

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: May 5, 2009

SUBJECT: Historic Preservation Commission Meeting Minutes
February 11, 2009
March 11, 2009

Report in Brief

The Historic Preservation Commission meeting minutes from February 11, 2009 and March 11, 2009 are attached for the Council's review. No action is necessary on this item; the minutes are provided for the City Council's information.

Prepared by: Jimmy A. Stillman
Associate Planner

Reviewed by: Barry Munowitch, AICP
Assistant City Manager

Mark G. Deven
City Manager

Attachment: Historical Preservation Commission Minutes

CITY OF WOODLAND
HISTORICAL PRESERVATION COMMISSION

APPROVED ACTION MINUTES
February 11, 2009

MEMBERS PRESENT: Brookshear; Bunse; Orlins; Butler
MEMBERS ABSENT: None
STAFF PRESENT: Stillman; Morris

Roll Call:

- Meeting called to order at 6:00 PM.

Approval/Revision of Agenda:

- Revised agenda was approved unanimously

Approval of Minutes:

- Minutes for January 14, 2009 will be approved at March 11, 2009 meeting due to Staff error.

Certificate of Recognition - Margaret Vicars

- Margaret Vicars accepted the Certificate of Recognition for her work on the Historical Preservation Commission and gave a short speech thanking the Commission and the community.

Secretary's Report

a) 210 Lincoln

- Jimmy Stillman provided an update on 210 Lincoln. He said that 75 percent of the framing of under floor. He said the house will be lowered in 2-3 days. He said that the next step will be to put a new roof on the building.

b) Keehn House

- Commissioner Orlins asked to change the address in the agenda to properly reflect the location of the Keehn House at Court and East Street.
- Jimmy Stillman said that there is no actual address for the house. He received a letter from the property owner that says that section of the relocation plan specifies that the project meets the Secretary of the Interior Standards for exterior and interior. He said that due to the unknown status of the Rite Aid development, the City would like to break the project into two parts: the construction of Rite Aid and restoration of the Victorian, with the house getting priority. He discussed the restoration and relocation conditions for development of Rite Aid. He said that restoration program for the house will be submitted to the State Historic Preservation Office. He said that property should sell and the City wants Petrovich Development to finish the house.

c) Annual Preservation Awards

- Commissioner Bunse said that the Stroll Through History as a group is not on the Preservation Awards list.
- Commissioner Butler said that no awards were given from 1997 to 2002.
- Commissioner Brookshear said that they should consider a Preservation Award for the Capitol Hotel.

d) 2009 HPC Work Program

- Jimmy Stillman said that Chairperson will speak to the City Council and let them know what the Historical Preservation Commission has planned for the following year.
- Commissioner Bunse said that she will possibly be giving the presentation instead of Chairperson Brookshear.
- Jimmy Stillman said that Historical Preservation Commission should be presented as a tool and not an obstacle for the City. He said that Certified Local Government status brings in grant money and façade improvement program improves the overall image of the City.
- The commission then proceeded to go over the 2009 HPC Work Program Memorandum and make minor changes to dates and timelines. There were no major revisions made.

Public Comment:

- None

Commission and Staff Comments:

- None

Heritage Home Nominations:

- Commissioner Orlins discussed 27 Pershing, a self nominated house. He said that the only problem with this house is the possible replacement of windows at some point that are not the original style.
- Commissioner Butler said that there were lots of little changes on the Pershing houses.
- Commissioner Bunse likes the idea of doing self-nominated properties. She said that the Third Street house is in the Walking Tour book and worthy of award.
- Commissioner Orlins nominated the early California ranch style home at 511 Sunset, behind Beamer School. He feels the house is old enough to be nominated, that it is a modest house and is intact with no modifications since construction. He said that few or no type of this style has won an award in previous years. He said that there are other examples of this style found on the street and the landscaping is appropriate to the style and size of house.
- Jimmy Stillman said that if we have three strong candidates, the Commission can move forward. He said that five are not required. He said that March is the deadline to get nominations in and it gives Staff two weeks to get plaques and do research. He asked the Commission to email him with any additional nominations.

Ordinance Update: Chapter 12A:

- Commissioner Brookshear said they should keep the current schedule of designation procedures in March. In April, the Commission will discuss review procedures. In May, the Commission will do Heritage Home awards and in June, the Commission will work on the appeal process. She said they will extend the discussion of appeals and the review process in two parts. She said that they need enforcement and definitions and won't work on definitions until after legal council reviews.

- Jimmy Stillman said that Code Enforcement Staff would do enforcement of the ordinance.
- Commissioner Orlins asked if there is still a vacant position on the Commission.
- Jimmy Stillman said that Sue Vannucci has published the vacancy in the paper. He said that one name has been passed to the City Council for review and that the Commission should ask the City Council about the vacancy at the 2009 HPC Work Program Meeting. He said that he will add the vacancy as a continuing element of the agenda until filled.

