



City of Pacific Grove
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Ad Hoc Committee on Historic Preservation Ordinance

Draft Report

February 8, 2016

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I. Background

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.

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
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
Anastazia Aziz, Planning Staff, Support

IV. Approach

The committee met and deliberated with open public meetings under 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 XX, 2016, with a motion by ZZ, second by YY, and approved unanimously by the seven members present (we hope).

V. Recommendations

The recommendations in this report suggest modifications of the Historic Preservation Ordinance. They are described in general terms, leaving the specific wording for the expertise of city staff.

Our recommendations include the following topics:

- A. ARB/HRC separation of responsibilities
- B. Role of Historic Context Statement
- C. Clarification of “Integrity”
- D. Concept of “The Collection”
- E. Historic Districts
- F. Need for Training
- G. Deletions from the HRI
- H. Multi-Tier aspects of Resources
- I. Certified Local Government

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.

We discussed the number of members for ARB and HRC. The current membership is 7. We suggest council consideration of 5 members for each. Vacancies can cause difficulties for meeting quorum requirements and having sufficient votes to provide applicants with definitive outcomes.

B. Role of Historic Context Statement (HCS)

Throughout our discussions, we found a central 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.

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. 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 HRI. 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 HCS provides useful guidance for historic determinations and for evaluating projects. In each of the neighborhoods described in the HCS, 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 HCS as a reference and guide, we will inherently preserve the collection. No special definition or guidelines are required beyond the Historic Context Statement.

E. 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 HCS 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.

F. Deletions from the HRI

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 about 300 resources should be removed from the Inventory, including some that are no longer extant.

Our recommendation is that the HRC should also be authorized to initiate a review for removal of a resource, 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.

G. 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 Register constitute a top tier. Other resources on the HRI constitute a second tier.

We did state an important idea for the objectives of the 2 levels:

- In the top tier, the goal is to preserve the **resource**. That implies a stricter application of the Secretary of Interior Standards for the preservation of the resource, separate and apart from issues of neighborhood or city characteristics.
- In the second tier, the goal is to preserve the **character** of the resource and the neighborhood. The implication is that while there may be more flexibility(?) for any modifications to the specific resource, 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 HCS provides guidance on the issue of character and integrity for this purpose.

H. Certified Local Government

The education and consultative services of the States Historic Preservation Office could be useful for Pacific Grove.

I. 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.

From the prior committee on the HPO, we remember that it is possible for many decisions to be made without professional consultation and expense. The prerequisite is that some expertise, clear criteria, and adequate documentation.

VI. 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 several of the steps anyway, in reviewing the previous work of the predecessor committee. For completeness, the Next Steps are listed here in summary form with comments by the committee.

A. Continue to add or delete individual buildings from the City's Historic Resources Inventory (HRI) on a case-by-case basis;

Reinforced earlier recommendation that HRC can initiate; keep doing it.

B. Conduct additional historic resource surveys;

Concur as budget permits. Seek grants/research funding. Consider CSUMB interns. Priorities: HRI deletions, City of Homes core from 1927 to 1945, Earlier outliers' tract(s), Suburbanization, Civic Modernism

C. Update Historic Preservation Ordinance;

Most of the 7 recommended points have been addressed by this ad hoc committee.

D. Consider potential districts and/or conservation zones;

Per discussion above on this topic, use the Historic Context Statement as a point of reference for the character defining features of neighborhoods in review of candidates for the HRI, and for projects on HRI properties.

E. Create local preservation incentive program;

Our current code already offers significant incentives for HRI properties: extension along existing setbacks; some building code exemptions

F. Expand existing design guidelines for historic resources;

Create appropriate guidelines for commercial properties

G. Education and outreach;

Public awareness of the objectives, requirements, and benefits of the HPO is important. For decision makers, there is a need for initial and continuing education, funded in an explicit budget.

H. Apply to be a certified location government (CLG).

There was a question about control and autonomy – no known downside. There can be material benefits from some grant opportunities, and for possible use of the Mills Act. Recommend implementing recommendations from this ad hoc committee, then taking up CLG status in about 6 months. HRC should review our readiness at that time. It will then be time to move forward with this step.

VII. 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.

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Appendix 1. Historic Preservation References

1. (many of these links are obsolete. Need to update.)

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. California Code of Regulations

1. Title 14, Division 6 – Resources Agency
 - a. Chapter 3 – Guidelines for the Implementation of CEQA – the very comprehensive guide on “here’s what you need to do”.
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

D. CEQA

1. 2009 California Environmental Quality Act (CEQA) Statute and Guidelines – 353 pages of law. The guidelines are a repeat of the reference above.

E. Council Agenda Items:

1. Nov 18, 2009, Item 9.A - RESOLUTION TO UPGRADE HISTORIC REVIEW PROCESSES, STREAMLINE ARCHITECTURAL REVIEW PROCEDURES, AND UPDATE PLANNING FEES TO INCREASE THE PROPORTION OF PROGRAM COSTS COVERED BY APPLICANTS – Includes the cost allocation analysis
2. Mar 24, 2010, Item 10.E - Receive a report on the underlying assumptions for the City's historic assessment guidelines -- Describes Phase 1 and 2 requirements and procedures; role of CEQA; Historic review process and fees

F. Bibliography of Other References

1. Introduction to Standards and Guidelines
 - a. http://www.nps.gov/history/hps/tps/standguide/overview/choose_treat.htm
2. The Secretary of the Interior's Standards for the Treatment of Historic Properties
 - a. <http://www.nps.gov/history/hps/tps/standguide/>
 - b. http://www.nps.gov/hps/tps/Standards/standards_complete.pdf
3. The Secretary of the Interior's Standards for Rehabilitation
 - a. <http://www.nps.gov/history/hps/tps/tax/rhb/stand.htm>
4. Preservation Brief 14: New Exterior Additions to Historic Buildings: Preservation Concerns
 - a. <http://www.nps.gov/history/hps/tps/briefs/presbhom.htm>
5. National Trust for Historic Preservation's Repair or Replace Old Windows
 - a. http://www.preservationnation.org/issues/weatherization/windows/additional-resources/nthp_windows_repair_replace.pdf
6. Certified Local Government Program (California)
 - a. http://ohp.parks.ca.gov/?page_id=21239 – Requirements and benefits of the CLG program

G. Training

1. Portland, OR – Brown Bag Series - <http://www.portlandonline.com/>