



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
TOM BURNS, PLANNING DIRECTOR

April 6, 2007

Agenda Date: April 25, 2007

Item #: 9

Time: After 9 AM

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz CA 95060

SUBJECT: Public Hearing to Consider Proposed Rezoning of Certain Parcels to Add or Remove the "L" Historic Landmark Combining Zone District

Commission Members:

The item before you today is to consider rezoning certain properties, adding the "L" Combining District symbol to parcels recently or previously designated as historic resources by the Board of Supervisors, and removing the "L" Combining District symbol from parcels that do not contain designated historic resources.

BACKGROUND AND DISCUSSION

On January 23, 2007, the Board of Supervisors, acting on recommendations of the Historic Resources Commission (HRC) and staff, approved additions and revisions of 17 properties in Live Oak to the County's Historic Resources Inventory (Inventory) as summarized in Exhibit D, pursuant to County Code Section 16.42.080.

County Code Section 16.42.130 states, in part, that "[p]arcels containing designated historical structures, objects or sites or which are located in designated historic districts shall be zoned to the Historical Landmark ("L") Combining Zone District for identification purposes...". Accordingly, at their January 23 hearing the Board of Supervisors directed staff to rezone to the "L" combining district those properties in Live Oak that the Board designated as historic resources and added to the Inventory (Exhibit "D").

Additionally, staff has reviewed the zoning of all properties in the Inventory, as well as all properties included in the "L" combining district, to determine if they are zoned appropriately relative to their historic resource status. As part of this zoning "clean-up", staff has identified two properties containing historic resources that were previously designated by the Board of Supervisors that do not have the Historic Landmark Combining District symbol (Exhibit E). Apparently these two properties were never taken through the rezoning process. These two properties should be formally rezoned to add the "L" symbol so that their status is unambiguous.

In addition, staff has identified **41** properties with the "L" Combining District symbol that do not contain designated historic resources and do not appear on the current Inventory (Exhibit F). The "L" zoning symbol should be removed from these properties.

Of the **41** parcels that do not contain historic resources (Exhibit F), some appear to have incorrectly acquired the "L" zoning symbol due to GIS system errors: For some properties, the GIS system incorrectly assigned the "L" zoning from parcels with designated historic resources to adjacent parcels without designated historic resources.

Other parcels appear to have incorrectly acquired or retained the "L" zoning symbol due to changes in land use. Here are **two** specific examples:

1) APN 098-331-07: An historic structure was demolished after suffering significant damage in the Lorna Prieta earthquake, the resource was removed from the Inventory by the Board of Supervisors, but the "L" zoning remained on the parcel.

2) APN 048-231-16: The historic resource on the property was relocated to a new parcel, the new parcel was assigned the "L" symbol, but the parcel where the historic resource was originally located also retained the "L" zoning.

Adjustments in parcel boundaries have also resulted in the "L" zoning being assigned to or retained on some parcels that do not contain historic resources. Subsequent to lot line adjustments and subdivisions involving numerous parcels with historic resources, the "L" zoning was applied to parcels that never contained historic resources, or remained on parcels that no longer contained historic resources due to parcel boundary adjustments.

This zoning "clean-up" to correct the "L" zoning for 60 properties will ensure the proper historic review for projects with designated historic resources **to** help protect our cultural heritage, while at the same time helping to avoid any unnecessary reviews or delays for projects on properties without historic resources.

FINDINGS

Zoning Ordinance Section **13.10.215** governs the rezoning **of** parcels. The Planning Commission is required to determine that:

1. The proposed zone district will allow a density of development and types of uses which are consistent with objectives and land-use designations of the adopted General Plan; and
2. The proposed zone district is appropriate to the level of utilities and community services available to the land; and
3. One or more of the following findings can be made:
 - (i) The character of development in the area where the land is located has changed or is changing to such a degree that the public interest will be better served by a different zone district; or
 - (ii) The proposed rezoning is necessary to **provide** for a community-related use which was not anticipated when the zoning Plan was adopted; or
 - (iii) The present zoning is the result of an error; **or**

- (iv) The present zoning is inconsistent with the land use designation on the General Plan.

Staff has determined that the proposed rezoning will not affect the existing density of development or types of uses. It will simply provide early notice **to** all interested parties that the properties contain designated historic resources, or that the properties do not contain any designated historic resources.