Creation of November 12, 2008 Action Minutes

- The Commission moved that it should be made up of five members.
- The Commission moved that a four-year term should be retained.
- The Commission moved that the terms should not be required to be staggered and that the Commissioner's term would last four years from the time that appointed to the Commission.
- The Commission moved that there will be no term limits for members.
- The Commission moved that professional experience in the field of historic preservation or a related field is desirable for Commission member to possess but is not a requirement.
- The Commission moved that Ralph M. Brown Act is a sufficient guide to deal with conflicts of interest that may occur with members on the Commission.
- The Commission moved to add "And to fulfill the City's responsibilities as a Certified Local Government under Federal preservation laws and for the California Environmental Quality Act regarding historic resources" to Section 12A-1-1: Purpose.
- The Commission moved to add "To review proposed infill in historic districts, major rehabilitation projects of designated properties, demolition, removal, moving, or making alterations which affect the exterior appearance of, a designated historical landmark, or undertake the same with respect to any structure located in a designated historical district" and "To review and comment on the decisions and documents (including but not limited to environmental assessments, environmental reports and environmental impact statements) when such decisions and/or documents may affect historical resources/districts and/or potential historical resources/districts in the City" under Section 12A-2-5: Powers and Duties.

The meeting was adjourned at 7:21 PM.

Respectfully submitted,

James A. Stillman
Associate Planner

CITY OF WOODLAND
HISTORICAL PRESERVATION COMMISSION

APPROVED ACTION MINUTES
March 11, 2009

MEMBERS PRESENT: Bunse; Orlins; Butler
MEMBERS ABSENT: Brookshear
STAFF PRESENT: Stillman; Morris

Roll Call:

- The meeting called to order at 6:02 PM.

Approval/Revision of Agenda:

- The revised agenda was approved unanimously

Approval of Minutes:

- Commissioner Bunse stated the third bulleted item currently reads "*The Commission moved that terms should not be staggered and*" and then it continues. She proposed the line to read: "*The Commission moved that the term should not be required to be staggered.*" Commissioner Bunse stated at times terms do get staggered accidentally; however, she does not want it to end up being the opposite of what the Commission meant.
- Jimmy Stillman stated staff would take note of the change and explained that these minutes are from the November 2008 meeting in which the audio/visual was lost.
- Commissioner Butler corrected that the house at 27 Pershing Avenue was self-nominated. He stated he asked the Commission to drive by for a visual, as he was concerned with the types of windows.
- That being said, it was moved by Commissioner Orlins, seconded by Commissioner Bunse and unanimously carried to approve the minutes of February 11, 2009 with the changes noted above.

Secretary's Report

- Jimmy Stillman provided an update on 210 Lincoln Street. He stated the house had been lowered on the foundation and there has been communication between staff and the owner or the owner's agent to provide a temporary roof for the top of the structure.
- Jimmy Stillman reported that the house previous referred to, as the house on Sixth Street, which is now located at East & Court Street is known as the Keehn house. There is no official address as yet for this house. Building staff will provide an address prior to the sale. Paul Hanson, Senior Planner has been working with Petrovich Development, owners of the house as well as the adjacent Rite Aid project, to provide an update and designated plan to complete the project. Items required before the sale of the property will be the stubbing of water, sewer, and gas; installing a new electrical panel and ADA access. ADA access does not have to set at the main entryway. Hardscape, parking, lighting and landscaping must also be completed prior to sale.
- Commissioner Bunse recommended resources such as the National Trust for Preservation and the ACHP be used to obtain guidelines for ADA requirements. She stated ADA compliance issues needs to be addressed in historic properties so that they meet the Secretary of the Interior standards and she also stated the California State Building Code does allow for some leeway.

- Jimmy Stillman stated that any plans submitted would go through the normal review process to meet those requirements mentioned above. He further stated these two properties (**210 Lincoln Street and Historic House on East and Court Streets**) would remain on the Secretary's Report for update to future meetings.
- Jimmy Stillman reported he spoke with Sue Vannucci, City Clerk who stated the City Council has not been available to conduct interviews at this time, but continues to seek a pool of qualified candidates for this Commission as well as the other Commissions, such as Traffic and Planning. She also stated Council is seeking people who are interested and qualified, qualified as currently being discussed in proposals for updating the City Ordinance Chapter 12A. The Council seems to be in agreement with this Commission and supports proposed changes currently under discussion, as they would result in strengthening the Commission.
- Jimmy Stillman stated that staff is currently updating the website. The Historical Preservation Commission webpage will be an offshoot of the Community Development Department home page. He stated staff plans to bring it before the Commission at the next meeting. Mr. Stillman reported the Historic Walking Tour Book would have its own section on the web. There would also be sections for the Heritage Home Awards with links to photos of the homes, guidelines and applications, and previous winners, and also links to Preservation Award Winners.
- Devin Morris stated staff would ask the Commissioners to provide links to any historic websites they may feel are useful.
- Jimmy Stillman stated staff would place the website update on the April 2009 Agenda along with the available links to provide to the Commissioners. He also stated staff is working to place the Historic Walking Tour Book on the Homepage of the website.
- Jimmy Stillman reported he has made available color copies of the Governor's Award to the Historical Preservation Commission members.
- Jimmy Stillman stated staff has a scheduling conflict with the April 8, 2009 Historical Preservation Commission meeting and would ask to change the date of the meeting to April 15, 2009. The Council Chambers would be available on April 15th. Commissioner Brookshear stated she would be tentatively available April 15th. Mr. Stillman asked the Commissioners to notify him by tomorrow, March 12, 2009 if April 15, 2009 would be acceptable.
- Commissioner Bunse stated she felt April 15, 2009 would be fine.
- Jimmy Stillman stated staff would file all necessary notices and notifications for the date change.
- Commissioner Butler stated he was scheduled for eye surgery in late April or early May and would notify staff on Monday if April 15th was acceptable.
- Commissioner Orlins stated he would check his calendar and notify staff if April 15th was acceptable also.

