



**CITY OF PACIFIC GROVE**  
300 Forest Avenue, Pacific Grove, California 93950

**AGENDA REPORT**

**To:** HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL  
**From:** Lynn Burgess, AICP, Chief Planner  
**Meeting Date:** March 17, 2010  
**Subject:** Receive a report on the underlying assumptions for the City's historic assessment guidelines  
**CEQA:** This action does not constitute a "Project" as defined by CEQA

**RECOMMENDATION**

Receive a report on the underlying assumptions for the City's Historic Assessment Guidelines.

**DISCUSSION**

At a recent City Council meeting, Council Member Huitt requested a report on the basis for the City's Historic Assessment guidelines and how the City's Historic Resources Inventory (HRI) criteria are used vis-à-vis the state and federal historic register criteria. The "Pacific Grove Guidelines for Historic Assessments" were established by the Community Development Department (CDD) under PGMC 23.77.040 in March 2008 and later amended in April 2009 (see Attachment A).

**Types of Historic Assessments.** As explained in the attached Guidelines, a historic assessment is a report that is used to determine the historic significance of a building, site, object or structure that is 50 years of age or older. The assessment contains a description of the building, site, object or structure as well as information about its historical background and surrounding area.

There are two types of Historic Assessments. **Phase 1 Historic Assessments** determine if a potential resource is historic by using criteria from the Pacific Grove Historic Preservation Ordinance (PGMC 23.76.025), the California Register of Historic Resources and the National Register of Historic Places. If it is determined that a resource is eligible for listing under one or more of the above sources, then a Phase 2 Historic Assessment is triggered. **Phase 2 Historic Assessments** examine how a proposed exterior alteration to the resource will affect its historic significance and what mitigation measures the City should consider that will reduce potential impacts to a level of insignificance.

The "Pacific Grove Guidelines for Historic Assessments" stem from the historic resource requirements of the California Environmental Quality Act (CEQA) and related Guidelines. Specifically, CEQA Guideline Section 15064.5(a) lays out the four methods by which a building, site, object or structure could be determined to be a "historical resource," which forms the basis of the City's Phase 1 Historic Assessment requirements. CEQA Guideline Section 15064.5(b) provides the guidance for evaluating the significance of alterations to historical resources, which forms the basis of the City's Phase 2 Historic Assessment requirements (see Attachment B). Due to the technical nature of the review requirements under CEQA, the City requires that Historic Assessments be prepared by qualified historic consultants.

**Phase 1 Historic Assessments.** CEQA Guideline Section 15064.5(a) requires that the City apply all four methods for determining if a building, site, object or structure is a “historical resource” in its Phase 1 Historic Assessments. These methods are:

1. A resource listed in, or eligible for listing in, the California Register of Historical Resources;
2. A resource included in a local register of historical resources (e.g., Pacific Grove’s HRI);
3. Any building, site, object or structure that the City determines to be historically significant by meeting the criteria for listing on the California Register of Historical Resources; and
4. Any building, site, object or structure that the City determines to be historically significant by meeting the criteria for listing on the National Register of Historic Places.

Under #3 above, CEQA references the criteria in Public Resources Code Section 5024.1, Title 14 CCR, Section 4852, which introduces the 50-year rule. Throughout the state, the 50-year age threshold is generally accepted as a trigger for historic evaluations. Section 4852(d)(2) states:

*“Historical resources achieving significance within the past fifty (50) years. In order to understand the historic importance of a resource, sufficient time must have passed to obtain scholarly perspective on the events or individuals associated with the resource. A resource fifty (50) years old may be considered for listing in the California Register if it can be deemed that sufficient time has passed to understand its historical importance.”*

Phase 1 Historic Assessments include an independent evaluation of each of the above four methods for determining a “historical resource.” This approach was reaffirmed in recent case law. According to *Valley Advocates v. City of Fresno* (2008) 160 Cal.App.4<sup>th</sup> 1039, if a City only considers its local historic criteria, it fails to meet the review requirements under CEQA Guideline Section 15064.5(a). The Phase 1 Historic Assessment requirement is the City’s attempt to provide a process by which this CEQA determination is properly made.

