

**CITY OF SANTA ANA
HISTORIC RESOURCES COMMISSION
ADJOURNED MEETING AGENDA**

**February 6, 2020
4:30 P.M.**

**COUNCIL CHAMBER
22 CIVIC CENTER
SANTA ANA, CALIFORNIA**

ALBERTA CHRISTY
Chair, Ward 4 Representative

PHILLIP SCHAEFER
VICE CHAIR, CITYWIDE REPRESENTATIVE

EDWARD MURASHIE
WARD 3 REPRESENTATIVE

TIM RUSH
WARD 5 REPRESENTATIVE

FELIX RIVERA
PLANNING COMMISSION REP.



LAURENCE HITTERDALE
WARD 1 REPRESENTATIVE

GINELLE HARDY
WARD 2 REPRESENTATIVE

VACANT
WARD 6 REPRESENTATIVE

MIKE TARDIF
COMM. REDEV. & HOUSING COMMISSION REP.

Minh Thai
Executive Director

Lisa E. Storck
Legal Counsel

Vince Fregoso
Planning Manager

Sarah Bernal
Recording Secretary

The Historic Resources Agenda can be found online at
<https://www.santa-ana.org/cc/city-meetings>

**Si tiene preguntas en español, favor de llamar a Narcee Perez al (714) 667-2260.
Nếu cần liên lạc bằng tiếng Việt, xin điện thoại cho Tony Lai số (714) 565-2627.**

Prior to the meeting: If you wish to submit a comment on any item on the Agenda, please submit to eComments@santa-ana.org by 1:00 p.m. the day of the meeting; emails received after said time will not be distributed to the Commission but will be on file for public viewing the day after the meeting.

During the meeting: If you wish to comment on any item on the Agenda, please complete and submit a Request to Speak form to the Commission Secretary before the agenda item is considered. Request to Speak forms will be available at the meeting. Members of the public will be allotted three minutes to speak, unless additional time is granted by the Chairperson. Request to Speak shall not be accepted after the public comment session begins without permission of the Chairperson.

If you need special assistance to participate in this meeting, please contact Michael Ortiz, ADA Program Coordinator, at (714) 647-5624. Please call prior to the meeting date, to allow the City time to make reasonable arrangements for accessibility to this meeting [Americans with Disabilities Act, Title II, 28 CFR 35.102].

Basic Historic Resources Commission Meeting Information

Five-Year Strategic Plan (2014-2019) - Vision, Mission and Guiding Principles - The City of Santa Ana is committed to achieving a shared vision for the organization and its community. The vision, mission and guiding principles (values) are the result of a thoughtful and inclusive process designed to set the City and organization on a course that meets the challenges of today and tomorrow.

Vision - The dynamic center of Orange County which is acclaimed for our:
•Investment in youth •Safe and healthy community

Mission – “To deliver efficient public services in partnership with our community which ensures public safety, a prosperous economic environment, opportunities for our youth, and a high quality of life for residents.”

Guiding Principles – •Collaboration •Efficiency •Equity •Excellence
•Fiscal Responsibility •Innovation •Transparency

Strategic Plan Goals/Objectives/Strategies: Goal 1 - Community Safety; Goal 2 - Youth, Education, Recreation; Goal 3 - Economic Development; Goal 4 - City Financial Stability; Goal 5 - Community Health, Livability, Engagement & Sustainability; Goal 6 - Community Facilities & Infrastructure; Goal 7 - Team Santa Ana

Code of Ethics and Conduct - The people of the City of Santa Ana, at an election held on February 5, 2008, approved an amendment to the City Charter which established the Code of Ethics and Conduct for elected officials and members of appointed boards, commissions, and committees to assure public confidence. A copy of the City's Code can be found on the Clerk of the Council's webpage. The following are the core values expressed: Integrity · Honesty · Responsibility · Fairness · Accountability · Respect · Efficiency

Senate Bill 343 - As required by Senate Bill 343, any non-confidential writings or documents provided to a majority of the Historic Resources Commission members regarding any item on this agenda will be made available for public inspection in the Planning & Building Agency during normal business hours.

