



TO: Historic Preservation Commission

FROM: Darryl Mimick, Historic Preservation Commission Secretary
Lisa Prasse, Current Planning Manager

SUBJECT: Discussion regarding the provisions of Chapter 17.33 of the Goleta Municipal Code regarding Historic Resources and the adopted Review Standards and Procedures

RECOMMENDATION

Receive a presentation on the provisions of Chapter 17.33 of the Goleta Municipal Code regarding Historic Resources and allow public comments.

DISCUSSION

On April 19, 2022, the City Council adopted Ordinance 22-05, establishing the Historic Preservation Commission (HPC), and its roles and responsibilities. The portion of the Ordinance relating to Historic Resources was incorporated into the Goleta Municipal Code as Chapter 17.33. Chapter 17.33 includes, but is not limited to, establishing procedures for the review and recommendations by the HPC to the Design Review Board (DRB), the Planning Commission (PC), and the City Council (CC) on a variety of historic preservation topics. As an advisory body, the HPC will review and provide recommendations on various applications types as follows:

- Historic Resources Inventory Requests
- Historic Landmark Designations Requests
- Historic District Designation Requests
- Requests for Mills Act Contracts
- Design Review of Alterations to designated Historic Resources
- Demolition of Historic Resources

The presentation will review the adopted criteria and findings for each review type, as well as share the decision trees handouts that depict the processes for each application type.

Please see the link to Chapter 17.33 of the Goleta Municipal Code below to access the adopted provisions:

https://library.qcode.us/lib/goleta_ca/pub/municipal_code/item/title_17-part_iv-chapter_17_33?view=all

ATTACHMENTS

1. Power Point Presentation
2. Historic Preservation Processes Decision Tree Handouts

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Attachment 1
Staff Presentation

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Historic Preservation Commission

March 20, 2023



Review Processes



Historic Resources Inventory

- List of buildings, structures, objects, or sites that satisfy one or more of the following criteria:
 - Are identified as potentially eligible for designation through historic resources survey or other evaluation; or
 - Are listed in or formally determined eligible for listing in the National Register, the California Register, either individually or as a contributor; or
 - Are designated by the County of Santa Barbara; or
 - Are designated by the City Council

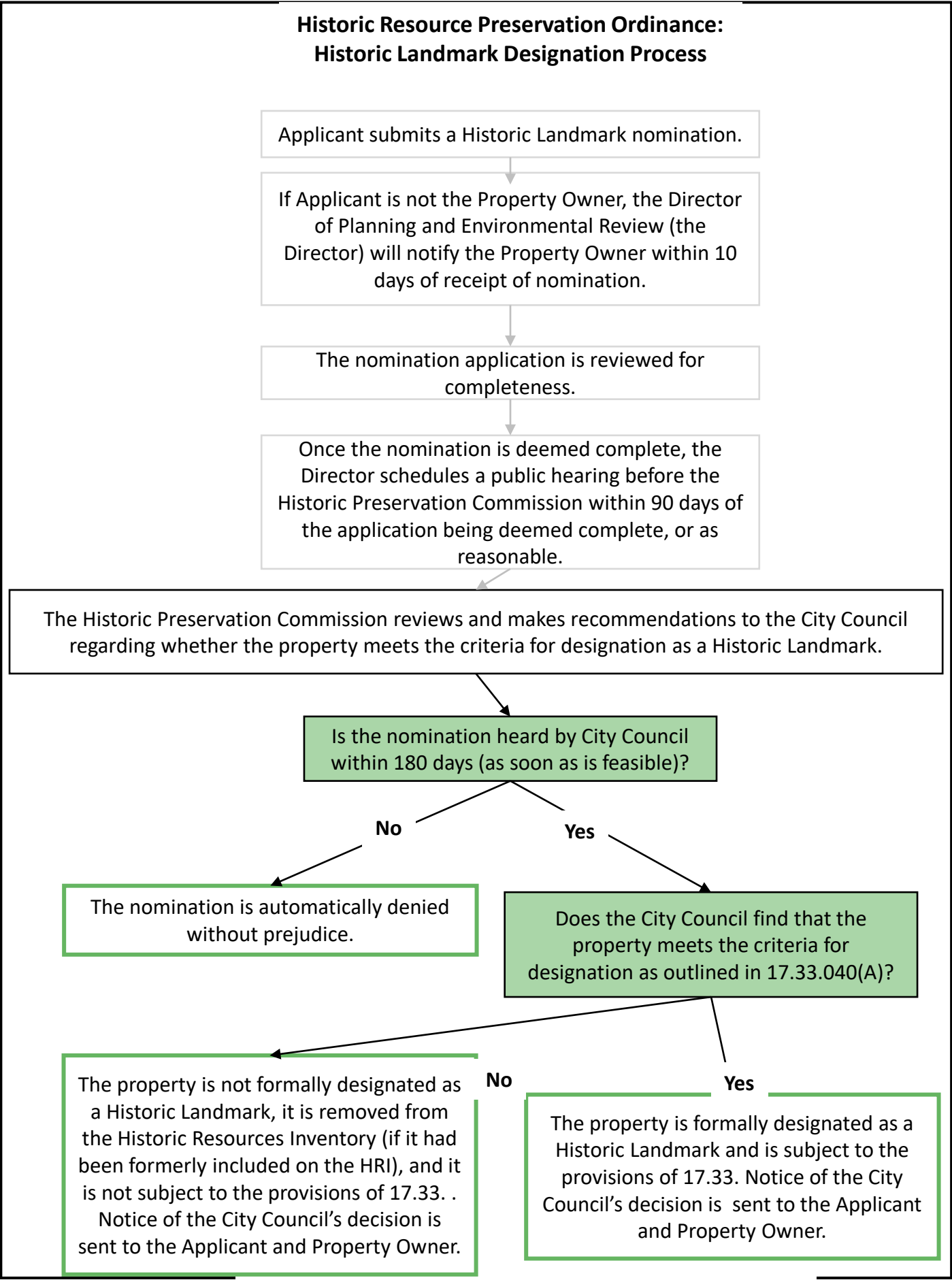
Historic Resources Inventory

- Properties on the HRI are considered historical resources as defined by CEQA
- Preservation standards/requirements applicable
- All incentives available except Mills Act
- Currently 30 properties on the HRI

Historic Landmark Designation Criteria

- If the City Council finds that the following criteria are met:
 - At least 50 years old or exhibits exceptional importance
 - The proposed landmark meets one of the following:
 - Associated with important events
 - Associated with persons of historic significance
 - Embodies distinctive characteristics of architectural style, type, time period, or method of construction
- The proposed retains those aspects of historic integrity that convey the reason for its significance





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Historic District Designation Criteria

- If the City Council finds that the grouping of properties meets the following criteria:
- Significant concentration of properties united historically, aesthetically, or physical development
- A minimum of 60 percent of the properties are identified as contributors
- The District collectively retains those aspects of historic integrity that convey the reason for its significance

**Historic Resource Preservation Ordinance:
Historic District Designation Process**

Applicant submits a Historic District nomination, along with documentation that a minimum of 51 percent of the Property Owners within the proposed Historic District support the nomination.

