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## **Historic Heritage Committee Study Session Agenda November 17, 2021 at 6:00 P.M.**

### **HISTORIC HERITAGE COMMITTEE MEMBERS**

Chair: David Matuszak

Vice Chair: Kathleen Chavez

Member: Ian Bruesehoff

Council Member Representative:

Rebeca Armendariz

Planning Commissioner Representative:

Adilene Jezabel Moreno

Due to COVID-19, it is possible that the planned in-person meeting may have to change to a virtual meeting at any time and possibly on short notice. Please check the City of Gilroy website at <http://gilroyca.iqm2.com/Citizen/default.aspx> for any updates to meeting information. Comments by the public will be taken on any agenda item before action is taken by the Historic Heritage Committee. Persons speaking on any matter are asked to state their name and address for the record. Public testimony is subject to reasonable regulations, including but not limited to time restrictions on particular issues and for each individual speaker. A minimum of 12 copies of materials should be provided to the Clerk for distribution to the Commission and Staff. Public comments are limited to no more than three-minutes, at the Chair's discretion.

Comments on any agenda item may be emailed to the Planning Division at [planningdivision@cityofgilroy.org](mailto:planningdivision@cityofgilroy.org) or mailed to the City of Gilroy, Community Development Department at City Hall, 7351 Rosanna Street, Gilroy, CA 95020. Comments received by the Planning Division by 1:00pm on the day of a Historic Heritage Committee meeting will be distributed to the committee members prior to or at the meeting and available for public inspection with the agenda packet located in the lobby of Planning Division at City Hall, 7351 Rosanna Street prior to the meeting. Any correspondence received will be incorporated into the meeting record. Items received after the 1:00pm deadline will be provided to the Historic Heritage Committee as soon as practicable.

In compliance with the American Disabilities Act (ADA), the City will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Clerk 72 hours prior to the meeting at (408) 846-0491. A sound enhancement system is available in the City Council Chambers.

If you challenge any planning or land use decision made at this meeting in court, you may be limited to raising only those issues you or someone else raised at the public hearing held at this meeting, or in written correspondence delivered to the Historic Heritage Committee at, or prior to, the public hearing. Please take notice that the time within which to seek judicial review of any final administrative determination reached at this meeting is governed by Section 1094.6 of the California Code of Civil Procedure.

Persons who wish to speak on matters set for Public Hearing will be heard when the presiding officer calls for comments from those persons who are in support of or in opposition thereto. After persons have spoken, the hearing is closed and brought to the Planning Commission level for discussion and action. There is no further comment permitted from the audience unless requested by the Historic Heritage Committee.

A Closed Session may be called during this meeting pursuant to Government Code Section 54956.9(b)(1) if a point has been reached where, in the opinion of the legislative body of the City on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the City.

Materials related to an item on this agenda submitted to the Historic Heritage Committee after distribution of the agenda packet are available for public inspection with the agenda packet in the lobby of Administration at City Hall, 7351 Rosanna Street during normal business hours. These materials are also available with the agenda packet on the City website at [www.cityofgilroy.org](http://www.cityofgilroy.org)

**I. OPEN MEETING**

**II. PLEDGE OF ALLEGIANCE**

**III. REPORT ON POSTING THE AGENDA AND ROLL CALL**

**IV. APPROVAL OF MINUTES:**

A. September 15, 2021 Meeting Minutes

**V. PRESENTATIONS BY MEMBERS OF THE PUBLIC: (Three-minute time limit).**

This portion of the meeting is reserved for persons desiring to address the Historic Heritage Committee on matters not on the agenda. The law does not permit Historic Heritage Committee action or extended discussion of any item not on the agenda except under special circumstances. If Historic Heritage Committee action is requested, the Historic Heritage Committee may place the matter on a future agenda. All statements that require a response will be referred to staff for reply in writing.

**VI. OLD BUSINESS:**

A. **Workplan Item: Historic Ordinance Update**

1. Presentation: Cindy McCormick
2. Public Comment:
3. Possible Action: Review memo and provide input. No formal action will take place at this time.

