

HISTORIC PRESERVATION ORDINANCE



**PLANNING DEPARTMENT
COUNTY OF ALAMEDA
JUNE 2011**

Facilitator



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Alameda County

Agenda



- Introductions
- Alameda County Parks, Recreation & Historical Commission (PRHC) & the Historic Preservation Ordinance Subcommittee
- Historic Preservation Ordinance
- Benefits to Property Owners
- Project Background/Major Changes
- Overview of the Ordinance
- Public Input/Recommendations
- Path to adoption (Next steps)
- Close the meeting

Introductions



- Subcommittee Members:
 - Ms. Mary Ann McMillan
 - Mr. David Sadoff
 - Mr. Al Minard
- Alameda County Planning Department Staff:
 - Ms. Liz McElligott
 - Ms. Angela Robinson Piñon



- Alameda County Parks, Recreation & Historical Commission (PRHC)
 - Authorized under Section 2.86 of the Alameda County Administrative Code
 - Tasked by the Board of Supervisors with advising the County on matters related to parks, recreation and historic preservation
- Historic Preservation Ordinance Subcommittee
 - An ad hoc subcommittee of the PRHC that is responsible for developing/updating the Alameda County Historic Preservation Ordinance
 - Will make a recommendation to the full PRHC

The Historic Preservation Ordinance



Codifies:

- How the Alameda County Register of Historic Resources is defined & maintained
- How properties can be added to the Register
- How properties can be removed from the Register
- Which alterations to historic properties are subject to review
- What incentives apply to historic properties

Benefits to Property Owners



- Eligibility for Federal, State, and County tax incentives, such as the Mills Act. Property owners cannot access incentives unless they are listed on a state, local or national register.
- The pride, knowledge, and satisfaction of preserving the rich cultural heritage within the unincorporated County.

Mills Act



- The Mills Act is a state law allowing cities and counties to enter into contracts with the owners of historic structures.
- Such contracts require a reduction of property taxes in exchange for the continued preservation of the property. Savings on property taxes are typically from 40-60%.
- In order for a property owner to access this incentive, the property must first be listed on a local register.
- Berkeley, Oakland and Fremont currently have properties under contract.

Mills Act



Property Address (Approximate)	2009-2010 Property Tax	2010-2011 Property Tax	Difference (\$)	Difference (%)
200 Block of John Street	\$ 11,593.97	\$ 3,540.40	\$ 8,053.57	69%
1200 Block of 12th Street	\$ 4,450.42	\$ 2,120.08	\$ 2,330.34	52%
2400 Block of 13th Avenue	\$ 14,475.64	\$ 4,969.70	\$ 9,505.94	66%
1000 Block Adeline Street	\$ 4,882.28	\$ 4,731.48	\$ 150.80	3%
600 Block of Haddon Road	\$ 7,230.46	\$ 4,339.62	\$ 2,890.84	40%
700 Block of Peralta Street	\$ 7,939.34	\$ 4,154.86	\$ 3,784.48	48%
1600 Block of 12th Street	\$ 2,546.06	\$ 2,350.72	\$ 195.34	8%
3400 Block of Martin Luther King Jr. Way	\$ 9,287.40	\$ 4,159.74	\$ 5,127.66	55%
1700 Block of 16th Avenue	\$ 8,100.54	\$ 3,917.08	\$ 4,183.46	52%
400 Block of W. Macarthur Boulevard	\$ 6,828.38	\$ 4,147.36	\$ 2,681.02	39%
AVERAGE SAVINGS				43%

Project Background



- Rationale for Development of the Historic Survey and Preservation Ordinance
- Role of County Staff, Policymakers, and PRHC in the process
- Meetings in 2008
- Concerns identified as a result of those meetings
- Major changes as a direct result of your concerns

Major Changes



There have been several major changes to the previous draft of the Ordinance these changes include:

- Participation in the registration program is now voluntary, owners not wishing to be placed on the County's Register may opt out of the program within 90 days following the adoption of the Ordinance by the Board of Supervisors
- Properties not currently included on the draft Register may only be added with the consent of the owner
- Greater clarity regarding the review of projects involving historic properties; these changes will lead to greater efficiency and transparency of project reviews.