Agenda: An agenda is provided for each Commission meeting. The Commission agenda is posted on the posting boards outside the Civic Center entrance and Council Chamber. Meeting agendas and approved minutes are kept current on the City website at www.santa-ana.org/cc/city-meetings. The items on the agenda are arranged in four categories:

1. **Consent Calendar:** These are relatively minor in nature, do not have any outstanding issues or concerns, and do not require a public hearing. All consent calendar items are considered by the Commission as one item and a single vote is taken for their approval, unless an item is pulled from the consent calendar for individual discussion. There is no public discussion of consent calendar items unless requested by the Commission.
2. **Business Items:** Items in this category are general in nature and may require Commission action. Public input may be received at the request of the Commission. See information for Speaker's Card/Request to Speak on the first page.
3. **Public Hearings:** This category is for case applications that require, by law, a hearing open to public comment because of the discretionary nature of the request. Public hearings are formally conducted and public input/testimony is requested at a specific time. This is your opportunity to speak on the item(s) that concern you. If, in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.
4. **Work Study Session:** Items in this category are generally items requiring discussion. No action will be taken. Persons wishing to speak regarding Work Study Session matters should file a "Request to Speak" form with the Recording Secretary.

Public Hearing Procedure: The Commission will follow the following procedure for all items listed as public hearing items:

1. The Chair will ask for presentation of the staff report;
2. The Commission will have the opportunity to question staff in order to clarify any specific points;
3. The public hearing will be opened;
4. The applicant/project representative will be allowed to make a presentation, for a maximum of 15 minutes.
5. Members of the audience will be allowed to speak, for a maximum of 3 minutes per speaker.
6. The applicant will be given an opportunity to respond to comments made by the audience;
7. The public hearing will be closed; and
8. Discussion of the proposal will return to the Commission with formal action taken to approve, conditionally approve, deny, or continue review of the application.

Staff Reports: Staff reports can be downloaded from the City's website at <https://www.santa-ana.org/cc/city-meetings>. If you have any questions regarding any item of business on the agenda for this meeting, or any of the staff reports or other documentation relating to any agenda item, please contact the Planning and Building Agency at 714-667-2732.

Appeals: The formal action by the Commission shall become effective after the ten-day appeal period, unless the City Council in compliance with section 41-643, 41-644 or 41-645 holds a public hearing on the matter, then the formal action will become effective on the day following the hearing and decision by the City Council. An appeal from the decision or requirement of the Commission must be filed with the Clerk of the Council and a copy sent to the Planning Department within ten days of the date of the Commission's action. The appeal may be made by any interested party, individual or group. The appeal must be filed with the Clerk of the Council, accompanied by the required filing fee, and a copy sent to the Planning Department, within ten days of the date of the Commission's action, by 5:00 p.m. If the final day to appeal falls on a City Hall observed holiday or a day when City hall is closed, the final day to appeal shall be extended to the next day City Hall is open for public business. Please note: Under California Government Code Sec. 65009, if you challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the Commission or City Council at or before the hearing.

Submittal of information for dissemination or presentation at public meetings:

Written Materials/Handouts: Any member of the public who desires to submit documentation in hard copy form may do so prior to the meeting or at the time he/she addresses the Commission. Please provide 15 copies of the information to be submitted and file with the Recording Secretary at the time of arrival to the meeting. This information will be disseminated to the Commission at the time testimony is given.

Large Displays/Maps/Renderings: Any member of the public who desires to display freestanding large displays or renderings in conjunction with their public testimony is asked to notify the Planning and Building Agency at 714-667-2732 no later than noon on the day of the scheduled meeting.

Electronic Documents/Audio-Visuals: Any member of the public who desires to display information electronically in conjunction with their public testimony is asked to submit the information to the Planning and Building Agency at 714-667-2732 no later than noon on the day of the scheduled meeting.

**CITY OF SANTA ANA
HISTORIC RESOURCES COMMISSION
MEETING AGENDA
February 6, 2020
4:30 P.M.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENTS – At this time the members of the public may address the Commission regarding any non-agenda items within the subject matter jurisdiction of the Commission. No action may be taken on non-agenda items unless authorized by law. Members of the public will be allotted three minutes to speak.

CONSENT CALENDAR

Persons wishing to speak regarding Consent Calendar matters should file a "Request to Speak" form with the Recording Secretary. Members of the public will be allotted three minutes to speak, unless additional time is granted by the Chairperson.