The Director of Planning and Environmental Review (the Director) will notify all Property Owners within the proposed Historic District in writing within 10 days of receipt of nomination.

The nomination application is reviewed for completeness.

Once the nomination is deemed complete, the Director schedules a public hearing before the Historic Preservation Commission within 90 days of the application being deemed complete, or as reasonable.

The Historic Preservation Commission reviews and makes recommendations to the City Council regarding whether the proposed Historic District meets the criteria.

Is the nomination heard by City Council within 180 days (as soon as is feasible)?

No

The nomination is automatically denied without prejudice.

Yes

Does the City Council find that the proposed Historic District meets the criteria for designation as outlined in 17.33.060(A-B)?

No

The Historic District is not designated. Notice of the City Council's decision is sent to the Applicant and all Property Owners.

Yes

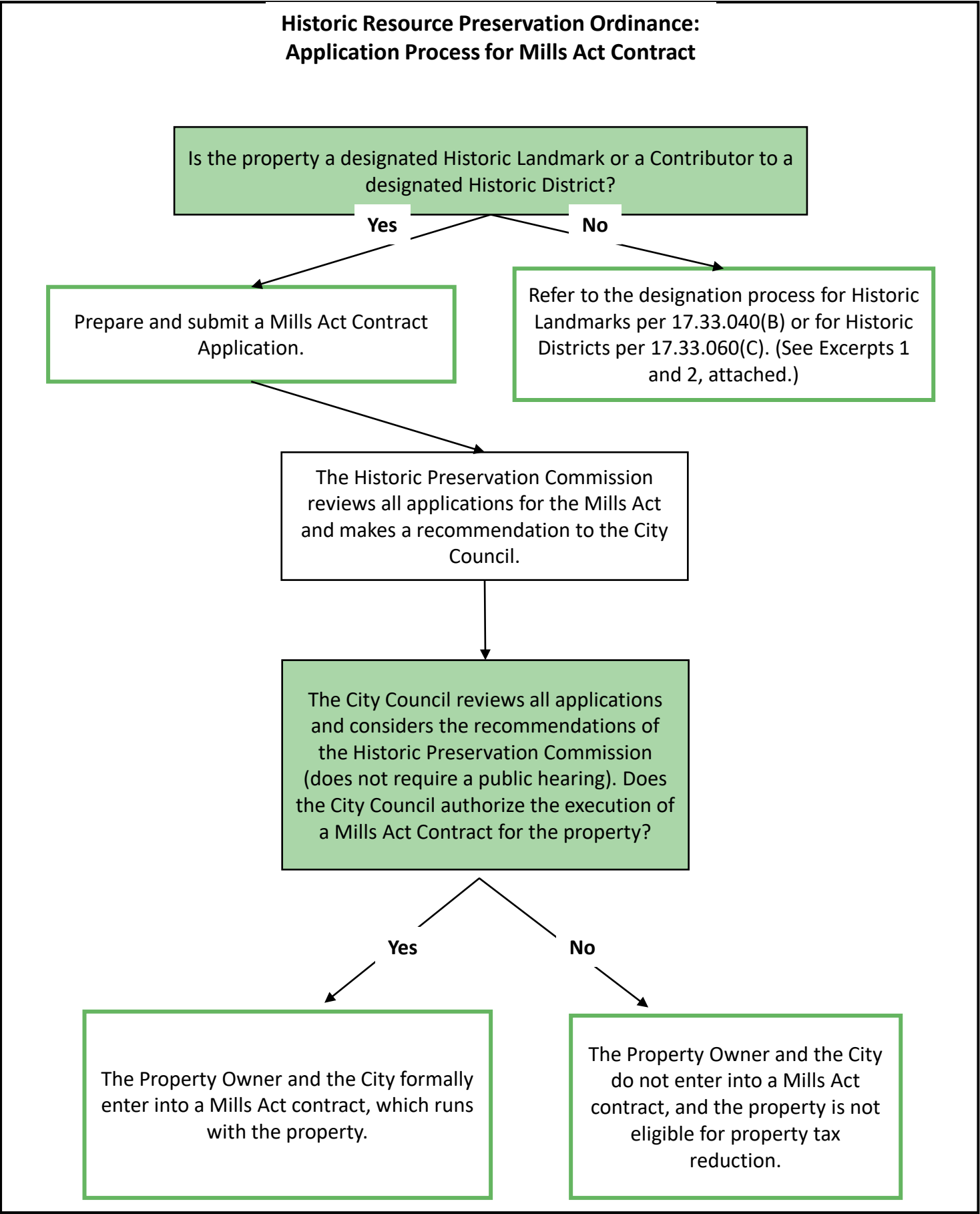
The Historic District is formally designated and is subject to the provisions of 17.33. Notice of the City Council's decision is sent to the Applicant and all Property Owners.