Public Comment:

- None

Commission and Staff Comments:

- Commissioner Bunse stated she had been working with various offices and sending e-mails to staff regarding classes on Training CEQA and Historic Resources given by the Office of Historic Preservation. Commissioner Bunse received two invitations from the City of Davis for these two classes; one would be held on March 16, 2009 and the other on April 20, 2009.
- Commissioner Orlins stated he would be unable to attend the March 16th class, but perhaps be available for the April 20th class.
- Commissioner Bunse stated she would be flexible.
- Commissioner Orlins questioned how long the class was.

- Commissioner Bunse stated it would be approximately two hours, starting at 7:00 PM.
- Jimmy Stillman stated he would be unable to attend March 16th due to a previous commitment; however another staff member could possibly take his place. He would be available for the April 20th class.
- Commissioner Bunse stated it appeared April 20, 2009 would be the date, since it appeared more members could potentially attend that evening.
- Commissioner Orlins questioned whether Commissioner Bunse would contact the City of Davis regard the class
- Jimmy Stillman reiterated Commissioner Bunse would be contact the City of Davis and notify them of the Historical Preservation Commission's desire to attend the class on April 20, 2009.
- Commissioner Bunse reported there would be a second-class regard Section 106, National Historic Preservation Act, which would be given by OHP. City of Davis' focus on Section 106 was Compliance and the City of Woodland's focus on Section 106 was Surveys. This class is open to the public.
- Jimmy Stillman reiterated the class at the City of Davis on Section 106 would be on April 27, 2009 from 7:00 – 10:00. He stated we should encourage the community to attend.

Heritage Home Nominations:

- Jimmy Stillman stated staff had received six to seven nominations. They are:
 - 135 First Street. This home is in the Historic Walking Tour Book and was nominated by a Commission member
 - 515 Cross Street. This home was nominated by a Commission member
 - 152 Third Street. This is a self-nominated home. Mr. Stillman stated he did a windshield survey and felt the house was eligible.
 - 27 Pershing Avenue. This is a self-nominated home. The Commission was asked by one of the Commissioners to do a windshield survey on this home.
- Commissioner Butler agreed with Commissioner Orlins regarding the windows on the home at 27 Pershing Avenue.
- Jimmy Stillman stated the windows appear to have been changed to white vinyl. Windows tend to be case-by-case scenarios, there is no threshold in nomination requirements as to whether changing windows disqualifies the house.
- Commissioner Bunse stated she had a problem with the home at 27 Pershing Avenue. She understood the dilemma with cost issues; however, quite a bit of guidance could be obtained from the National Park Service regarding rehab windows.
- Commissioner Butler stated vinyl windows are not aesthically correct or historically correct. He also felt homes need to keep the rooflines historically correct to be of historic value.
- Commissioner Bunse asked to postpone the decision on 27 Pershing Avenue until all four Commission members were present, especially since it was a self-nominated home. She stated she would discuss with the homeowner to identify the features that are unique and would qualify for a Heritage Home nomination. She also stated the Commission and staff could provide links to preservation documents to those who apply for window replacement permits.
- Commissioner Butler questioned whether permits were required for window replacements.
- Jimmy Stillman stated he was unaware of the specific criteria required, although he believed a building permit was not needed to change out windows.
- Commissioner Bunse stated that since there was a permit required for siding replacement, then perhaps window replacement criteria could be included with the siding replacement criteria.
- Jimmy Stillman stated that would be possible.

