



CITY of ESCONDIDO

STAFF REPORT

ATTACHMENT 2

Chapter 33 Article 40 (Historical Resources)

Section 33-790 - Purposes and definitions.

Update to definitions to address dissolution of HPC, and clarification of existing definitions

"Certificate of appropriateness" means a certificate issued by the ~~e~~Director of ~~community e~~Development Services approving alteration, restoration, construction, removal, relocation in whole or in part, consistent with the Secretary of Interior Standards, of or to a property on the local register or to an improvement within an historical district.

"Certificate of Appropriateness (Major)" means a major project that undergoes design review by Planning Commission or City staff, prior to issuance of the Certificate of Appropriateness.

"Certificate of Appropriateness (Minor)" means a minor project that undergoes planning administrative review, prior to issuance of the Certificate of Appropriateness.

~~"HPC" means historic preservation commission consisting of appointed members by the city council.~~

~~"Mature tree" means as defined in the Escondido Zoning Code Article 62, Landscape standards~~Article 55, Grading and Erosion Control.

"Planning Commission" means the Planning Commission of the City of Escondido as established by Chapter 20 of the Escondido Municipal Code.

"Secretary of the Interior's Standards" means the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, 1983~~1995~~ edition, or such later edition as adopted by the City Council.

"Survey" means the Escondido historic sites survey consisting of an historical resources inventory compiled and maintained by the ~~historic preservation commission~~Zoning Administrator that documents structures, uses, sites, and artifacts that are related to the area's history including all areas within the corporate limits. Resources on the list must be 50 years or older unless the ~~historic preservation commission~~Zoning Administrator deems a younger, exceptional resource worthy of documentation. The inventory was originally completed in March 1984 and is updated as needed. The survey may also include an inventory of archaeological resources. Certain records of archaeological resources may not be subject to public review in the interest of protecting these resources from tampering. Resources listed in the survey are eligible for nomination to the Escondido local register of historical places.

"Zoning Administrator" means the Director of Development Services ("Director"), or designee, as provided for in Title 7, Chapter 4, Article III (Section 65901) of the Government Code.



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Section 33-794, subsections (b)(2) and (3) and (c) - Procedure and criteria for local register listing or local landmark designation.

Replace the HPC for the Zoning Administrator

(b) Review process.

(b)(2) Requests for local register listing or local landmark designation of resources owned by the City of Escondido shall be brought to the city council prior to the HPC's **Zoning Administrator's** decision to list or designate such resource.

(b)(3) The HPC **Zoning Administrator** shall hold a public meeting. In their review of the request for local register listing or local landmark designation, the HPC **Zoning Administrator** shall consider the criteria listed in this section.

(c) Criteria. Prior to granting a resource local register or historical landmark status, the HPC **Zoning Administrator** shall consider the definitions for historical resources and historical districts and shall find that the resource conforms to one or more of the criteria listed in this section. A structural resource proposed for the local register shall be evaluated against criteria number one through seven and must meet at least two of the criteria. Signs proposed for the local register shall meet at least one of the criteria numbered eight through 10. Landscape features proposed for the local register shall meet criterion number 11. Archaeological resources shall meet criterion number 12. Local register resources proposed for local landmark designation shall be evaluated against criterion number 13. The criteria are as follows:

Section 33-795, subsection (b) - Procedure and criteria for rescinding local register or landmark status.

(b) Review. The HPC **Zoning Administrator** shall hold a public meeting. In their review of the request to remove a local register or landmark designation, the HPC **Zoning Administrator** shall consider the criteria listed in this section. Upon rescission, any associated Historic Property Preservation Agreement (Mills Act agreement) will be cancelled.

Section 33-797, subsections (a), (b)(1), (b)(2)(B), and (b)(2)(C) – Procedure and findings for designating an historical district.

Replace the HPC for the Zoning Administrator and Planning Commission



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(a) Submittal. Any person may request the ~~historic preservation commission~~**Planning Commission** to designate an historical district. The request for designation shall be filed with the planning division on forms provided by the ~~e~~**C**ity.