Points of Historical Interest

- Upon recommendation from HPC, the City Council finds that the building, structure, object or site meets the following criteria:
- Associated with historic events or important persons or otherwise has significant but the building or object no longer exists; or
- Site of a historic events which has no distinguishable physical characteristics

Mills Act Program Criteria

- Property owners of Historic Landmarks or contributors to a Historic District can apply for a Mills Act contract
- Incentive is a portion of relief in property taxes
- Approved by the City Council with recommendation from HPC

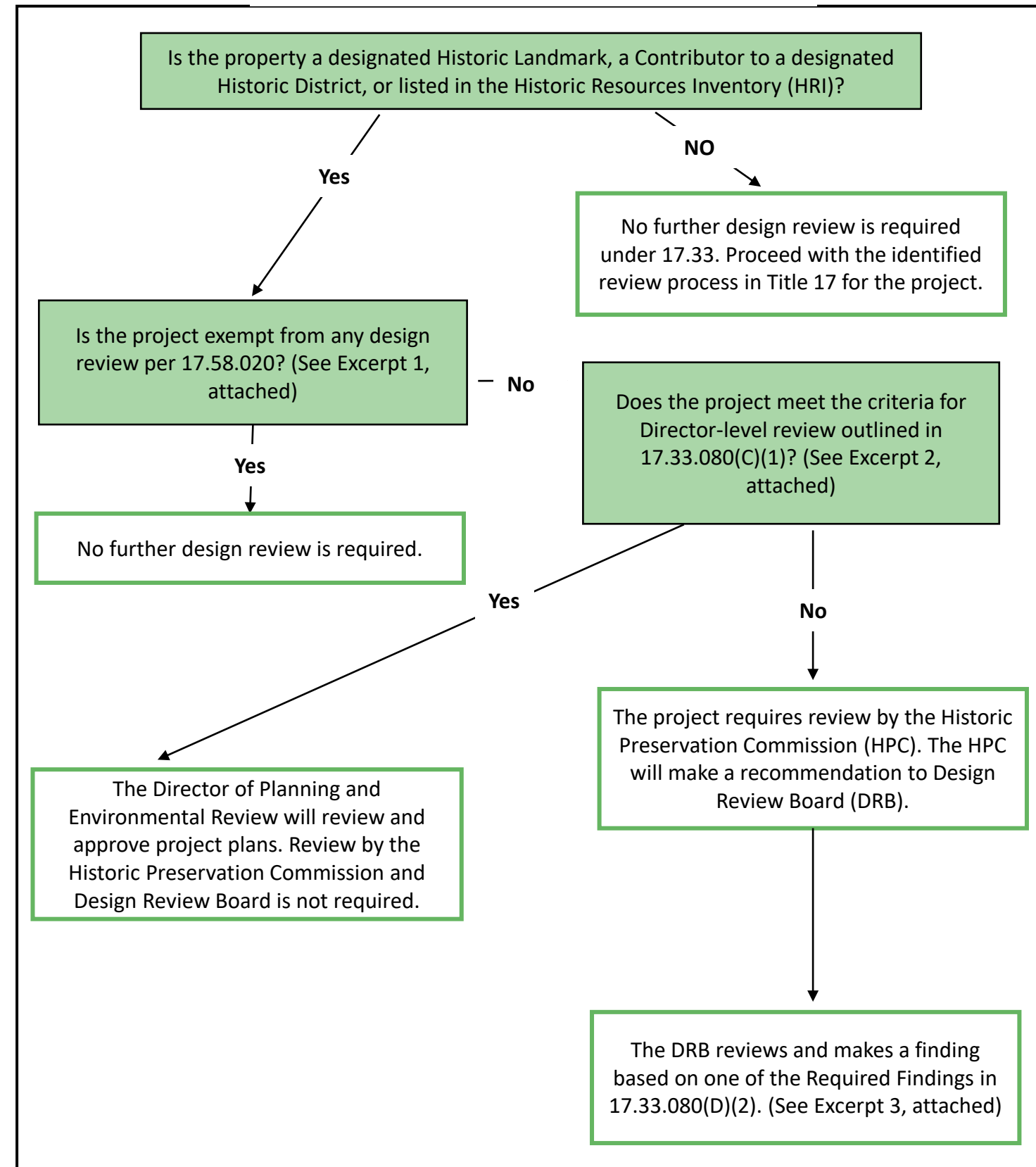


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Alterations to Historic Resources

- The HPC reviews request and makes a recommendation to the DRB, based on the following:
- Is the alteration consistent with applicable design standards or guidelines; or
- In the absence of local design guidelines, is the alternation consistent with the relevant Secretary of Interior's Standards for the Treatment of Historic Properties; or
- There is sufficient evidence provided by the applicant, that the denial of the alteration would cause a hardship

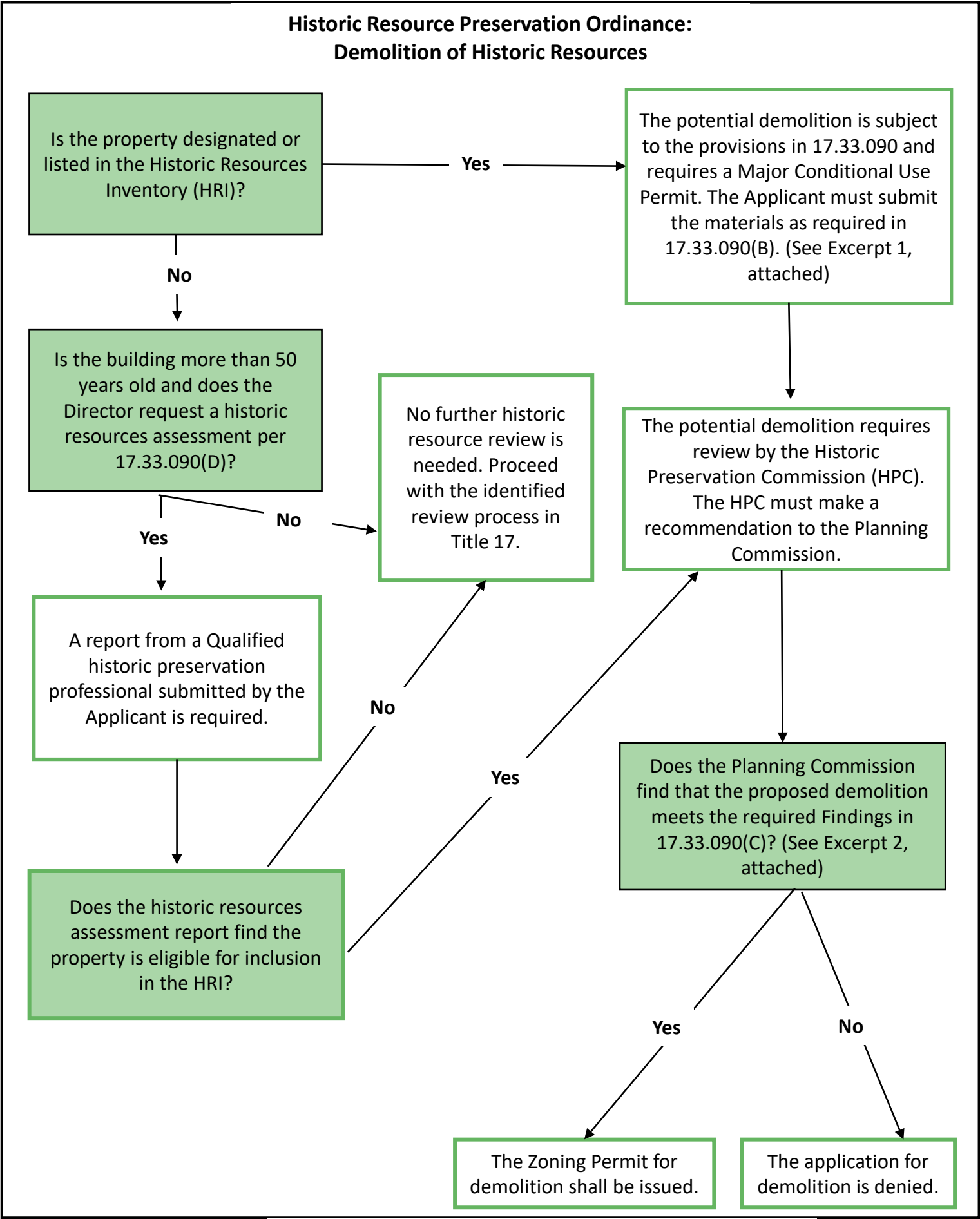
**Historic Resource Preservation Ordinance:
Design Review of Alterations to Historic Resources**