RECOMMENDED ACTION: **Approve staff recommendations on the following Consent Calendar Items: A**

MISCELLANEOUS ADMINISTRATION

A. EXCUSED ABSENCES

RECOMMENDED ACTION: **Excuse absent commission members.**

*** * * END OF CONSENT CALENDAR * * ***

BUSINESS CALENDAR

Persons wishing to speak regarding Business Calendar matters should file a "Request to Speak" form with the Recording Secretary. Members of the public will be allotted three minutes to speak, unless additional time is granted by the Chairperson.

ADMINISTRATIVE MATTERS

1. RECOMMENDATIONS TO THE CITY COUNCIL REGARDING HISTORIC RESOURCES POLICIES AND REGULATIONS

On January 23, 2020, the matter was continued to an Adjourned meeting on February 6, 2020.

RECOMMENDED ACTION: Direct staff to submit the memorandum to City Council.

*****END OF BUSINESS CALENDAR*****

WORK STUDY SESSION

Persons wishing to speak regarding Business Calendar matters should file a "Request to Speak" form with the Recording Secretary. Members of the public will be allotted three minutes to speak, unless additional time is granted by the Chairperson.

2. DISCUSSION ON RECENT CHANGES TO CALIFORNIA STATE LAW REGARDING ACCESSORY DWELLING UNITS

COMMENTS

3. STAFF COMMENTS
4. COMMISSION MEMBER COMMENTS

ADJOURNMENT - The next regular meeting of the Historic Resources Commission will be held on Thursday, April 2, 2020 at 4:30 p.m. in the Council Chamber, 22 Civic Center Plaza, Santa Ana, California.



www.santa-ana.org

MEMORANDUM

To: Honorable Mayor and City Council
Members

Date: February ~~18XX~~, 2020

From: Historical Resources Commission

Subject: RECOMMENDATIONS TO THE CITY COUNCIL REGARDING HISTORIC RESOURCES POLICIES AND REGULATIONS

The Historical Resources Commission (HRC) conducted workshops with PBA staff in July and October of 2019 and discussed issues the HRC desires to advise and make recommendations to the City Council, to enhance historic resource preservation within the City. The recommendations by the HRC address the following topics:

- Historic Resources Commission powers and duties;
- Historic application fees;
- Historically sensitive neighborhoods;
- Historic resources protection and enforcement; and
- Preservation of historic trees.

Some of the issues discussed are procedural and administrative in nature and can be addressed by the Commission and staff. However, the policy topics below require direction and feedback from the City Council.

COMMISSION POWERS AND DUTIES

Section 2-374 of the Santa Ana Municipal Code (SAMC) outlines the powers and duties of the HRC. These duties include, but are not limited to, advising and making recommendations to the Planning Commission, City Council and other city boards and commissions regarding historical projects and property; and recommending to the City Council policies and regulations regarding the protection, reuse and rehabilitation of historical properties.

Issue 1: The HRC has expressed concerns that many buildings, structures, and properties potentially eligible or eligible for historic preservation that should be preserved are not protected because they have not been listed or identified as a historical resource and can potentially be remodeled or demolished. The Commission’s current authority limits their preservation efforts to those structures/properties on the local historic register. The Commission also expressed preservation interest in protecting the historical fabric and integrity

of existing neighborhoods such as Floral Park, Washington Square, Wilshire Square, Jack Fisher Park, Heninger Park, and Park Santiago, and other neighborhoods throughout the city, many of which have properties that may be eligible for historic preservation. Moreover, there's been concerns regarding infill development, new additions, exterior alterations, and related new construction alterations that have altered potentially historic materials, features, and/or spatial relationships that characterize the individual properties and neighborhoods as a whole.

The following recommendations would extend the purview and review authority of the HRC to preserve neighborhoods, and to retain the existing historic character of individual properties. For example, under the HRC's recommendation a property over 50 years of age undergoing proposed exterior alterations, regardless of designation and/or eligibility, would be required to be reviewed and approved by the HRC.

