

Attachment 1



DRAFT FOR INTERNAL REVIEW

City of Goleta
Historic Preservation V.4

December 3, 2020

HISTORIC RESOURCES GROUP

ORDINANCE NO. 21-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, ADDING CHAPTER 2.15 ENTITLED HISTORIC PRESERVATION COMMISSION, CHAPTER 17.33 ENTITLED HISTORIC RESOURCE PRESERVATION AND CHAPTER 17. 43 ENTITLED ARCHAEOLOGICAL AND CULTURAL RESOURCES TO THE GOLETA MUNICIPAL CODE; CASE NO. 16-0920A

WHEREAS California Government Code Sections 65850 and 37361 enable city legislative bodies to provide for “the protection, enhancement; perpetuation, or use of places, sites, buildings, structures, works of art, and other objects having a special character or special historical or aesthetic interest or value”; and

WHEREAS the historic and cultural resources are important to the City of Goleta as encapsulated within the Visual and Historic Resources Element of the City’s General Plan/Coastal Land Use Plan; and

WHEREAS the City has conducted 14 public workshops and public hearings over the course of three years in the development of this Ordinance and associated Historic Context Statement; and

WHEREAS, on December 14 ,2020, January 25, 2021, and _____, 2021, the Planning Commission of the City of Goleta conducted a noticed public hearing, at which time all interested parties were heard, and the Planning Commission recommended that the City Council of the City of Goleta adopt the proposed ordinance; and

WHEREAS, on _____, 2021, the City Council of the City of Goleta conducted a noticed public hearing, at which time all interested parties where heard.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLETA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals

DECEMBER 2020

City of Goleta
Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

The City Council hereby finds and determines that the foregoing recitals, which are incorporated herein by reference are true and correct.

SECTION 2. Findings for Ordinance Amendments

Pursuant to subsection 17.66.050(B) of the Goleta Municipal Code, the City Council makes the following findings:

A. The amendment is consistent with the General Plan, the requirements of State planning and zoning laws, and Title 17 of the Goleta Municipal Code.

The Ordinance Amendment, which amends the Goleta Municipal Code Title 17, is consistent with all applicable provisions of the City's General Plan for the preservation of historic and cultural resources throughout the City. Furthermore, the provisions of this Ordinance will implement many of the policies and implementation measures of the Visual and Historic Resources Element. The processing of the Amendment was conducted in compliance with the codified regulations of Title 17 Chapter 17.66 (Amendments to Zoning Regulations and Zoning Map) of the Goleta Municipal Code. Therefore, this finding can be made.

B. The amendment is in the interests of the general community welfare.

The Ordinance Amendments, which amends Goleta Municipal Code Title 17, will allow the City to continue to effectively exercise its police power rights over privately-owned real property. These police power rights ensure the City's ability to implement the goals, objectives, and policies of the General Plan, which protect the health, safety, and general welfare of the community. Therefore, the Amendment is in the interest of the general community welfare and this finding can be made.

C. The amendment is consistent with good zoning and planning practices.

The Ordinance Amendment, which amends Goleta Municipal Code Titles 2 and 17, will help the City continue to implement the community goals, objectives, and policies of the General Plan. Furthermore, the Amendment will enable the City to have better control over existing and future land uses and development on real property in regard to historic and cultural

DECEMBER 2020

City of Goleta
Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

resources throughout Goleta and ensure full compliance with State law controlling the review of certain types of development. Therefore, the Amendment is consistent with good zoning and planning practices and this finding can be made.

SECTION 3. Environmental Assessment

Pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183, projects that are consistent with the development density of existing zoning, community plan, or General Plan policies for which an Environmental Impact Report (EIR) was certified shall be exempt from additional CEQA analysis, except as may be necessary to determine whether there are project-specific significant effects that are peculiar to the project or site that would otherwise require additional CEQA review. There is no new substantial information indicating that the impacts of the project will be more severe than described in the General Plan EIR when the Visual and Historic Resources Element was adopted and there are no cumulative or off-site impacts from the proposed project that were not addressed in the General Plan EIR. As such, the Ordinance is exempt from further CEQA review.

In addition, pursuant to CEQA Guidelines §15061(b)(3) and §15378(b)(5), the proposed Ordinance does not qualify as a "project" for the purposes of CEQA because the Ordinance does not result in direct or indirect physical changes in the environment. The amendments proposed do not, by themselves, have the potential to cause a significant effect on the environment. Any subsequent development project will be separately examined in accordance with CEQA. As such, the proposed Ordinance is exempt from CEQA review.

SECTION 4. Amendment to Title 2 of the Goleta Municipal Code Administration and Personnel

Chapter 2.15 of Title 2 of the Goleta Municipal Code is added as follows:

2.15.010 Purpose. The purpose of the Historic Preservation Commission is to act as an advisory body to the staff, the Design Review Board, and City Council on all matters pertaining to historic preservation.

2.15.020 Created. A Historic Preservation Commission for the City is created.

DECEMBER 2020

City of Goleta
Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

2.15.030 Members. The Historic Preservation Commission shall consist of five (5) members total. There shall be three (3) public members, one (1) Planning Commissioner, and one (1) Design Review Board member.

2.15.040 Appointment. The Mayor shall, in his or her discretion and subject to City Council approval, appoint three (3) public members. The Planning Commission and Design Review Board members shall be appointed by the Planning Commission and Design Review Board Chairs, respectively, subject to City Council approval.

2.15.050 Qualification of Members.

- A. The Commission shall be composed of professional and lay members with demonstrated interest, competence, or knowledge in historic preservation. Commission Members may be appointed from among the disciplines of architecture, history, architectural history, planning, archeology, or other related disciplines, such as American studies, landscape architecture, cultural geography, or cultural anthropology, to the extent that such professionals are available in the community. Commission membership may also include lay members, who have demonstrated special interest/expertise, competence, experience, or knowledge of Goleta history and historic preservation, and/or are members of local Tribal group(s).
- B. A majority of the members shall be residents of the City during incumbency.

2.15.060 Term of Office.

- A. The members of the first appointed Commission shall so classify themselves by lot that one of their number shall go out of office at the end of the next fiscal year (June 30, 2021), two at the end of one year thereafter (June 30, 2022), and two at the end of two years thereafter (June 30, 2023).
- B. Terms shall be for four years, with no limit on the numbers of terms to which members may be appointed.
- C. Members shall serve until their successor has been appointed.