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Demolitions to Historic Resources

- In conjunction with a Major Conditional Use Permit, (CUP), the HPC reviews request and makes a recommendation to the Planning Commission, based on the following findings:
- Is consistent with intent of Ordinance and policies within General Plan
- Environmental Impacts are mitigated
- Demolition will not have a negative effect with the purposed of the Historic Ordinance
- One of the following:
 - Negative effects outweigh benefits
 - Retains no economic use and retention would cause hardship
 - Relocation is infeasible
 - Necessary to protect health, safety, and welfare of community



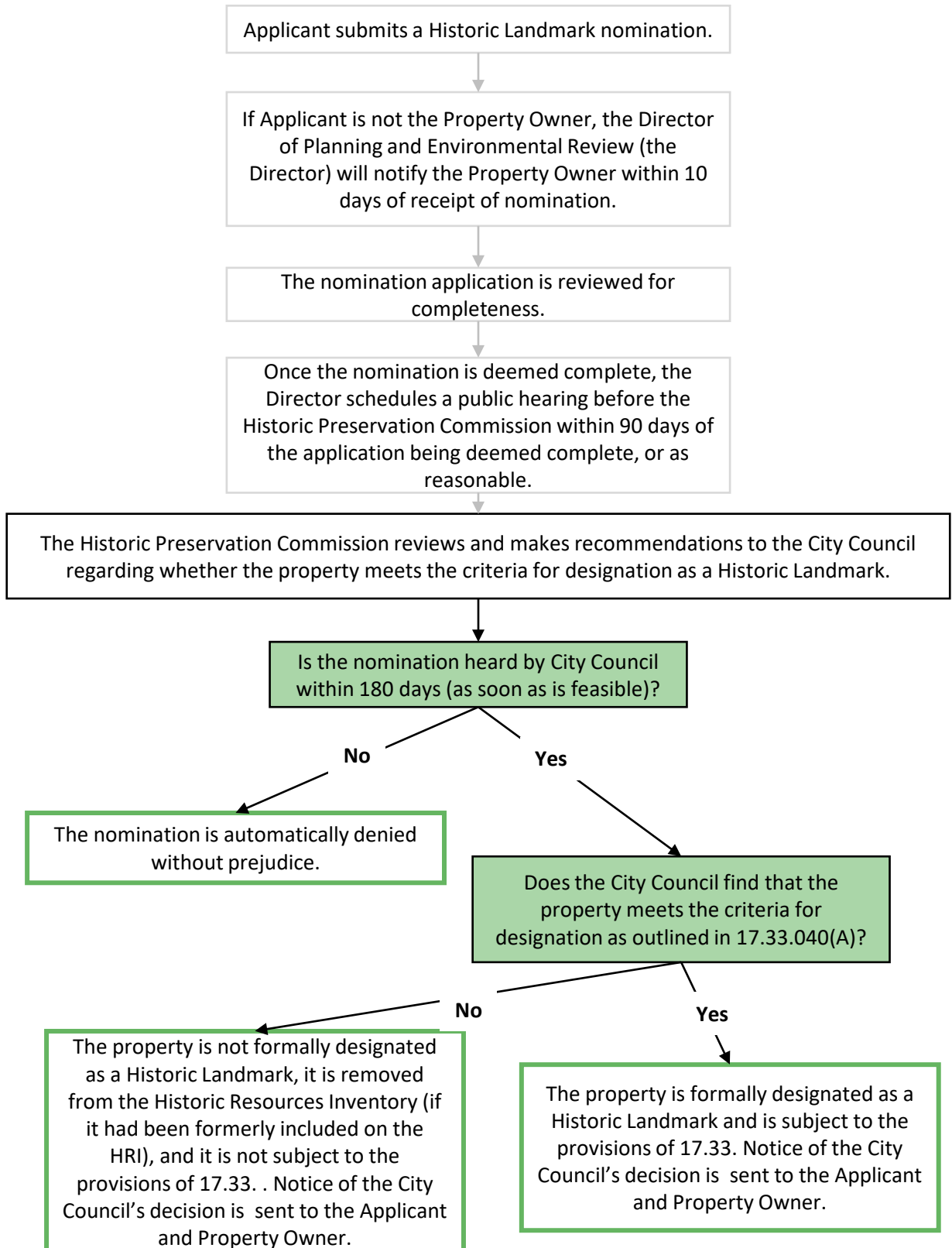
Discussion

Attachment 1

Decision Trees

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Historic Resource Preservation Ordinance: Historic Landmark Designation Process



Historic Resource Preservation Ordinance: Historic District Designation Process

Applicant submits a Historic District nomination, along with documentation that a minimum of 51 percent of the Property Owners within the proposed Historic District support the nomination.