**VII. NEW BUSINESS – NONE**

**VIII. INFORMATIONAL ITEMS - NONE**

**IX. ORAL REPORTS BY MEMBERS OF THE HISTORIC HERITAGE COMMITTEE:**

Miscellaneous information and updates (no action)

**ADJOURNMENT** to the Next Regular Meeting of **December 15, 2021 at 6:00 p.m.**

Know your rights under the Gilroy Open Government Ordinance
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Government's duty is to serve the public reaching its decisions in full view of the public. Commissions, task forces, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that the City operations or deliberations are conducted before the people and that the City operations are open to the people's review. For information on your rights under the open Government Ordinance, to receive a free copy of the ordinance, or to report a violation of the Ordinance, contact the open Government Commission staff at (408) 846-0204 or e-mail [cityclerk@cityofgilroy.org](mailto:cityclerk@cityofgilroy.org)



# City of Gilroy

COMMUNITY DEVELOPMENT DEPARTMENT

7351 Rosanna Street, Gilroy CA 95020

(408) 846-0451 (408) 846-0429 (fax)

www.cityofgilroy.org

**DATE:** November 17, 2021

**TO:** Historic Heritage Committee

**FROM:** Cindy McCormick, Senior Planner

**SUBJECT:** Historic Ordinance WorkPlan

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## **RECOMMENDATION:**

Review and provide input on staff's suggested draft amendments to section 30.27.40.

## **BACKGROUND**

On August 18th, the Historic Heritage Committee (HHC) began working on their workplan to update [Article 27 - Historic Site and Historic Neighborhood Combining Districts](#). At that time, the HHC reviewed and accepted the guiding goals for the update (referenced herein) and provided feedback on draft changes to sections 30.27.10 (purpose), 30.27.20 (conditional uses), and 30.27.25 (new definitions).

On September 15<sup>th</sup>, the HHC continued their workplan effort by reviewing modifications to section 30.27.30 to provide more clarity on the applicability of the Ordinance to the different types of structures listed on the Historic Resource Inventory (HRI). Of the 360 structures currently listed on the HRI, only 58 structures are listed as "historic sites". The current ordinance does not include language that addresses the remaining 302 structures that have not been designated as a "historic site" by the City Council. These remaining 302 structures are now considered "contributing historic resources" to distinguish them from historic sites. The HHC reviewed and recommended draft changes to Sections 30.27.30 and 30.27.35 (new) regarding how the City adds new structures to the HRI and rescinds existing from the HRI, distinguishing the process for contributing historic resources, historic sites, and historic districts.

The HHC recommended draft revisions (to date) for sections 30.27.10 through 30.27.35 are illustrated (without track changes) in **Attachment 1**.

### **Ordinance Update Guiding Goals**

The following goals are to be used when recommending changes to the Ordinance:

- 1) Clarify, streamline, and simplify the overall ordinance
- 2) Eliminate redundancies and superfluous language.
- 3) Define and distinguish City Council designated “historic districts”, City Council designated “historic sites”, and other “contributing historic resources” that are included in the Historic Resource inventory.
- 4) Provide a clear and easy to understand process for rehabilitating or making modifications (e.g., additions) to buildings listed on the HRI depending on whether they are a contributing historic resource, a designated historic site, or located within a designated historic district.
- 5) Simplify and consolidate the existing standards for demolition.
- 6) Codify the Mills Act Program as an economic incentive for preservation.

### **DISCUSSION**

**DRAFT Amendments:** Suggested deletions are noted by ~~strikethrough~~, while suggested **additions are drafted in red**. A clean copy of the draft amendments without the underlining and strikethroughs is included in **Attachment 2** for easier reference.