(b) Review process.

(1) Initiation process. Upon receipt of a recommendation from the ~~historic preservation commission~~**Planning Commission**, the city council shall determine whether or not to initiate the designation process.

(2) Designation process. Upon city council initiation:

(B) Following the appropriate neighborhood meetings and the completion of research for the district, the ~~historic preservation commission~~**Planning Commission** shall hold a duly noticed public hearing and shall forward its recommendation to the ~~planning commission and city council~~, **who shall hold a duly noticed public hearing on the matter**. Should the **Planning Commission** recommend that the area be designated an historical district; the report shall contain the following information:

(C) ~~The HPC and city council shall each hold a duly noticed public hearing.~~ In their review of the request to designate a historical district, the ~~HPC~~**Planning Commission** and the city council shall consider the criteria listed in this section.

Section 33-798, subsection (b), (e)(1)(b), (e)(2), (e)(3), and (h) – Permits and permit procedures.

Streamlining of review process for historic resources and delegating responsibilities to the Planning Commission and/or City staff

(b) Unless otherwise exempted in this article, a certificate of appropriateness is required for any new construction, and/or alteration that would affect the exterior appearance of an historical resource listed on the local register, or located within an historical overlay district, including back and sides, as well as street façade, even when a building permit is not otherwise required. Other permits, and/or review by the ~~p~~**Planning e**Commission, may be required as prescribed in this article. ~~Improvements and alterations to properties listed on the Escondido Historic Sites Survey outside an historical overlay district shall be subject to staff administrative review to ensure said improvements and alterations do not preclude future listing on the city's local register.~~

(e) Review processes. Following the planning division's receipt of a complete application, the director shall determine the appropriate review process as follows:

(1) Minor projects. Minor projects shall be subject to planning division staff review. Minor projects include:



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(A) Placement or removal of exterior objects and the restoration and exterior changes to materials (siding, brick, stucco, metal, etc.) and structures including porches (columns, cornices), roofs (covering, change in shape), any painting of exterior surfaces, satellite dishes, solar collectors, freestanding walls, fences and retaining walls, and any modifications to historical signs; and **painting of exterior surfaces, restoration and exterior changes to architectural details and decorative elements (fish scale, shingles, dentils, shutters), porches (trim, railing, ornamentation), exterior staircases, exterior doors, windows, skylights, mechanical systems (window units, exhaust fans, vents), storm windows and doors, security grilles, and fire escapes.**

(B) ~~The following projects involving historic resources listed on the local register and property located within an historical overlay district: painting of exterior surfaces, restoration and exterior changes to architectural details and decorative elements (fish scale, shingles, dentils, shutters), porches (trim, railing, ornamentation), exterior staircases, exterior doors, windows, skylights, mechanical systems (window units, exhaust fans, vents), storm windows and doors, security grilles, and fire escapes.~~ **Improvements and alterations to properties listed on the Escondido Historic Sites Survey outside a historical overlay district shall be subject to staff administrative review to ensure said improvements to not affect the project's integrity such that they will maintain eligibility their ability to be placed on the local register.**

(2) Major projects. Major projects shall be subject to historic preservation commission design review prior to staff determination **by the Director of Development Services, or their designee, unless otherwise noted below.** Major projects include all new construction (primary structure, out-buildings), additions (including porch enclosures, dormers, etc.), removal, relocation, changes to the site, (grading, parking lots, paving), public right-of-way improvements (curb and, gutter, sidewalks, street paving, driveways, curb cuts, stamped sidewalk), new freestanding signs, street furniture, and any project requiring a plot plan review.

(A) Major projects for properties located within a historical overlay district and on the local register shall be subject to design review by the Planning Commission.

(B) Notwithstanding subsection (A) above, major projects for all other properties located within a historical overlay district shall be subject to staff design review prior to a decision by the Director of Development Services, unless it is determined by the Director that the proposed project does not conform to the design guidelines for historic resources and therefore requires design review by the Planning Commission.



