

ADMINISTRATIVE REGULATIONS
FOR THE IDENTIFICATION AND PROTECTION
OF POTENTIALLY SIGNIFICANT HISTORIC
STRUCTURES

Adopted By City Council
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I. PURPOSE OF ADMINISTRATIVE REGULATIONS

This document contains the regulations City Staff and the Historic Landmarks Commission (HLC) will utilize in the identification and protection of potentially significant historic structures. The purpose of these regulations is to provide procedures to administratively carry out the provisions of Santa Barbara Municipal Code (SBMC) Section 22.22.010, which states that the purpose of the Historic Structures Ordinance is for:

“the recognition, preservation, enhancement, perpetuation and use of structures, natural features, sites, and areas within the City of Santa Barbara having historic, architectural, archaeological, cultural, or aesthetic significance is required in the interest of the health, economic prosperity, cultural enrichment, and general welfare of the people...”

These Regulations also further goals contained in the City’s Conservation Element that call for, wherever feasible, the preservation and protection of sites of significant historic or architectural resources and the preservation of structures which are representative of architectural styles of fifty or more years ago.

Staff shall follow the administrative regulations set forth in this document in order to assist the HLC in the completion of historical surveys and identification of historic resources. These regulations also set forth procedures which Staff will follow in working with the HLC to review permit applications for demolition or alteration and in complying with the California Environmental Quality Act (CEQA) and CEQA Guidelines and the City’s Master Environmental Assessment Guidelines for Archaeological Resources and Historic Structures and Sites (MEA Historic Resources Guidelines) in order to avoid or reduce impacts to historic resources.

II. COMPLETION OF HISTORIC RESOURCE SURVEYS

The City organizes and conducts on-going historic resource surveys of structures and sites to determine their potential historic or architectural significance and to ensure that these historic resources are identified and protected. The primary intended purpose of these survey efforts is to identify and initiate designations of the City’s historic resources, which are worthy of additional protection. Over the last several decades, historic resource surveys were completed as funds became available, in 1978, 1980, and 1990. These historic resource surveys were primarily focused on the commercial core and downtown neighborhoods. These survey efforts have led to the creation of a historic resource survey records database and to numerous historic designations; however, the majority of the structures in the City remain unsurveyed. The City Council, Planning Commission, HLC and the Architectural Board of Review have all recognized the need to conduct additional surveys to identify potentially significant historic structures. Additional survey study areas have been identified and are expected to be completed in the future as funding is allocated (see Exhibit A).

Trained citizen volunteers along with professional historians conduct the City's intensive level historical surveys. The City provides funds and enters into a contract with a qualified firm or individual to work with volunteers by coordinating data collection and surveying efforts. Professional historians are responsible for completion and accuracy of the survey forms and assessment. The professionals provide architectural descriptions and determine significance statements from data collection forms completed by the volunteers. All completed survey forms to date are available for review at the City Community Development Department, Planning Division.

The information obtained from the surveys is then presented to the HLC Survey Subcommittee for the purpose of determining which structures/sites should be regarded as potentially significant historic structures/sites. In most cases, research performed during the City's surveys has provided previously unknown information about the age, background, and history of individual buildings and sites. The completed site records and historic assessment findings are presented to the City's HLC for consideration of the placement of these structures/sites on the City's Potential Historic Resources List (Potential List). The City's Potential List is a means to identify and list the City's resources that appear eligible for possible designation as a Structure of Merit, or as a City Landmark following the process outlined in SBMC §22.22. In some cases, recommendations are also made regarding a grouping of properties that may qualify collectively as a possible Historic District. A Historic District could contain both contributing and non-contributing resources. A contributing resource is a building or structure that contributes to the designation of an area as a Historic District.

The HLC Designations Subcommittee also interacts with Staff by directing that additional research be completed on structures or sites identified as potentially eligible for historic designation purposes. Based on the review of the research reports prepared by Staff, the Designations Subcommittee will make recommendations to the full Commission about which structures and sites are worthy of designation status as a City Landmark or as a Structure of Merit. Although not required, the City and the Commission work to gain a property owner's consent prior to commencing the designation process. If the HLC denies a request for a substantial alteration or demolition of a structure on the City's Potential List, then the HLC must initiate and complete the designation of the structure as a Structure of Merit or adopt a resolution recommending the designation of the structure as a City Landmark to the City Council pursuant to SBMC §22.22.037.B.