2.15.070 Removal from Office. A Commissioner is automatically removed from office if the member is absent from three consecutive regular meetings of the Commission. A member shall serve at the pleasure of the Mayor, Planning Commission Chair, or Design Review Board Chair, who makes that appointment, and may be removed by that person at any time without cause. The member may

also be removed by a 4/5 vote of the City Council at any time and for any reason.

2.15.080 Vacancy in Office. Vacancies, other than by expiration of a term, shall be filled by appointment for the unexpired portion of the term by the same method as for the original appointment.

2.15.090 Organization.

- A. Each calendar year, at its first regular meeting, the Commission shall elect from its membership a Chair and a Vice-Chair.
- B. The Commission shall adopt rules for the transaction of its business. It shall also keep a public record of its resolutions, transactions, findings, and determinations.
- C. The Director of Planning and Environmental Review (PER Director) or designee shall serve as the Secretary to the Commission and shall have no vote.

2.15.100 Meetings. The Commission shall hold at least one regular meeting every other month subject to the agenda calendar.

2.15.110 Compensation. The City Council may establish by resolution the compensation to be paid to members of the Commission.

SECTION 5. Amendment to add Chapter 17.33 Historic Preservation Ordinance

Chapter 17.33 is added to Title 17 to read as follows:

**Chapter 17.33
HISTORIC PRESERVATION ORDINANCE**

Sections:

- 17.33.010 Title**
- 17.33.020 Purpose**
- 17.33.030 Applicability**
- 17.33.040 Definitions**
- 17.33.050 Historic Resources Inventory**
- 17.33.060 Historic Landmarks**
- 17.33.070 Historic Districts**
- 17.33.080 Automatic Designation**

DECEMBER 2020

City of Goleta
Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

- 17.33.090 Points of Interest**
- 17.33.100 Conservation Overlay Zones**
- 17.33.110 Amendment or Rescission**
- 17.33.120 Alterations**
- 17.33.130 Approval Process for Demolition**
- 17.33.140 Review of Projects Affecting City-Owned Historic Resources**
- 17.33.150 Incentives**
- 17.33.160 Maintenance and Enforcement**

17.33.010 Title.

This Chapter shall be known as the “Historic Preservation Ordinance” of the City of Goleta.

17.33.020 Purpose.

The purpose of this Chapter is to provide for the recognition and preservation of the historic properties (archaeological and cultural resources are contained with Chapter 17.43) that reflect the social, cultural, historical, and architectural heritage of Goleta by establishing procedures and regulations that are necessary to:

- A. Assist the City in identifying and protecting its Historic Resources;
- B. Encourage public education and appreciation of the City’s heritage;
- C. Ensure that new development maintains continuity with the City’s historic character and scale;
- D. Maintain Historic Resources as community assets;
- E. Integrate the preservation of Historic Resources into the public and private development process;
- F. Implement the goals and policies of the Visual and Historic Resources Element of the General Plan; and
- G. Fulfill the City’s responsibilities under applicable state and federal laws, including the California Environmental Quality Act (CEQA) and Section 106 of the National Historic Preservation Act (NHPA).

17.33.030 Applicability.

California Government Code Sections 65850 and 37361 enable city legislative bodies to provide for “the protection, enhancement; perpetuation, or use of places, sites, buildings, structures, works of art, and other objects having a special character or special historical or aesthetic interest or value.” The

DECEMBER 2020

provisions of this Chapter apply to designated historic properties and properties listed in the City of Goleta's Historic Resources Inventory (collectively Historic Resources as defined in Section 17.73.020).

17.33.040 Definitions.

The following words and phrases referenced herein are defined in Section 17.73.020:

- 1) Addition
- 2) Alteration
- 3) Applicant
- 4) Architectural Feature
- 5) Built Environment Resource Directory (BERD)
- 6) California Environmental Quality Act (CEQA)
- 7) California State Historical Building Code (SHBC)
- 8) California Historical Resource Status Code
- 9) California Historical Resource Information System (CHRIS)
- 10) California Register of Historical Resources
- 11) Character Defining Feature
- 12) Conservation Overlay Zone
- 13) Contributor
- 14) Criteria for Designation
- 15) Demolition
- 16) Discretionary Review
- 17) Good Repair
- 18) Historic District
- 19) Historic Landmark
- 20) Historic Resource
- 21) Historic Resources Inventory
- 22) Historic Resources Survey
- 23) Information Centers (ICS)
- 24) Integrity
- 25) Maintenance and Repair
- 26) National Register of Historic Places
- 27) Non-Contributor
- 28) Period of Significance
- 29) Point of Interest
- 30) Preservation
- 31) Project
- 32) Property Owner

DECEMBER 2020

City of Goleta

Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

- 33) Qualified Preservation Professional
- 34) Reconstruction
- 35) Rehabilitation
- 36) Relocation
- 37) Restoration
- 38) Secretary of the Interior Standards for the Treatment of Historic Properties
- 39) Section 106 of the National Historic Preservation Act (NHPA)
- 40) State Historical Resources Commission
- 41) Tenant Improvements

17.33.050 Historic Resources Inventory.

A. Historic Resources Inventory.

The City of Goleta shall create and maintain a list of properties known as the Goleta Historic Resources Inventory (the Inventory) adopted by City Council Resolution. The Inventory shall collectively consist of buildings, structures, objects, or sites that:

- 1) Are identified as potential Historic Resources through survey or other evaluation conducted by a Qualified Preservation Professional using accepted professional practices and formally adopted for inclusion on the Inventory by the City Council; or
- 2) Are listed in or formally determined eligible for listing in the National Register of Historic Places or the California Register of Historical Resources, either individually or as a Contributor to a Historic District; or
- 3) Are listed in the California Built Environment Resources Directory (BERD) with a California Historical Resource Status Code of 1-5; or
- 4) Are designated as a County of Santa Barbara Landmark; or
- 5) Are designated Historic Landmarks or Contributors to designated Historic Districts by the Goleta City Council.

The Inventory may be used for reference for future determinations for the designation of Historic Resources, and for evaluating proposed Alterations to or Demolition of Historic Resources. The Inventory shall be kept on file with the Planning and Environmental Review (PER) Department, with copies distributed to the City Clerk, the Public Works Director, the Neighborhood Services and Public Safety Director, the Goleta Valley Historical Society, and the Goleta Public Library.

B. Inventory Notification.

DECEMBER 2020

City of Goleta
Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

All Property Owners of property included on the Inventory shall be notified by the City of this inclusion in a process and on a timeline to be determined by the PER Director. The PER Director shall also implement and oversee a system for identifying all properties included on the Inventory in the City's Geographic Information Systems (GIS) database.