Since March 2008, a total of 36 Phase 1 Historic Assessments have been prepared for properties within the City, resulting in the addition of four homes to the City’s HRI and one deletion from the HRI (see Attachment C). Due to the large number of Phase 1 Historic Assessments finding no historical resource (32 out of 36), in November 2009, the City began an Initial Historic Screening process. This process involves a cursory review of a property to determine if there is any question of eligibility as a historical resource. For properties that are found to be obviously ineligible, no Phase 1 Historic Assessment is required. To date, eight properties have gone through the Initial Historic Screening process. Of the eight properties, five were deemed ineligible, thereby reducing the number of Phase 1 Historic Assessments that will be required (see Attachment D).

**Phase 2 Historic Assessments.** Once a building, site, object or structure has been deemed a “historical resource” under the analysis above, CEQA Guideline Section 15064.5(b) lays out the review requirements for exterior alterations to them. Subsection 15064.5(b)(3) states that:

*“Generally, a project that follows the Secretary of the Interior’s Standards...shall be considered as mitigated to a level of less than a significant impact on the historical resource.”*

The purpose of Phase 2 Historic Assessments is to conduct this evaluation. In all Phase 2 Historic Assessments to date, projects have been either found to be consistent with the Secretary

of the Interior’s Standards or specific mitigation measures have been identified to bring them into consistency, enabling the City to find such projects in compliance with CEQA.

**Historic Review Process and Fees.** On December 16, 2009, the City Council approved a resolution to upgrade historic review processes, streamline architectural review procedures, and update related planning fees to increase the proportion of program costs covered by applicants. Regarding historic reviews, the Council:

- Decided not to charge a processing fee for Initial Historic Screening requests during the approximately six-month trial period, ending on June 30, 2010. Thereafter, a fee will be established by the City Council;
- Effective March 1, 2010, established a Historic Determination process and fee, which allows applicants to go directly to the Historic Resources Committee (HRC) to review a Phase 1 Historic Assessment and to make a “historical resource” determination to add or delete resources to/from the City’s HRI (The first Historic Determination will be reviewed by the HRC on March 10, 2010.); and
- Effective March 1, 2010, established that the City will retain historic consultants to conduct Historic Assessments and that applicants will use a deposit system to cover the actual cost of these reports. (The process to retain historic consultants is still underway; thus, the deposit system will go into effect as soon as possible.)

The Council approved a 100% cost recovery level for Historic Review permit processes and Historic Assessments (see Attachment E).

**HRC Review.** The HRC members reviewed this Agenda Report at their meeting on February 11, 2010. There was a general discussion about the contents of the report, with no comments.

**Summary.** To summarize, the City’s historic reports and review processes can be categorized as follows:

| <b>Historic Review (Approval Authority)</b> | <b>Technical Report</b> | <b>City Review of Historicity</b> | <b>City Discretionary Permit</b> |
|---|-------------------------|-----------------------------------|----------------------------------|
| Initial Historic Screening (CDD)            |                         | x                                 |                                  |
| Historic Determination (HRC)                |                         | x                                 |                                  |
| Historic Preservation Permit (ARB)          |                         |                                   | x                                |
| Phase 1 Historic Assessment                 | x                       |                                   |                                  |
| Phase 2 Historic Assessment                 | x                       |                                   |                                  |

These historic reviews typically accompany an Architectural Approval application before the City’s Architectural Review Board (ARB), but may be processed independently. Attachment F shows the interrelationship between the historic review process and the ARB’s review of Architectural Approval applications.

This action does not constitute a “Project” as that term is defined under the California Environmental Quality Act (CEQA), CEQA Guideline Section 15378.

#### **FISCAL IMPACT**

None.

**ATTACHMENTS**

- A. Pacific Grove Guidelines for Historic Assessments, amended April 2, 2009
- B. CEQA Guidelines Section 15064.5(a) and (b) and Related State Code Sections
- C. Summary of Phase 1 Historic Assessments, March 2008-December 2009
- D. Summary of Initial Historic Screening Requests, November-February 2010
- E. Cost Recovery Levels for Architectural and Historic Review Permits
- F. Architectural Approval Process Flowchart

Respectfully submitted,

Reviewed by,

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Lynn Burgess, AICP  
Chief Planner

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Thomas Frutchey  
City Manager

## **Pacific Grove Guidelines for Historic Assessments**

March 24, 2008

[Amended April 2, 2009 to add section on Exemptions from Historic Assessment Requirements.]

