

2008 ANNUAL REPORT TO THE CITY COUNCIL HISTORIC & DESIGN REVIEW COMMISSION

TO: City Council
FROM: Ray Nelson, Chairperson – Historic & Design Review Commission
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SUBJECT: Annual Report of the Historic & Design Review Commission
DATE: February, 2009

SUMMARY: As requested, the following is the annual report of the Historic and Design Review Commission (HDRC). The following format corresponds to the discussion items requested in the City Resolution No. 201-07 dated August 16, 2000.

DISCUSSION:

1. Progress on Goals:

On October 6, 2008, when the City of Arcata adopted the Land Use Code, the Design Review Commission (DRC) was renamed the Historic and Design Review Commission (HDRC), consistent with Arcata's General Plan: 2020 Design and Historical Preservation Element policies. As part of this change, Historic and Design Review Commission membership expanded from 5 to 7 members, allowing for additional Historic Preservation members, per General Plan: 2020 goals and policies.

Meetings

The HDRC conducted a total of 21 meetings in the past year – 20 regular meetings and 1 special joint study session with the City Council on July 23, 2008. The attached table lists the number of Design Review applications that have been processed this year, from January 10 through to December 10, 2008. The HDRC provided design assistance to 57 projects: 22 residential applications, 23 commercial applications, 7 industrial applications, and 5 City/Public projects. The Commission provided Preliminary Design Review for 5 applications. The table shows a slight increase in the number of projects (57) reviewed by the HDRC in 2008, compared with 2007's total of 52 projects.

In 2008, all the projects were approved (or continued as of the date of this report). None of the Commission's actions was appealed. In addition to HDRC meetings, Commissioners attended workshops to broaden their knowledge of their role.

Goals

Currently, goals of the HDRC are established through policies in the Arcata General Plan: 2020 (GP 2020), and implemented through the Land Use and Development Guide (LUDG) Section 4-0202 (Coastal Zone areas), and the Land Use Code (LUC) Section 9.72.040 (inland areas within the City). Commission members and Staff are tasked with applying and becoming familiar with new LUC regulations applicable to development projects that require Design Review approval.

General Goals. These goals are summarized as follows: to promote the orderly and harmonious development of the City; to promote the stability of land values and investments; to enhance the desirability of residences in the City; to promote visual environments of high aesthetic quality; to maximize the benefits of the natural assets of the community including access to solar energy; to protect scenic areas; to consider Arcata's unique architectural and natural setting; and to prevent excessive and unsightly grading of hillsides.

Historic Goals. More specific historic goals and principles of the Historic and Design Review Commission include, but are not limited to, the following: Preserve the historic character of the Arcata Plaza and surrounding commercial areas; ensure that new development is compatible with the character of designated historic structures and districts; prevent destruction of historic resources and encourage adaptive re-use opportunities; promote Arcata's history and historic building heritage; provide incentives to conserve historic resources, where possible, and; add to the City's designated historical sites list. Education, training, and periodic review of historic preservation issues, appropriate designs, historic resource materials and building techniques, will assist the Commission and staff with the tools for ensuring desired results with the various projects that have historic resources.

HDRC Review

The HDRC's responsibility is to consider these goals and numerous design aspects when reviewing projects. It is a complex, multi-faceted, and in-depth review process that is generally completed in less than two weeks. It involves making site visits, and studying site plans, building plans, elevations, landscape plans, building colors, building materials, lighting, and signage. The HDRC also considers neighboring uses, pedestrian, bicycle and traffic circulation, solar access, energy efficiency, safety, natural resources, and historic resources when applicable. Furthermore, each project is reviewed for compliance with other federal, state and local regulations, such as the California Environmental Quality Act (CEQA). After careful consideration of these issues, HDRC makes recommendations, giving the applicant suggestions for design improvement, or requiring specific modifications. In all cases, HDRC's decisions are made with the consideration of the visual aesthetics of the City, the applicant's needs, and fulfilling the goals outlined in LUDG, LUC and GP 2020.

2. How Community/Citizen needs are being met:

The HDRC is concerned with meeting the needs of the community as a whole as well as the individual needs of each applicant. It should be recognized that much of the "quality of life," for which the City is widely recognized, is the result of HDRC's implementation of the design considerations included in the LUDG, LUC and GP 2020. Building design, landscaping, and the integration of these components into existing and newly developing neighborhoods is the challenge that HDRC has addressed over the years. With the review of each project, their goal is to improve the project that is before them, and enhance the surrounding neighborhood.

On an individual basis, the HDRC works directly with the applicant at each meeting. HDRC receives input and comments from the applicant and public members, considers project needs and constraints, and balances these constraints in relation to requested modifications. HDRC is careful not to create undue hardship to the applicant but instead strives to work with each applicant to fulfill the goals as stated in the LUDG, LUC and GP 2020, assist the applicant in identifying project improvements, and accommodate specific applicant concerns and needs.