**Possible Action:** Accept or modify staff’s suggested amendments to Section 30.27.40.

Continued next page

Suggested amendments to Section 30.27.40 <del>Design review procedures.</del> <u>Application for an Exterior Alteration to a Historic Resource.</u>	Discussion
<p><u>(a) Historic Resource Alteration Permits.</u> The intent of historic resource alteration permit review is to encourage the preservation of character defining features of a historic resource. The community development director or designee shall review applications for a historic resource alteration permit and shall be bound by any uniform standards adopted by the city relating to the intent and scope or review of historic resource alteration permit approval.</p> <p><u>(b) Historic Resource Alteration Permit Review.</u> Applications to <del>construct new structures, alter, change, modify, remove or significantly alter the exterior of any structure within a historic resource site or neighborhood combining district shall require architectural and site</del> <u>historic resource alteration permit</u> approval. according to the provisions of section <del>30.50.40</del>. An application shall be denied if the changes <u>would have a significant adverse effect on the character-defining features of a historic resource.</u> <del>jeopardize the building's or neighborhood's architectural or historical value.</del> <u>An alteration that is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties is not generally considered a significant alteration.</u> Interior remodeling that does not affect the building exterior or routine maintenance or repair of the exterior features of a structure in a historic <u>resource</u> site or historic neighborhood combining district shall not require <u>a historic resource alteration permit.</u> <del>architectural and site review.</del></p> <p><del>(a) In a historic neighborhood combining district, the design of the following proposed structures or remodeling shall be reviewed according to the provisions of section 30.50.40:</del></p> <p><del>(1) Construction of any type of a building that will affect the exterior appearance of the site, neighborhood, or any structure on the site or in the neighborhood;</del></p> <p><del>(2) New construction;</del></p> <p><del>(3) Relocation of any structure in or removal from a historic neighborhood combining district;</del></p> <p><del>(4) Remodeling of fifty percent (50%) or more of the facade of any structure.</del></p> <p><del>(b) In a historic site combining district, but not in a historic neighborhood combining district, the design of the following proposed structures or remodeling shall be reviewed according to the provisions of section 30.50.40:</del></p> <p><del>(1) Exterior alterations to any building;</del></p> <p><del>(2) Interior alterations that would affect the exterior of a building;</del></p> <p><del>(3) Construction of any type on a building that will affect the exterior appearance of the site, or any structure on the site;</del></p> <p><del>(4) New construction;</del></p> <p><del>(5) Relocation of any structure into or removal from a historic site combining district.</del></p>	<p>New Intent statement modeled after Gilroy City Code Sections 30.50.40 and 30.50.41 (Architectural and Site Review Permits)</p> <p>Language simplified.</p> <p>Language added regarding secretary of interior standards to ensure consistency in decision making. This language is consistent with best practices when reviewing historic resources for compliance with CEQA.</p>

<p><b><u>(c) Findings for Approval.</u></b> A historic resource alteration permit shall be approved upon making all of the following findings:</p> <ul style="list-style-type: none"> <li>(1) The proposed action is consistent with the purposes of this Article, the applicable requirements of the Municipal Code, and the General Plan; and</li> <li>(2) The proposed action will not have a significant adverse effect on the collective historic value of a designated historic district within which the historic resource is located.</li> <li>(3) The proposed action will not have a significant adverse effect on the character-defining features of the historic resource and is consistent with the Secretary of the Interior's Standards, as follows: <ul style="list-style-type: none"> <li>a. The proposed action will preserve and retain the historic character of the historic resource and will be compatible with the existing historic features, size, massing, scale and proportion, and materials.</li> <li>b. The proposed action will, to the greatest extent possible, avoid removal or significant alteration of distinctive materials, features, finishes, and spatial relationships that characterize the historic resource.</li> <li>c. Deteriorated historic features will be repaired rather than replaced to the greatest extent possible.</li> <li>d. New additions will be differentiated from the historic resource and will be constructed such that the essential form and integrity of the historic resource shall be protected if the addition is removed in the future.</li> </ul> </li> </ul>	<p>NEW. Findings added to ensure consistency in decision making. These findings are consistent with CEQA best practices when reviewing historic resource applications.</p>
<p><b><u>(d) Ministerial Approval.</u></b> If the Community Development Director or designee determines that the application meets the findings for approval identified in Section 30.27.40(c) of this Article, the application shall be approved ministerially.</p> <p><b><u>(e) Historic Heritage Committee Review.</u></b> If the Community Development Director or designee cannot make the findings for approval, the Community Development Director or designee may refer a historic resource alteration permit application to the Historic Heritage Committee for review. The Historic Heritage Committee may recommend that a historic resource evaluation report be prepared to determine if the project meets the findings for approval. If the Historic Heritage Committee determines that the application meets the findings for approval identified in Section 30.27.40(c) of this Article, the application shall be approved ministerially.</p>	<p>NEW. Ministerial approval language added for streamlining approval when an application meets the findings for approval.</p> <p>Ministerial approval does not require any staff reports or public hearings. Ministerial approval is done through the same building permit process that is required for non-historic resources.</p>