### **Overview**

A historic assessment is a survey and evaluation that is used to determine the significance of a building, site, object or structure. The survey contains a description of the building, site, object or structure as well as information about its historical background and surrounding area.

The Pacific Grove Community Development Department will require an applicant to hire a qualified historic consultant to prepare a Phase One Assessment when a project has the potential to affect a building, site, object or structure that is 50 years of age or older. The assessment will determine if a resource is historic by using criteria from the National Register of Historic Places, the California Register of Historic Resources and Pacific Grove's Historic Preservation Ordinance (Municipal Code Chapter 23.76). If it is determined that a resource is eligible for listing under one or more of the above sources, then a Phase Two Assessment is triggered.

A Phase Two Assessment, prepared by a qualified historic consultant, provides a more detailed evaluation of the resource and examines how a project will affect its significance. In addition, a Phase Two Assessment should provide potential mitigation measures for consideration by the City to reduce impacts to a level of insignificance, if possible, or a clear statement that the proposal will cause a significant impact to the resource which cannot be mitigated to a level of insignificance.

If a property is listed or has been determined eligible for listing on the National or California Registers or is listed on the Pacific Grove Historic Resource Inventory, a Phase Two Assessment is automatically required.

### Uses of a Phase Two Historic Assessment

The Community Development Department will use any required Phase Two Assessment as a resource to complete an Initial Study (IS) to determine whether a project will have a significant affect on a historic resource as required by the California Environmental Quality Act (CEQA), Government Code Section 15300.2(f). A project will have a significant affect on a historic resource if it demolishes, or substantially alters a resource listed or eligible for listing on the National Register, California Register or Pacific Grove Historic Resource Inventory.

If a project will not have a significant affect on the environment, the Community Development Department will prepare a Negative Declaration for consideration and approval by the appropriate hearing body. If a project will have a significant affect on the environment, mitigation measures may be implemented to reduce the impacts to the resource to a level that is considered less than significant. The Community Development Department will then prepare a Mitigated Negative Declaration for consideration and approval by the appropriate hearing body. In the event that impacts are so great that mitigation measures cannot be implemented to reduce the impact to a

less than significant level, the Community Development Department will require the preparation of an Environmental Impact Report (EIR).

### Qualified Historic Consultants

The Community Development Department (CDD) maintains a list of qualified historic consultants. This list is available at CDD or by calling 831-648-3190.

## **Exemptions from Historic Assessment Requirements**

CDD staff has determined that certain minor exterior modifications to structures that are 50 years of age or older are consistent with the Secretary of the Interior's Standards and do not need a Historic Assessment. Accordingly, no Historic Assessment is required for projects where the exterior modifications solely consist of one or more of the following:

1. Restoration of existing historic elements (e.g., windows, doors);
2. Emergency repairs that involve in-kind materials or materials that match the historic appearance;
3. Re-roofing and gutter replacement with either in-kind materials or materials that match the historic appearance;
4. In-kind replacement of original historic windows if the City's Chief Building Official determines that the original windows are too deteriorated to restore;
5. Replacement of non-historic windows to match original historic windows in design and materials (if photo documentation is available for original windows);
6. Replacement of stairs/railings, doors and porches if the City's Chief Building Official determines that they are too deteriorated to restore. Replacement would need to be with in-kind materials or, if photo documentation is available, materials and design that match the historic appearance.
7. Repair or patching, with in-kind materials, individual areas of historic exterior siding if the City's Chief Building Official determines that the original siding is too deteriorated to restore.

## **General Requirements**

### **Phase One Assessment**

An applicant must submit (3) administrative draft copies of a Phase One Historic Assessment to the Community Development Department (CDD). Submission requirements vary based on the consultant's findings as follows:

- Not Significant - submit a letter stating why the property is not historic, citing local, state and federal criteria to support the finding.

- Significant w/o Integrity – submit a completed DPR 523a and DPR 523b (Primary Record and Building, Structure, Object Record) with a cover letter that addresses the 7 specific aspects of integrity and which of the seven have been lost and why.
- Significant – submit a completed DPR 523a and DPR 523b (Primary Record and Building, Structure, Object Record) with a cover letter stating at what level (local, state or national) the resource is significant and the applicable criteria. On DPR 523b, section B10, address integrity and list the character defining features of the resource.