In some cases the applicant is resistant to the quasi-judicial and discretionary role the HDRC has in reviewing private and public projects. Project applicants may find the process an additional step that adds time delays and costs to their projects. However, HDRC often receives positive feedback from project applicants and citizens when they realize their input has helped to make their project better. Positive comments from adjacent property owners are also made; often times Design Review is the only opportunity for these neighbors to comment on projects that affect their immediate neighborhood. In addition, professional

architects and designers often avail themselves of the service that the HDRC provides for preliminary design review of their projects. Individually, the HDRC probably plays the biggest role on how Arcata looks visually. It is often a fine line between meeting the interests of the applicant, immediate neighbors, and the community at large.

Environmental Review

At the July 23, 2008 special study session with the City Council, a change was made to the decision-making authority of the then Design Review Commission. The City Council voted to remove HDRC's authority to take an action on "Type B" projects that are not exempt from the California Environmental Quality Act (CEQA). This also applies for projects where only the "No Impact" box is checked for all categories, with the exception of §V. Cultural Resources on an Initial Study for a project (see LUC §9.72.040 C). Instead, the HDRC will hereafter forward their recommendations to the Arcata Planning Commission for review and approval on Type B HDRC projects. The revisions to the process were brought about by community concerns that the HDRC did not have the technical background or experience in reviewing projects for compliance with CEQA. This policy and process revision will inherently add expense and processing time to a limited number of HDRC projects that are considered Type B projects. Staff recommends the City Council consider revising LUC §9.72.040 C. 1. a. also to include §1. Aesthetics of the Initial Study as another exception because the aesthetic findings are closely related to the mandate of the HDRC.

Design Awards

The HDRC has considered a list of potential candidates for the 2008-09 Design Awards for projects that exemplify the design goals of the City of Arcata. The Design Awards are expected to be announced in 2009, when several potential candidate projects will be completed. The HDRC understands it is important publicly to recognize property owners, design specialists and contractors for their roles in creating a livable and vibrant community.

3. How the responsibilities of the Commission are being fulfilled:

HDRC is considered to be the City Commission that is the most experienced in assessing a project's design, addressing neighborhood compatibility issues, and making findings regarding Neighborhood Conservation Areas, designated Landmark Historic Preservation structures and other historic resources. The HDRC's membership has specific expertise in the fields of building and landscape design, and historic preservation.

HDRC's membership is informed, creative, and committed, and brings specific interests and knowledge to each project. The LUC and GP 2020 require HDRC membership to consist of 7 Commissioners. In 2008, the City Council reappointed two Historic and Design Review Commissioners and appointed two new Commissioners. At present, one member vacancy exists on the HDRC, in the area of historic preservation.

Commission Membership

The Commission's current membership has a balance of experience and interests. Two members are designated as having an interest in historical preservation. Of these two, one long-standing Commissioner was reappointed for an additional term in November, 2008. The other Commissioner's area of expertise was reassigned to that of historic preservation, in September, 2008.

Another long-standing Commission member, serving as a member with architectural/landscape design expertise, has vast experience in landscape design as a landscape supervisor at a large public institution. This Commissioner was recently recognized by the City for his long-term volunteerism and his commitment to the betterment of the Arcata community. One member, appointed in 2006, is a former Arcata Energy Committee member with experience in solar and energy efficient project design. This member currently serves as the Chair of the Commission.

Two new members were appointed to the Commission this year. One new member, appointed in November, 2008, and designated as a community member with an interest in design, has expertise in landscape architecture and ecological design. In December 2008, the City Council appointed a member to serve as the designated Commissioner with expertise in the area of architecture and design. There remains one Commission member vacancy in the area of historic preservation. Of the standing members, each member provides valuable input in their area of interest, as well as thoughtful input in the general design, efficiency, and safety features of each project.

Land Use Code review

HDRC will assist in the on-going review and evaluation of LUC development standards, code sections and other design considerations pertaining to Design Review. The LUC will be subject to further review and clarification about 6 months after its October 6, 2008 adoption date, at which time revisions to LUC codes and regulations may be included. Areas of review could include LUC sections such as signage, Design Review project applicability and review authority, Neighborhood Conservation Zone and historic resources, parking, commercial, industrial, residential development standards and or other design issues. The role of the HDRC also increased with additional standards within the LUC. Most significant is §9.53.030 A. 4. and §9.53.050 B. 1. a. that requires the HDRC to review exterior alterations to buildings constructed within the "Period of Significance", or any historical resource that is at least 50 years old (pursuant to LUC §9.53.020 A. 1). LUC also expanded the noticing requirements of certain projects either designated as an Historic Landmark, located in an Historic District or in a Neighborhood Conservation Area. The revisions to LUC were intended to strengthen the City's commitment to historic preservation.

