M E M O R A N D U M

To: City of Sausalito

From: Martha Miller, AICP, and Manon Vergerio, Dyett & Bhatia

Re: Evaluation Procedures for 50+ Year Old Structures

Date: October 15, 2014

This memorandum synthesizes the findings of research on historic preservation procedures conducted by Dyett & Bhatia. The research is based on the survey of several cities in California and their process in evaluating structures older than 50-years of age when development projects are proposed. The insights from the survey help gain an understanding of which communities systematically assess structures over a certain age, who they select to conduct the historical analysis, and how the recommendations made in the historical significance assessment impact the proposed development project.

Of particular interest to the City of Sausalito is whether the result of historical analysis affects the type of review process a project is subject to. This occurs in three cities: Los Gatos, Mill Valley, and Pacific Grove. In all jurisdictions, recommendations in the historical analysis are included as conditions or approval or mitigation measures in the environmental review document.

SURVEYED CITIES

The research produced in this report results from Dyett & Bhatia surveying several California Cities and Towns including: Belvedere, Larkspur, Los Gatos, Mill Valley, Novato, Pacific Grove, Ross, San Rafael, and Tiburon.

SURVEY QUESTIONS

The following set of questions was asked to determine if other communities treat historic preservation differently than Sausalito currently does:

1) Do you require a historic assessment of every structure in your jurisdiction that is over 50-years of age when modifications are proposed?

2) If an analysis is required, do you allow the applicant to hire their own consultant or does the City have a list of consultants the applicant can choose from?

3) If the report determines that the structure is historically significant, what weight does the report's recommendations have? Do they change the type of permit required to go through with the proposed modification? Do the recommendations become conditions of approval?

4) Who is the decision-making body that has authority over whether the report's recommendations are followed or not?

5) How do the report recommendations affect environmental review pursuant to the California Environmental Quality Act (CEQA)? Do the report's recommendations become mitigation measures?

FINDINGS

Belvedere: The City of Belvedere requires a historical assessment for all structures over 50-years of age. The evaluation is done by a historic consultant. According to the planner interviewed, this assessment is done primarily to demonstrate that the appropriate research was done and that the CEQA box can be "checked off." No Environmental Impact Reports (EIRs) for historical structures had been done during the planner's time with the city. In terms of evaluating the weight of the consultant's recommendations, the planner gave the example of a case where the assessment report determined that a structure was historic, but the City's Historic Preservation Committee disagreed. The Planning Commission disregarded the consultant's recommendations and went ahead with the demolition without conducting an environmental review.

Larkspur: The City of Larkspur considers that if a home is not listed in its Historic Resources Inventory but is over 50-years of age, it is potentially historic and should have an assessment done prior to being modified. The report is done by a consulting historical architect selected by the city. The City has one "go-to" external consultant that is typically in charge of these assessments. The consultant can use the City's Heritage Board as a resource to get additional background information on the property and typically works with City staff to determine whether the structure is historic or not. If the consultant finds that the structure has historic architectural merit, then modifications to the structure require Design Review, which is overseen by the Heritage Board. The Heritage Board may or may not decide to include the structure in the Historic Resources Inventory. If the consultant determines that the proposed alteration may have a significant impact on the historic resource (according to the Secretary of the Interior's Standards), then the City uses a "carrot and stick approach" to encourage the property owner or developer to design the alteration or addition in order to comply with CEQA. For instance, the City might suggest that the modification be located on the side of the house instead of the front. If the applicant is willing to work with the City to comply with CEQA, then the application can proceed with an exemption or Negative Declaration without doing an EIR.

Los Gatos: The Town of Los Gatos only considers structure built before 1941 to be historic. The historic assessment is conducted by the Historic Preservation Committee (HPC) and the weight of the HPC's recommendations depends on the type of work being done. If the structure is located in a historic district or if it has a particularly historic "rating," then the HPC has the final word on whether to approve the proposed modification or not. In other cases, the HPC serves as a recommending body and the Planning Commission is the decision-making body. The HPC's recommendations are

incorporated into the staff report and as conditions of approval for the project. EIRs only occur for major demolition projects. For demolitions, which are very rare, an external consultant is hired to do a full-scale historical analysis.