Staff and the HLC Survey Subcommittee have identified the following survey study areas that have yet to be surveyed that most likely contain potentially significant historic structures. The scheduling of future historic resource survey work is determined by the availability of citizen volunteers and amount of funding allocated by City Council. (See Survey Study Area Maps, Exhibit B):

1. Downtown Area (Completed 1978, 1980, 1990)
2. Upper Westside
3. Lower Westside
4. Waterfront (Survey completed 2001, recommendations pending)

5. Lower Eastside
6. Upper Eastside/Lower Riviera
7. Upper Riviera
8. Eucalyptus Hills
9. San Roque
10. Other not yet surveyed areas¹

III. STAFF'S AND HLC ROLES IN THE IDENTIFICATION AND LISTING OF POTENTIAL HISTORIC RESOURCES

The historic and architectural survey of structures and properties is crucial to the community as a planning tool. Collection of information on the heritage of Santa Barbara allows the City to make informed decisions to protect and enhance its character and livability. Planning Staff plays an important role in collecting and organizing data on the City's historic resources in order to evaluate development proposals. The following explains procedures which are to be followed by Planning Staff in the identification and listing of potential historic resources:

- A. Staff shall organize and oversee the completion of survey areas as directed by the HLC. The City shall train and use volunteers to assist in the completion of site surveys and record forms. Contracted professional historians shall monitor the accuracy of data entered into survey forms and review the historic assessment findings once completed. Staff and Historic Landmarks Commissioners shall review completed research and data forms, architectural descriptions, and statements of significance and make informed decisions about the historical and architectural quality of each site. Properties containing structures deemed potentially significant to the community's heritage shall be placed on the City's Potential List by the HLC, pursuant to SBMC §22.22.030.
- B. The City considers the City's Potential List a working inventory of properties that may be eligible for Structure of Merit or Landmark designation. Upon final completion of the historical survey and assessment period, Staff shall forward the list of properties identified as potentially significant historic resources to the HLC for possible inclusion on the City's Potential List. The HLC shall consider the proposed additions to the City's Potential List at a regularly scheduled meeting and provide mailed notice to all owners of properties that are proposed for listing, as specified in SBMC §22.22.030.
- C. Additionally, based upon their collective expertise regarding the history of the City and its neighborhoods, Commissioners may select and recommend properties not yet surveyed for placement on the City's Potential List, as specified in SBMC Chapter 22.22. A Commissioner's recommendation shall be made in writing and shall include reasons such listing may be appropriate. Staff shall refer these selected properties to the HLC Designation Subcommittee, which will make a

¹ Additional survey study areas or thematic surveys may be added in the future as the need arises.

- D. recommendation to the full Commission. Authority to select such properties stems from Section 817(d) of the City Charter.
- E. During the review and acceptance of a Historic Structures/Sites Report, Staff shall assist the HLC in the identification of potentially significant historic structures eligible for inclusion on the City's Potential List by using the criteria outlined in the MEA's Historic Resources Guidelines, which are utilized for local designation purposes. The HLC shall consider if the historic resource should be added to the City's Potential List as part of a regularly scheduled meeting and provide mailed notice to the property owner.
- F. The HLC has the following role relative to the identification of historic structures:
1. Assists staff in conducting a continuing survey of all structures, natural features, sites, and areas in the City of Santa Barbara having historical, architectural, archaeological, cultural, or aesthetic significance and which may be eligible for designation as a City Landmark or a Structure of Merit.
 2. Reviews and evaluates the accuracy of Historic Structures/Sites Reports which have been prepared to identify and assess the significance of historic structures/sites or archaeological resources.
 3. Considers recommendations for listing structures, sites, or natural features on the City's Potential List.
 4. Reviews and evaluates proposals for the designation of City Landmarks and Structures of Merit.
 5. Recommends Landmark designations to City Council for final action.
 6. Designates Structures of Merit.
- G. The HLC has the following role relative to the protection of historic structures:
1. Enforces SBMC Chapter 22.22 (Historic Structures Ordinance), which provides approval authority to the Commission for all exterior alterations to designated City Landmarks and Structures of Merit and building/demolition permit applications for properties listed on the City's Potential List.
 2. Assists in historic resource survey efforts to identify all potentially significant historic properties which have not yet been surveyed and which merit additional protection from demolition or incompatible alterations.
 3. Reviews and evaluates the accuracy of Historic Structures/Sites Reports which have been prepared to identify and assess the significance of historic structures/sites or archaeological resources. Develops mitigation measures that avoid or reduce project impacts.
 4. Reviews demolition permit applications for structures located within the "2003 Demolition Review/Historic Resources Survey Study Area" that are

over fifty years of age, have not been surveyed within the last 10 years, and have been determined by the City's Urban Historian to be potentially historically significant.