## **Phase Two Assessment**

An applicant must submit three (3) administrative draft copies of a Phase Two Historic Assessment to CDD. The assessment should be written in a narrative tone. It must be checked for typographical errors and proof-read for syntax. All material facts, such as the date of construction, must contain references to sources of information. The assessment must contain subheadings and page numbers for clarity and organization. Maps, photographs and figures should be labeled and integrated with the text of the assessment or assembled in an appendix. CDD staff will review the administrative draft copies and forward comments to the consultant. The consultant must address the Department's comments before the historic assessment will be accepted and used for environmental review.

### **Format Requirements**

A Phase Two Historic Assessment prepared for Pacific Grove must conform to the following format:

#### **A. Title Page**

A title page is required that contains the (1) name and address of the property, (2) the name and address of the applicant, (3) the name and address of the consultant and (4) the completion date of the report.

#### **B. Table of Contents**

A table of contents is required that indicates the page numbers of each of the items from Section C through I below.

#### **C. Introduction**

The introduction should include, but not be limited to, the (1) name of property owner and applicant, (2) address of proposed project, (3) Assessor's Parcel Number(s) of the property, (4) description of the proposed project, (5) current use of the property, (6) names of the firm, principal and staff preparing the assessment and each of their professional qualifications, (7) beginning and completion dates of the assessment, (8) description of the research procedures used to prepare the assessment, and (9) current listing of the property on the

National Register, California Register or Pacific Grove Historic Resource Inventory.

D. Historical Background

The historical background should contain, but not be limited to, the (1) location map of the property drawn to scale with a north arrow, (2) historical context of the study area, and (3) historical development of the property including facts concerning ownership, subdivision, construction dates, occupants and uses of the property, (4) identify the period of significance. The assessment should concisely describe the historical background of the resource from the Spanish Period (1777-1822) to the present. Omission of facts during major periods is not acceptable.

E. Description of the Historic Resource

The description of the historic resource should concisely describe (1) the physical appearance and condition of the buildings, structures, objects and natural features on the subject site, and (2) the architectural style and character defining features of the exterior of the historic resource. Photographs of each facade of the resources are required.

F. Evaluation for Significance

The evaluation for significance must include completed historic evaluations using the following criteria:

- (1) National Register of Historic Places
- (2) California Register of Historic Resources
- (3) Pacific Grove Historic Resource Inventory

For each set of criteria, the assessment should analyze the historic background and description of the resource to determine if it qualifies for listing on any of the above. In addition, the assessment must evaluate the resource's potential to contribute to a district comprised of similar resources in the area. A district is composed of a significant concentration of sites or buildings conveying a visual sense of the overall historic environment or an arrangement of historically or functionally related properties. Conclusions should be based on an objective analysis of the information presented in the assessment.

G. Impacts of the Proposed Project

The impacts of the proposed project should describe how the project would affect the historic resource. It should contain a (1) project description, (2) site plan and floor plans, and (3) an analysis of the affects of the proposed project on the historic resource. If the resource is part of a district, the analysis should also discuss impacts to other contributing properties in the district.

H. Mitigation

Mitigation should include feasible measures that would either avoid or reduce the affects of the proposed project. Mitigation may include, but is not limited to, use of (1) the Secretary of the Interior's Standards and Guidelines for Rehabilitating Historic Structures, (2) the State Historic Building Code, (3) project alternatives, (4) documentation using the Historic American Building Survey (HABS) or alternative standards, (5) an educational exhibit for public use, (6) salvage of building elements, and (7) relocation of the structure.

I. Appendices

The appendices must contain (1) bibliography of the literature cited and persons consulted, (2) documents related to the history of the subject property such as historic photos, articles, letters and diagrams, and (3) completed State Historic Resources Evaluation Forms (DPR 523a & b). If the property is listed on the Pacific Grove Historic Resource Inventory and no DPR 523a & b forms were prepared as part of that listing, the documentation used to list the property will suffice.

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS  
TITLE 14. NATURAL RESOURCES  
DIVISION 6. RESOURCES AGENCY  
CHAPTER 3. GUIDELINES FOR IMPLEMENTATION OF THE CALIFORNIA ENVIRONMENTAL  
QUALITY ACT

ARTICLE 5. PRELIMINARY REVIEW OF PROJECTS AND CONDUCT OF INITIAL STUDY

This database is current through 11/27/09 Register 2009, No. 48

§ 15064.5. Determining the Significance of Impacts to Archaeological and Historical Resources.