<p><b><u>(f) Planning Commission Review.</u></b> <u>If the Historic Heritage Committee cannot make the findings for approval, the application shall be referred to the Planning Commission for review. The Planning Commission shall consider the recommendation of the Historic Heritage Committee and any historic evaluation report prepared for the application and shall either approve, approve with modification, or deny the historic resource alteration permit application, based on the findings for approval identified in Section 30.27.40(c) of this Article.</u></p>	<p>Language added to provide a clear and easy to understand process when the proposed alterations cannot be approved ministerially.</p>
<p><b><u>(g) Recommended Modifications.</u></b> <u>In recommending approval of a historic resource alteration permit application, the Community Development Director, Historic Heritage Committee, and/or Planning Commission may suggest reasonable and necessary modifications to the proposed alterations, intended to ensure that the application will comply with the Secretary of the Interior's Standards.</u></p>	<p>The goal of staff is always to help an applicant get their project approved ministerially. This can typically be done through minor modifications in their application.</p>

**Next Steps:** Based on feedback from the HHC, staff will return with further amendments to sections 30.27.40 (if necessary), and recommended edits to the demolition sections of the Ordinance. It is staff’s intent to go through the entire Ordinance between now and the end of the 2021 calendar year. The entire Zoning Ordinance, including any modifications to Chapter 30.27, are tentatively scheduled to be reviewed by the Planning Commission and City Council at public hearings in mid-2022.

## **Attachment 1 - Draft amendments to date - Article XXVII (Historic Resources)**

### **30.27.10 Statement of intent. (revised as recommended by HHC)**

The intent of this article is:

- (a) To preserve historic sites and historic districts that represent important elements of Gilroy's past or contribute to the community's identity or educational resources;
- (b) To enhance the visual character of Gilroy by encouraging and regulating the compatibility of architectural styles within historic districts;
- (c) To identify and designate historic sites or historic districts that have a significant concentration or continuity of sites, buildings or objects unified by past events or physical development;
- (d) To encourage the rehabilitation or restoration of historic buildings throughout the city.
- e) To encourage the preservation of character defining features of contributing historic resources.

### **30.27.20 Conditional use permits. (revised as recommended by HHC)**

Any use that is listed as a conditional use for the base zoning district may be allowed to locate within a historic resource subject to the planning commission finding that the proposed conditional use is compatible with the historic nature of the property and would require minimal alteration to the building or site.

### **30.27.25 Definitions. (new, as recommended by HHC)**

"Alteration" means any exterior modification to a historic resource, including but not limited to a new addition or removal of existing architectural features. Alteration shall not include routine maintenance and repair such as any work involving the in-kind replacement of existing material for the purpose of protective or preventative measures.

"Alteration, Significant" means any alteration, destruction, relocation, demolition, or partial demolition that may have a significant adverse effect on the character-defining features of a historic resource. An alteration that is consistent with the Secretary of the Interior's Standards is not generally considered a significant alteration.

"Contributing Historic Resource" means a historic resource that has been listed in the historic resources inventory as a contributing historic resource by Resolution of the City Council, in accordance with the criteria of this Chapter.