Mill Valley: The City of Mill Valley does not always require a historic assessment for structures over 50-years of age. Historical evaluation is done on a case-by-case basis. The City holds a list of potential and existing historically significant structures, which is regularly updated by the Historic Society. The Historic Society can present a structure to the Planning Commission if they determine that a review should be completed prior to modification. To evaluate the historic significance of a structure, the applicant chooses from a list of consultants provided by the City. If the consultant finds that the structure is significant, this changes the scope of the Design Review. The Planning Commission oversees the Design Review process, with the help of City staff. EIRs may be required depending on the scope of the work, but according to the planner interviewed, EIRs are not common since residents are not inclined to make major alterations to historic structures.

Novato: The Town of Novato does not require a historic assessment for all structures over 50-years of age. Evaluations are done on a case-by-case basis. The City has a list of locally-designated historic structures and may also require evaluation if significant work is proposed to be done to other potentially historic structures, such as early 20th century homes. Typically, the City would directly hire an architectural historian to do the assessment in order to minimize the applicant's potential influence on the consultant. If the consultant finds that the structure is historic, this does not alter the permit level required, however, it changes construction or design technique that will be approved. The planner interviewed gave the example of a case where there were minor issues with the proposed trim style of the windows and several other proposed features that were not in keeping with the historic home's style. The architectural historian's recommendations were implemented in the new design drawings before the modification project went through the Design Review process.

Pacific Grove: The City of Pacific Grove requires an evaluation of historic significance for all structures 50-years of age or older not current listed on the National or State Historic Registers, or on the City's Historic Resources Inventory (HRI) prior to moving forward with a development project. The evaluation process is done in two stages. The first phase is an Initial Historic Screening (IHS) done by the Historic Resources Committee (HRC). The HRC forwards its recommendation to the Chief Planner as to whether the structure is potentially eligible for the City's Historic Resources Inventory. In this phase, the Chief Planner has the final authority on whether to push the project to the next stage of historic determination, the Phase 1 Historic Assessment, or to declare it ineligible for the City's HRI. If a Phase 1 Historic Assessment occurs, the HRC makes the final decision on whether to list the structure on the City's HRI. If the HRC adds the structure to the City's HRI, then the development project requires a new level of permit, a Community Development Permit reviewed by the Architectural Review Board.

Ross: The Town of Ross does not require a historic assessment of all structures over 50-years of age. There is a level of discretion involved, but if a building's historical significance is questionable, then the assessment will be required. Applicants can either hire their own consultant and have it peer reviewed by one of the City-approved consultants or go directly through the Town of Ross for a consultant. The weight of the consultant's recommendations depends on the scope of the proposed modification. The Town is more concerned with demolitions than with slight modifications, as modifications can often occur for maintenance reasons. Recommendations are typically included as conditions of approval for a project. The Town Council has the final word on whether to follow the consultant's advice for whether the structure is historic or not. EIRs are only required for demolitions. Almost all projects go through the Design Review process, but the Town has an additional Demolition Permit which is required for any project that will result in more than 25% of change in the exterior of the structure. This percentage is the threshold that triggers environmental review. These projects require both Design Review and a Demolition Permit, which is overseen by the Town Council, with the help of an advisory review group with design expertise.

San Rafael: The City of San Rafael does not necessarily require a historic assessment for all structures over 50-years of age with proposed modifications. If an evaluation is required, it is done by an architectural historian. If the consultant finds that the proposed modifications could have a significant impact on the historic structure, the consultant proposes alternatives. Typically, the proposed design changes will be modified according to the proposed alternatives. The decision-making body can disagree with the consultant's recommendations, but they are usually followed.

Tiburon: The Town of Tiburon does not automatically require a historic assessment for all structures over 50-years of age; the evaluations are done on a discretionary basis. The Town holds a steady inventory of Downtown Commercial structures that are historic. For residential neighborhoods, historic structures tend to be "obvious." The historic assessment is done by a consulting firm, typically an architectural resource group. If the report determines that the structure is historically significant, then the City would have to conduct an Initial Study or an EIR. EIRs have happened for demolitions of historically significant structures. Modifications to historic structures typically require a Conditional Use Permit, which are handled by the Planning Commission.