(a) For purposes of this section, the term "historical resources" shall include the following:

(1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code §5024.1, Title 14 CCR, Section 4850 et seq.).

(2) A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

(3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code, § 5024.1, Title 14 CCR, Section 4852) including the following:

(A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

(B) Is associated with the lives of persons important in our past;

(C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

(D) Has yielded, or may be likely to yield, information important in prehistory or history.

(4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

(b) A project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.

(1) Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.

(2) The significance of an historical resource is materially impaired when a project:

(A) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or

(B) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or

(C) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

(3) Generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource.

(4) A lead agency shall identify potentially feasible measures to mitigate significant adverse changes in the significance of an historical resource. The lead agency shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures.

(5) When a project will affect state-owned historical resources, as described in Public Resources Code Section 5024, and the lead agency is a state agency, the lead agency shall consult with the State Historic Preservation Officer as provided in Public Resources Code Section 5024.5. Consultation should be coordinated in a timely fashion with the preparation of environmental documents.

## **PUBLIC RESOURCES CODE**

### **SECTION 5020-5029.5**

5020. The Historical Landmarks Advisory Committee is continued in existence as the State Historical Resources Commission. Any reference in any law to the Historical Landmarks Advisory Committee shall be deemed to refer to the State Historical Resources Commission.

5020.1. As used in this article:

(a) "California Register" means the California Register of Historical Resources.

(b) "Certified local government" means a local government that has been certified by the National Park Service to carry out the purposes of the National Historic Preservation Act of 1966 (16 U.S.C.

Sec. 470 et seq.) as amended, pursuant to Section 101(c) of that act and the regulations adopted under the act which are set forth in Part 61 (commencing with Section 61.1) of Title 36 of the Code of Federal Regulations.

(c) "Commission" means the State Historical Resources Commission.

(d) "Department" means the Department of Parks and Recreation.

(e) "Director" means the Director of Parks and Recreation.

(f) "DPR Form 523" means the Department of Parks and Recreation Historic Resources Inventory Form.

(g) "Folklife" means traditional expressive culture shared within familial, ethnic, occupational, or regional groups and includes, but is not limited to, technical skill, language, music, oral history, ritual, pageantry, and handicraft traditions which are learned orally, by imitation, or in performance, and are generally maintained without benefit of formal instruction or institutional direction. However, "folklife" does not include an area or a site solely on the basis that those activities took place in that area or on that site.

(h) "Historic district" means a definable unified geographic entity that possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

(i) "Historical landmark" means any historical resource which is registered as a state historical landmark pursuant to Section 5021.

(j) "Historical resource" includes, but is not limited to, any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.

(k) "Local register of historical resources" means a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.

(l) "National Register of Historic Places" means the official federal list of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, engineering, and culture as authorized by the National Historic Preservation Act of 1966 (16 U.S.C. Sec. 470 et seq.).

(m) "Office" means the State Office of Historic Preservation.

(n) "Officer" means the State Historic Preservation Officer.

(o) "Point of historical interest" means any historical resource which is registered as a point of historical interest pursuant to Section 5021.

(p) "State Historical Resources Inventory" means the compilation of all identified, evaluated, and determined historical resources maintained by the office and specifically those resources evaluated in historical resource surveys conducted in accordance with criteria established by the office, formally determined eligible for, or listed in, the National Register of Historic Places, or designated as historical landmarks or points of historical interest.

(q) "Substantial adverse change" means demolition, destruction, relocation, or alteration such that the significance of an historical resource would be impaired.

....

5024.1. (a) A California Register of Historical Resources is hereby established. The California Register is an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change. The commission shall oversee the administration of the California Register.

(b) The California Register shall include historical resources determined by the commission, according to procedures adopted by the commission, to be significant and to meet the criteria in subdivision (c).

(c) A resource may be listed as an historical resource in the California Register if it meets any of the following National Register of Historic Places criteria:

(1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.

(2) Is associated with the lives of persons important in our past.

(3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.

(4) Has yielded, or may be likely to yield, information important in prehistory or history.

(d) The California Register shall include the following:

(1) California properties formally determined eligible for, or listed in, the National Register of Historic Places.

(2) State Historical Landmark No. 770 and all consecutively numbered state historical landmarks following No. 770. For state historical landmarks preceding No. 770, the office shall review their eligibility for the California Register in accordance with procedures to be adopted by the commission.