17.33.060 Historic Landmarks.

A. Description of a Historic Landmark.

A building, structure, object, or site may be designated a Historic Landmark if it has individual historic significance and meets at least one of the Criteria for Designation in Section 17.33.070(B) and retains sufficient Integrity to convey its significance as defined in Section 17.73.020 and outlined in Section 17.33.070(C).

B. Criteria for Designating a Historic Landmark.

A building, structure, object, or site may be designated a Historic Landmark if it is at least 50 years old (the age criteria may be waived if it can be demonstrated that the potential resource is unique and/or exhibits exceptional importance) and meets one or more of the following Criteria for Designation:

- 1) It is associated with important events or broad patterns of development that have made a significant contribution to the historical, archaeological, cultural, social, historical, economic, aesthetic, engineering, or architectural development of the city, state, or nation;
- 2) It is associated with persons significant in local, state, or national history;
- 3) It embodies distinctive characteristics of a style, type, period, or method of construction, or is an example of the use of indigenous materials or craftsmanship, and/or it is a significant example of the work of a notable builder, designer, or architect; or
- 4) It has yielded or has the potential to yield, information important to the history or prehistory of the city, state, or nation.

C. Integrity Consideration.

In order to be eligible for local designation, in addition to meeting one or more of the Criteria for Designation as identified in Section 17.33.070(B), the building, structure, object, or site must retain sufficient historic Integrity to convey its

DECEMBER 2020

significance. A proposed Historic Landmark does not need to retain all seven aspects of Integrity as defined in Section 17.73.020 in order to be eligible for historic designation; however, it must retain those aspects of Integrity that convey the reason for its significance.

D. Procedure for Designating a Historic Landmark.

The designation of Historic Landmarks shall be processed in the following manner:

- 1) Nominations for Historic Landmarks may be initiated by any resident of the City of Goleta.
- 2) All applications shall be completed using a form provided by the City and shall contain the following:
 - a. Assessor's parcel number and legal description;
 - b. Physical description of the property, including date of construction; construction chronology; identification of Character Defining Features; and description of changes to the property since its initial construction;
 - c. Statement of significance describing how the property meets one or more Criteria for Designation as identified in Section 17.33.070(B) and retains sufficient Integrity to convey significance as identified in Section 17.33.070(C);
 - d. Ownership history;
 - e. Current photographs and, if possible, historic photographs of the property; and
 - f. Any applicable fees as determined by the City.
- 3) If the Applicant is not the Property Owner, the PER Department shall, within fourteen (14) calendar days of receipt of the nomination, notify the Property Owner in writing that an application for designation has been submitted.
- 4) Within thirty (30) calendar days of the receipt of a nomination, the PER Director shall determine if the nomination form/submittal package is complete. A nomination that is not complete shall be returned to the Applicant to address any deficiencies prior to resubmission.
- 5) The PER Director shall schedule a public hearing before the Historic Preservation Commission on all nominations for designation within ninety (90) calendar days of the application being deemed complete, or as reasonable.

DECEMBER 2020

City of Goleta

Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

- 6) Other than Routine Maintenance, no Additions, Alterations, changes, or any on-site activities that could affect the character, Character Defining Features, and Integrity of the site, building, object, or structure shall be allowed to occur during the time period from application submittal through City Council consideration. During the application period, Demolition or Alteration permits will not be issued. Within one hundred eighty (180) calendar days from the application being deemed complete, the City Council must make a decision on the proposed designation.
- 7) Notice of the public hearing shall be provided per the requirements of Section 17.52.050. The Historic Preservation Commission and City Council may also give other notice as they may deem desirable and practicable.
- 8) The City Council, as soon as is feasible after receiving the recommendations of the Historic Preservation Commission concerning the proposed designation, shall consider approval of the recommendations in whole or in part. Within one hundred eighty (180) calendar days from the application being deemed complete, the City Council must make a decision on the proposed designation. If the City Council approves a proposed designation, notice of the City Council's decision shall be sent to the Applicant and Property Owner.

17.33.070 Historic Districts.

A. Description of a Historic District.

A Historic District will typically have both Contributors and Non-contributors within its boundaries. Non-contributors are not regulated under this Ordinance; however, new construction within a designated Historic District may be reviewed for compatibility with the Historic District such that the overall character and Integrity of the Historic District are maintained.

B. Criteria for Designating a Historic District.

Buildings, structures, objects, or sites that relate to each other in a distinguishable way or in a geographically definable area may be designated as a Historic District, if the potential district meets one or more of the Criteria for Designation in Section 17.33.070(B), and:

- 1) It possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development; and

DECEMBER 2020

City of Goleta

Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

- 2) A minimum of 60% of the sites, buildings, structures, or objects within the proposed historic district contribute to the district's significance.

C. Integrity Consideration.

In order to be eligible for local designation, in addition to meeting one or more of the Criteria for Designation in Section 17.33.070(B), a Historic District must retain sufficient historic Integrity to convey its significance. A proposed Historic District does not need to retain all seven aspects of Integrity as defined in Section 17.73.020 in order to be eligible for historic designation; however, it must collectively retain those aspects of Integrity that convey the reason for its significance.

D. Procedure for Designating a Historic District.

The designation of Historic Districts shall be processed in the following manner:

- 1) Nominations for Historic Districts may be initiated by any resident of the City of Goleta.
- 2) All applications for nomination of a Historic District shall be completed using a form provided by the City and shall contain the following:
 - a. Map with the proposed Historic District boundary and written boundary justification;
 - b. Historic context/narrative development history for the proposed district;
 - c. Statement of significance, including the Period of Significance;
 - d. General description of the characteristics and Character Defining Features of the historic district;
 - e. An inventory (including Assessor's parcel number) and photographs of all properties within the proposed district;
 - f. Identification of Contributing and Non-contributing status for all buildings, structures, objects, or sites within the historic district boundary; and
 - g. Documentation by letter or petition that a minimum of 51% of Property Owners within the proposed district support the nomination.
- 3) The PER Department shall, within fourteen (14) calendar days of receipt of the nomination, notify all Property Owners within the proposed district in writing that an application for designation has been submitted.

