



## County of Santa Cruz

### Department of Community Development and Infrastructure

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July 11, 2023

**AGENDA:** July 17, 2023

Historic Resources Commission  
 County of Santa Cruz  
 701 Ocean St.  
 Santa Cruz, CA 95060

**Subject: Consider ordinance proposal regarding demolition requirements to strengthen protection of historic resources**

Dear Commissioners:

This report provides an overview of proposed amendments to the Santa Cruz County Code regarding additional documentation requirements for the demolition of historic resources, permit requirements for demolition of structures more than 50 years old that have not been previously evaluated for historic significance, and the allowance of additional uses on historically designated sites to facilitate maintenance of historic buildings or allow an economically viable use. Staff is providing your Commission an opportunity for input on this proposal, prior to drafting the ordinance for your Commission to consider later this year, followed by final approval of the ordinance by the Board of Supervisors. Note that a potential ordinance with affirmative maintenance requirements to protect historic resources and prevent demolition by neglect will be discussed with your Commission at a future meeting.

#### **Overview of ordinance proposal**

The purpose of the proposed ordinance amendments is to strengthen protections for historic resources in the County. These general proposals were developed in coordination with your Commission, at various meetings over the last several years, and further refined as provided below. The proposal also facilitates the implementation of mitigation measures in the EIR for the Sustainability Update related to the protection of historic resources, which were reviewed with your Commission at the meeting on July 11, 2022.

#### ***Documentation requirements for the demolition of a designated historic resource***

The Sustainability Update EIR identified additional documentation requirements to properly document the demolition of a designated historic resource, when such demolition is approved in accordance with County Code requirements. County Code section 16.42.060, Development Procedures for Designated Historic Resources, is proposed to be amended by adding the language below from the Sustainability Update EIR to the list of requirements for applications for demolition or relocation of a historic resource:

(iii) A qualified architectural historian shall thoroughly document the building and associated landscape and setting. Documentation shall include still and video photography and a written documentary record/history of the building to the standards of the Historic American Building Survey or Historic American Engineering Record, including accurate scaled mapping, architectural descriptions, and scaled architectural plans, if available. The record shall be accompanied by a report containing site-specific history and appropriate contextual information. This information shall be gathered through site specific and comparative archival research, and oral history collection as appropriate.

This new language would be added to the existing application requirements in County Code Section 16.42.060(B)(1), that require a special inspections report from the County Planning Department, a historical documentation report, along with other requirements (see Attachment 1). Also note that in accordance with the recommendations from your Commission, in 2018 Staff updated the “List of required application materials for demolition or partial demolition of an historic resource,” to require a report from a structural engineer, and economic analysis to support a claim that preservation is not feasible due to economic hardship (Attachment 2).

### ***Incentive to allow additional uses on historically designated properties***

To support historic preservation and rehabilitation and help prevent demolition by neglect, the County Code would be updated to allow additional uses on historically designated sites in certain zone districts beyond what is provided for in the zone district, where the proposed use would allow for the repair and/or rehabilitation of a historic building or allow for an economically viable use. Uses would be required to be compatible with the purpose of the zone district and with adjoining properties.

The additional uses noted below would be allowed in the following zone districts:

*Commercial districts:* In the PA (Professional and Administrative Offices), C-1 (Neighborhood Commercial) and C-2 (Community Commercial) districts, 100% residential use could be allowed, subject to discretionary review by the Historic Resources Commission, and final approval by the Zoning Administrator.

*Agricultural (A) zone district:* On sites without commercial agricultural land, any use that is allowed in the PA (Professional and Administrative Office) could be allowed, subject to discretionary review by the Historic Resources Commission and final approval by the Zoning Administrator.

Where exterior alterations to a historically designated site or structure are necessary to accommodate the proposed use, the application for a new use would be required to include a Historic Preservation Plan pursuant to SCCC 16.42.060, and proposed alterations would be required to be consistent with criteria for alterations to a historic resource or new construction, as applicable.

To ensure that the proposed use would support historic preservation, and that the use would be compatible with other uses allowed in the zone district and with adjoining sites, the additional

findings provided below would be required for permit approval, in addition to standard findings required for discretionary permits:

- The proposed use allows for an economically viable use supported by economic analysis, and/or supports the repair and or/ rehabilitation of a designated historic structure as provided in the historic preservation plan.
- The use is compatible with the purposes of the zone district.
- The use is consistent with historic preservation provisions in SCCC Chapter 16.42.
- For properties in the A (Agriculture) zone district, the use shall be sited to minimize conflicts with commercial agricultural activities in the area, and is compatible with any adjacent agricultural or residential use.

***Permit requirements for demolition or alterations to structure more than 50 years old that has not been previously evaluated for historic significance***

Currently, for projects involving a discretionary application, the County requires a historical evaluation for the proposed demolition of any structure over 50 years old that has not been previously evaluated for historic significance. The purpose of this review is to consider whether the structure may possess historical significance in accordance with state or local designation criteria, and if so whether the proposed project may have a negative impact on a designated historic resource, or resource that is not formally designated but is found to meet designation criteria. However, the County Code is not clear regarding review requirements for the demolition of structures where only a building permit is required. In addition, development proposals involving alteration of a structure that do not involve demolition also have the potential to negatively impact the significance of a structure that is not formally designated but is found to meet historic designation criteria. The EIR for the Sustainability Update included the following mitigation measure to protect structures that may meet designation criteria but have not yet been evaluated:

**MM CUL-1: Historic Resources Assessment and Project-Level Mitigation.** Require preparation of an historic resources evaluation for any development proposal containing a structure or structures 50 years old or older and that are not identified as historic resources in the County HRI. If the structure(s) may potentially meet the criteria for listing as an historic resource, and proposed development would have the potential to impact the historic significance of the structure(s), the development applicant shall provide an historic assessment of the structure(s) prepared by a qualified historic consultant. The historic assessment shall include a completed DPR 523a form and a letter prepared by the historic consultant stating whether the property has historic significance. If it is determined by the Community Development & Infrastructure Department based upon the historic assessment that a development would impact a structure that is eligible as an historic resource under CEQA definitions, the County shall consider measures that would enable the project to avoid direct or indirect impacts to the building or structure, including designs consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties. If the building or structure can be preserved, but remodeling, renovation or other alterations are required, this work shall be conducted in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

As proposed, the County Code would be updated to implement this mitigation measure, to ensure protection of structures that are found to potentially meet designation criteria but are not formally designated. The requirement would apply to both discretionary permit and building permit applications, that include a development proposal involving exterior alterations to a structure more than 50 years old. The initial evaluation would be provided by staff. If a structure or site was found to potentially meet designation criteria, then a DPR form would be required in accordance with the requirements outlined above.

### **Conclusion and Recommendation**

This report provides an overview of proposed ordinance amendments regarding demolition requirements. Today, Staff is inviting comments from your Commission, which will be considered in the draft ordinance to be brought to your Commission later this year for consideration.

Sincerely,

*Annie Murphy*

Annie Murphy, Senior Planner  
Secretary to the Commission