(3) Points of historical interest which have been reviewed by the office and recommended for listing by the commission for inclusion in the California Register in accordance with criteria adopted by the commission.

(e) If nominated for listing in accordance with subdivision (f), and determined to be significant by the commission, the California Register may include the following:

(1) Individual historical resources.

(2) Historical resources contributing to the significance of an historic district under criteria adopted by the commission.

(3) Historical resources identified as significant in historical resources surveys, if the survey meets the criteria listed in subdivision (g).

(4) Historical resources and historic districts designated or listed as city or county landmarks or historic properties or districts pursuant to any city or county ordinance, if the criteria for designation or listing under the ordinance have been determined by the office to be consistent with California Register criteria adopted by the commission.

(5) Local landmarks or historic properties designated under any municipal or county ordinance.

(f) A resource may be nominated for listing as an historical resource in the California Register in accordance with nomination

procedures adopted by the commission, subject to all of the following:

(1) If the applicant is not the local government in whose jurisdiction the resource is located, a notice of nomination in the form prescribed by the commission shall first be submitted by the applicant to the clerk of the local government. The notice shall request the local government to join in the nomination, to provide comments on the nomination, or if the local government declines to join in the nomination or fails to act upon the notice of nomination within 90 days, the nomination may be submitted to the office and shall include any comments of the local government.

(2) Prior to acting on the nomination of a survey, an individual resource, an historic district, or other resource to be added to the California Register, the commission shall notify property owners, the local government in which the resource is located, local agencies, other interested persons, and members of the general public of the nomination and provide not less than 60 calendar days for comment on the nomination. The commission shall consider those comments in determining whether to list the resource as an historical resource in the California Register.

(3) If the local government objects to the nomination, the commission shall give full and careful consideration to the objection before acting upon the nomination. Where an objection has been raised, the commission shall adopt written findings to support its determination concerning the nomination. At a minimum, the findings shall identify the historical or cultural significance of the resource, and, if applicable, the overriding significance of the resource that has resulted in the resource being listed in the California Register over the objections of the local government.

(4) If the owner of a private property or the majority of owners for an historic district or single property with multiple owners object to the nomination, the commission shall not list the property as an historical resource in the California Register until the objection is withdrawn. Objections shall be submitted to the commission by the owner of the private property in the form of a notarized statement certifying that the party is the sole or partial owner of the property, and that the party objects to the listing.

(5) If private property cannot be presently listed in the California Register solely because of owner objection, the commission shall nevertheless designate the property as eligible for listing.

(g) A resource identified as significant in an historical resource survey may be listed in the California Register if the survey meets all of the following criteria:

(1) The survey has been or will be included in the State Historic Resources Inventory.

(2) The survey and the survey documentation were prepared in accordance with office procedures and requirements.

(3) The resource is evaluated and determined by the office to have a significance rating of Category 1 to 5 on DPR Form 523.

(4) If the survey is five or more years old at the time of its nomination for inclusion in the California Register, the survey is updated to identify historical resources which have become eligible or ineligible due to changed circumstances or further documentation and those which have been demolished or altered in a manner that substantially diminishes the significance of the resource.

(h) Upon listing an historical resource or determining that a property is an historical resource that is eligible for listing, in

the California Register, the commission shall notify any owner of the historical resource and also the county and city in which the historical resource is located in accordance with procedures adopted by the commission.

(i) The commission shall adopt procedures for the delisting of historical resources which become ineligible for listing in the California Register.

5024.5. (a) No state agency shall alter the original or significant historical features or fabric, or transfer, relocate, or demolish historical resources on the master list maintained pursuant to subdivision (d) of Section 5024 without, early in the planning processes, first giving notice and a summary of the proposed action to the officer who shall have 30 days after receipt of the notice and summary for review and comment.

(b) If the officer determines that a proposed action will have an adverse effect on a listed historical resource, the head of the state agency having jurisdiction over the historical resource and the officer shall adopt prudent and feasible measures that will eliminate or mitigate the adverse effects. The officer shall consult the State Historical Building Safety Board for advice when appropriate.

(c) Each state agency shall maintain written documentation of the officer's concurrence with proposed actions which would have an effect on an historical resource on the master list.