DECEMBER 2020

City of Goleta

Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

- 4) Within thirty (30) calendar days of the receipt of a nomination, the PER Director shall determine if the nomination form/submittal materials are complete. A nomination that is not complete shall be returned to the Applicant to address any deficiencies prior to resubmission.
- 5) The PER Director shall schedule a public hearing before the Historic Preservation Commission on all nominations for designation within ninety (90) calendar days of the application being deemed complete.
- 9) Other than Routine Maintenance, no Additions, Alterations, changes, or any on-site activities that could affect the character, Character Defining Features, and Integrity of any property within the potential district boundary during the time period from application submittal through City Council consideration. During the application period, Demolition or Alteration permits will not be issued. Within one hundred eighty (180) calendar days from the application being deemed complete, the City Council must make a decision on the proposed designation.
- 6) Notice of the public hearing shall be provided per the requirements of Section 17.52.050. The Historic Preservation Commission and City Council may also give other notice as they may deem desirable and practicable.
- 7) The City Council, as soon as is feasible after receiving the recommendations of the Historic Preservation Commission concerning the proposed designation, shall consider approval of the recommendations in whole or in part. Within one hundred eighty (180) calendar days from the application being deemed complete, the City Council must make a decision on the proposed designation. If the City Council approves a proposed designation, notice of the City Council's decision shall be sent to the Applicant and all Property Owners of Contributors to the Historic District.

17.33.080 Automatic Designation.

Any property in the City of Goleta listed in the National Register of Historic Places, the California Register of Historical Resources, or as a County of Santa Barbara Landmark shall be automatically designated a local City of Goleta Historic Landmark. Any neighborhood or area listed as a historic district in the National Register of Historic Places, the California Register of Historical Resources, or as a County of Santa Barbara Historic Landmark shall be automatically designated a local Historic District.

17.33.090 Points of Interest.

DECEMBER 2020

City of Goleta
Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

A. Description of a Point of Interest.

The designation of a Point of Interest is solely honorary. A Point of Interest is not listed in the Inventory. A Point of Interest is not considered a Historic Resource pursuant to the Goleta Municipal Ordinance and is therefore not afforded the same protections or incentives as Historic Resources. Points of Interest are not regulated under this Ordinance.

B. Criteria for Designating a Point of Interest.

A building, structure, object, or site may be designated as a Point of Interest if it meets at least one of the following criteria:

- 1) It is the site of a building, structure, or object that no longer exists but was associated with historic events or important persons, or otherwise has significant cultural or historic significance;
- 2) It meets designation criteria, but has been altered to the extent that its historic integrity has been substantially compromised;
- 3) It is the site of a historic event which has no distinguishable physical characteristics.

C. Procedure for Designating a Point of Interest.

The designation of Points of Interest shall be determined by the City Council upon the recommendation of the Historic Preservation Commission in the manner identified in Section 17.33.070(D), with the exception that there is no hold on work or issuance of permits during the application period.

17.33.100 Conservation Overlay Zones.

A. Description of a Conservation Overlay Zone.

The Conservation Overlay Zone designation is intended to enable the City to establish development standards which will ensure that new developments will not adversely affect the character of the area. Buildings within a Conservation Overlay Zone are not included on the Inventory (except for any individual buildings, structures, objects, or sites within a Conservation Overlay Zone that are eligible individually for designation as Historic Landmarks). Conservation Overlay Zones are regulated through separate design guidelines that are adopted by the City Council.

DECEMBER 2020

City of Goleta
Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

B. Criteria for Designating a Conservation Overlay Zone.

A concentration, linkage, or continuity of buildings, structures, objects, or sites united historically or aesthetically by plan or physical development may be designated as a Conservation Overlay Zone if it meets at least one of the following criteria:

- 1) It has distinctive building features, such as period of construction, style, size, scale, detailing, mass, color and material;
- 2) It has distinctive features associated with the streetscape, such as light fixtures, signs, benches, curbs, and sidewalk;
- 3) It has distinctive site planning and natural features, such as lot platting, street layout, setbacks, alleyways, sidewalks, creek beds, parks and gardens; or
- 4) It has distinctive land uses or land use.

C. Procedure for Designating a Conservation Overlay Zone.

Conservation Overlay Zones shall be determined by the City Council upon the recommendation of the Historic Preservation Commission in the manner identified in Section 17.33.080(D), with the exception that that there is no hold on work or issuance of permits during the application period, and consent of a majority of Property Owners is not required.

17.33.110 Amendment or Rescission.

The City Council, upon the recommendation of the Historic Preservation Commission, may remove a property from the Inventory, or amend or rescind any designation of a Historic Landmark, Historic District, including the individual Contributors or Non-contributors to a Historic District, Point of Interest, or Conservation Overlay Zone in the same manner and procedure as was followed for the original designation.

In removing a property from the Inventory, or rescinding or amending a designation, the City Council must make the finding that the building, structure, object, site, district, or overlay zone no longer meets the designation criteria due to:

- 1) New information that was not available at the time of the evaluation or designation; or
- 2) New information that compromises the significance of the property; or

DECEMBER 2020

City of Goleta

Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

- 3) Destruction of the Historic Resource, Historic Landmark, Contributor to a Historic District, or property located within a Conservation Overlay Zone through a catastrophic event that has rendered the building, structure, or object a hazard to public health, safety, or welfare; or
- 4) The Demolition or relocation of the Historic Landmark, or Contributor to a Historic District; or
- 5) Any information as deemed relevant by the City Council for the potential recission of the designation of a Conservation Overlay Zone.

17.33.120 Alterations.

A. Approval Process for Alterations.

It shall be unlawful for any person, Property Owner, or entity to directly or indirectly Alter, remodel, Demolish (including demolition by neglect), grade, remove, construct, reconstruct, or restore any Historic Resource except as provided herein.

B. Alterations that are Exempt from Review.

The provisions for the review of proposed Alterations to Historic Resources shall not be construed to prevent ordinary Maintenance and Repair which does not change the design, materials, Architectural Features, Character Defining Features, or site features of a Historic Resource. In addition to the Design Review exemptions outlined in Section 17.58.020(A)(2-5), the following activities may be exempted from the review procedures for Historic Resources:

- 1) Exterior painting of a residential building;
- 2) Exterior painting utilizing the same color palette as currently exists on the building (significant changes to the color palette for non-single family uses will require a recommendation from the Historic Preservation Commission to the Design Review Board);
- 3) Addition or removal of screens, awnings, canopies and similar incidental appurtenances;
- 4) Addition or removal of garden walls and fences;
- 5) Addition or removal of exterior lighting with historically appropriate fixtures;
- 6) Addition or removal of landscaping;
- 7) Addition or removal of driveways and walkways; and
- 8) Interior Alterations and Tenant Improvements (unless a Historic Resource designation includes interior features).

DECEMBER 2020

City of Goleta
Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

The Design Review exemptions outlined in Section 17.58.020(B) are not applicable to Historic Resources.