The Director of Planning and Environmental Review (the Director) will notify all Property Owners within the proposed Historic District in writing within 10 days of receipt of nomination.

The nomination application is reviewed for completeness.

Once the nomination is deemed complete, the Director schedules a public hearing before the Historic Preservation Commission within 90 days of the application being deemed complete, or as reasonable.

The Historic Preservation Commission reviews and makes recommendations to the City Council regarding whether the proposed Historic District meets the criteria.

Is the nomination heard by City Council within 180 days (as soon as is feasible)?

No

The nomination is automatically denied without prejudice.

Yes

Does the City Council find that the proposed Historic District meets the criteria for designation as outlined in 17.33.060(A-B)?

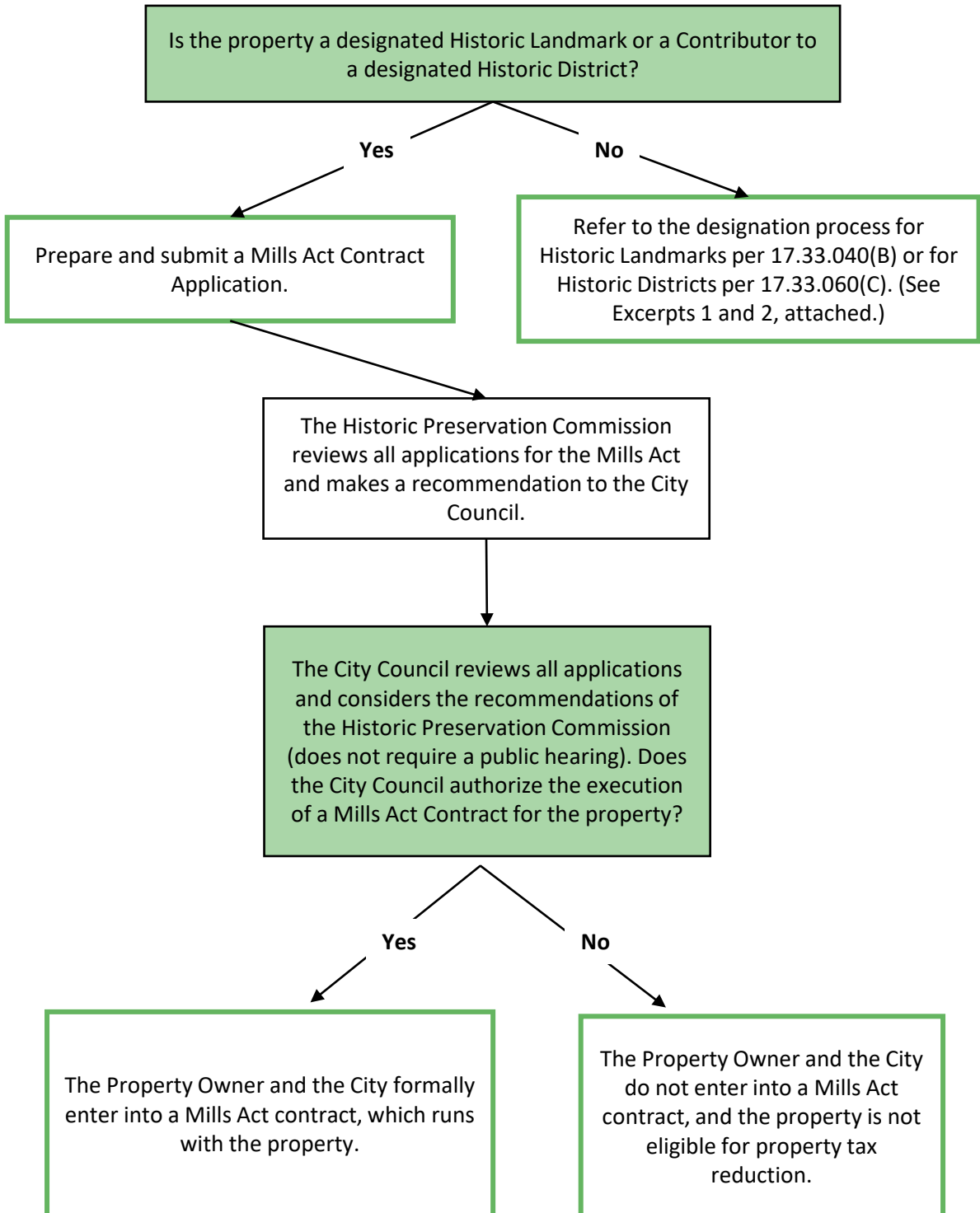
No

The Historic District is not designated. Notice of the City Council's decision is sent to the Applicant and all Property Owners.

Yes

The Historic District is formally designated and is subject to the provisions of 17.33. Notice of the City Council's decision is sent to the Applicant and all Property Owners.

**Historic Resource Preservation Ordinance:
Application Process for Mills Act Contract**



Historic Resource Preservation Ordinance: Application Process for Mills Act Contract

Excerpt 1

17.33.040(B). Procedure for Designating a Historic Landmark. The designation of Historic Landmarks shall be processed in the following manner:

1. **Application.** A nomination for designation as a Historic Landmark may be initiated by any resident of the City. If the Applicant is not the Property Owner, the Director shall, within 10 days of receipt of the nomination, notify the Property Owner in writing that a nomination for designation has been submitted.
2. **Historic Preservation Commission Hearing.** The Director shall schedule a public hearing before the Historic Preservation Commission on nominations for Historic Landmark designation within 90 days of the application being deemed complete, or as reasonable. The Historic Preservation Commission shall make a recommendation to the City Council on the listing of the property for Historic Landmark designation based on the criteria for designating a Historic Landmark.
3. **Interim Protection.** No on-site activities, other than routine maintenance and repair, that could affect any character-defining feature or the historic integrity of the proposed Historic Landmark, shall be permitted during the time period from nomination submittal through City Council consideration.
4. **City Council Hearing.** As soon as is feasible after receiving the recommendation of the Historic Preservation Commission, the City Council shall consider the proposed Historic Landmark designation. Within 180 days from the application being deemed complete, the City Council must decide on the proposed designation. Failure by the City Council to act within 180 days will result in the nomination request being automatically denied without prejudice.
5. **Notice of Designation.** If the City Council approves a proposed Historic Landmark designation, notice of the City Council's decision shall be sent to the Applicant and Property Owner.

