



NOTICE OF MEETING

CITY OF PACIFIC GROVE HISTORIC PRESERVATION ORDINANCE AD HOC COMMITTEE MEETING AGENDA

4:00 pm, Monday, November 16, 2015

Council Chambers, City Hall, 300 Forest Avenue, Pacific Grove, CA.

Copies of the agenda packet are available for review at the Community Development Department in City Hall at 300 Forest Avenue, Pacific Grove; and on the internet at www.ci.pg.ca.us.

1. **Call to Order**
2. **Roll Call and Introduction of Members.**
 - a. Bill Kampe, Robert Huitt, Don Murphy (Planning Commission), Mike Gunby (ARB), Maureen Mason (HRC), Jean Anton (at large), Rudy Munoz (at large)
3. **Charter Overview**
 - a. Agenda Report establishing this committee (attached)
4. **General Public Comment**
5. **Review of Past Work, including: (see Attachments)**

Committee members comment on past work, note areas of agreement, areas of concern, and suggestions for focus on next steps. Source materials are:

 - a. Minutes of Feb 10, 2014, meeting
 - b. Brainstorm List of 11/05/2013: Problem Identification
 - c. Brainstorm List of 12/09/3013: Action Topics
 - d. Historic Context Statement Next Steps
 - e. Report to Council
 - f. References
6. **Determine an approach to committee workplan.**
7. **Schedule of meetings; Next Steps; Timetable for completion.**
8. **Adjournment.**

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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: September 2, 2015
SUBJECT: Restart the Historic Preservation Ordinance (HPO) Ad Hoc Committee
CEQA: Does not constitute a “Project” under California Environmental Quality Act (CEQA) Guidelines

OVERVIEW

The Council created a Historic Preservation Ordinance Ad Hoc Committee in late 2013. There were 5 meetings of the committee before suspending work as of Feb. 10, 2014. There was very good progress, yet it was clear that our planning staff was overstretched at that time.

On August 5, 2015, an Ad Hoc Committee on the roles of the ARB and HRC completed its recommendations to the council, and those recommendations were adopted. One recommendation was to restart the HPO Ad Hoc Committee and its previous work and to include a review of the recommendations/Next Steps from the City’s Historic Context Statement.

RECOMMENDATION

Re-establish a Historic Preservation Ordinance Ad Hoc Committee of 7 members with the membership and charter as described in the Discussion Section.

DISCUSSION

9. Membership of the committee, drawing on the prior roster:
 - a. Bill Kampe – council rep and chair
 - b. Robert Huitt – council rep and vice chair
 - c. Jean Anton – Community Member
 - d. Mark Travaille – Community Member
 - e. HRC named representative (previously Mike Meloy)
 - f. ARB named representative (previously Jim McCord – no longer on ARB)
 - g. Planning Commission named rep (previously Bill Fredrickson)
10. In prior meetings, committee members were guarded about any changes to the HPO. Yet after discussion, we noted several common points of interest:
 - a. We agreed on the idea of preserving the character and heritage of our community, while allowing property owners to renovate and upgrade to a current living standards.

- b. We identified some areas that we know cause expense, time, and in some cases, resentment by project applicants.
 - c. There was a broad interest by the committee to understand the statutory requirements of historic preservation, particularly CEQA.
 - d. We learned there is more flexibility under CEQA than we have allowed ourselves, provided criteria are applied consistently and decisions are well documented. We noted that documentation is “sketchy” in many cases.
11. 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.
12. We noted 3 key points for further consideration, as well as a few others. The 3 top points are:
- a. **National Register Framework** – the suggestion is to require a significance determination and a separate integrity determination for historic reviews.*
 - b. **Empowerment of 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.*
 - 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.*
13. The points above are consistent with the Recommendations from the Historic Context Statement that this Ad Hoc Committee is being asked to consider.

FISCAL IMPACT

None at this time.