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(C) Major projects for properties located outside a historical overlay district but identified on the local register, shall be subject to staff design review prior to a decision by the Director of Development Services, unless it is determined by the Director that the proposed project does not conform to the design guidelines for historic resources and therefore requires design review by the Planning Commission.

(D) Major projects for properties listed on the Escondido Historic Sites Survey but outside a historic overlay district and not on the local register, shall be subject to staff administrative review to ensure said improvements do not affect a property's integrity such that they would be ineligible for inclusion on the local register at a future time.

(3) Discretionary projects requiring a public hearing. Discretionary projects requiring a public hearing shall be subject to review by the historic preservation commission prior to planning commission determination **acted on by the ultimate decision maker of the discretionary application.**

(h) Findings. A certificate of appropriateness may be issued if planning division, ~~historic preservation commission,~~ Planning Commission, or the city council makes the following findings:

Section 33-799, subsection (a) and (d) - Incentives for preserving historical resources.

Replacing HPC for Director and Zoning Administrator

(a) Historic register incentives program. To support the preservation, maintenance and appropriate rehabilitation of historical resources and thus carry out the purposes of this article, the ~~HPC~~ **Director of Development Services** may develop and recommend incentives for city council adoption. The type and availability of incentives vary from time to time.

(d) Repayment required. Monies granted as an incentive to preserve an historical resource pursuant to this article shall be repaid to the city following the ~~HPC's~~ **Zoning Administrator's** approval to remove the historical designation of said historical resource or the HPC's approval of its demolition.

(e) Authority. City Manager or their designee has authority to execute agreements and/or contracts necessary for the historic register incentive programs.

Section 33-801, subsection (b) – Demolishing an historical resource

(b) Status of historical significance designation. In all cases, demolishing a local register resource shall automatically remove the local register and landmark designation, unless



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~~historic preservation commission~~ **Planning Commission determines that the site should be retained for potential monumentation.**

Section 33-802, subsection (b) - Procedure for obtaining an emergency demolition permit.

Replacing HPC for City staff for issuance of emergency demolition permit

(b) Review. On a case-by-case evaluation and upon consultation with a minimum of two ~~historic preservation commissioners and an architect or engineer, the director of community development~~ **City staff members, comprised of the Chief Building Official, Fire Marshal, and/or City Planner, the Director of Development Services** may, without a public hearing, issue a permit for a complete or partial demolition of an historical resource if it is determined that the catastrophic event has rendered said resource immediately hazardous and dangerous and/or detrimental to the public health and/or safety as defined in the latest adopted California Building Code or California Housing Law.

Section 33-803, subsection (b) - Procedure and findings for obtaining a nonemergency demolition permit.

Replacing HPC for Planning Commission

(b) Review. The ~~HPC~~ **Planning Commission** and city council shall each hold a duly noticed public hearing prior to the demolition of a significant historic resource. The applicant shall provide, at a minimum, the following items to the satisfaction of the ~~e~~ **Director of Development Services** or designee:

Chapter 33 Article 61 (Administration and Enforcement)

Section 33-1319, subsection (a)(9) - Powers and duties and procedure.

Empower the Zoning Administrator to list and removal historical resources

(9) Listing and removal of historical resources on the City of Escondido Local Register of Historical Places pursuant to section 33-794 of Article 40.

Chapter 33 Article 64 (Design Review)

Section 33-1370 - Design Review in Historic Overlay Districts.

Empower Planning staff and Planning Commission to conduct Design Review for projects that are considered "Major"

Any and all references to the design review process in any adopted historic overlay district shall be reviewed by the planning commission or city staff, and shall be subject to rules and procedures outlined in Article 40, historical resources.



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Chapter 33 Article 65 (Old Escondido Neighborhood)

Section 33-1381 – Appeal.

Clarify appeal process for projects denied by staff

Staff review decisions may be appealed to the ~~historic preservation commission (HPC)~~.
~~HPC decisions may be appealed to the planning commission~~ **Planning Commission**.
Planning ~~e~~Commission decisions may be appealed to city council pursuant to section 33-1303 of this zoning code.