Excerpt 2

17.33.060(C). Procedure for Designating a Historic District and Contributors. The designation of Historic Districts and contributors shall be processed in the following manner:

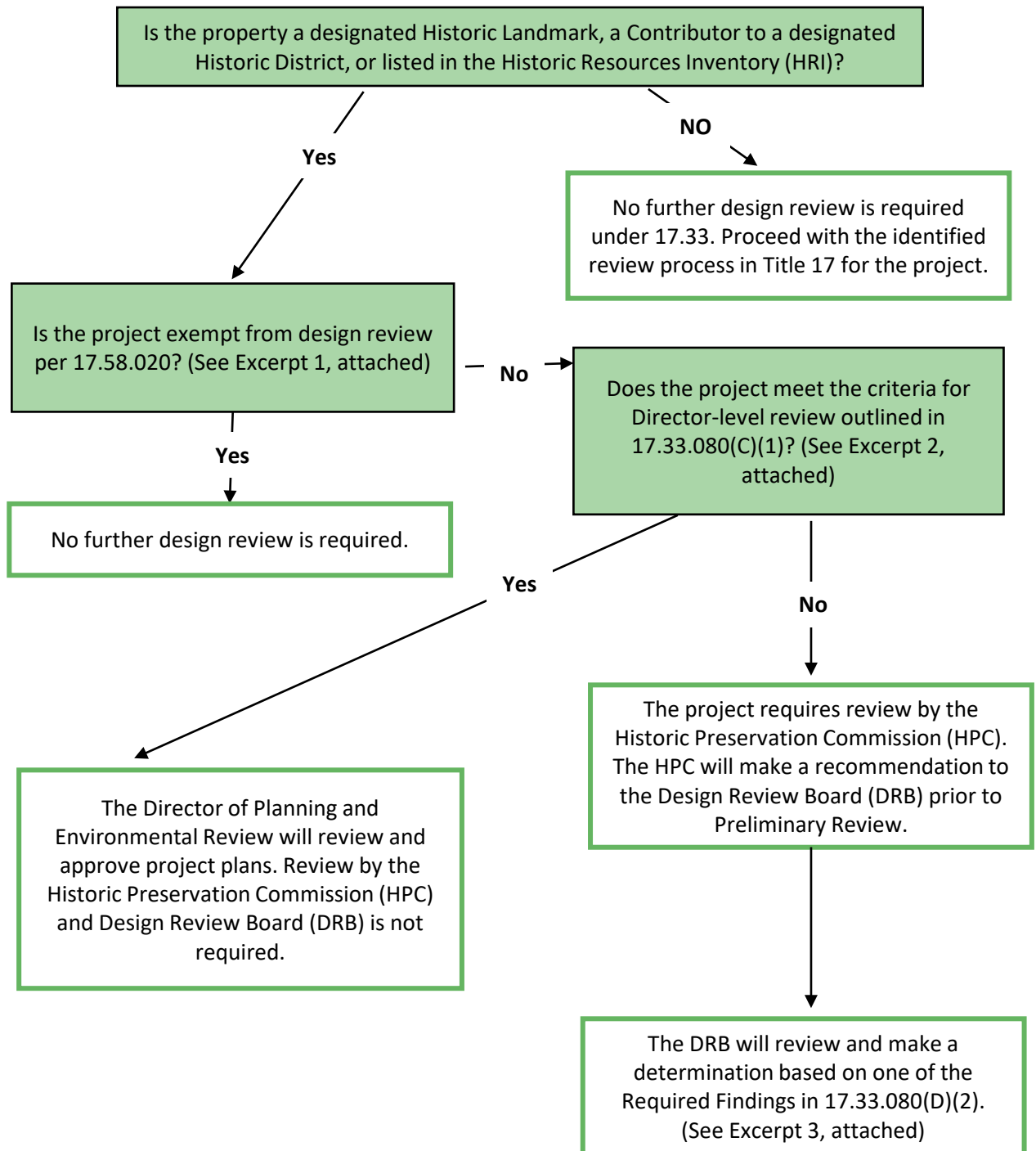
1. **Application.** A nomination for designation of a Historic District may be initiated by any resident of the City.
2. **Owner Consent.** At the time the nomination is submitted, the Applicant shall submit documentation by letter or petition that a minimum of 51 percent of the Property Owners within the proposed Historic District support the nomination
3. **Owner Notification.** The Director shall, within 10 days of receipt of a nomination, notify all Property Owners within the proposed Historic District in writing that a nomination for designation has been submitted.
4. **Historic Preservation Commission Hearing.** The Director shall schedule a public hearing before the Historic Preservation Commission on nominations for Historic District designation within 90 days of the application being deemed complete, or as reasonable. The Historic Preservation Commission shall make a recommendation to the City Council on the eligibility of the potential Historic District and the list of contributors for historic designation based on the criteria for designating a Historic District and the criteria for identifying contributors.
5. **Interim Protection.** No on-site activities, other than routine maintenance and repair, that could affect any character-defining feature or the historic integrity of any property within the potential Historic District, shall be permitted during the time period from nomination submittal through City Council consideration.

**Historic Resource Preservation Ordinance:
Application Process for Mills Act Contract**

Excerpt 2 (continued)

- 6. City Council Hearing.** As soon as is feasible after receiving the recommendation of the Historic Preservation Commission, the City Council shall consider approval of the Historic District and the specific contributors within the Historic District. Within 180 days from the nomination being deemed complete, the City Council must decide on the proposed designation. Failure by the City Council to act within 180 days will result in the nomination request being automatically denied without prejudice.
- 7. Notice of Designation.** If the City Council approves a proposed Historic District designation, notice of the City Council's decision shall be sent to the Applicant and all Property Owners within the Historic District.