The proposed rezoning has no connection to the level of utilities and community services available to the land.

For the parcels to which the "L" zoning will be added (Exhibits D and E), the proposed rezoning is necessary to provide for a community-related use which was not anticipated when the Zoning Plan was adopted.

For each parcel in Exhibit F from which the "L" zoning will be removed, the present zoning is the result of an error or change of land use, as these parcels do not contain any designated historic resources.

ENVIRONMENTAL REVIEW

The proposed ordinance changes are exempt from review under the California Environmental Quality Act (CEQA) Section 15061 (b) (3) because there is no potential for the project to adversely impact the environment. The addition of the "L" zoning **to** the parcels in Exhibits D and E merely provides formal recognition to existence of historic resources already designated by the Board of Supervisors. The parcels from which the "L" zoning would be removed (Exhibit F) contain no designated historic resources; therefore there is no potential for adverse environmental impacts.

CONCLUSION AND RECOMMENDATION

The 17 properties added to the Historic Resources Inventory by the Board of Supervisor's action of January 23, 2007 need to be rezoned to add the historic landmark combining zone district symbol ("L") to the base zoning to indicate that the parcels contain historic resources and have been formally designated as such (Exhibit D). Additionally, there are two additional properties which also need to be rezoned to add the "L" symbol, as they contain historic resources that were previously designated by the Board of Supervisors but were never taken through the rezoning process (Exhibit E). Finally, there are **41** properties from which the landmark combining zone district symbol should be removed because the parcels do not appear on the current Inventory and do not contain designated historic resources (Exhibit F). The proposed rezoning is consistent with Section 13.10.215.

It is therefore **RECOMMENDED** that your Commission take the following actions:

1. Adopt the attached resolution (Exhibit A) recommending that the Board of Supervisors amend Chapter 13.10 of the County Code to rezone properties consistent with their designation as historic resources; and
2. Recommend that the Board of Supervisors certify the CEQA exemption (Exhibit C).

Rezoning to Add or Remove the "L" Historic Landmark Combining Zone District

Agenda Date: April 25, 2007

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Sincerely,

Annie Murphy
Planner II
Policy Section



Glenda Hill, AICP
Principal Planner
Policy Section

Exhibits:

- A. Resolution
- B. Ordinance
- C. CEQA Exemption
- D. Table of Parcels proposed for Rezoning **to** the "L" Combining District, designated by the Board of Supervisors in January 2007.
- E. Table of Parcels proposed for Rezoning **to** the "L" Combining District, designated by the Board of Supervisors **in** the past.
- F. Table of Parcels proposed for Rezoning **from** the "L" Combining District
- G. January 23, 2007 Board of Supervisor's Letter

BEFORE THE PLANNING COMMISSION
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Commissioner
duly seconded by Commissioner
the following is adopted:

PLANNING COMMISSION RESOLUTION RECOMMENDING AMENDMENT TO CHAPTER 13.10 OF THE SANTA CRUZ COUNTY CODE BY ADDING THE "L" HISTORIC LANDMARK COMBINING DISTRICT TO CERTAIN PARCELS ADDED TO THE HISTORIC RESOURCES INVENTORY BY THE BOARD OF SUPERVISORS, AND REMOVING THE "L" HISTORIC LANDMARK COMBINING DISTRICT FROM CERTAIN PARCELS THAT HAVE NO DESIGNATED HISTORIC RESOURCES

WHEREAS, the Board of Supervisors, in 1977, in order to protect significant historic resources in the County adopted a Historic Preservation Ordinance that, as amended, provides for the establishment and revising of a Historic Resources Inventory and authorizes the rezoning of parcels included in the Historic Resources Inventory to recognize that they contain historic resources; and

WHEREAS, on certain subsequent dates, the Board of Supervisors, upon recommendation of the County Historic Resources Commission, did designate certain parcels as containing historic resources and added them to the Historic Resources Inventory; and

WHEREAS, on January 23, 2007, the Board of Supervisors did designate certain parcels as containing historic resources and added them to the Historic Resources Inventory; and

WHEREAS, Section 16.42.130 provides that parcels containing designated historic resources shall be zoned to the Historic Landmark ("L") Combining zone District; and