- Commissioner Bunse continued to state the same check list would be involved in both exterior siding replacement and window replacement.
- Commissioner Orlins questioned whether there were any more nominations for the Heritage Home Awards.
- Jimmy Stillman stated there were three more:
 - 804 College Street. A Commissioner nominated this house.
 - 440 Pendegast Street. This house also appears in the Historic Walking Tour Book and appears eligible by window survey.
 - 511 Sunset Avenue. Commissioner Orlins brought this house up at last month's meeting. However, I have spoken to the property owner and he has asked to be removed from the potential eligibility list. The owner stated that if he is interested in the future he would self-nominate.
- Commissioner Orlins stated he has some homes for next year; there are the early California Ranch styles.
- Commissioner Butler stated he also had a style in mind for next year, however he would need assistance with determining the correct style, an East Lake design, which he states is very plain but very good.
- Jimmy Stillman stated he would assign the homes to the Commissioners. He assigned 133 First Street and 152 Third Street to Commissioner Orlins. He also reiterated Commissioner Bunse would contact the property owner at 27 Pershing Avenue regarding the windows.
- Commissioner Bunse stated she would contact the owners of 27 Pershing Avenue.
- Jimmy Stillman assigned 440 Pendegast Street to Commissioner Butler, since he was the one who nominated it. He stated there were two remaining houses left, 515 Cross Street and 804 College Street.
- Commissioner Bunse stated she would speak for Commissioner Brookshear and split the two houses between them. She asked if Commissioner Brookshear had nominated any of the houses.
- Jimmy Stillman stated Commissioners Butler and Orlins submitted the nominations for 515 Cross Street and 804 College Street. Mr. Stillman requested the Commissioners begin contacting the property owners to gather information, pictures and maps. It is the Commissioners responsibility to make contact with the owners. The goal would be to come back at the April 2009 meeting with the initial information for discussion.
- Commissioner Bunse clarified that she and Commissioner Brookshear would take 804 College Street and 515 Cross Street and that she would contact the property owner regarding 27 Pershing Avenue.
- Jimmy Stillman stated that was correct. He also stated staff would try to formalize the process currently used in that homes that are self-nominated or discussed in public forum and are decided by the Commission to be postponed should receive educational information in letter format such as links to resources to give the homeowner a better understanding of the award.
- Commissioner Bunse stated she did not want to discourage homeowners from self-nomination especially when interest was shown with the Commission. However a line does have to be drawn.
- Jimmy Stillman stated staff had contacted Erie Landmark for a proposed timeline on the plaques.
- Devan Morris stated the timeline for Erie Landmark on the plaques for the Heritage Home Awards is approximately 4-6 weeks.
- Jimmy Stillman stated the importance of obtaining the correct date from the homeowners for the plaques. He stated the Commissioners should stress this when in discussions with the homeowners.
- Commissioner Bunse suggested if a specific date could not be settled upon perhaps the word "Circa" could be used. She stated if the situation does not have a "built" date, or the date is in

dispute, staff could possibly have two options; one is to use the word "Circa", or the second option would be to delay the order of the plaque until a date is confirmed with the understanding there would not be a presentation for that home at the ceremony.

- Jimmy Stillman stated this would probably work on a case by case basis, either postponing the presentation of the plaque or replacing the exact date with "Circa".

Ordinance Update: Chapter 12A: Section 4: Procedures and Criteria for Designating Historical Resources

- Commissioner Bunse passed out information with existing and proposed situations to begin discussions.
- Commissioner Bunse stated there were a couple of items she wished to discuss tonight; the first was an article in the OHP bulletin titled "Preservation Matters" regarding local preservation ordinances written by Lucinda Woodward, who gave the Commission guidance on updating/revising the ordinance. She felt all of the Commissioners would find this article beneficial; and she would supply the link to them.
- Jimmy Stillman questioned the title of the bulletin.
- Commissioner Bunse stated the name was "Preservation Matters". She believed there was a link to the article on the home page. In the article, Lucinda Woodward briefly outlines the purpose and goals of having a preservation ordinance, which is consistent with what the Commission is attempting to do at the City of Woodland. Commissioner Bunse stated one of the issues that needed to be addressed in the ordinance was the definition section specific to historic preservation terminology, what does the City of Woodland mean when we say "Landmark", "Historical Resource", or "Historical Inventory"? The Commission would also need to address what resource the City would be following in terms of age; many follow the national regulation guidelines of fifty years or older, many municipalities/counties look at forty-five years or older. The existing ordinance needs to be clarified. In Section 12A-3-2 suggestions regarding specific wording need to be included when nominating a property.
 - Commissioner Bunse reported the important way to obtain CLG status is to clearly explain what is historic, although she does not believe it is necessary to have a tiered system.
 - Commissioner Bunse reported there is only one section related to the idea of surveys and studies. There is language needed that recognizes existing inventory and survey, and clarify what the Commission determines as historic resources or landmarks must be filled out on the Department of Parks and Recreation form #523. All of the guidance for the form is available through OHP. She stated she was unsure what to do for this section, which was least defined. The definition was on page 24 of the Tech Bulletin.
- Jimmy Stillman questioned what page that was.
- Commissioner Bunse stated it was page 24 of the Tech Bulletin. It does not describe who would be conducting the survey, but the paragraph above acknowledged that sometimes volunteers are used to conduct the surveys. Anytime an evaluation is done over and above the volunteer-based windshield survey any evaluation of historic significance must be done by someone who meets the Secretary of the Interior standards for architectural historian, if it is an architectural site it must be an archeologist. Commissioner Bunse proposed to define survey as noted on page 24.
- Jimmy Stillman reiterated Commissioner Bunse's proposal was on the lower portion of page 24 in the shaded part, "Surveys and Accepted Method".
- Commissioner Butler stated that in reference to the first page, Chapter 12A – Age – In Litigation – In a few cases it was found that instead of stating an actual age, one would use a date. For example: Built before December 31, 1940.