Respectfully submitted:

Bill Kampe, Mayor

Robert Huitt, Mayor Pro Tem

11/05/2013 Ad Hoc Committee Meeting – Problem Identification

Notes taken from the post-its

Significance and Context

- Do we have so many (1000+) houses that the city can't handle?
- Wide net case to preserve modest properties with local historic value and impressive buildings of major significance.
- No distinction between truly distinctive resources and lesser resources
- Is there a critical mass of homes to preserve?
- Historical Resources Inventory lacks documentation
- Historic houses are not an economic benefit to the owner
- Why do some applicants feel HRC does not care about cost of compliance?
- Can the city provide options to lower the cost of compliance?
- Number of properties on the register – should we set a target? Do we have too many?
- Deletions from HRI are impossible
- Existing HRI is no longer accurate
- Cost and time benefits?
- The collection?
- Historic and contributors?

Code/Ordinance

- Building an existing structure and process
- HRI city thresholds are too low and vague
- Phase 1 and/or Phase 2 reports are necessary for CEQA determination
- Lip service to standards and guidelines
- Ordinance is good
- Stick to our guns

Committee Structure

- Need for the HRC to determine if a phase 1 report is required is time consuming.
- Once combined, the HRC and ARB would be very effective at making good decisions.
- Overlapping committees are awkward
- HRC has no voice for structure alterations
- Criteria per ordinance is not clear and interpretation varies.

Staffing

- Building inspector needs direction and encouragement
- Lessen out-sourcing

- Consider staffing needs in light of contracting services

Process

- Review process: Does anything meaningful result from review?
- Gap between public and members of boards and commissions
- Impenetrable: does the ordinance need simplification?
- Evaluation process: is it too difficult or too easy? What is the status of evaluation criteria?
- Product: What does the ordinance accomplish for the people of PG?
- Disjoint review process – HRC/ARB
- Current process of historic projects is disjointed – ARB/ HRC
- How do we deal with unhappy applicants?
- Need streamlining for minor changes
- Initial review and screening seems to work well – except \$
- How do we know when an application is complete?
- “Incomplete” applications considered by ARB

Decision Criteria

- Current methods (process) cater to unpredictable outcomes
- How can the experience on Pacific be avoided in the future?
- Do all architects who work on PG houses have knowledge of historic preservation guidelines?
- City council’s thought processes
- Lots of ways to say no; what’s the pathway to yes?
- PG criteria different from national and state criteria?
- “Rules” for houses in coastal zone different from rules for comparable house not in coastal zone.
- How clear is the definition/designation of a historic property?
- Properties are on the HRI just because they are old.
- Do we review architecture at right level of detail?

Costs

- Costs involved seem out of line (i.e. historic review ARB fee)
- Incentives help offset cost of project
- Phase 2 is expensive – can we reduce burden?

HPO Action Topics

December 9, 2013

Benchmarking

What are the effective practices that we can learn from other cities?

Historic designation process and criteria (Significance and Context)

How well does our historic designation process meet our objectives for the city? Can we benefit from greater consistency with national and state level practices for determinations?

How can we simplify the process or reduce number of steps for determinations?

- How clear is the definition/designation of a historic property?
- Product: What does the ordinance accomplish for the people of PG?
- PG criteria different from national and state criteria?
- Wide net cast to preserve modest properties with local historic value and impressive buildings of major significance.
- Properties are on the HRI just because they are old.
- Historical Resources Inventory lacks documentation
- Historic houses are not an economic benefit to the owner
- Why do some applicants feel HRC does not care about cost of compliance?
- Can the city provide options to lower the cost of compliance?
- Deletions from HRI are impossible
- Existing HRI is no longer accurate
- HRI city thresholds are too low and vague
- Initial review and screening seems to work well – except \$
- Need for the HRC to determine if a phase 1 report is required is time consuming.
- Cost and time benefits?
- Phase 2 is expensive – can we reduce burden?
- Phase 1 and/or Phase 2 reports are necessary for CEQA determination

Possible “2-tier” or similar distinctions in listed resources

Can we improve our historic preservation practices for the most significant properties, while allowing more flexibility for the more common contributing properties?

