



## CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

### AGENDA REPORT

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Mayor Bill Kampe

**MEETING DATE:** March 19, 2014

**SUBJECT:** Update on the Historic Preservation Ordinance (HPO) Ad Hoc Committee

**CEQA:** Does not constitute a "Project" under California Environmental Quality Act (CEQA) Guidelines

#### OVERVIEW

This report is an update on the dialog and emerging opportunities for improving the process of historic determinations and project review for historic resources. The opportunities are not yet fully defined as action recommendations to the council. We have suspended our meetings until staffing is adequate in Community Development to support this committee and the other priorities of that department.

#### RECOMMENDATION

Council may provide guidance for future discussions by the committee.

#### DISCUSSION

1. Committee members include: Mike Meloy, HRC; Jim McCord, ARB; Bill Fredrickson, Planning Commission; Jean Anton, at-large; Mark Travaille, at-large; Robert Huitt, Council; Bill Kampe, Council.
2. The committee initially considered what the purpose of historic preservation might be, what the concerns might be about changes in the Historic Preservation Ordinance, and where there may be opportunities might be to improve our current processes.
  - a. There was early agreement around the idea of preserving the character and heritage of our community, while allowing property owners to renovate and upgrade to a current living standard.
  - b. There was concern about how much we can change the current code without unpredictable and perhaps unfavorable outcomes.
  - c. Still, we did identify some areas that we know cause expense, time, and in some cases, resentment by project applicants.
  - d. There was a broad interest by the committee to understand the statutory requirements of historic preservation, particularly CEQA.

3. City Attorney David Laredo provided a briefing on requirements of CEQA that relate to historic resources. We learned that CEQA actually allows greater flexibility in historic determinations than had been assumed. Two concepts that stood out are the need for “substantial evidence” and proper documentation of decisions.
  - a. We learned it is possible for a body such as the HRC to make many determinations, without the need for an expensive expert Phase 1 study, provided the body finds substantial evidence for the determination, consistent with our criteria, to either add or delete a resource. In many cases, we realized the needed evidence is readily available. We also recognized that in some cases the body may decide additional evidence is required from an expert Phase 1 analysis.
  - b. In any case, each determination must be properly documented. City staff provided an excellent database of the City’s Historic Resource Inventory. That HRI database is on the city website. It reveals our current state of documentation is “sketchy” (a term I learned from a sixth grader).
  - c. These new understandings re-invigorated our explorations.
4. We discussed and adopted a brief 3 point statement of goals:

#### **Goal Statement**

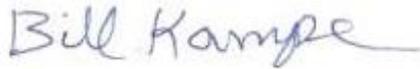
- We must reduce the time, cost, and complexity for historic determinations, both for additions and deletions
  - We must improve the clarity of our processes for historic determinations and for project applications, especially the criteria used for decisions.
  - We must create equitable benefits and constraints from our historical review processes to maintain the intended character of our city while allowing reasonable enhancements to our built environment.
5. We brainstormed possible improvements to the historic determination process using a Post-It exercise. This approach integrates public input directly into the process with equal weight to the committee inputs. The committee noted that several recommendations emerged with a degree of strong conviction. Others would need further examination.
    - a. **National Register Framework** – the suggestion is to require a significance determination and a separate integrity determination for historic reviews.
    - b. **Empower HRC and Staff** – with clear criteria and an effective documentation method, we can look to the HRC and in some cases staff to make historic determinations. This change can save time and cost. We find that most information needed is readily available within the city and the Heritage Society already.
    - c. **Expertise / Consistency / Documentation** – It is important that persons involved in the determination process have experience or training, including the supporting documentation requirement. A point of consistency can be the Historic Context Statement, which is increasingly used by the HRC and the ARB.

- d. **Benefit/Constraints** – We noted that many property owners see a historic designation as a serious constraint. Our code should reflect benefits of the designation in a way that can be communicated clearly. Yes, there are benefits.
  - e. **Review resources broadly, or as they arise?** We discussed whether a city wide survey is necessary, or whether we can consider projects as they arise, thus spreading out the financial and time burden.
6. Note that at this point we are focused on the historic determination process. We could adjust our outlook as we move to the question of the project approval process.

**FISCAL IMPACT**

None at this time.

Respectfully submitted:



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Bill Kampe, Mayor