C. Alterations that Require Review.

For proposed Alterations to Historic Resources that require Design Review as outlined in Section 17.58.040, excluding those that are Exempt from Review as outlined in Section 17.58.020(A)(2-5) and 17.33.130(B), the Applicant must submit plans and any additional materials as required by the PER Director, which may include written documentation from a Qualified Preservation Professional opining on the appropriateness of the proposed Alterations.

D. Criteria and Procedure for PER Director Review.

- 1) The PER Director can make a finding that review and recommendation from the Historic Preservation Commission to the Design Review Board is not required if all of the following conditions are met:
 - a. The proposed work is minor and clearly meets any applicable City design guidelines and/or the Secretary of the Interior's Standards for Rehabilitation; and
 - b. The proposed work will not diminish, eliminate, or adversely affect the character, Character Defining Features, or Integrity of the Historic Resource; and
 - c. Any modifications to the proposed work requested by the PER Director are agreed to by the Applicant.
- 2) No changes shall be made to the approved plans without resubmitting to the PER Director for approval of the changes.
- 3) If the PER Director determines that the proposed work does not meet the conditions as outlined in Section 17.33.130(D), then the Historic Preservation Commission shall review the project and make a recommendation to the Design Review Board per the approval process as outlined in Section 17.33.130(E).

E. Criteria and Procedure for Historic Preservation Commission and Design Review Board Review.

- 1) The review and decision on the design review for projects involving Historic Resources will be undertaken by the Design Review Board as outlined in Section 17.58.060, with a recommendation from the Historic Preservation Commission. The PER Department shall review the

DECEMBER 2020

- application and detailed information (plans, drawings, agreements, and any other documentation as required by the PER Director) as necessary to describe the intended work, deem it complete, and then schedule the item for consideration by the Historic Preservation Commission. The Historic Preservation Commission will review the application and all additional information and make a recommendation to the Design Review Board for consideration prior to Conceptual Review as outlined in Section 17.58.060(A).
- 2) The Historic Preservation Commission shall make recommendations to the Design Review Board based on the following findings:
 - a. The proposed work is found to be consistent with any applicable Design Guidelines adopted by the City Council.
 - b. In the absence of applicable design guidelines, the proposed work is found to be consistent with the Secretary of the Interior's Standards for Rehabilitation.
 - c. Any designated Historic Landmark, Contributor to a designated Historic District, and any property listed in the Historic Resources Inventory may, upon request of the Applicant, be subject to the provisions of the California State Historical Building Code (SHBC) if the work is required to comply with the Secretary of the Interior's Standards.
 - 3) At the time of consideration by the Historic Preservation Commission, the Historic Preservation Commission shall make recommendations to the Design Review Board to approve, deny, approve with conditions, or continue the application with specific direction for additional information needed to make a determination.

F. Appeal.

Decisions of the PER Director and the Design Review Board may be Appealed based on the procedures outlined in Section 17.52.120.

G. Revocation of Approval.

Project approvals may be revoked based on the procedure outlined in Section 17.52.110.

17.33.130 Approval Process for Demolition.

A. Demolition of a Historic Resource.

DECEMBER 2020

The Demolition of a Historic Resource requires Discretionary Review.

B. Demolition of Properties More Than 50 Years of Age.

If a property is more than 50 years old but is not designated or listed on the Inventory, the PER Director may require a historic resources assessment report prepared by a Qualified Preservation Professional to determine whether the property should be treated as a Historic Resource.

17.33.140 - Review of Projects Affecting City-Owned Historic Resources.

The Historic Preservation Commission shall review major projects affecting City-owned Historic Resources, including changes to public and semi-public interior spaces, and forward its recommendation on these projects for approval by the City Council.

17.33.150 Incentives.

In addition to any other incentive of federal or state law, Property Owners of properties designated as Historic Landmarks and/or Contributors to designated Historic Districts as specified may apply for the following:

A. Mills Act Property Tax Abatement Program.

The Mills Act Property Tax Abatement Program (Mills Act) was enacted in 1972 by the State of California (Government Code Sections 50280-50290), and grants participating local governments the authority to enter into contracts with Property Owners of qualified historic properties who actively participate in the rehabilitation, restoration, and Maintenance and Repair of the properties to receive property tax relief. The City shall, by resolution, determine on an annual basis how many contracts it will accept and may set a financial cap for the program.

Applications for Mills Act contracts shall be administered and reviewed in the following manner:

- 1) All designated Historic Landmarks, Contributors to designated Historic Districts, and properties that are individually listed in the National Register of Historic Places or the California Register of Historical Resources are eligible to apply for Mills Act contracts.

DECEMBER 2020

City of Goleta

Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

- 2) All Mills Act contracts shall comply with Section 50281 of the California Government Code, including the following provisions:
 - a. The term of the contract shall be for a minimum of ten (10) years and shall automatically renew for one (1) year on the anniversary date of the contract until a notice of non-renewal has been filed. The Property Owner is released from the contract ten (10) years after the notice of non-renewal is filed.
 - b. All proposed work must comply with the Secretary of the Interior's Standards for Rehabilitation.
 - c. The City shall be authorized to conduct periodic inspections to determine the Property Owner's compliance with the contract.
 - d. The contract shall be binding upon all successors-in-interest of the Property Owner.

- 3) All Mills Act applications shall be filed with the City on a form provided by the City and include the following:
 - a. A description and photographs of the property;
 - b. A copy of the latest grant deed, deed of trust, or title report for the property;
 - c. A rehabilitation plan/maintenance plan identifying work to be completed within the ten-year contract period, including costs estimates and the year in which work will be complete;
 - d. A financial analysis form showing current property taxes and estimated tax for the property when under a Mills Act contract; and
 - e. Any required City fees.

- 4) Mills Act applications will be accepted on an annual basis. Following the annual application submittal deadline, the PER Director will review the application and deem it complete. Once an application is deemed complete, it will be reviewed by the Historic Preservation Commission who will provide a recommendation to City Council.

- 5) The City Council may in its sole discretion authorize the execution of all Mills Act contracts. Approval of contracts shall be procedural and shall not require a public hearing.

- 6) A Mills Act contract shall be a perpetual, ten-year contract that automatically renews annually unless and until the Property Owner or the City gives written notice to the other that the contract will not be renewed upon the expiration of its current term.