- Commissioner Bunse stated the problem with that is it becomes immediately outdated. The Commission would immediately be face with CEQA requiring anything more than 45-50 years old to be surveyed.
- Commissioner Butler stated the Commission would have to make certain before the date could be found to be historical.
- Commissioner Bunse stated she did not understand.
- Commissioner Butler stated December 7, 1941 was a historic date and that building came to a halt for five years. Anything prior to that date would be automatically included. Any building built in 1951 or later would have to get permission to be added to the list.
- Commissioner Bunse stated CEQA and/or Section 106 requires surveys on properties and must go fifty years before the date of survey. She proposed putting in place some amount of time with discretionary action by the City and language to state that the City recognizes that if the building is fifty years old (or older) it should be evaluated for significance.
- Commissioner Butler stated the phrase "*Less than forty-five years old be evaluated for exceptional significance*" is an absolute nightmare.
- Commissioner Bunse agreed with Commissioner Butler.
- Commissioner Butler questioned if the phrase must be included.
- Commissioner Bunse stated it must, since it deals with part of the National Historic Register criteria that recognize the possibility for buildings less than fifty years old to be eligible if something of importance happened there or if there was some exceptional design or technology. This would be truly the exception to the rule; however, there is a possibility a building in Woodland could be registered for the National Register under exceptional significance.
- Commissioner Butler stated a building could be exceptional as architecture or a place but not as historic if it is only six years old.
- Commissioner Bunse stated part of it is determining whether there is enough historical perspective. If there was something that was just technically exceptional but less than fifty years old, reasonable people could say this should be looked at. However, if it was only eleven years old people could actually say that it had not gained enough historical perspective. She proposed to add age into the ordinance language wherever appropriate. This came up under designation, although she is unsure is that is where it should remain. Commissioner Bunse proposed fifty years of age, but forty-five would suffice.
- Commissioner Butler stated if the Commission were to accept an arbitrary date/age the City of Woodland would end up with what happened to the British; all the buildings after World War II were torn down since there was no room for housing and what was left was Post World War II 2-bedroom unattractive homes.
- Commissioner Bunse stated there would be a discussion of this. "*Bulletin 15A – How to Apply the National Register Criteria*" discusses fifty years as an arbitrary date. The Commission would have to decide on a number that equals enough time passing, being reasonable in their decision not to lose anything.
- Commissioner Butler stated when dealing with residential he felt the Commission would not lose much by missing the 1940s and 1950s.
- Commissioner Bunse felt the Commission should start requiring homeowners to get evaluations on the homes that are not thought to be historic. The Commission would be dealing with post World War II tract developments, post World War II ranch and contemporary-style single-family homes with multiple architecture styling. She stated most tracts would not be eligible and most buildings would not be eligible. Commissioner Bunse stated although a building or home has attained a certain age does not guarantee it would automatically be listed.
- Jimmy Stillman questioned whether that was due to the setting or character-defining features.

- Commissioner Bunse stated the home or building must be important in context, otherwise everything would be on the list and the list would be meaningless.
- Jimmy Stillman stated the comments tonight were very good. This was one of the more important sections and as such there would be no conclusions on tonight's section. Staff had started a list of definitions recommended by OHP. The Commission should also review the list of definitions from the OHP Certified Ordinances since staff's may not be all inclusive. Staff and the Commission will meet at a later date for the definition decisions. Staff will circulate their list to all of the Commissioners for review.
- Commissioner Bunse believed the list should be part of Chapter 12A, but she was unsure exactly where in the chapter.
- Jimmy Stillman reported the terms on noticing, such as what is consistent and compliant with what the standard of noticing is falls under the Zoning Ordinance. The language recommends continuing forward, be consistent with the noticing requirements, which are held to the state standard, required by law.
- Commissioner Bunse agreed with Mr. Stillman and stated that was the reason she did not spend too much time on that section. She stated standard forms of recordation should be used. The historic resources inventory form had been used, due to the fact that it was the existing inventory form in use and it last been updated in 1995. The actual design criteria are on page 2. The existing ordinance is on the left while the suggestions are on the right. The existing ordinance breaks out building structures, objects and "particular place" as Item A. Item B discusses historical districts. Commissioner Bunse stated she did not see the need to separate districts from property types. Building structures, objects or historic districts should be referred to as one since they all have the same registration criteria. She suggested striking B or modifying to clarify why it is needed. She also suggested instead of "Particular place" listed under Paragraph A, Section 12A-3-1 it be replace with "site". That is more consistent with CEQA and Section 106 terminology, types of properties allowed: buildings, structures, objects, and sites or districts. There are two types of criteria: The first is copied directly out of the bulletin and the second is actually the National Register Criteria, which the California register uses by references. Commissioner Bunse stated she is partial to the National Register Criteria. It has been used for a very long time, all of the alterations needed have been completed, it is broad enough to determine why something is eligible at a local level, and broad enough to recognize there may be resources within the City of state-wide/regional significance or possible national level significance. The National Register Criteria does not limit the City to the national scope. Commissioner Bunse proposed a second set of criteria, replace both sections 1 and 2 on the page, sections 1 and 2 had an awkward rewriting of the criteria.
- Commissioner Butler stated items #4 and #5 on page 4 "*Community and Public Building Properties and Residential Buildings*" need to be dealt with by the City attorney.
- Commissioner Bunse agreed.
- Commissioner Butler stated he was unsure if the section spoke of the majority of property or the majority of owners when dealing with community buildings. He also felt the line "*Unless accompanied by written consent of all affected property owners*", which was referring to residential properties, was ambiguous.
- Devan Morris stated he believed one of Lucinda Woodward's comment's also thought the phrase was ambiguous.
- Commissioner Bunse proposed following the bulletin where it states, "*The vast majority of the Preservation Ordinance nationwide wisely avoid any type of owner consent provisions*". The bulletin also recognized it may be politically necessary to owner consent provisions. Commissioner Bunse proposed revisions following noticing requirements. For decisions made by