"Historic Context Statement" means a narrative report on the geography, history and culture that shaped Gilroy's built environment and provides the basis for evaluating historic significance and integrity.

"Historic Heritage Committee" means the five (5) members appointed by the city council to act as an advisory board to the city council and planning commission on issues relating to the identification, protection, retention and preservation of historic sites and historic districts in the City of Gilroy.

## **Attachment 1 - Draft amendments to date - Article XXVII (Historic Resources)**

“Historic District” means an area or combination of sites within the city that has been designated by Resolution of the City Council as a historic district, in accordance with the criteria of this Chapter.

"Historic Resource" means a contributing historic resource, historic site, or historic district that is officially listed in the historic resources inventory.

"Historic Resource Inventory" means the official City Council approved register of contributing historic resources, historic sites, and historic districts.

“Historic Site” means an object, building, structure, or site that has been designated by Resolution of the City Council as a historic site in accordance with the criteria of this Chapter.

"Mills Act" means a state law enacted in 1972 that grants participating local governments the authority to enter into contracts with owners of a qualified historic resource who actively participate in the rehabilitation and maintenance of the historic resource while receiving property tax relief.

“Restoration” means the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period.

“Rehabilitation” means the process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. Rehabilitation is the primary means of preservation in Gilroy and acknowledges the need to alter or add to a historic property to meet continuing or changing uses while retaining the property's historic character.

The “Secretary of the Interior's Standards for the Treatment of Historic Properties” (Standards) are principles that promote historic preservation best practices that will help protect Gilroy's historic resources.

### **30.27.30 Contributing Historic Resources. (new language, as recommended by HHC)**

(a) The establishment of a contributing historic resource on the Historic Resource Inventory shall be processed by Resolution of the City Council, following a review and recommendation by the Historic Heritage Committee and the Planning Commission. Fees, which are established from time to time by the city council, shall be waived for the establishment of, but not the rescission of, a contributing historic resource.

(b) Any structure or property within the city may be established as a contributing historic resource if it meets any one (1) of the following findings:

- (1) It exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic, engineering or architectural history; or
- (2) It is identified with persons or events significant in local, state or national history; or
- (3) It embodies distinctive characteristics of a style, type, period or methods of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or
- (4) It is representative of the work of a notable builder, designer or architect.

## **Attachment 1 - Draft amendments to date - Article XXVII (Historic Resources)**

### **30.27.35 Historic sites and historic districts. (revised, as recommended by HHC)**

(a) The designation or rescission of a historic site or historic district shall be processed by Resolution of the City Council, following a review and recommendation by the Historic Heritage Committee and the Planning Commission. Fees, which are established from time to time by the city council, shall be waived for the designation of, but not the rescission of, a historic site or historic district.

(b) Historic District. The establishment of a historic district may be in combination with any residential, commercial, industrial or other base district as defined in this chapter. Any area or combination of sites within the city may be designated as a historic district if it meets any one (1) of the following findings:

- (1) The district possesses a significant concentration or continuity of sites, buildings, structures, or objects unified by past events or physical development; or
- (2) The district represents an established and familiar visual feature of the community; or
- (3) The collective historic value of the district taken together is of greater value than each individual structure.

(c) Historic Site. Any property within the city may be designated as a historic site if it meets the findings for establishment of a contributing resource and it meets all of the following additional findings of integrity described in Chapter 7 of the Historic Context Statement.

- (1) The structure retains the original roofline and roof form; and
- (2) The structure retains the original fenestration pattern; and
- (3) The structure retains the majority of its original ornamentation (e.g., decorative trim, raked eaves, cornice line); and
- (4) The structure retains its original porch configuration and materials; and
- (5) The structure does not feature conjectural elements (e.g., cladding or elaborate details that are inconsistent with the original period of construction or architectural style); and
- (6) The structure does not have later additions that are visible from the public right-of-way and impact integrity.