Training

Several Commissioners have attended workshops to expand their expertise and understanding of the quasi-judicial role they have. The following is a list of workshops attended by some or all of the Commissioners: "Design Guidelines for Small Towns and Rural Communities", and; a couple of CEQA workshops 1) "CEQA: A Step-by-Step Approach", and 2) "Land Use: Where the Forest Meets the Sea – Your Voice, Your Future", sponsored by the environmental law section of the California State Bar. Ethics training pursuant to AB 1234 is required for all new members. The Commission recommends the City pursue annual training opportunities including California Environmental Quality Act environmental review processes. An additional area of interest would be training on identifying buildings' significant architectural features. This particular training would assist in the Commission's role as outlined in LUC §9.53.030.

4. The effectiveness of the policies and procedures:

HDRC Meetings

At this time the internal procedures are operating effectively, however HDRC is always evaluating the process and looking at ways to increase efficiency and transparency. HDRC typically meets twice a month on the second and fourth Wednesday for regular meetings. City staff receives applications a minimum of 12 calendar days prior to the HDRC meeting. The applications are reviewed for completeness and conformance with the LUDG, LUC and GP 2020. Between 3-5 days prior to the meeting the agendas and packets are sent to the Commissioners, applicants and agents. However, as noted above certain projects now have additional noticing requirements, thus increasing the review and processing time of applications.

During the meeting, HDRC receives input from the applicant and other community members. Some meetings have had up to six items requiring review; some have lasted several hours. In response to length of the meetings and the types of projects submitted, HDRC continues to use the *Consent Agenda* to assist in expediting reviews for simple and direct project issues.

Projects are occasionally continued at the request of the applicant or HDRC to allow revisions that reflect the standards of LUDG, LUC, and GP 2020. Project approval is effective after a 10-working day appeal period. Staff then prepares the Minutes and Action Notices, which clearly state the conditions of approval and other relevant information. This process typically has a rapid turnaround time and is repeated every two weeks.

HDRC strives to ensure compliance with the standards and policies of adopted regulations and to meet the goals of the community, while realizing that all actions taken are appealable to the Council. However, HDRC recognizes the challenges of the community and staff in applying the policies of two General Plans (1985 General Plan for Coastal Zone areas; and GP 2020 for inland areas) and now two zoning ordinances – the adopted Land Use Code, that applies to inland areas, and LUDG, that applies to the Coastal Zone. HDRC and Staff regard the adoption of the LUC, in October 6, 2008, as a significant accomplishment, and the HDRC looks forward to the Coastal Commission's adoption of this new ordinance and GP 2020.

The GP 2020 requires the HDRC to review all structures proposed for demolition. Staff developed handouts to assist applicants with application materials when they propose to demolish a structure. The LUC also contains noticing procedures and requirements for demolition projects that are reviewed by the HDRC. The noticing requirements are in accordance with GP 2020 policies and CEQA requirements.

Public Comment

Suggestions from the public, Commission and applicants regarding HDRC meetings include: Providing better audio devices to improve amplification of meeting discussion for the audience; better visual presentations to improve audience participation, and; reminding applicants of the planning/building department approvals processes, including appeal time periods.

Commissioners and Staff discussed the issue of application submittals for large projects, with the aim to improve project information for Commissioners, audience members, Staff, and to streamline meeting packets. One recommendation was to request applicants of large projects, which typically contain many pages of application materials, to provide electronic copies, along with hardcopies, of project plans and other materials. Efforts to evaluate and improve HDRC meeting process, procedures, and project review by Commissioners and Staff will continue in the coming year.

Design Manual

HDRC will revisit the Design Manual in 2009, which is intended to illustrate key design considerations for development in Arcata. The Commission considers the Design Manual to be a high priority project that will serve as a useful tool to help applicants understand the Design Review process. Revisions to the manual aim to identify more clearly the required application materials to reduce a project's processing time and minimize delays. The manual would provide appropriate examples of desired development design to illustrate key design principles in an effort toward improving project design.

Historic Survey

Other HDRC goals, consistent with GP 2020 policies, include initiating a survey of historic resources in the City, identifying additional historic structures and sites, and creating a Noteworthy List for structures and landscapes. The survey may also include additional information relating to existing historic resources and Neighborhood Conservation Areas (NCAs).

4. Recommendations:

The HDRC has the following recommendations:

1. Provide funding and other resources for preparation of Arcata's Historic Context.
2. Provide funding and other resources for preparation of Arcata's Historical Resources Survey and Inventory.
3. Provide funding and other resources for preparation of Arcata's Design Review Manual.
4. Review and evaluate the adopted Land Use Code for inconsistencies and potential revisions.
5. Continue to expand training opportunities.
6. Continue to acknowledge exemplary projects through the Design Award program.
7. Recommend clarifications from the City Council on Neighborhood Conservation Areas and heritage (historic) resource preservation.
8. Clarify the regulatory and procedural relationships with other existing and future advisory bodies and the Council.
9. Encourage ways to expedite review of all projects including streamlining the entire review process.