- 7) A Mills Act contract may be cancelled or modified if the City Council finds, after written notice to the Property Owner, either of the following conditions:

DECEMBER 2020

City of Goleta

Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

- a. The Property Owner is responsible for noncompliance with any terms or conditions in the contract, or any provision in this Chapter, or misrepresentation or fraud was used in the process of obtaining the contract; or
 - b. The property has been destroyed by fire, earthquake, flooding, or other calamity, or it has been taken by eminent domain.
- 8) If a Mills Act contract is cancelled due to noncompliance, the Property Owner shall be liable to the City for a cancellation fee equal to twelve and one-half (12.5) percent of the current fair market value of the property.
 - 9) The Mills Act contract may provide that amendments to the approved work plan require PER Director approval.
 - 10) The City Attorney shall prepare and maintain a current Mills Act contract with all required provisions specified by California state law and this Section.
 - 11) The PER Director will provide periodic updates to the Historic Preservation Commission on the status of the Mills Act program and upcoming and completed work on properties under existing Mills Act contracts.

B. Use of the California Historic Building Code.

Whenever applicable, a Property Owner of a Historic Resource may elect to use the California State Historical Building Code (SHBC) for Alterations, restoration, new construction, removal, relocation, or Demolition, in any case which the building official determines that such use of the code does not endanger public health or safety, and such action is necessary for the continued preservation of the Historic Resource. Such use of the SHBC is subject to construction work undertaken for Historic Resources pursuant to the Secretary of the Interior's Standards, and that has already been reviewed by the Historic Preservation Commission and approved by the Design Review Board.

C. Change of Use.

The City will encourage compatible Adaptive Reuse of historic properties, which is an important contributor to the economic and social well-being of the community. The City will provide guidance on how properties may be appropriately re-used and technical assistance on local zoning and building regulations.

DECEMBER 2020

City of Goleta
Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

17.33.160 Maintenance and Enforcement.

A. Purpose.

The purpose of this section is to preserve, protect, and perpetuate the elements of the historic fabric unique to Historic Resources and to prevent the need for demolition or destruction due to neglect of important resources in the City's history.

B. Maintenance Requirements.

- 1) Historic Resources shall be maintained in Good Repair.
- 2) Historic Resources shall be maintained in watertight condition to preclude decay problems caused by water. Deteriorated, insufficient, or ineffective waterproofing of exterior walls, roofs, foundations, floors, windows, or doors shall be promptly addressed to prevent further decay, deterioration, or possibility of injury to the public and/or the property.
- 3) The façade shall be properly maintained through repair, paint, or any necessary treatment, to prevent decay, water or moisture intrusion, damage to the structure, and/or injury to the public. Defective or insufficient weather protection for exterior treatments and facades, including lack of paint or protective covering, shall be promptly addressed, and repaired or stabilized to prevent further decay, deterioration, and possibility of injury to members of the public and/or property.
- 4) The roof, foundation, and structure shall be maintained through proper treatment and repair to prevent decay, Demolition by neglect, loss of historic materials and features, damage to the structure, and/or injury to the public. Defective materials or deterioration which may cause any or all portions of roofs, foundations, walls, or other structural members to deteriorate shall be promptly addressed, and repaired or stabilized to prevent further decay, deterioration, loss of historic fabric, and possibility of injury to members of the public and/or property.
- 5) Building elements, such as cornices, chimneys, and the like, shall be properly maintained to prevent decay, Demolition by neglect, loss of historic fabric, and possibility of injury. Deteriorated or defective building elements shall be promptly addressed, and repaired or stabilized to prevent further decay, deterioration, loss of historic fabric, and possibility of injury to members of the public and/or property.

C. Failure to Meet the Maintenance Requirements.

DECEMBER 2020

City of Goleta
Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

In addition to any other penalty authorized by law, failure to maintain a Historic Resource as specified shall constitute a public nuisance resulting in the issuance of an order that the Property Owner perform the maintenance necessary to comply with this section. Any failure to comply with such an order shall entitle the City to cause the maintenance to be performed at the Property Owner's expense and in addition to the penalties provided by this code for violation thereof, such cost may be recovered of such Property Owner or occupant by civil action in any court of competent jurisdiction. In addition, any such costs shall become a lien or special assessment against the property pursuant to the process outlined in Section 1.02.140 of Title 1.

D. Penalty for Demolition without a Demolition Permit.

If a Historic Resource is Demolished without a Demolition Permit, no building or construction-related permits shall be issued and no permits or use of the property shall be allowed from the date of Demolition for a period of three years.

E. Procedure for Applying Penalties.

- 1) For purposes of this Section, the demolition shall be presumed to have occurred on the date the City has actual knowledge of the Demolition. The Property Owner shall have the burden of proving a different date if one is claimed.
- 2) The PER Director shall provide notice by certified mail of the applicability of this Section to the Property Owner and any other person known to have an interest in the property as soon as practicable after having knowledge that the provisions of this Section are applicable to the subject property. The date the City first had actual knowledge of the Demolition shall be stated in the notice.
- 3) The PER Director's decision may be Appealed to the to the City Council within fourteen (14) calendar days of the PER Director's decision. Prior to the City Council hearing the Appeal, the Historic Preservation Commission shall, at a public hearing, make a recommendation to the City Council. The Appeal must state the reasons for the Appeal and include any applicable fees as determined by the City.
- 4) The City Council shall consider the Appeal at a public hearing noticed and conducted in accordance with Section 17.52.120, and may grant relief from the requirements of this Section if the following findings are made:
 - a. The violation of this Section did not involve a Historic Resource, either an individually eligible property or a Contributor to a designated Historic District; or

DECEMBER 2020

City of Goleta
Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

- b. New construction serves an overriding public benefit and will not be detrimental or injurious to property or improvements in the vicinity of the project site, or to the public health, safety, or general welfare.
- 5) The City Council's action on the Appeal shall be final.

SECTION 6. Amendment to Chapter 17.50 Review Authorities

A. Section 17.50.030 is hereby amended to add subsections I and G:

I. Acts as the Review Authority to designate eligible properties as Landmarks, Historic Districts, Points of Interest, or Conservation Overlay Zones within the City of Goleta. Also acts as the Review Authority for rescission of a historic designation or a property's inclusion on the Inventory.

J. Acts as Review Authority to grant Mills Act Contracts.

B. Section 17.50.070 is hereby amended to add subsection D:

D. Act as the Review Authority to grant design approval changes to Historic Resources upon recommendation of the Historic Preservation Commission.

C. Section 17.50.080 is hereby added to read as follows:

The Historic Preservation Commission has the following powers and duties under this Title in addition to the responsibilities established in Title 2 of the Goleta Municipal Code. The Historic Preservation Commission shall be an advisory board to the City Council, Planning Commission, City Manager, and all City departments on all matters related to historic preservation. The Historic Preservation Commission shall have the power and it shall be its duty to perform the following acts:

- A. Review historic resources surveys and make recommendations to the City Council on periodic updates to the City's Historic Resources Inventory.
- B. Review nominations for historic designations and make recommendations to the City Council that certain sites, buildings, structures, objects, or districts meeting one or more of the eligibility criteria in Section 17.33.070-110 be designated as Historic Landmarks, Historic Districts, Points of Interest, or Conservation Overlay Zones.