**Historic Resource Preservation Ordinance:
Design Review of Alterations to Historic Resources**



Historic Resource Preservation Ordinance: Design Review of Alterations to Historic Resources

Excerpt 1

17.58.020. Exemptions.

- A. The following developments are exempt from Design Review in all instances:
1. All interior alterations and Tenant Improvements (TI);
 2. Solar energy systems;
 3. Alterations, additions, and repairs that do not substantially change the exterior appearance of a structure, including replacement in kind of existing features. To be considered "replacement in kind," the features must reasonably match the design, profile, material, and general appearance of the existing or original features;
 4. Required regulatory signage (e.g., ADA, City, County, etc.); and
 5. Signage on private property of two square feet or less conveying a message about the property (e.g., No Trespassing, For Sale, Garage Sale, etc.).
- B. The following development is exempt from Design Review, except when part of a larger development project under review by the City, which is subject to this chapter:
1. Unroofed decks, patios, and porches less than 30 inches above grade;
 2. Fences or walls six feet or less in height and gateposts of eight feet or less in height, that are not considered integral to the design of a structure (e.g., perimeter fences);
 3. Hedges that are 10 feet or less in height; and
 4. Minor additions that do not significantly change the streetscape of the existing dwelling:
 - a. Ground floor additions of 750 square feet or less (based on an exterior footprint measurement) to a single-unit dwelling or duplex unit,
 - b. Second story additions of less than 100 square feet to a single-unit dwelling or duplex unit and provided the addition is to the rear of the structure.
 5. Electric vehicle charging stations, as they are defined in GMC Section 15.20.030. (Ord. 21-07 § 4; Ord. 20-09 § 5; Ord. 20-03 § 6)

Excerpt 2

17.33.080(C).Criteria and Procedure for Director Review of Alterations.

1. **Required Findings.** The Director shall approve the plans and Design Review Board review is not required if the following findings are made:
- a. The proposed alteration is minor and clearly meets any applicable design guidelines adopted by the City Council; or
 - b. In the absence of applicable design guidelines, the proposed alteration is minor and clearly meets the relevant Secretary of the Interior's Standards for the Treatment of Historic Properties; and
 - c. The proposed alteration will not diminish, eliminate, or adversely affect the character, character-defining features, or historic integrity of the historic resource; and
 - d. Any changes to the proposed alteration requested by the Director are agreed to by the Applicant.

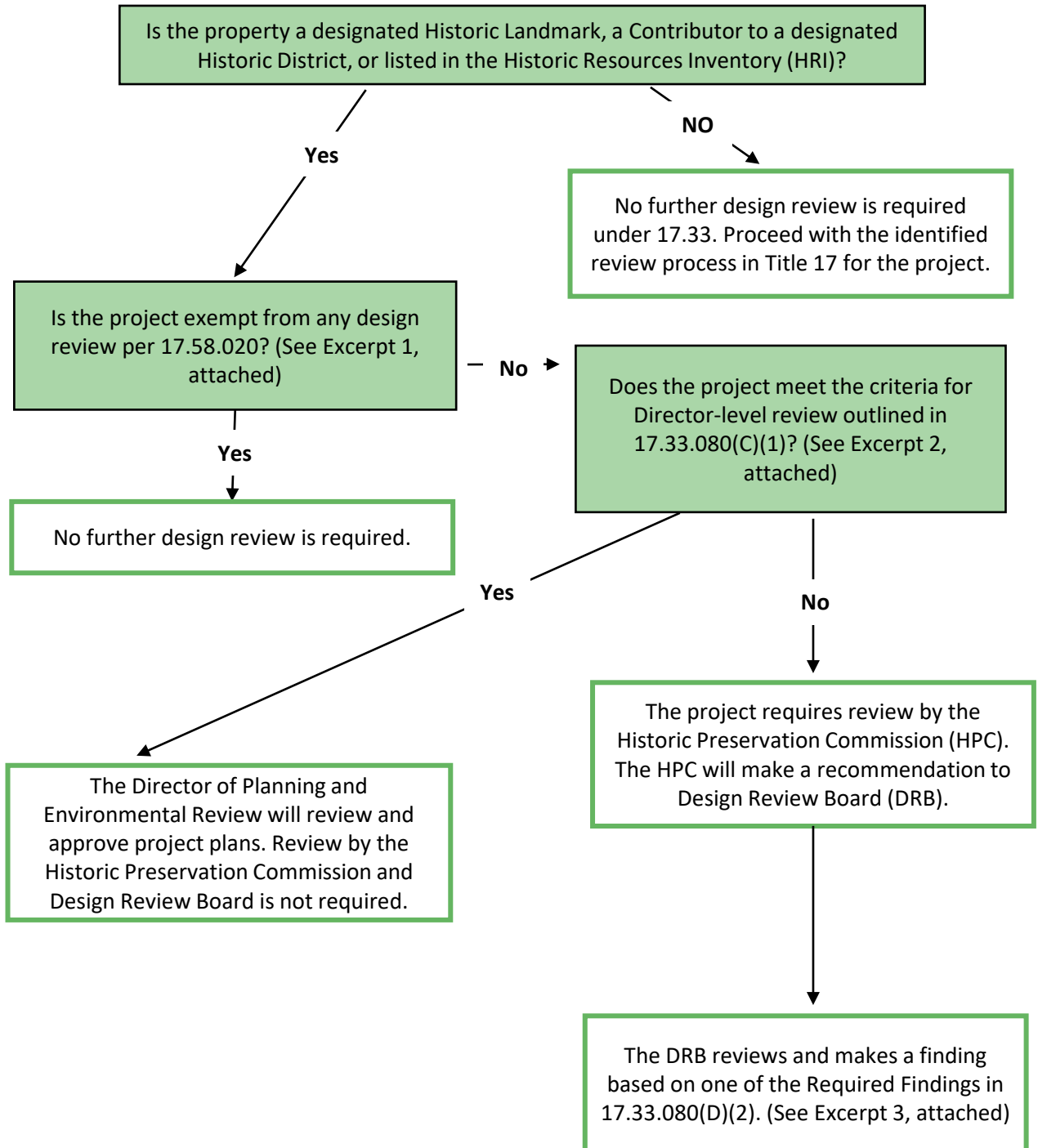
Historic Resource Preservation Ordinance: Design Review of Alterations to Historic Resources