the Historical Preservation Commission and the City Council regarding survey studies, context, and designation of buildings as historically significant all property owners of that building be notified and given the opportunity to comment. If no comments are forthcoming, then proceed with the designation. With this new proposal it would not be necessary to obtain written permission for every designation. The proposal would be rewritten to show the Historical Preservation Commission's obligation to notify property owners whose properties are up for designation decisions. The Historical Preservation Commission would be responsible for involving the property owner and handling any objections that may arise. The National Register would allow for properties not to be designated. The property would not be listed on the register if the property owner were to object.

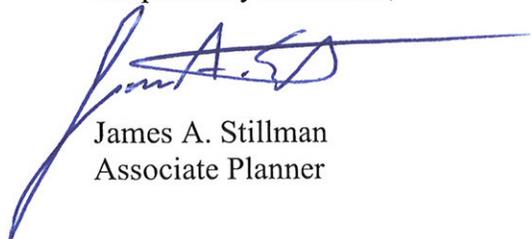
- Commissioner Butler stated the line "*Property owner of record*" be included in the proposal.
- Jimmy Stillman felt that was a key phrase.
- Devan Morris stated he had Lucinda Woodward's comments for sections #4 and #5. For section #4 "*Designation of publicly-owned properties do not need any written consent*" was a statement was a statement that proposed designation affecting commercial and public buildings. He stated the fact this could not be considered unless accompanied by rate consent is confusing. He asked if this is in reference to the nominated district, and if so then the recommendation would be to move the burden on the property owners who object. The nomination process for the National Register and the California Register both require a 51% majority to object in order to prevent a listing. Lucinda's comment for #5 is "*is this in reference to a nominated district?*" A proposal of 100% consent is unlikely to happen.
- Commissioner Bunse stated she was unsure when this was prepared but felt it was probably related to the experience the City had in nominating the Downtown Historic District, and her understanding was the City Council decided to recognize the owner objection so that people were able to withdraw from the district. The National Register overseen by ACHP and OHP in California strongly discourage allowing people to withdraw from being part of the historic district once they have been identified as one. Whether the buildings are historic or not should be based on their significance and not having people arbitrarily decide to be excluded. The City of Woodland needs a proper notification process, advising people of the decisions being made and eliminating the portion requiring the Historic Preservation Commission to obtain written consent. Commissioner Bunse proposed for Chapter 12A-3-2, highlight words "*landmarks*" and "*historical resources*" and make them consistent depending on what definition is used. She stated she was not opposed to having more than one level of designation, although it is more complicated. With regards to Item B, in order to nominate something in the City of Woodland, you would have to follow the designation criteria. When the City of Woodland adopts the designation criteria a subject would need to describe how they met the designation criteria.
- Commissioner Orlins questioned if the City of Woodland would adopt the California Register criteria.
- Commissioner Bunse stated that would be the intention, along with D "*Intent to Show Character-Defining Features to be preserved*". She stated she was unclear as to Items E and F, "*A statement of the condition of the structure, object or particular place*". She stated the terminology must remain consistent. She questioned what was meant by statement of condition. Was it physical condition? Perhaps what is meant is integrity. Integrity needs to be addressed. There could be a historical building but due to some remodeling or additions it has lost its integrity. This should be added to Section 12A-3-1.
- Commissioner Orlins suggested going back to the National Register or the California Register.
- Commissioner Bunse stated the National Register had a fairly well developed statement to retain integrity, which she specifically wants to address in Item E. Commissioner Bunse felt Item F spoke to giving the community more information if the building was found to be eligible for

listing. She thought that information could be requested by the community at any time and also felt that F and G seemed to be redundant.

