

Historic Preservation Ordinance Amendments

City Council

February 28, 2022





Background

Planning & Community Development Department

- Recent HPO amendments became effective in April, 2021.
- Staff has identified an implementation concern and a few minor clean-up items.
- HPC hearing was conducted on December 7, 2021.
- PC hearing was conducted on January 12, 2022



Implementation Concern Background: Eligible Landmark Districts

Planning & Community Development Department

- Pre-2021 Ordinance:
 - > No formal process for evaluating neighborhoods for Landmark District eligibility in response to a proposed demolition or major alteration.
 - > When Landmark Districts identified in response to a property owner request or a survey, the properties within the identified Landmark Districts were not subjected to a COA process for proposed alterations and COAs were required for demolition, but could not be denied.



Implementation Concern Background: Eligible Landmark Districts

Planning & Community Development Department

- Revised 2021 Ordinance:
 - > Historical Evaluation now required in response to a proposed demolition or major alteration of a single property, including for Landmark District eligibility.
 - > If a new Landmark District is identified, all property owners are notified and anyone may appeal.
 - > COA required for demolition or major alteration, which may be denied.



Implementation Concerns

Planning & Community Development Department

- Establishment of Landmark Districts no longer a neighborhood-driven tool for protecting historic neighborhoods; now imposed by City on neighborhoods that may not want protection.
- High likelihood for all eligibility determinations to be appealed, creating public animosity toward historic preservation.



Proposed Amendments

Planning & Community Development Department

- Limit the Historic Resource Evaluation requirement to evaluations for individual eligibility only and not landmark or historic district eligibility.
- Specify that a COA is required for demolition or major alteration of individually eligible historic resources or contributing structures in eligible historic districts (NR eligible) identified through a past or future historic resources survey.



Proposed Amendments

Planning & Community Development Department

- Specify that a COA is required for demolition of contributing structures in eligible Landmark Districts identified by request of a neighborhood, property owner or association or through a future historic resources survey, which could be delayed for up to **360 days** but not denied.
- Reinstate previous interim protections for landmark districts pending designation.
 - Effective upon HPC recommendation of approval.
 - COA for demolition and major projects, which could be denied.



Proposed Amendments

Planning & Community Development Department

- Specify that a combination of two or more changes to an original window's design features (material, muntin pattern, operation type or trim/sill conditions) constitutes a major project. Changes to original opening sizes should continue to be considered a major project, independent of the design features noted above.
- Specify that window replacement is a minor project unless two or more changes to the original window's design features are proposed.



Proposed Amendments

Planning & Community Development Department

- Require appeals of eligibility determinations made in conjunction with a designation application to include arguments and evidence that the identified Landmark District is not eligible for designation.
 - Intent is to avoid appeals related to opposition to Landmark Districts in general.
 - Property owners opposed to the designation would have multiple opportunities to raise their objections during the formal review phase of the designation process, if a sufficient number of property owner signatures in support of the designation is achieved and an application for the formal review phase is submitted.



Minor Clean-Up Items

Planning & Community Development Department

- Appeal Process for Designation of Individual Historic Resources (allow appeals of both eligibility and ineligibility determinations).
- Exception to COA Process for Alterations Require Zoning Entitlements (change advisory review authority to staff).
- Review Authority for Porte Cochere Restoration (change to staff)



Staff Recommendation

Planning & Community Development Department

- Adopt the findings for CEQA clearance and Zoning Code Text Amendments as listed in the staff report; and
- Approve the Zoning Code Text Amendments to the HPO as specified in the agenda report.
- Direct the City Attorney to prepare an ordinance within 60 days amending Title 17 of the Pasadena Municipal Code (Zoning Code), Chapter 17.62 (Historic Preservation) and Section 17.22.050.C (Restoration of a porte cochere).

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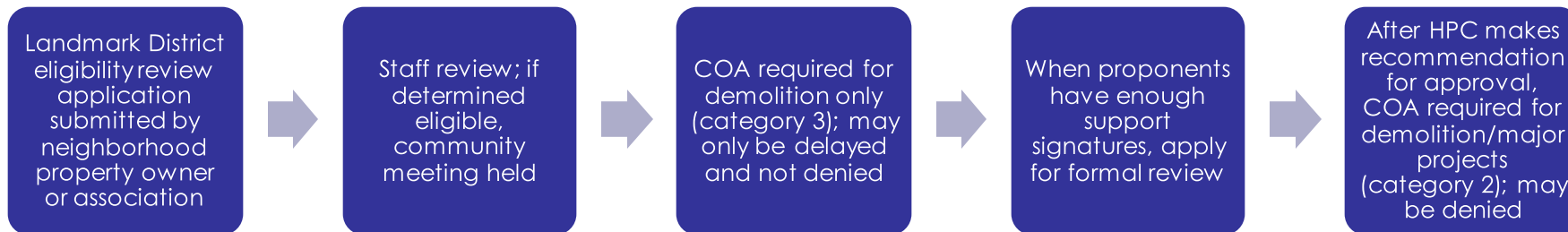
Revised Processes as Proposed

Planning & Community Development Department

HRE/COA Process as Proposed:



Landmark District/COA Process as Proposed:





Window Review Summary

Planning & Community Development Department

Ordinance	Major Project	Minor Project
Current Ordinance	Change to window openings, materials or muntins	Like-for-like replacement
Proposed Ordinance	Change to window openings or two or more design features	Change to one design feature

Notes:

- For designated properties, HPC reviews COAs for major projects and staff reviews minor projects
- For undesignated properties, major projects trigger HRE and, if found to be eligible, a staff-level COA; minor projects do not require either a HRE or COA



Planning Commission Recommendations

Planning & Community Development Department

- Agreed with all staff recommendations except regarding windows.
 - > Staff disagrees due to additional processing time and ability for HPC to call staff decisions for review.
- Recommended extending delay period for demolitions to 360 days if neighborhood is actively pursuing designation.
 - > Staff agrees with this and has proposed this in the current recommendation.