DECEMBER 2020

City of Goleta
Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

- C. Review and make recommendations on any proposed design guidelines that may be developed by the City for project review or review of appropriate Alterations or new construction within Historic Districts and/or Conservation Overlay Zones.
- D. Review and recommend to the City Council the amendment or rescission of any historic designation or a property's inclusion on the Inventory.
- E. Make recommendations to the Design Review Board on projects involving Alteration of Historic Resources.
- F. Review and make recommendations on major projects affecting City-owned Historic Resources.
- G. Review Mills Act applications and make recommendations to the City Council to grant Mills Act contracts.
- H. Make recommendations to the Planning Commission and the City Council on issues related to historic preservation in the General Plan.
- I. Advise the City Council and other Commissions as requested on historic preservation issues.
- J. Perform any other functions that may be designated by the City Council.

SECTION 7. Amendment to Add Chapter 17.43 Archaeological and Cultural Resources – THIS SECTION WILL BE FORTHCOMING

SECTION 8. Amendment to Chapter 17.73 List of Terms and Definitions

The following words are added to the List of Terms (Section 17.73.010) and to Definitions (Section 17.73.020):

- 1) **ADDITION** is an extension or increase in floor area or height of a building or structure.
- 2) **BUILT ENVIRONMENT RESOURCES DIRECTORY (BERD)** is a database of previously evaluated resources throughout the State of California maintained by the California Office of Historic Preservation (OHP). The BERD contains information only for historic resources that have been processed through OHP. This includes resources reviewed for eligibility for the National Register of Historic Places and the California Historical Landmarks programs through federal and state environmental compliance laws, and resources nominated under federal and state registration programs. The BERD replaces the former California Historical Resources Inventory (HRI)/Historic Properties Directory (HPD).

DECEMBER 2020

City of Goleta
Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

- 3) **CALIFORNIA STATE HISTORICAL BUILDING CODE (SHBC)** is Title 24, Building Standards, Part 8, California Code of Regulations. The intent of the CHBC is to facilitate the preservation and continuing use of qualified historic buildings or properties while providing reasonable safety for the building occupants and access for people with disabilities.
- 4) **CALIFORNIA HISTORICAL RESOURCE STATUS CODE** is the numerical system adopted by the California Office of Historic Preservation (OHP) to classify historical resources that have been identified through a regulatory process or local government survey in the Built Environment Resources Directory (BERD) database maintained by the California Office of Historic Preservation.
- 5) **CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM (CHRIS)** consists of the California Office of Historic Preservation (OHP), Information Centers (ICs), and the State Historical Resources Commission (SHRC). The OHP administers and coordinates the CHRIS and presents proposed CHRIS policies to the SHRC, which approves these polices in public meetings. The CHRIS Inventory includes the Built Environment Resource Directory (BERD) maintained by the OHP, and the larger number of resource records and research reports managed under contract by the nine ICs.
- 6) **CALIFORNIA REGISTER OF HISTORICAL RESOURCES** is a listing of buildings, sites, structures, objects and districts significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California that meet the criteria for designation in the California Register as defined in California Public Resources Code Section 5020.1, as it may be amended from time to time.
- 7) **CHARACTER DEFINING FEATURES** are the essential physical features that convey why a building, structure, or object is historically or culturally significant (applicable Criteria for Designation and areas of significance) and when it was significant (Period of Significance).
- 8) **CONSERVATION OVERLAY ZONE** is a concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development that do not meet the criteria for designation as Historic Landmarks or Historic Districts, but

DECEMBER 2020

City of Goleta

Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

have unique qualities that may require special treatment and special approaches to development.

- 9) **CONTRIBUTOR** is any building, structure, or object located within a designated Historic District, which adds to the historic Integrity or social, cultural, or architectural qualities that make the Historic District significant. Contributors to designated Historic Districts are considered Historic Resources.
- 10) **CRITERIA FOR DESIGNATION** are the local criteria established by the City Council for the designation of Historic Landmarks and Historic Districts in the City of Goleta.
- 11) **DEMOLITION** occurs when either: (1) more than 50 percent of the exterior walls of a building or structure are removed or are no longer necessary and integral structural components of the overall building; or (2) more than 50 percent of the exterior wall elements are removed, including, without limitation, the cladding, columns, studs, cripple walls, or similar vertical load-bearing elements and associated footings, windows, or doors. Existing exterior walls supporting a roof that is being modified to accommodate a new floor level or roofline will continue to be considered necessary and integral structural components, providing the existing wall elements remain in place and provide necessary structural support to the building upon completion of the roofline modifications. Demolition as specifically applied to Historic Resources is destruction or Alteration that is so extensive that significant Character Defining Features are lost, the historic character of a Historic Resource is completely removed and cannot be repaired or replaced, and the resource no longer retains sufficient Integrity to convey its significance.
- 12) **DISCRETIONARY REVIEW** is the review of a project that requires the exercise of judgment or deliberation and as distinguished from situations where the City merely has to determine whether there has been conformity with objective standards in applicable statutes, ordinances, or regulations. Discretionary Review includes review by a Review Authority on any of the following: Coastal Development Permits within the Appeals Jurisdiction, Conditional Use Permits, Demolition of a Historic Resource, Design Review and Overall Sign Plans reviewed by the Design Review Board, Development Plans, General Plan Amendments, Modifications, [Government Code](#) Consistency Determination, Specific

DECEMBER 2020

City of Goleta

Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

Plans, Time Extensions, Variances, Zoning Ordinance Amendments, and Zoning Map Amendments.

