.

“Restoration” means the process of returning a building to a documented prior condition.

~~23.76.021 Historic resources committee.~~

~~(a) The historic resources committee shall consist of seven members having a demonstrated interest in and knowledge of historic preservation and the cultural resources of Pacific Grove. One of the members shall be a licensed architect with preservation experience, one shall be a licensed general contractor with preservation experience, and one shall be a representative of the heritage society.~~

~~(b) The mayor, with approval of the council, shall appoint all members; provided, that the heritage society shall appoint its member. Terms of all members shall be two years. Three of the committee members shall be appointed for terms ending on January 31st in even-numbered years and four shall be appointed for terms ending on January 31st in odd-numbered years.~~

~~(c) The committee shall select one of the membership to be chairperson for a one year term, to commence at the first meeting in February.~~

~~(d) All meetings shall be open to the public and shall be held at a time and place determined to facilitate public convenience and involvement.~~

~~(e) The committee shall meet no less frequently than once a month.~~

~~(f) Powers and duties of the committee shall be as follows:~~

~~(1) Determination of additions and deletions from the historic resources inventory, per PGMC 23.76.030;~~

~~(2) Other duties as set out in this chapter or as directed by the city council.~~

~~(g) An affirmative vote of a majority of the total members of the historic resources committee shall be required for any action by the committee.~~

SECTION 5. The City Manager is directed to execute all documents and to perform all other necessary City acts to implement effect this Ordinance.

SECTION 6. If any provision, section, paragraph, sentence, clause or phrase of this ordinance, or any part thereof, or the application thereof to any person or circumstance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance, or any part thereof, or its application to other persons or circumstances. The City Council hereby declares that it would have passed and adopted each provision, section, paragraph, subparagraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, paragraphs, subparagraphs, sentences, clauses or phrases, or the application thereof to any person or circumstance, be declared invalid or unconstitutional.

SECTION 7. In accord with Article 15 of the City Charter, this ordinance shall become effective on the thirtieth (30th) day following passage and adoption hereof.

SECTION 8. PASSED AND ADOPTED by the Council of the City of Pacific Grove this _____ day of _____, 2017, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

BILL KAMPE, Mayor

ATTEST:

SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney