



# Historic Resources Board

## Staff Report (ID # 7796)

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**Report Type:** Study Session **Meeting Date:** 2/23/2017

**Summary Title:** HRB Retreat

**Title:** Historic Resources Board Retreat

**From:** Hillary Gitelman

### Recommendation

Staff recommends that the Historic Resources Board (HRB) conduct a retreat to discuss various topics identified on January 26, 2017.

### Report Summary

This report is intended to assist the HRB in its discussion of topics identified on January 26, 2017. The last time City Council and the HRB conducted a Joint Study Session was May 6, 2015, when Council and HRB members provided comments and recommendations on matters related to Palo Alto's historic preservation work program and activities. No actions were taken. A recording can be found at <http://midpenmedia.org/city-council-special-meeting-3/>.

In late 2015, staff had compiled the HRB's recommended multi-year historic preservation work program items, with the intention of holding a retreat for further discussion. The HRB did not have a retreat in 2016. The 'Recommended Work Program' report was an attachment to the December 10, 2015 staff report, which is viewable at this link: <https://www.cityofpaloalto.org/civicax/filebank/documents/50161>

### Background and Discussion Topics

On January 26, 2017, the HRB discussed potential retreat topics. The excerpt minutes from January 26th are provided as Attachment A.

Staff recommends the HRB discuss the function of the HRB, what's working and what's not working, and narrow the below list of items to one or two important topics for communication with the City Council. In addition, a new HRB member has joined the HRB roster and may wish to offer additional topics. The HRB can form a subcommittee to prepare correspondence to Council requesting that Council provide direction to staff on several specific topics.

The items mentioned by HRB members on January 26<sup>th</sup> fall into three general topic categories:

### 1. Training

- *Moving historic structures on historic sites:* Staff can contract with historic preservation consultant to provide Secretary of Interior Standards training on this topic.
- *Update on new State Law regarding Accessory Dwelling Units (ADU):* Discuss how Palo Alto might respond to the law with ordinance proposals. Note that Council is scheduled to discuss a proposed ADU ordinance on March 6, 2017. The proposal includes (1) *reducing* the minimum lot size requirement for ADU eligibility in the R-1 zoning districts (*allowing ADUs on all R-1 conforming lots*), (2) reducing or eliminating parking requirements (*under specific conditions*) and (3) allowing ADUs and Junior Accessory Dwelling Units (conversion of an existing bedroom into a smaller ADU) in existing buildings without regard to lot size.

### 2. Governance

- *Reporting structure for HRB.* Currently HRB recommends to PCE Director via ARB on major projects.

### 3. Potential Projects

- *Mid-Century Modern Building Protection Plan:*
  - The Eichler Design Guidelines project approved by Council is underway.
- *Demolitions as Discretionary:* Currently demolitions are ‘ministerial’. San Francisco’s program maintaining historic structures was referenced by the HRB.
- *Development of preservation incentives:*
  - Reduction in application fees, or
  - Expedite Historic Review Process, or
  - Mills Act Program for saving residential properties.
- *Ordinance Review:*
  - *Penalties:* Increase penalties for tearing down historic buildings.
  - *Inventory Categories.* Cats 1, 2, 3, and 4 could be simplified via ordinance change into two categories (historic and non-historic).
- *Website Improvements.* City’s website improvement to list National Register Eligible – determined Eligible properties and potential California Register eligible.
- *Update City’s historic inventory.*

## **Next Steps**

Staff recommends the HRB discuss the above topics. Some items above can be advanced by staff, such as training and website related enhancements, other items would require Council direction to study or implement.

## **Report Author & Contact Information**

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**Attachments:**

- Attachment 1: HRB Excerpt Minutes of 01.26.17 Regarding Retreat Topics (DOCX)



# HISTORIC RESOURCES BOARD MEETING EXCERPT MINUTES: January 26th, 2016

City Hall/City Council Chambers  
250 Hamilton Avenue  
8:30 A.M.

Present: Chair Martin Bernstein; Vice Chair Margaret Wimmer; Board Members David Bower, Beth Bunnenberg, Patricia Di Cicco, Roger Kohler, Michael Makinen

## **Discussion of Topics for Upcoming Retreat**

Chair Bernstein: Speaking of that, there is actually, part of this agenda is to discuss topics for the upcoming retreat which is happening 4-weeks from now. Why don't we open that up to see if any Board Members would like to contribute to what topics we should talk about? Board Member Bunnenberg.

Board Member Bunnenberg: I would like some additional training and direction in terms of the moving of historic structures. I have concerns and would like to know exactly what the Secretary of Interior Standards directs in this respect.

Chair Bernstein: That's an excellent topic because we obviously get applications requesting such action. Board Member Bower.

Board Member Bower: I have 4 items that I would like to have on a retreat agenda. One is the HRB report directly to the Council. No longer report to the ARB. Second, that we have a mid-century building protection plan. We have really been unable to address that and we're I think, remiss on not having done that. I'd also like a discussion of making demolitions discretionary instead of ministerial because I think San Francisco has had a very successful program in maintaining historic structures because it is not a ministerial decision. Finally, less important is a discussion about a Mills Act Program that we can develop to try to provide an incentive program for saving residential properties. Similar to what we have already in place for commercial properties. Those are my 4 items.

Chair Bernstein: Vice Chair Wimmer.

Vice Chair Wimmer: Yes, I also agree with David on the incentive program. I think that's been something that we've been talking about ever since I've become a Member of the Board and we throw around the idea of talking more about the Mills Act but we've not really made any action towards that. I think we can also come up with our own internal incentive of ideas. Maybe it's a reduction in application fees or expedite the amount of time that it takes to go through a Historic Review Process. I think that that should be high on our priority list as far as what we talk about. Also, I think we should review our ordinances – review the historic ordinance because I think another item on that is penalties. So, if someone instances tear down a historic building, their penalty is \$2,000.00 or something like that. I don't think the penalty really matches the action so maybe we can take a second look at that.

Chair Bernstein: I would like to have – I have 2 suggestions that we speak at the retreat and one is looking at the historic categories themselves. For example, we have 1, 2, 3, and 4. There are some – my belief that there are some missed categorized buildings. For example, the former University Art Building is a Category 3. The idea that I have been mentioning for a few years now, is that a possibility of 2 Categories. One Category being historic, one Category being non-historic. Makes it from a consumer's point of view, property owner's point of view, public point of view – might be a simpler thing rather than what's the difference between a 3 and 4 and 2 and 3. Non-historic Category, historic – I'd like to just discuss that. Also, there's a new State law that went into effect 26 days ago, regarding accessory

dwelling units. So, there are a number of historic properties in Palo Alto that have accessory structures like, barns or garages or carriage houses, before car where here. I'd like to just have the – at least the Historic Resources Board get an update on the State Law that is requiring or at least encouraging Cities to amend ordinances to allow secondary dwelling units regarding parking, daylight (Inaudible) – all of the regulations that apply to setbacks for sure. There are a lot of historic properties that have accessory dwelling units and at least have a discussion on what that – how that law and then how we might respond to it with any ordinance proposals. Any other items? Ok. Council Member Holman.

Council Member Holman: I'm recalling that last year, when I first became a liaison to the HRB, there was a retreat and there was an indication that there were several items that were discussed that were going to be taken up again during the next retreat and that never happened. I don't off the top of my head remember all of those. Some of them I think were brought up today but I don't remember all those items but those could surely be found in minutes and forward those. One of the things I do remember and I know it's a Staff constraint but it's still a little puzzling to me that we don't have on the City's website, the list of the National Register Eligible – determined Eligible properties and nor do we have the list for potential California. That can be a discussion that we have with Staff and HRB. I remember that was one of the things that discussed at the prior retreat.

Board Member Di Cicco: I think if I might comment as well. I think it's been discussed about the inventory. I don't know how many times – about having it updated. I think it is truly something that should be a priority because as a Martin also said, there's some certainly missed Categorized at this point and I think some combinations of 2 and 3 and 4 need to be changed. Maybe we ensure – I think we were going to have volunteers, in fact, go in the neighborhoods and you know, revisit the list. I think definitely that and I'm very interested also, that I was going to mention about the accessory dwellings and I read Jerry Brown's comment on and where the City actually stands with it right now.