- 13) **GOOD REPAIR** is the level of Maintenance and Repair which clearly furthers the continued availability of a Historic Resource for lawful reasonable uses and prevents deterioration, dilapidation, decay, and neglect of such resource.
- 14) **HISTORIC DISTRICT** is a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically in a distinguishable way or in a geographically definable area that retain sufficient integrity and meet at least one of the Criteria for Designation.
- 15) **HISTORIC LANDMARK** is a building, structure, object, or site that has been officially designated through City Council action.
- 16) **HISTORIC RESOURCE** as defined by the City of Goleta for purposes of Chapter 17.33 is any building, structure, object, or site that is listed in or formally determined eligible for listing in the National Register of Historic Places, or the California Register of Historical Resources, either individually or as a Contributor to a Historic District; is listed in the California Built Environment Resources Directory (BERD) with a California Historical Resource Status Code of 1-5; is designated as a County of Santa Barbara Landmark; is designated a Historic Landmark or Contributor to a designated Historic District by the Goleta City Council; or is listed in the Goleta Historic Resources Inventory.
- 17) **HISTORIC RESOURCES INVENTORY (the Inventory)** as defined by the City of Goleta for purposes of Chapter 17.33 is the list of buildings, structures, objects, or sites that is formally adopted by City Council Resolution and includes: properties that are identified as potential Historic Resources through survey or other evaluation conducted by a Qualified Preservation Professional using accepted professional practices and formally adopted for inclusion on the Inventory by the City Council; properties that are listed in or formally determined eligible for listing in the National Register of Historic Places or the California Register of Historical Resources, either individually or as a Contributor to a Historic District; properties listed in the California Built Environment Resources Directory (BERD) with a California Historical Resource Status Code of 1-5; properties that are designated as County of Santa Barbara

DECEMBER 2020

City of Goleta

Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

Landmarks; and properties that are locally designated Historic Landmarks or Contributors to designated Historic Districts by the City Council.

- 18) **HISTORIC RESOURCES SURVEY** is the systematic and standardized process, including historical research and field work, for identifying and gathering data on the City's potential Historic Resources for the purpose of evaluating the resources per local, state, and/or federal criteria.
- 19) **INFORMATION CENTERS (ICS)** are located on California State University and University of California campuses in regions throughout the state. The ICs provide historical resources information, generally on a fee-for-service basis, to local governments, state and federal agencies, Native American tribes, and individuals with responsibilities under the National Environmental Policy Act, the National Historic Preservation Act, and the California Environmental Quality Act (CEQA), as well as to the general public.
- 20) **INTEGRITY** is the ability of a historic property to convey its significance, with consideration of the following aspects of Integrity as defined by the National Park Service: location, design, setting, materials, workmanship, feeling, and association as defined below.
 - a. **Location** is the place where the historic property was constructed or the place where the historic event occurred.
 - b. **Design** is the combination of elements that create the form, plan, space, structure, and style of a property.
 - c. **Setting** is the physical environment of a historic property.
 - d. **Materials** are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.
 - e. **Workmanship** is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
 - f. **Feeling** is a property's expression of the aesthetic or historic sense of a particular period of time.
 - g. **Association** is the direct link between an important historic event or person and a historic property.
- 21) **MAINTENANCE AND REPAIR** is the renovation or replacement of nonbearing walls, roofing, malfunctioning fixtures, wiring, or plumbing that have been weathered or damaged in a manner that restores the

DECEMBER 2020

City of Goleta

Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

function, character, scope, size, or design of a structure to its previously existing, authorized, and undamaged condition.

- 22) **NATIONAL REGISTER OF HISTORIC PLACES** is the nation's official inventory of districts, sites, buildings, structures and objects significant in American history, architecture, archeology and culture which is maintained by the Secretary of the Interior under the authority of the Historic Sites Act of 1935 and the National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq., 36 C.F.R. Sections 60, 63).
- 23) **NON-CONTRIBUTOR** is any building, structure, or object located within a designated or potential Historic District, which does not add to the historic Integrity or social, cultural, or architectural qualities that make the Historic District significant. Non-contributors to designated Historic Districts are not considered Historic Resources.
- 24) **PERIOD OF SIGNIFICANCE** is the span of time that a property was associated with important events, activities, or persons, or attained the characteristics that qualify it for designation.
- 25) **POINT OF INTEREST** is a building, structure, object, or site that does not meet the criteria for designation as a Historic Landmark, but which is associated with historic events, important persons, or embodied a distinctive character or architectural style.
- 26) **PRESERVATION** is the act or process of applying measures necessary to sustain the existing form, Integrity, and materials of a Historic Resource.
- 27) **QUALIFIED PRESERVATION PROFESSIONAL** is a person who meets the minimum qualifications in history, archaeology, architectural history, architecture, or historic architecture as outlined in the Code of Federal Regulations, 36 CFR Part 61.
- 28) **RECONSTRUCTION** is the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.
- 29) **REHABILITATION** is the act or process of making possible a compatible use for a property through repair, alterations, and additions while

DECEMBER 2020

City of Goleta

Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

preserving those portions or features which convey its historical, cultural, or architectural values.

- 30) **RESTORATION** is 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.
- 31) **SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES** are the guidelines prepared by the National Park Service for Preserving, Rehabilitating, Restoring, and Reconstructing historic buildings and the standards for historic preservation projects prepared by the National Park Service with the most current Guidelines for Applying the Standards.
- 32) **SECTION 106** is the portion of the National Historic Preservation Act (NHPA) of 1966 as amended, which requires federal agencies to take into account the effects that federally funded activities and programs have on historic properties that are included in, or eligible for, the National Register of Historic Places.
- 33) **STATE HISTORICAL RESOURCES COMMISSION** is the nine-member state review board, appointed by the Governor, with responsibilities for the identification, registration, and preservation of California's cultural heritage.

SECTION 9. Effect of Amendment

To the extent any provision of this Ordinance repeals, amends, or supersedes any previous approvals, such repeal or replacement will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed or superseded part of previous approvals will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 10. Severability

If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect

DECEMBER 2020

City of Goleta
Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 11. Codification

The City Clerk shall cause these amendments to be appropriately renumbered and codified in Title 17 of the Goleta Municipal Code on the effective date of this Ordinance.

SECTION 12. Certification of City Clerk

The City Clerk shall certify to the adoption of this ordinance and, within 15 days after its adoption, shall cause it to be published in accord with California Law.

SECTION 13. Effective Date

This ordinance shall take effect on the 31st day following adoption by the City Council.

INTRODUCED ON the ____ day of _____, 2021.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2021.

PAULA PEROTTE
MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH S. LOPEZ
CITY CLERK

MICHAEL JENKINS
CITY ATTORNEY

DECEMBER 2020

City of Goleta
Historic Preservation Ordinance

HISTORIC RESOURCES GROUP

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, do hereby certify that the foregoing Ordinance No. 21-__ was introduced on _____, and adopted at a regular meeting of the City Council of the City of Goleta, California, held on the _____, by the following roll-call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

(SEAL)

DEBORAH S. LOPEZ
CITY CLERK

DECEMBER 2020

City of Goleta
Historic Preservation Ordinance

HISTORIC RESOURCES GROUP