HRC Recommendation(s): Amend the powers and duties outlined in Section 2-374 of the SAMC to allow the following:

- a. Extend the HRC's purview to include eligible or potentially eligible historic structures;
- b. Extend the HRC's purview to include review and approval of proposed demolitions, alterations and or/modifications to any structure over 50 years of age, regardless of designation and/or eligibility; and
- c. Grant the HRC the ability to impose conditions of approval on historic applications, including Certificates of Appropriateness (i.e., Historic Exterior Modification Application), Historical Property Registration Applications, and Applications for Historic Property Preservation Agreement (Mills Act Agreements).

Required Tasks, Approvals, and Resources: Amending the powers and duties outlined in Section 2-374 of the SAMC would require City Council review and approval of a municipal code amendment. In addition, an impact analysis would be required to analyze the benefits and implications of the recommended policies and regulatory changes.

Issue 2: Currently, the HRC meets quarterly. The frequency of the meetings would not allow the Commission to effectively discuss items that could be considered urgent or time sensitive. Recent examples of this constraint includes the HRC's desire to place items on the agenda that were scheduled for discretionary action by either the Planning Commission and/or City Council. The recommendation outlined below would provide clarification on how matters can be put on future agendas and provide a more streamlined approach.

HRC Recommendation(s): Amend the Historic Resources Commission Bylaws to allow a more streamlined process of placing discussion items on the HRC agenda for review and consideration and clearly outline that process.

Required Tasks, Approvals, and Resources: Amending the commission bylaws would require a Historic Resources Commission meeting and majority vote from the commissioners.

Issue 3: The HRC consists of nine members, two of which are representatives from the planning commission and the community redevelopment and housing commission. The intention of this structure was to allow each representative to advise and make recommendations to their corresponding commissions regarding potentially historical projects and properties. However, the HRC has been concerned that in recent months the Planning Commission has reviewed and acted on projects with the potential for historic significance, without adequate conversations and consideration. The recommendations outlined below would allow the HRC to lend a voice to the Planning Commission regarding historically or potentially historically related items as non-voting or “non-full voting” members.

HRC Recommendation(s): Amend Section 2-350 of the SAMC to require that representative(s) from the Historic Resources Commission be appointed to the Planning Commission. Consideration could include allowing the HRC representative to be a non-voting member(s) of the Planning Commission or “non-full voting” member(s) (i.e., only voting on historically related items).

Required Tasks, Approvals, and Resources: Amending the powers and duties outlined in Section 2-350 of the SAMC would require City Council review and approval of a municipal code amendment. In addition, staff resources would be required to analyze the full implications of amending the code section to include HRC representatives on the Planning Commission.

HISTORIC APPLICATION FEES

Issue 4: The FY 19-20 fee for each of the historic applications (i.e., Mills Act application and the Historic Register application) is \$3,589.14. Although this is a significant reduction in application costs from the recent years (as high as \$5,814.41 for historic registration and \$4,422.59 for mills act) the HRC has expressed concern that the high cost has been a financial burden and discourages property owners from applying to place their properties on the historic register, contributing to reduced preservation efforts Citywide.

An informal survey conducted both by staff and HRC members of regional cities with historic programs, highlighted that the City of Santa Ana has the highest application costs for both historic register and mills act applications. The cities surveyed include Orange, Tustin, Anaheim, [San Clemente, Newport Beach, San Juan Capistrano,](#) Pasadena, and Los Angeles. The implementation of these application costs dates back to 2009, when the City Council adopted an ordinance establishing a fee for nominations of properties to the local historic register. This decision was based on the determination that the most significant properties had received historic status and further listings of nominated properties were primarily for the purpose of receiving the mills act tax reduction. At the time, the fee was developed based on a full cost recovery.

In September 2014, the City Council adopted a resolution to temporarily reduce fees for mills act applications by 50%, and waive the \$5,015.05 fee for nominations of properties to the historic register. The proposed fee waiver was in effect for one year with an option for the City Council to renew for an additional two years. In August 2015, the City Council adopted a second resolution authorizing the extension of the previously approved waiver and the reduction of fees for two additional years. The waiver and fee reduction expired in August 4, 2017.

During the time that the reduced fee waiver was in effect (2014-2017) the City saw a noticeable increase in historic applications received, as can be seen in the Attachment 1. The line graph provided highlights the steep decrease in applications received once the waiver and fee reduced expired. Therefore, the HRC is making the recommendations to facilitate and encourage property owners to place their properties on the local register, thereby spurring historic preservation efforts.

