

# Landmark Alteration Process Improvements and Cultural Heritage Board and Design Review Board Consolidation

Public Hearing

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Jessica Jones, Deputy Director - Planning  
Planning and Economic Development

Amend the Zoning and Municipal Code and the Processing Review Procedures for Owners of Historic Properties.

1. Streamline and enhance the Landmark Alteration (LMA) Permit process for properties located in Preservation Districts and designated local landmarks; and
2. Consolidate the Cultural Heritage Board (CHB) and Design Review Board (DRB) duties and composition into a single Design Review and Preservation Board.



- 5/22/2018 – Council adopted an ordinance for reduced review authority to streamline the Design Review process.
- Staff has been monitoring the process to for expansion to other entitlement processes.
- City has been reviewing boards, commissions and committees for potential consolidation to address resources and redundancy.
- 7/17/2024 – CHB members identified concerns related to increased LMA Permit fees; 5 Board members resigned.
- 11/7/2024 – DRB Study Session on proposed amendments.

# Proposed Zoning/Municipal Code Amendments

The proposed amendments have been developed to:

1. Streamline the LMA Permit process;
2. Enhance the City's preservation efforts;
3. Reduce time and cost for property owners; and
4. Provide a more streamlined review authority process to better allocate City resources.

# Proposed LMA Amendments – Exempt Projects

- Clarify the types of repair, renovation or restoration that are exempt;
- Clarify that repainting is exempt only for previously painted exterior materials;
- Clarify the types of re-roofing that is exempt;
- Clarify when replacement windows and doors are exempt;
- Add exemption for installation of new landscaping and site features that are otherwise allowed by right and when determined to be similar to the original era and consistent with the District; and
- Add exemption for accessory dwelling units per State law.

# Proposed LMA Amendments – Director Level LMA

- Add a “Director Level” LMA process for items that previously would have gone to the Zoning Administrator for Minor LMA.
- Will require notification to neighbors within 300 ft.
- Non-Contributors – Any alterations or additions, if found to be compatible with the streetscape of the District.
- Contributors – Addresses the following:
  - ✓ Renovation or restoration of materials (change proposed);
  - ✓ Change to windows or doors that are not visible;
  - ✓ Additions/accessory structures less than 500 sq. ft. and not visible;
  - ✓ New fences that would otherwise be allowed by right;
  - ✓ Roof equipment that is not visible;
  - ✓ Re-roofing with different materials;
  - ✓ New landscape elements (entryway trellis, decks, etc).

# Proposed LMA Amendments – Minor LMA

- Amend Minor LMA process (Zoning Administrator) for alterations or additions to contributors, that would have required a Major LMA.
  - ✓ Painting of previously unpainted materials, if no impact to structure or District;
  - ✓ Change to roofline, if no impact to structure or District;
  - ✓ Fences taller than otherwise allowed;
  - ✓ Removing or enclosing a porch, or adding a new porch, or no impact structure or District;
  - ✓ Change to windows or doors that don't qualify for Director Level;
  - ✓ Additions to single-family less than 500 sq. ft., that are visible;
  - ✓ Additions to non-residential and multi-family 500-5,000 sq. ft.;
  - ✓ Development of new non-residential and multi-family 500-5,000 sq. ft.;
  - ✓ Construction of new primary single-family.



# Proposed LMA Amendments – Major LMA

- Amend the Major LMA process (Board) to include substantial projects, alterations or additions to contributors.
  - ✓ Demolition or removal of existing historic building;
  - ✓ Additions to single-family involving 500 sq. ft. or greater, that is visible;
  - ✓ Additions to non-residential and multi-family of 5,000 sq. ft. or greater;
  - ✓ Construction of new non-residential and multi-family of 5,000 sq. ft. or greater.

- Eliminate Municipal Code Chapter 17-22, Historic and Cultural Preservation – replace with references to the Zoning Code.
- Chapter 17-22 (adopted in 1988 and updated in 1996), includes the language in Zoning Code Chapter 20-58 and Section 20-60.070.
- Add expanded “purpose” language from Chapter 17-22 to Chapter 20-58.
- Add regulations for trees from Chapter 17-22 to Chapter 20-58.

- Recommending the duties and composition of the CHB and DRB be consolidated into a single Design Review and Preservation Board.
- Creating a single Board would allow a more streamlined process to ensure superior design and preservation of historic character.

	CHB Meetings Canceled	CHB Meetings Held	Joint CHB/DRB Meetings Held	Major LMAs Acted On	Concept LMAs Reviewed
<b>2019</b>	16	8	3	4	6
<b>2020</b>	21	4	3	3	2
<b>2021</b>	17	7	0	4	1
<b>2022</b>	18	5	1	2	5
<b>2023</b>	17	8	0	1	1
<b>2024</b> <i>(through July)</i>	10	4	0	1	1
<b>TOTAL</b>	<b>99</b>	<b>36</b>	<b>7</b>	<b>15</b>	<b>16</b>

- Current qualifications are desired but not required.
- Proposed:
  - ✓ Require at least 2 architects, at least 1 landscape professional, at least 1 practicing archeologist, architectural historian or historian;
  - ✓ Remaining involved in design, construction, engineering, and/or preservation;
  - ✓ All members must demonstrate knowledge or interest in architectural design and historic preservation.
- Would retain the City's ability to apply for the Certified Local Government (CLG) program in the future.

# Processing Review Procedures for Owners of Historic Properties

- Adopted by Council in 2001 – intended to assist owners, designers and citizens in the preservation of historic resources.
- Has not been updated since adoption nearly 24 years ago, and the information is outdated.
- Not intended to be a policy or regulatory document.
- As a Council adopted document, it would continue to require Council approval for any necessary updates.
- Staff recommends adding language to Chapter 20-58 authorizing the Director to make any necessary edits for consistency with the Code.

- Notice of Public Hearing placed in Press Democrat.
- Notice sent via email to those who have subscribed to the Cultural Heritage Board (1,070 subscribers) and Design Review Board (1,174 subscribers) mailing lists
- Notice posted on City's social media sites.
- Project website – description of proposal and links to draft amendments.
- Outreach to representatives of Preservation Districts and former CHB members.

- General support of proposed streamlining of LMA Permit process.
- Concerns regarding consolidation of the Boards:
  - ✓ Combining the duties may be too much, and difficult to recruit.
  - ✓ Consider adding more than 7 members.
  - ✓ Licensed architects and designers need to be required for at least half the members, not a suggestion.
  - ✓ Licensed historic preservationist should be required.
  - ✓ Maintain some non-licensed professionals.
  - ✓ Emphasis on the need for training.
  - ✓ Consider reducing LMA Permit fees.

- General support for LMA Permit streamlining and consolidation of the Boards.
- Training in historic preservation for both the Board and City staff has been stated as essential.
- Request that the LMA Permit fees be reduced back to previous subsidized fees for homeowners.
- Specific recommended changes from a member of the Preservation Districts.



It is recommended by the Planning and Economic Development Department that the Planning Commission, by resolution, recommend to the City Council adoption of Zoning and Municipal Code amendments to:

1. Address streamlining and process improvements for the Landmark Alteration Permit process, and
2. Consider consolidation of the duties and composition of the Cultural Heritage Board and Design Review Board into a single Design Review and Preservation Board.