Excerpt 3

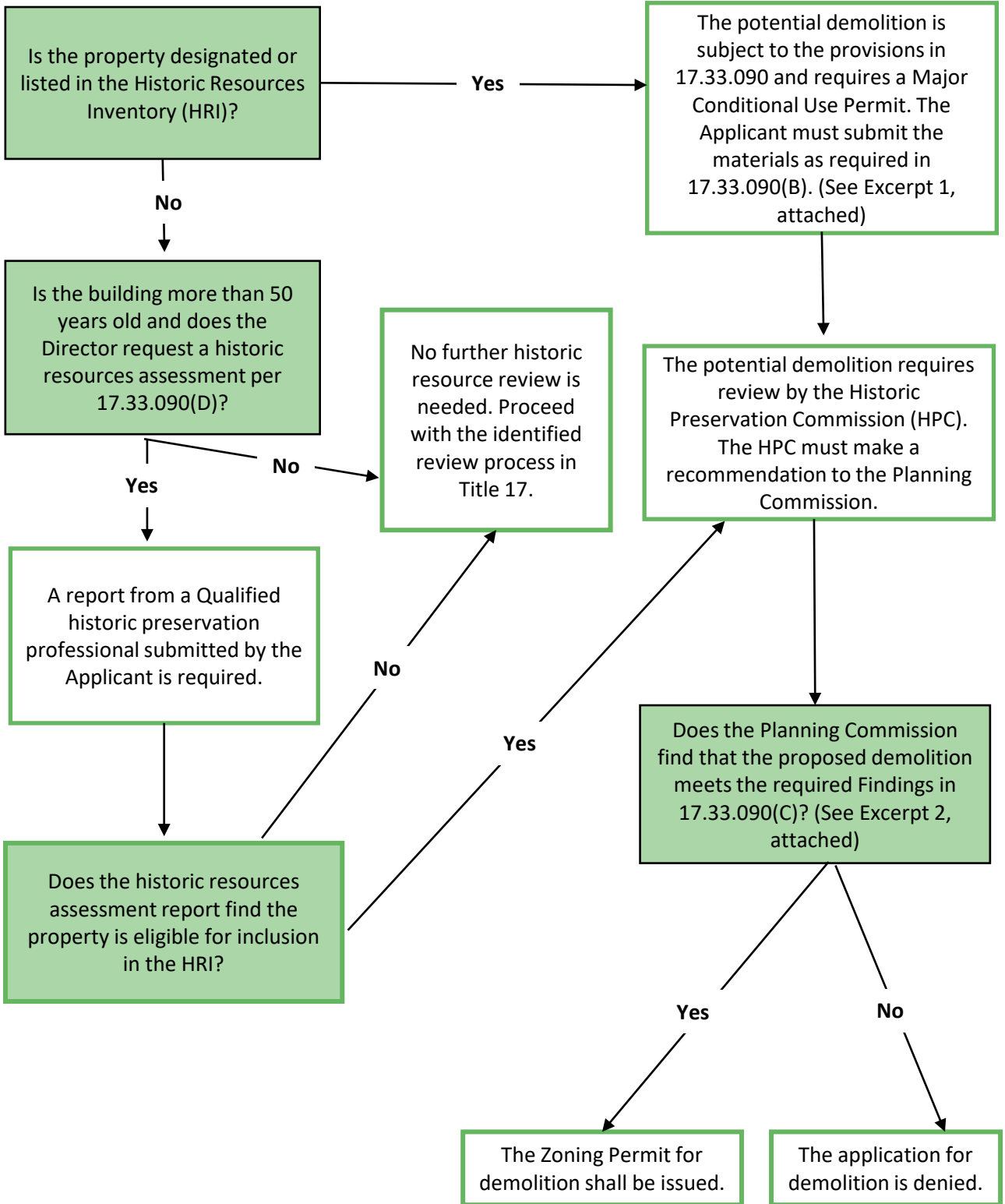
17.33.080(D). Criteria and Procedure for Historic Preservation Commission and Design Review Board Review of Alterations.

- 2. Required Findings.** The Historic Preservation Commission shall make recommendations, and the Design Review Board shall decide based on one of the following findings:
- a. The proposed alteration is found to be consistent with any applicable design standards or guidelines adopted by the City Council; or
 - b. In the absence of applicable design standards or guidelines, the proposed alteration is found to be consistent with the relevant Secretary of the Interior's Standards for the Treatment of Historic Properties; or
 - c. There is sufficient evidence, including evidence provided by the Applicant, that denial of the proposed alteration would cause an immediate hardship because of conditions unique to the specific property.

**Historic Resource Preservation Ordinance:
Design Review of Alterations to Historic Resources**



**Historic Resource Preservation Ordinance:
Demolition of Historic Resources**



Historic Resource Preservation Ordinance: Demolition of Historic Resources

Excerpt 1

17.33.090. Demolition of Historic Resources.

B. Additional Requirements. The Applicant shall submit a cost analysis for the rehabilitation and reuse of the property and a report by a structural engineer on the feasibility of relocation.

Excerpt 2

17.33.090. Demolition of Historic Resources.

- C. Findings.** The findings of Section 17.52.070 are not applicable for the demolition of a historic resource. In order to approve the demolition of a historic resource, the Historic Preservation Commission must make a recommendation, and the Planning Commission must decide, based on the following findings:
1. The proposed action is consistent with the intent of this Ordinance and is supportive of the identified goals and policies of the General Plan; and
 2. Any significant environmental impacts are mitigated to the maximum extent feasible; and
 3. The demolition will not have a significant negative effect on the achievement of the purposes of this Title; and
 4. One of the following:
 - a. The potential negative effects are outweighed by the benefits of the associated replacement project, as applicable; or
 - b. There is sufficient evidence, including evidence provided by the Applicant, that the historic resource retains no reasonable economic use and retention of the historic resource would cause undue economic hardship, considering the historic resource's condition, location, the current market value, and the costs of rehabilitation to meet the requirements of the building code or other City, state, or federal law; or
 - c. There is sufficient evidence, including evidence provided by the Applicant, that relocation of the historic resource is infeasible; or
 - d. The demolition is necessary to protect or promote the health, safety, or welfare of the residents of the city, including the need to eliminate blight or nuisance, or correct an unsafe or dangerous condition of the property.