- No distinction between truly distinctive resources and lesser resources
- Do we have so many (1000+) houses that the city can't handle?
- Is there a critical mass of homes to preserve?
- Number of properties on the register – should we set a target? Do we have too many?
- The collection?
- Historic and contributors?

Project review process and criteria

How can we provide clear guidelines to project applicants? How do we ensure that proper findings are made for variances granted on historic projects? What threshold of compliance do we require for a project, as measured against the architectural review guidelines? (Currently projects are approved based on only a few of the guidelines, yet can also be turned down on the basis of a single guideline.)

- Review process: Does anything meaningful result from review?
- Current methods (process) cater to unpredictable outcomes
- How can the experience on Pacific (162 Pacific Ave) be avoided in the future?
- Do all architects who work on PG houses have knowledge of historic preservation guidelines?
- Criteria per ordinance is not clear and interpretation varies.
- City council's thought processes
- Lots of ways to say no; what's the pathway to yes?
- "Incomplete" applications considered by ARB
- Do we review architecture at right level of detail?
- "Rules" for houses in coastal zone different from rules for comparable house not in coastal zone.
- Impenetrable: does the ordinance need simplification?
- How do we deal with unhappy applicants?
- How do we know when an application is complete?

Committee Structure

How can we simplify our committee structure with greater focus on the decisions necessary in the historic preservation process?

- Current process of historic projects is disjointed – ARB/ HRC
- Need streamlining for minor changes
- Gap between public and members of boards and commissions
- Disjoint review process – HRC/ARB
- Once combined, the HRC and ARB would be very effective at making good decisions.
- Overlapping committees are awkward
- HRC has no voice for structure alterations
- Consider staffing needs in light of contracting services

Extract from Minutes of Feb 18, 2014 meeting

Historic Context Statement

Preservation Program Considerations, October 31, 2011

Committee Members discussed relevance of the Preservation Program Considerations, October 31, 2011 report by Page and Turnbull, focusing on Section D: Recommendations/Next Steps which listed the following 8 items:

- 1) Continue to add or delete individual buildings from the City's Historic Resources Inventory (HRI) on a case-by-case basis;
- 2) Conduct additional historic resource surveys;
- 3) Update Historic Preservation Ordinance;
- 4) Consider potential districts and/or conservation zones;
- 5) Create local preservation incentive program;
- 6) Expand existing design guidelines for historic resources;
- 7) Education and outreach;
- 8) Apply to be a certified location government (CLG).



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 work of 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

14. 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.
15. 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.
16. City Attorney Dave Laredo provided a briefing on the requirements of CEQA. We learned that CEQA actually allows much greater flexibility in historic determinations than we have assumed. The two concepts that stood out are the need for “substantial evidence” and proper documentation of decisions.

- a. We learned that it is possible for a citizens body such as the HRC to actually make many determinations, without the need for an expensive expert Phase 1 study, provided that the body finds substantial evidence for the determination, consistent with our criteria, for either an add or delete. In very many cases, we realized that the evidence is readily available. We also recognized that in some cases the body may decide that additional evidence is required from an expert Phase 1 analysis.
- b. In any case, the 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 that our current state of documentation is "sketchy" (a term I learned from a sixth grader).
- c. These new understandings re-invigorated our explorations.

17. 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.

18. 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.*

19. 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:

Bill Kampe, Mayor

Reference Links

Historic Preservation Ordinance & Permitting Procedures – Title 23

<http://38.106.5.85/index.aspx?page=368>

National Park Service Secretary of the Interior Standards

<http://www.nps.gov/tps/standards.htm>

Historic Context Statement

<http://www.pacificgrovelibrary.org/sites/default/files/general-documents/historic-resources/hcs1.pdf>

Architectural Review Guidelines

<http://www.pacificgrovelibrary.org/sites/default/files/general-documents/planning-bulletins-and-handouts/architectural-review-guidelines.pdf>

Guidelines for Historic Assessments

<http://www.pacificgrovelibrary.org/sites/default/files/general-documents/historic-resources/guidelines-historic-assessments-08-05-13.pdf>