(d) The officer shall report to the Office of Planning and Research for mediation instances of state agency refusal to propose, to consider, or to adopt prudent and feasible alternatives to eliminate or mitigate adverse effects on historical resources on the master list as specified in subdivision (f) of Section 5024.

(e) The officer may monitor the implementation of proposed actions of any state agency.

(f) Until such time as a structure is evaluated for possible inclusion in the inventory pursuant to subdivisions (b) and (c) of Section 5024, state agencies shall assure that any structure which might qualify for listing is not inadvertently transferred or unnecessarily altered.

(g) The officer may provide local governments with information on methods to preserve their historical resources.

**Phase 1 Historic Assessments  
March 24, 2008 - December, 2009**

|    | Address                                      | Phase 1 Finding              | Action  |
|----|--|------------------------------|---|
| 1  | 888 Maple                                    | eligible for addition to HRI | HRC added to HRI 11/12/08   |
| 2  | 235 Forest Park Ct                           | eligible for addition to HRI | HRC added to HRI 5/13/09  |
| 3  | 142 19th Street                              | eligible for addition to HRI | HRC disagreed with finding. HRC did NOT add to HRI  |
| 4  | 635 Spazier                                  | eligible for addition to HRI | HRC added to HRI 7/8/09   |
| 5  | 803 Gibson                                   | eligible for addition to HRI | HRC added to HRI 10/14/09   |
| 6  | 119 Monterey (HRI)                           | not eligible                 | HRC removed from HRI 11/12/08   |
| 7  | 622 17th St                                  | not eligible                 | ARB disagreed with finding. ARB referred to HRC. HRC technical denial. CC deemed not eligible. Not added to HRI.                                  |
| 8  | 401 Eardley                                  | not eligible                 | ARB disagreed with finding and denied architectural application. Project was not referred to the HRC.   |
| 9  | 919 Cedar                                    | not eligible                 | Not added to HRI. (The dwelling was built circa 1930, and described as Spanish Eclectic. ARB approved application to demo and build a new house.) |
| 10 | 176 Sloat                                    | not eligible                 | ARB disagreed with finding. ARB referred to HRC. HRC did not add to HRI   |
| 11 | 560 Grove Acre<br>(accessory structure only) | not eligible                 | Not added to HRI  |
| 12 | 908 Del Monte                                | not eligible                 | Not added to HRI  |
| 13 | 845 Ocean View Bl.                           | not eligible                 | Not added to HRI  |
| 14 | 155 17 Mile Drive                            | not eligible                 | Not added to HRI  |
| 15 | 873 Del Monte                                | not eligible                 | Not added to HRI  |
| 16 | 1017 Forest                                  | not eligible                 | Not added to HRI  |
| 17 | 620 Ocean View Bl.                           | not eligible                 | Not added to HRI  |
| 18 | 865 17 Mile Drive                            | not eligible                 | Not added to HRI  |
| 19 | 144/146 16th St                              | not eligible                 | Not added to HRI  |
| 20 | 1136 Balboa                                  | not eligible                 | Not added to HRI  |
| 21 | 434 Beaumont                                 | not eligible                 | Not added to HRI  |
| 22 | 352 Bishop                                   | not eligible                 | Not added to HRI  |
| 23 | 355 Bishop                                   | not eligible                 | Not added to HRI  |
| 24 | 186 Cedar                                    | not eligible                 | Not added to HRI  |
| 25 | 702 9th Street                               | not eligible                 | Not added to HRI  |
| 26 | 660 Mermaid                                  | not eligible                 | Not added to HRI  |
| 27 | 984 Ransford                                 | not eligible                 | Not added to HRI  |
| 28 | 880 Maple                                    | not eligible                 | Not added to HRI  |
| 29 | 948 Sea Palm                                 | not eligible                 | Not added to HRI  |
| 30 | 16 Beach Street                              | not eligible                 | Not added to HRI  |
| 31 | 1111 Surf                                    | not eligible                 | Not added to HRI  |
| 32 | 100 Asilomar                                 | not eligible                 | Not added to HRI  |
| 33 | 1104 Seaview                                 | not eligible                 | Not added to HRI  |
| 34 | 935 Jewell                                   | not eligible                 | Not added to HRI  |
| 35 | 940 Forest Avenue (garage)                   | not eligible                 | Not added to HRI  |
| 36 | 750 Spruce (garage)                          | not eligible                 | Not added to HRI  |

**Initial Historic Screenings  
November, 2009 - December, 2009**

|    | Address                    | Date       | Action  |
|----|----------------------------|------------|---|
| 1  | 415 Evergreen Road         | 11/12/2009 | Determined to be Ineligible                   |
| 2  | 181 17 Mile Drive (garage) | 11/12/2009 | Determination of Ineligibility cannot be made |
| 3  | 712 Sunset Drive           | 11/12/2009 | Determined to be Ineligible                   |
| 4  | 152 Pacific Street         | 11/12/2009 | Determined to be Ineligible                   |
| 5  | 760 Ocean View Blvd        | 12/9/2009  | Determination of Ineligibility cannot be made |
| 6  | 925 Jewell Avenue          | 12/9/2009  | Determination of Ineligibility cannot be made |
| 7  | 1314 Shafter Avenue        | 12/9/2009  | Determined to be Ineligible                   |
| 8  | 1040 Short Street (garage) | 12/9/2009  | Determined to be Ineligible                   |
| 9  |                            |            |   |
| 10 |                            |            |   |
| 11 |                            |            |   |
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| 33 |                            |            |   |
| 34 |                            |            |   |
| 35 |                            |            |   |

**Cost Recovery Levels for Architectural and Historic Permits**

| Permit Type                                     |                 |                |            | Fee Analysis |                    |                                 |                                   |                               |
|---|-----------------|----------------|------------|--------------|--------------------|---------------------------------|-----------------------------------|-------------------------------|
|   | Hours (\$58/hr) | Noticing costs | Total cost | Current fee  | Current % Recovery | 50% Recovery                    | 75% Recovery                      | 100% Recovery                 |
| <b>Architectural Review</b>                     |                 |                |            |              |                    |                                 |                                   |                               |
| SFD Major - not on HRI                          | 32.25           | \$ 60          | \$ 1,931   | \$650        | 34%                | \$ 965                          | \$ 1,448                          | NA                            |
| SFD Minor - not on HRI                          | 17.25           | \$ 60          | \$ 1,061   | \$375        | 35%                | \$ 530                          | \$ 795                            | NA                            |
| SFD Demo/Reconstruct - not on HRI               | 32.25           | \$ 60          | \$ 1,931   | \$650        | 34%                | \$ 965                          | \$ 1,448                          | NA                            |
| New SFD   | 32.25           | \$ 60          | \$ 1,931   | \$650        | 34%                | \$ 965                          | \$ 1,448                          | NA                            |
| SFD - on HRI                                    | 34.25           | \$ 60          | \$ 2,047   | \$650        | 32%                | \$ 1,023                        | \$ 1,535                          | NA                            |
| All other uses (MFD, Commercial, Institutional) | -               | -              | Variable   | Variable     | Variable           | \$965 deposit (50% actual cost) | \$1,448 deposit (75% actual cost) | NA                            |
| Design Change (ARB)                             | 17.25           | \$ 60          | \$ 1,061   | \$375        | 35%                | \$ 530                          | \$ 795                            | NA                            |
| Admin Review (Admin hearing)                    | 15.25           | \$ 60          | \$ 945     | \$275        | 29%                | \$ 472                          | \$ 708                            | NA                            |
| <b>Historic Review</b>                          |                 |                |            |              |                    |                                 |                                   |                               |
| Initial Historic Screening                      | TBD             | TBD            | TBD        | NA           | NA                 | NA                              | NA                                | NA                            |
| Historic Determination (HRC)*                   | 16.25           | \$ 60          | \$ 1,003   | NA           | 0%                 | NA                              | NA                                | \$ 1,003                      |
| Historic Preservation Permit**                  | 8.25            | \$ 180         | \$ 659     | \$650        | 99%                | NA                              | NA                                | \$ 659                        |
| Historic Evaluation (Phase 1 HA)                | -               | -              | Variable   | NA           | NA                 | -                               | -                                 | \$1,000 deposit (actual cost) |
| Historic Compliance Review (Phase 2 HA)         | -               | -              | Variable   | NA           | NA                 | -                               | -                                 | \$1,500 deposit (actual cost) |

Notes:

\* Full cost proposed to be charged due to separate HRC hearing required (no multi-permit discount).

\*\* Full cost proposed to be charged since an HPP is always combined with an architectural approval (no multi-permit discount).

### ARCHITECTURAL APPROVAL PERMIT PROCESS