HRC Recommendation(s): Reduce the historic application fees for (1) placing properties on the register of historical properties (i.e., self-nomination); and (2) processing historic property preservation agreements (i.e., mills act). The HRC recommends that the fees should be from \$200-\$500 for self-nominations to the historic register and no more than \$2,000 for a Mills Act application. In addition, the HRC discussed the following alternatives be implemented to determining appropriate fees:

- a. Establishing historic fees that are less for self-nomination than for mills act; and
- b. Introducing a sliding scale for historic application fees (e.g., location of structures within the City).

Required Tasks, Approvals, and Resources:

The proposed recommendations to permanently reduce the historic application fees for the mills act and historic registration would require review and approval by the City Council of a resolution amending the City's miscellaneous fee schedule. A process would have to be established in order to determine the metrics to be used for the recommended sliding scale. In addition, an impact analysis would be needed to determine the short- and long-term effects of the reducing the fees.

Additional analysis may provide insight as to the impact on revenue to the City. For example, while the exact savings is dependent on a number of factors, many property owners realize as much as a 50% savings on their property tax bill through the mills act application. As a result, the City sees a loss of property tax dollars annually. The analysis may take into account local economic growth through invigorated historic preservation efforts, and cultural and aesthetic benefits that may have a positive impact on property values, both in residential and commercial.

HISTORICALLY SENSITIVE AREAS AND HISTORIC RESOURCES PROTECTION AND ENFORCEMENT

Issue 5: As previously discussed, the HRC has expressed the concern for demolition or alteration of structures that have not been designated historic or surveyed, but that are over 50 years old and located within neighborhoods of potential historical significance. These five neighborhoods have been informally referred to as Historically Sensitive Areas (HSA) and include Eastside, Floral Park, West Floral Park, Jack Fisher Park, Wilshire Park, Park Santiago, Morrison Park, Washington Square and Heninger Park. Historically, there's been an increased sensitivity regarding additions and exterior alterations to properties within these neighborhoods due to their potential significance.

The process of reviewing projects (e.g., new additions, exterior alterations, construction alterations, etc.) for historic appropriateness and context within these areas has been largely

informal in nature as none of the areas have been formally designated as historic districts either at the local, state or federal level, nor has a policy been adopted by the City Council to officially recognize the term Historically Sensitive Area. Therefore, the HRC is making the recommendations outlined below in an effort to establish a program that protects any structure over 50 years of age within certain neighborhoods by retaining and preserving the historic character, regardless of designation and/or eligibility.

HRC Recommendation(s):

1. Direct planning staff to explore the designation of “Historically Sensitive Areas (HSA)” through the implementation of general plan policies within the new Historical Cultural Element considered as part of general plan update; and/or
2. Direct planning staff to engage in efforts to establish an HSA program that includes the following:
 - a. Establish criteria for selecting critical neighborhoods within the City with a high concentration of historic resources;
 - b. Identify critical neighborhoods to be designated an HSA and establish boundaries;
 - c. Develop guidelines and standards for the newly created HSA that establish the following:
 - i. Set criteria for review of non-designated structures over 50 years or more within HSA that includes a heightened level of review for modifications and alterations;
 - ii. Set design standards for new infill-development projects or additions within the HSA that are consistent with the Secretary of Interior's Standards for Historic Preservation and the City of Santa Ana Design Guidelines, and which are mindful of community context and architectural sensitivity.

Required Tasks, Approvals, and Resources: In order to establish historically sensitive areas, the City Council would be required to direct staff to analyze the implementation of one of the two above-mentioned options. In addition, the City Council would be required to direct staff to make a recommendation as to what option would be most feasible and cost-effective.

Establishing an HSA program would require staff time and resources in order to establish the necessary criteria for selecting neighborhoods with high concentration of historic resources for inclusion into the HSA. In addition, impact analysis would be required to analyze the short-term and long-term implications of establishing HSAs in order to preserve properties not currently designated as historic. Lastly, property owners located within HSAs would be required to be notified of potential property improvement limitations.