IV. PROCESS FOR PROPERTIES PROPOSED FOR LISTING ON THE CITY'S POTENTIAL HISTORIC RESOURCES LIST

A. Structures, sites, and natural features can be added to the City's Potential List three ways:

1. City's Historic Resource Survey Process

The historical survey findings are presented to the HLC Designation Subcommittee for a recommendation to the full Commission on the possible placement of structures/sites identified as being potential historic resources on the City's Potential List, designation as a Structure of Merit, or designation as a City Landmark. If the HLC Designation Subcommittee recommends that the Commission place a structure, site, or natural feature on the City's Potential List as a result of the City's on-going historic resource survey's, the placement shall be considered by the HLC at a noticed public hearing within one year of the completion of the area survey process.

2. Historic Landmarks Commissioner's recommendation

An individual Historic Landmarks Commissioner may request in writing that a particular structure, site, or natural feature be placed on the City's Potential List. The request shall state the reason that the Commissioner believes such listing is appropriate. In response to this request, Staff will research the particular structure, site, or natural feature believed to be potentially eligible for inclusion on the City's Potential List and present the results of the research to the HLC Designation Subcommittee for a recommendation to the full Commission. If the HLC Designation Subcommittee concurs with the recommendation for placement of the structure, site, or natural feature on the City's Potential List, the recommendation will be forwarded to the full Commission for consideration. Structures, sites, and natural features identified as having potential as a City Historic Resource by an individual Commissioner or by the HLC Designation Subcommittee, shall be considered by the HLC for listing on the City's Potential List at a noticed public hearing.

3. Project Specific Historic Structures/Sites Reports

The regulatory framework, thresholds of significance, and project impact evaluation procedures for historic resources are contained in the MEA Historic Resources Guidelines. These Guidelines contain the required content and format for Historic Structures/Sites Reports. The purpose of a Historic Structures/Sites Report is to identify historical structures/sites on a project site, assess the significance of identified historic structures and/or sites, evaluate potential project

impacts to significant historic resources, and propose mitigation measures as appropriate.

A project specific Historic Structures/Sites Report may conclude that a structure, site, or natural feature is a potential historic resource and recommend that it be placed on the City's Potential List for future research and possible formal designation as a Structure of Merit or City Landmark. Structures, sites, and natural features identified as having potential as a City Historic Resource by a project specific Historic Structures/Sites Report can be considered by the HLC for listing on the City's Potential List at the public meeting scheduled for the acceptance of the Historic Structures/Sites Report. Notice of the hearing for potential listing shall occur as provided in SBMC §22.22.030.

B. Public Hearing Process

Property owners of affected structures, sites, and natural features proposed for listing on the City's Potential List as a result of the City's Historic Resources Survey process or a Historic Landmarks Commissioner's request shall receive notice of the public hearing no less than 60 days prior to said public hearing, unless the owner consents in writing to less time. If the proposed listing is as a result of a project specific Historic Structures/Sites Report, no mailed notice is required.

The property owner, or owner's representative, may present both oral and written evidence to the Commission to establish whether the structure, site, or natural feature merits placement on the City's Potential List. It is suggested that the written evidence take the form of a Historic Structures/Sites Report. The Historic Structures/Sites Report must meet the requirements of the City's MEA Historic Resources Guidelines and be prepared by a qualified City approved historical consultant at the property owner's expense. The Historic Structures/Sites Report shall assess the significance of the identified historic resource using the criteria of significance provided in the MEA Historic Resources Guidelines.

In order for the property to be not included on the City's Potential List, the oral or written evidence (including the Historic Structures/Sites Report if prepared) shall clearly demonstrate that the property is not eligible for inclusion. The HLC must agree on the conclusions of the report and make appropriate findings to not include the property on the City's Potential List.

V. **PROCESS FOR PROPERTIES PROPOSED FOR REMOVAL FROM THE CITY'S POTENTIAL HISTORIC RESOURCES LIST**

Per Section 22.22.030.B.3, Staff will review the existing City's Potential List to verify the accuracy of all the existing listings within two years of the adoption of the Demolition Review Ordinance. Staff's administrative review will focus on properties that have insufficient survey records or on properties that Staff has received an inquiry from