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End of edits to date

## **Attachment 1 - Draft amendments to date - Article XXVII (Historic Resources)**

### **30.27.40 Design review procedures. (UNDER REVIEW BY HHC)**

### **30.27.50 Demolition procedures. (unedited to date)**

All demolition applications for historically or culturally important structures located in either a historic site or neighborhood combining district shall be reviewed by the historic heritage committee which shall forward its recommendations to the planning commission. The planning commission shall review the demolition request and either deny it or forward a recommendation of approval to the city council in accordance with sections [30.27.51](#) and [30.27.52](#). Architectural and site approval shall not be given for any new construction until the city council has approved the demolition request, or a demolition permit has been issued by the city, whichever comes first.

Upon application for demolition where a structure or portion of a structure in a historic site or neighborhood combining district has been substantially destroyed by fire, explosion, earthquake or flood, the chief building inspector and planning director, after inspection of the damage, may issue the demolition permit immediately, only when they both determine that there is imminent danger to life, limb or health of the public and the structure is obviously not restorable due to such damage.

### **30.27.51 Historic neighborhood demolition procedures. (unedited to date)**

After review of each request for demolition, the planning commission may recommend approval or conditional approval upon making the findings set forth below, or may deny the request. The planning commission determination for denial shall be final unless a written appeal to the city council is filed within twenty (20) days. If the planning commission recommends approval or conditional approval, the planning director shall forward to the city council the demolition request with the planning commission's recommendation. After review of the request, the city council may approve, conditionally approve or deny the request.

In order to approve or conditionally approve a demolition request within a historic neighborhood combining district, the city council prior to its approval must make the following findings:

- (a) Demolition of the structure will not have a significant impact on the historic character of the neighborhood; or
- (b) The structure proposed for demolition is not restorable.

### **30.27.52 Historic site demolition procedures. (unedited to date)**

Within a historic site combining district, nonhistoric accessory buildings may be demolished through the procedure set forth above for structures in a historic neighborhood combining district.

Demolition or relocation of a historically significant structure within a historic site combining district shall first require removal of the historic site combining district designation through the zone change process as provided in this chapter. Removal of the historic site combining district is not required where a historically significant structure would remain on the site, despite the

## **Attachment 1 - Draft amendments to date - Article XXVII (Historic Resources)**

demolition of other historic or nonhistoric structures on the site. A request for demolition or relocation may be processed concurrently with the request for a change of district. In order to approve or conditionally approve a demolition request within a historic site combining district, the historic heritage committee, the planning commission and city council must make the following findings:

- (a) The structure proposed for demolition is not restorable; and
- (b) The applicant has unsuccessfully attempted to preserve the structure through all means available, including, but not limited to:
  - (1) Documented advertisements publicizing the availability of the structure for purchase for restoration purposes; and
  - (2) A map showing investigation into possible sites for relocation of the structure; and
  - (3) Documented letters offering the donation of the structure to nonprofit organizations for relocation.

The planning commission or city council may suspend action on removal of the historic site combining district designation and demolition application for a period not to exceed one hundred eighty (180) days to allow sufficient time for necessary steps to be taken to preserve the structure. Thereafter, the planning commission may recommend approval and the city council may approve the application for removal of the historic site combining district designation and demolition following a determination that no means of preservation is feasible and that the requested zone change is appropriate.

### **30.27.53 General demolition procedures. (unedited to date)**

Each request for the demolition of any building over fifty (50) years old which is not in a historic site or neighborhood combining district, but meets any of the four (4) findings of criteria defined under section [30.27.30\(b\)](#) as determined by the planning division, shall be accompanied by one (1) clear photograph, of the front of the building, submitted by the applicant. The age of the structure shall be determined or verified through public records or from an inspection. A demolition permit shall not be issued for such building until the planning director, with assistance from the historic heritage committee, has had a period not to exceed thirty (30) days to investigate, document and photograph the building and attempt to arrange for the preservation of the building. After the expiration of the thirty (30) day period, the permit may be issued in accordance with the building department procedures. The thirty (30) day period may be waived by the chief building inspector where there is imminent danger to life, limb or health of the public which requires immediate demolition.