Overview of the Ordinance



- Alameda County Register
- Certificates of Appropriateness
- Preservation Incentives

Alameda County Preservation Ordinance



1. What is the Alameda County Register of Historic Resources?

- County Landmarks
 - Including (1) 50 analyzed by an architectural historian and (2) Properties from previous surveys
- Structures of Merit
 - Lower threshold than Landmarks
- Maintained by the PRHC



Alameda County Preservation Ordinance



2. How is a property added to the Register?

- Properties cannot be added without owners consent
- Planning Dept., Board of Supervisors, PRHC or Member of Public request PRHC to consider nomination
- PRHC (public hearing & recommendation)
- Board of Supervisors (public hearing & decision)
- Appeal to Board of Supervisors, who may confer with PRHC



Alameda County Preservation Ordinance

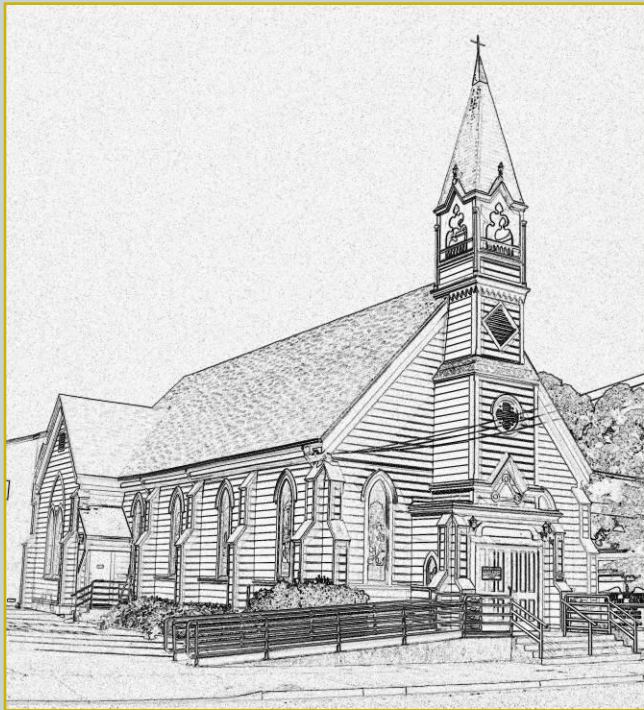
3. *How is a property removed from the Register?*

- Owner(s) of listed property submits request
 - Planning Dept. (preliminary determination)
 - PRHC (public hearing & recommendation)
 - Board of Supervisors (public hearing & decision)
- Must find that the listed resource “no longer has significant aesthetic, cultural, architectural, or engineering interest or value of an historical nature”
- Appeal to Board of Supervisors, who may confer with PRHC



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4. *What alterations to Register properties are not subject to review?*



- Removal or alteration of insignificant features
- Re-roofing
- Minor additions invisible from public right-of-way
- Ordinary maintenance & repair

Alameda County Preservation Ordinance

5. *What alterations to Register properties are subject to review i.e. “Certificate of Appropriateness”?*

Work on significant features that could affect the structure’s eligibility, including:

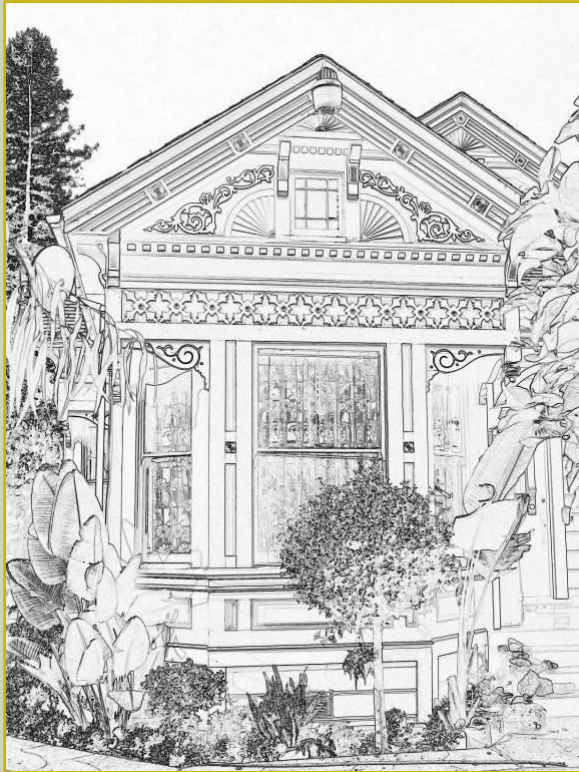


- Installation or replacement of windows, doors & siding
- Construction or alteration of exterior features or walls
- Replacement or alteration of exterior paint or treatment, where it is a significant feature
- Alteration of character-defining interior features of public buildings
- Partial or complete demolitions

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6. Alterations to a historic property listed on the Alameda County Register must be consistent with the Secretary of the Interior's Standards

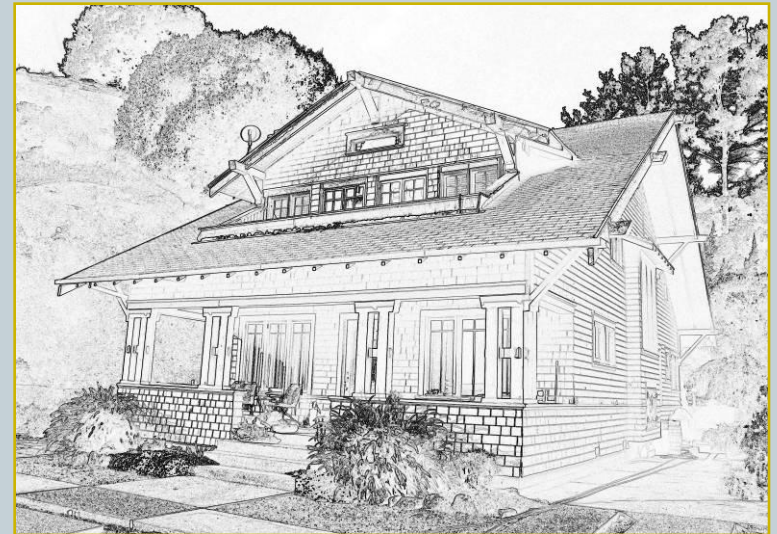


- Underlying philosophy for all historic preservation work
- Standards for Restoration, Rehab, Preservation, Reconstruction
- National Standards since 1992 (Rehabilitation since '66)
- Includes detailed Guidelines

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7. *For what incentives may historic properties be eligible?*

- California State Historic Building Code
- Mills Act Contracts
- Federal Tax Credits
- Permit process expediting
- Technical assistance with building rehabilitation





Public Input/Recommendations

Path to Adoption (Next steps)



- Public Input ↑
- 3 meetings on the revised draft of the Ordinance to be convened by the PRHC-Historic Preservation Ordinance Subcommittee
 - Staff is to summarize and respond to public input/recommendations and questions (parking lot) from those meetings
 - Staff to revise the Ordinance based upon public input
 - Subcommittee to meet a 4th time to review the proposed revisions and to recommend changes to the full PRHC
 - Revised draft Ordinance to be reviewed by the full PRHC
 - PRHC will make a recommendation to the Planning Commission
 - Planning Commission (PC) hearings; PC to make a recommendation to the Board of Supervisors (BOS)
 - BOS Hearings
 - Adoption of the Ordinance and Initial Register by the BOS
 - 10 day appeal period for BOS action
 - 90 day opt out period begins
- ↓

Close Meeting



Thank you

Website: <http://www.acgov.org/cda/planning/landuseprojects/phpo.htm>