PRESERVATION OF HISTORIC TREES

Issue 6: The HRC has expressed concerns that there is no current ordinance in place for the protection and preservation of private property trees such as oaks, sycamores and/or mature trees. They've expressed that such trees could be significant aesthetic and ecological resources that would help enhance the aesthetic and scenic beauty of the neighborhoods, protect property values, and protect heritage tree resources. The recommendations outlined below are intended to establish a process for the preservation and enhancement of property values through conserving and enhancing the distinctive and unique aesthetic character that specific trees species provide in many areas in the City.

HRC Recommendation(s): Recommend that the City Council or Environmental & Transportation Advisory Committee (ETAC) develop a Tree Preservation/Protection Ordinance that establishes the following:

- a. Identifies all tree species to be protected/preserved on private and public properties (e.g., Oak trees, Southern California Black Walnut, Western Sycamores, California Bay, etc.) and trees species not subject to tree preservation requirements (i.e., unprotected trees);
- b. Sets criteria to be used to define a protected tree including, but not limited to the following: species, age, trunk diameter, historic significance, ecological value, aesthetics, location, or other unique characteristics.

Required Tasks, Approvals, and Resources:

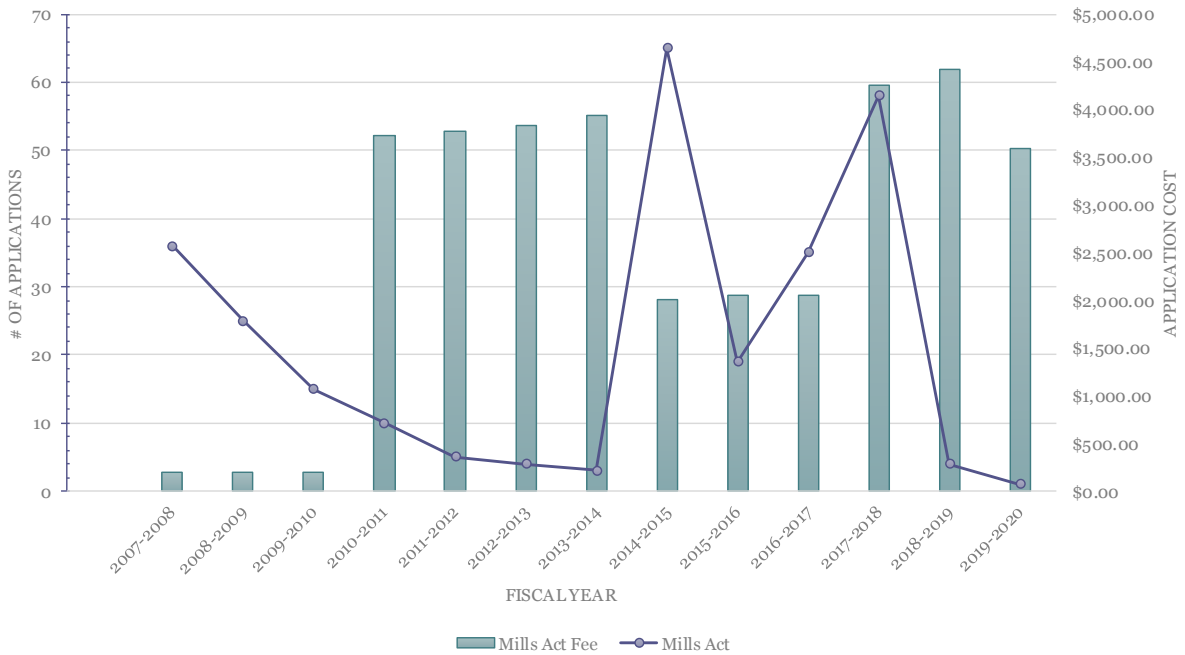
Adopting a Tree Preservation/Protection Ordinance would require staff time and resources to develop the required language, definitions, and standards as part of the ordinance. Additional staff resources may involve research into successful tree preservation/protection ordinances from adjacent cities and an impact analysis on the short-term and long-term implications of establishing a tree preservation/protection program. If implemented, additional staff resources would be required to implement and enforce required protective measures (i.e., code enforcement).

RECOMMENDATION

The HRC is requesting the City Council to consider and provide directions to staff to proceed with initiating the process to implement above recommendations.

Attachment 1:

Mills Act Applications and Cost
2007-2019



Historic Listing Applications and Cost
2007-2019



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