## Attachment 2 – New Redlined recommended edits

(Draft changes for HHC review/recommendation)

### 30.27.40 ~~Design review procedures.~~ **Application for an Exterior Alteration to a Historic Resource.**

**(a) Historic Resource Alteration Permits.** The intent of historic resource alteration permit review is to encourage the preservation of character defining features of a historic resource. The community development director or designee shall review applications for a historic resource alteration permit and shall be bound by any uniform standards adopted by the city relating to the intent and scope or review of historic resource alteration permit approval.

**(b) Historic Resource Alteration Permit Review.** Applications to ~~construct new structures, alter, change, modify, remove or significantly~~ alter the exterior of any structure within a historic resource site or neighborhood combining district shall require architectural and site historic resource alteration permit approval. ~~according to the provisions of section 30.50.40.~~ An application shall be denied if the changes ~~would have a significant adverse effect on the character-defining features of a historic resource. jeopardize the building's or neighborhood's architectural or historical value.~~ An alteration that is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties is not generally considered a significant alteration. Interior remodeling that does not affect the building exterior or routine maintenance or repair of the exterior features of a structure in a historic resource site or historic neighborhood combining district shall not require a historic resource alteration permit. ~~architectural and site review.~~

**(c) Findings for Approval.** A historic resource alteration permit shall be approved upon making all of the following findings:

- (1) The proposed action is consistent with the purposes of this Article, the applicable requirements of the Municipal Code, and the General Plan;
- (2) The proposed action will not have a significant adverse effect on the collective historic value of a designated historic district within which the historic resource is located; and
- (3) The proposed action will not have a significant adverse effect on the character-defining features of the historic resource and is consistent with the Secretary of the Interior's Standards, as follows:
  - a. The proposed action will preserve and retain the historic character of the historic resource and will be compatible with the existing historic features, size, massing, scale and proportion, and materials.
  - b. The proposed action will, to the greatest extent possible, avoid removal or significant alteration of distinctive materials, features, finishes, and spatial relationships that characterize the historic resource.
  - c. Deteriorated historic features will be repaired rather than replaced to the greatest extent possible.

## Attachment 2 – New Redlined recommended edits

d. New additions will be differentiated from the historic resource and will be constructed such that the essential form and integrity of the historic resource shall be protected if the addition is removed in the future.

(d) **Ministerial Approval.** If the Community Development Director or designee determines that the application meets the findings for approval identified in Section 30.27.40(c) of this Article, the application shall be approved ministerially.

(e) **Historic Heritage Committee Review.** If the Community Development Director or designee cannot make the findings for approval, the Community Development Director or designee may refer a historic resource alteration permit application to the Historic Heritage Committee for review. The Historic Heritage Committee may recommend that a historic resource evaluation report be prepared to determine if the project meets the findings for approval. If the Historic Heritage Committee determines that the application meets the findings for approval identified in Section 30.27.40(c) of this Article, the application shall be approved ministerially.

(f) **Planning Commission Review.** If the Historic Heritage Committee cannot make the findings for approval, the application shall be referred to the Planning Commission for review. The Planning Commission shall consider the recommendation of the Historic Heritage Committee and any historic evaluation report prepared for the application and shall either approve, approve with modification, or deny the historic resource alteration permit application, based on the findings for approval identified in Section 30.27.40(c) of this Article.

(g) **Recommended Modifications.** In recommending approval of a historic resource alteration permit application, the Community Development Director, Historic Heritage Committee, and/or Planning Commission may suggest reasonable and necessary modifications to the proposed alterations, intended to ensure that the application will comply with the Secretary of the Interior's Standards.