- Commissioner Orlins agreed it was unclear.
- Commissioner Butler stated it was very unclear.
- Commissioner Bunse proposed striking F and G and any of the previous A through E that were not actually addressed, that were not compliant. She stated she did not have the time to review the overlay zones.
- Commissioner Butler stated Commissioner Bunse did a very good job.
- Commissioner Orlins stated Commissioner Bunse should be commended for the great job she did.
- Commissioner Bunse stated she would pass her notes to Commissioner Brookshear for the proposals for the Historic Preservation Commission to adopt as their proposals for changing their sections.
- Jimmy Stillman stated Commissioner Bunse did an excellent job and all of the Commissioners gave great comments. He stated that from staff's perspective it would be helpful to start integrating the comments and changes and begin to bring forth to look through the sections. He did not believe this section would be finished tonight, but the Commissioners would review what was discussed tonight and continue with the latter half of this section at the next meeting.
- Commissioner Bunse stated the one thing she found most intimidating regarding the review of the Ordinance Update was the fact that all of it is integrated and circles around on itself. The Historic Preservation Ordinance is actually related to the Zoning Ordinance, which follows other areas that she does not have experience in.
- Commissioner Butler stated it is called Land Use Laws not Zoning Laws.
- Commissioner Orlins stated it also follows into the redevelopment projects, some of which deal with historical projects.
- Commissioner Bunse stated one item brought up in the bulletin is the issue of publicly owned resources. She felt redevelopment would play a part in that. At times the Historical Preservation Commission is faced with another agency within the same government that is unaware of the historic preservation requirements. The City would be well-served by making sure all departments, agencies and divisions have knowledge of what portion of their requirements would intersect with historic preservation issues.
- Jimmy Stillman stated this had been a very fruitful discussion. He appreciated all of the comments the Commissioners brought forward. He stated he would e-mail before the end of the week to check the Commissioners' schedule regarding the April 15, 2009 date. If April 15th is acceptable he stated he would provide the proper noticing and notification.
- Commissioner Bunse questioned whether staff would like her notes electronically.
- Jimmy Stillman stated that would be great, especially since staff provides more than action minutes for the Historical Preservation Commission meetings.

There be no other business, Commissioner Bunse motioned, Commissioner Orlins seconded and it was unanimously carried to adjourn the meeting at 7:31 PM.

Respectfully submitted,



James A. Stillman
Associate Planner

Existing

Proposed

CHAPTER 12A. HISTORICAL LANDMARKS AND DISTRICTS.*

Article III. Designation of Historical Landmarks, Historical Districts and Historical Resources.

- Define: Landmark
- Define: Historical Resource / Historic Property
- Define: Historic Inventory (see below)

- More than 45 years old from time of evaluation?
- More than 50 years old from time of evaluation?
- With phrase “if less than 45 years old, evaluated for exceptional significance?”

Define: Surveys and Studies and Context

Recognize the existing inventory/survey, and clarify status of buildings on that list, but we need to add and update ordinance language for this.

Surveys should be conducted by qualified professionals;

Surveys should use DPR523 forms as recordation format;

Existing ordinance does not really fully address these issues, see 12A-3-1 (c), below.

See examples in bulletin.

Recor
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12A-3-1

Existing

Proposed

Sec. 12A-3-1. Standards for designation of historical landmarks, historical districts and historical resources.

(a) A building, structure, object, or particular place may be designated for preservation as a landmark if it meets one or more of the following criteria:

(1) Historical Importance. The building, structure, object, particular place, vegetation or geology, has character, interest of value, as part of the development, heritage or cultural characteristics of the city, state or nation; or is the site of an historic event with an effect upon society; or is identified with a person or group of persons who had some influence on society; or exemplifies the cultural, political, economic, social or historic heritage of the community.

(2) Architectural Importance. The building, structure, object, or particular place exemplifies the environment of a group of people in an era of history characterized by distinctive architectural style; or embodies those distinguishing characteristics of an architectural type specimen; or is the work of an architect or master builder whose individual work has influenced the development of the area; or contains elements of architectural design, detail, materials or craftsmanship which represent a significant innovation.

Insert "district" into (a)
Strike "particular place" and replace with "site"

Replace (a)1 and (a)2 with the following:

- (1) has significant character, interest or value, as part of the development, heritage or cultural characteristics of the City, State or Nation; or
- (2) has direct, important association with the life of a person significant in the past; or
- (3) is the site of an historic event with a significant effect on society (the City, State or Nation); or
- (4) exemplifies the cultural, political, economic, social or historic heritage of the community.

---OR---

Criteria for Evaluation/Designation

(a) is associated with events that have made a significant contribution to the broad patterns of our history; or

(b) is directly associated with the lives of persons significant in our past; or

(c) embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or

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

ADD Integrity requirement. Must meet the above criteria AND retain historic integrity. Include by reference: Bulletin 15 (National Register). <http://www.nps.gov/history/nr/publications/bulletins/nrb15/> and California Register guidance from OHP regarding recording/evaluating resources: <http://ohp.parks.ca.gov/pages/1054/files/manual95.pdf>

Existing	Proposed
<p>(b) An area may be designated as an historical district which it includes at least two designated historical landmarks in such proximity that they create a setting historically or culturally significant to the local community, the state, or the nation, sufficiently distinguishable from other areas of the city to warrant preservation by such means. Such districts may include structures and sites that individually do not meet criteria for landmark status but which geographically and visually are located so as to be part of the setting in which the other structures are viewed.</p> <p>(c) The city council shall approve and maintain a historical resources list. A building, structure, or object may be included on the list as a historical resource if, in the determination of the city council, it satisfies the historical preservation commission's historical resources inventory study list evaluation criteria. (Ord. No. 1004, § 2 (part); Ord. No. 1310, § 3 (part).)</p>	<p>Strike (b)? Revise (b)?</p> <p>ADD: CRITERIA</p> <p>See above for discussion of need for clarification of surveys, studies, or context development.</p>
<p>Sec. 12A-3-2. Procedure for designation of historical landmarks, historical districts, and historical resources.</p> <p>(a) The historical preservation commission by resolution may recommend to the city council designation of a landmark or historical district, or an addition to the historical resources list, upon compliance with the following procedure:</p> <p>(1) Information concerning the proposal shall be filed with the community development department and shall include:</p> <p>(A) The assessor's parcel map number for the site; (B) A description detailing the special aesthetic, cultural, architectural, or engineering interest or value of an historic nature; (C) A map outlining the subject area; (D) Sketches, drawings, photographs or other descriptive material showing what is to be preserved; (E) A statement of condition of the structure, object, or particular place; (F) In the case of a proposed addition to the historical resources list, such other information as may be necessary for the commission to determine whether the proposal satisfies the commission's historical resources inventory study list evaluation criteria. (G) Such other information as reasonably may be requested by the commission.</p>	<p>ADD: CRITERIA</p> <p>Replace (a)(1)(B) with "A description detailing how the resource meets the designation criteria in Section 12A-3-1(a)."</p> <p>Revise (a)(1)(D) with "identifying character-defining features to be preserved;"</p> <p>Clarify intent of (a)(1)(E);</p> <p>Clarify intent of (a)(1)(F);</p>

Existing

(2) The proposal shall be considered at a public hearing. Notice of the time, place and purpose of such hearing shall be given by the secretary of the commission in a newspaper of general circulation in the city and by mail to each owner of property subject to the proposed designation.

(3) Recommendation of designation of all or part of the proposal shall be based on enumerated facts which show that the standards contained in this article for such designation have been met.

(4) Commercial and Public Building Properties. A proposal affecting commercial and public building properties cannot be considered unless accompanied by written consent of a majority of the affected property owners.

(5) Residential Buildings. A proposal affecting residential building properties cannot be considered unless accompanied by written consent of all of the affected property owners.

(b) Upon receipt of the recommendation from the historical preservation commission, the city council shall approve, modify, or disapprove the recommendation upon compliance with the following procedure:

(1) A public hearing on the matter shall be scheduled for the next regular meeting consistent with demands of the agenda. Notice of the time, place and purpose of such hearing shall be given by the city clerk in a newspaper of general circulation in the city and by mail to each owner of property subject to the proposed designation not less than ten calendar days prior to the date of hearing.

(2) Approval of the recommendation of designation shall be by resolution of the city council. The city clerk shall give written notice of such designation to each owner of property subject to the designation. (Ord. No. 1004, § 2 (part); Ord. No. 1310, § 3 (part).)

Proposed

Revise and clarify – see bulletin recommendations regarding effectiveness of owner consent in this type of ordinance.

Notification of owners re: designation approval by commission. If owners do not object by date given in notification, resource will be designated?

Will not designate over owner objection, but can designate if owners notified and no response received?

Existing	Proposed
<p>Sec. 12A-3-3. Appeal.</p> <p>Any person dissatisfied with any action of the historical preservation commission on an historical district or landmark designation, or designation as a historical resource, may appeal the decision to the city council, at any time within ten days after the rendition of the decision by the historical preservation commission (unless additional time is granted by the commission). No conflict of interest shall exist solely by reason of the filing of an appeal by the city council, an individual city council member, or the city manager. The appeal is taken by filing a notice of appeal with the secretary. Upon filing of the notice of appeal and, except where an appeal is taken by the city council, a city council member, or the city manager, payment of a filing fee, the secretary must, within ten days, transmit to the city clerk all exhibits, notices, affidavits, orders, and other papers and documents on file together with the finding of the historical preservation commission.</p> <p>(1) The city council shall hold a hearing upon said appeal after giving written notice to applicant and by causing a notice thereof to be published at least once in a newspaper of general circulation within the city at least ten days prior to said hearing by the city council.</p> <p>(2) No official action, such as the issuance of a building permit, license or other type of permit, shall be taken while an appeal or proceedings for designation are pending. (Ord. No. 1004, § 2 (part); Ord. No. 1261, § 2 (part); Ord. No. 1310 § 3 (part).)</p>	
	<p>Not addressed:</p> <p>Overlay Zones – historic preservation in the zoning ordinance. (see also, Conservation Districts, and Conservation Easements)</p> <p>Interiors?</p> <p>Publicly Owned Property / Religious Property</p> <p>Telecommunication Facilities</p>

Not a