~~(a) In a historic neighborhood combining district, the design of the following proposed structures or remodeling shall be reviewed according to the provisions of section [30.50.40](#):~~

- ~~(1) Construction of any type of a building that will affect the exterior appearance of the site, neighborhood, or any structure on the site or in the neighborhood;~~
- ~~(2) New construction;~~
- ~~(3) Relocation of any structure in or removal from a historic neighborhood combining district;~~
- ~~(4) Remodeling of fifty percent (50%) or more of the facade of any structure.~~

~~(b) In a historic site combining district, but not in a historic neighborhood combining district, the design of the following proposed structures or remodeling shall be reviewed according to the provisions of section [30.50.40](#):~~

- ~~(1) Exterior alterations to any building;~~
- ~~(2) Interior alterations that would affect the exterior of a building;~~
- ~~(3) Construction of any type on a building that will affect the exterior appearance of the site, or any structure on the site;~~
- ~~(4) New construction;~~
- ~~(5) Relocation of any structure into or removal from a historic site combining district.~~

## **Attachment 3 – Clean copy recommended edits**

(Draft changes for HHC review/recommendation)

### **30.27.40 - Application for an Exterior Alteration to a Historic Resource.**

**(a) Historic Resource Alteration Permits.** The intent of historic resource alteration permit review is to encourage the preservation of character defining features of a historic resource. The community development director or designee shall review applications for a historic resource alteration permit and shall be bound by any uniform standards adopted by the city relating to the intent and scope of review of historic resource alteration permit approval.

**(b) Historic Resource Alteration Permit Review.** Applications to alter the exterior of any historic resource shall require historic resource alteration permit approval. An application shall be denied if the changes would have a significant adverse effect on the character-defining features of a historic resource. An alteration that is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties is not generally considered a significant alteration. Interior remodeling that does not affect the building exterior or routine maintenance or repair of the exterior features of a historic resource shall not require a historic resource alteration permit.

**(c) Findings for Approval.** A historic resource alteration permit shall be approved upon making all of the following findings:

(1) The proposed action is consistent with the purposes of this Article, the applicable requirements of the Municipal Code, and the General Plan;

(2) The proposed action will not have a significant adverse effect on the collective historic value of a designated historic district within which the historic resource is located; and

(3) The proposed action will not have a significant adverse effect on the character-defining features of the historic resource and is consistent with the Secretary of the Interior's Standards, as follows:

a. The proposed action will preserve and retain the historic character of the historic resource and will be compatible with the existing historic features, size, massing, scale and proportion, and materials.

b. The proposed action will, to the greatest extent possible, avoid removal or significant alteration of distinctive materials, features, finishes, and spatial relationships that characterize the historic resource.

c. Deteriorated historic features will be repaired rather than replaced to the greatest extent possible.

d. New additions will be differentiated from the historic resource and will be constructed such that the essential form and integrity of the historic resource shall be protected if the addition is removed in the future.

**(d) Ministerial Approval.** If the Community Development Director or designee determines that the application meets the findings for approval identified in Section 30.27.40(c) of this Article, the application shall be approved ministerially.

### **Attachment 3 – Clean copy recommended edits**

**(e) Historic Heritage Committee Review.** If the Community Development Director or designee cannot make the findings for approval, the Community Development Director or designee may refer a historic resource alteration permit application to the Historic Heritage Committee for review. The Historic Heritage Committee may recommend that a historic resource evaluation report be prepared to determine if the project meets the findings for approval. If the Historic Heritage Committee determines that the application meets the findings for approval identified in Section 30.27.40(c) of this Article, the application shall be approved ministerially.

**(f) Planning Commission Review.** If the Historic Heritage Committee cannot make the findings for approval, the application shall be referred to the Planning Commission for review. The Planning Commission shall consider the recommendation of the Historic Heritage Committee and any historic evaluation report prepared for the application and shall either approve, approve with modification, or deny the historic resource alteration permit application, based on the findings for approval identified in Section 30.27.40(c) of this Article.

**(g) Recommended Modifications.** In recommending approval of a historic resource alteration permit application, the Community Development Director, Historic Heritage Committee, and/or Planning Commission may suggest reasonable and necessary modifications to the proposed alterations, intended to ensure that the application will comply with the Secretary of the Interior's Standards.