WHEREAS, on April 25, 2007, the Planning Commission conducted a public hearing to consider the amendments to Chapter 13.10 of the Santa **Cruz** County Code to add the "L" Historic Landmark Combining District to certain parcels designated by the Board of Supervisors as containing historic resources (Exhibits D and E), and to remove the "L" Historic Landmark Combining District from certain parcels that have no designated historic resources (Exhibit F); and

WHEREAS, the Planning Commission finds that the proposed rezoning will be consistent with the policies of the General Plan, and will be consistent with the objectives and land use designations of the General Plan, and that the proposed rezoning is consistent with Section 13.10.215 (d) of the Zoning Ordinance; and

WHEREAS, the ordinance amendments have been found to be categorically exempt further review under the California Environmental Quality Act; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Planning Commission recommends that the amendment to Chapter 13.10 of the Santa Cruz County Code to add the "L" Historic Landmark Combining District to certain parcels designated by the Board of Supervisors as containing historic resources (Exhibits D and E), **and to** remove the "L" Historic Landmark Combining District **from** certain parcels that have no designated historic resources (Exhibit F), and the Notice of Exemption, incorporated by reference, be approved by the Board of Supervisors.

PASSED AND ADOPTED by the Planning Commission **of the** County of Santa Cruz, State of California, this _____ day of _____, 2007 by the following vote:

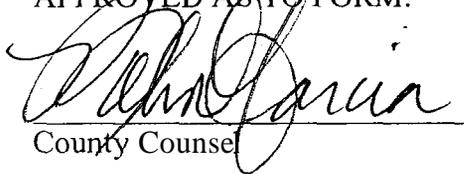
AYES: COMMISSIONERS
NOES: COMMISSIONERS
ABSENT: COMMISSIONERS
ABSTAIN: COMMISSIONERS

Chairperson **of the** Planning Commission

ATTEST:

Secretary

APPROVED AS TO FORM:



County Counsel

DISTRIBUTION : County Counsel
Planning Department

ORDINANCE NO. _____

**ORDINANCE AMENDING CHAPTER 13.10 OF THE SANTA CRUZ COUNTY CODE BY
ADDING THE "L" HISTORIC LANDMARK COMBINING DISTRICT TO CERTAIN
PARCELS ADDED TO THE HISTORIC RESOURCES INVENTORY BY THE BOARD OF
SUPERVISORS, AND REMOVING THE "L" HISTORIC LANDMARK COMBINING
DISTRICT FROM CERTAIN PARCELS WITH NO DESIGNATED HISTORIC RESOURCES**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Board of Supervisors finds that the public convenience, necessity, and general welfare require the amendment of the County Zoning Plan to implement the policies of the County General Plan regarding the parcels listed below in Sections III and IV; finds that the zoning designated herein is consistent with all elements of the County General Plan; and finds and certifies that the proposed action is categorically exempt from further review under the California Environmental Quality Act.

SECTION II

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the Zoning Plan amendment as described in Sections III and IV, and adopts their findings in support thereof without modification as set forth below:

1. The proposed addition of the combining zone district to the existing zoning of certain parcels listed in Section III will allow a density of development and types of uses which are consistent with the objectives and land use designations of the adopted General Plan; and
2. The proposed addition of the combining zone district to the existing zoning is appropriate for the level of utilities and community services available to the land; and
3. The proposed zoning is necessary to provide for a community related use which was not anticipated when the zoning plan was adopted; and
4. As to each of the parcels listed in section IV, the present zoning is the result of an error.

SECTION III

The County Zoning Plan is hereby amended to add the "L" Historic Landmark Combining District to the following properties:

<u>APN</u>	<u>Existing Zone District</u>	<u>New Zone District</u> <u>(changes in bold)</u>
1. 025-351-12	PA	PA-L
2. 026-181-23	R-1-4	R-1-4-L
3. 027-102-03	R-1-3.5	R-1-3.5-L
4. 027-103-11	C-1	C-1-L
5. 027-143-24	R-1-3.5	R-1-3.5-L
6. 027-143-33	R-1-3.5	R-1-3.5-L
7. 027-151-11	R-1-3.5	R-1-3.5-L
8. 028-041-45	R-1-6	R-1-6-L
9. 028-101-15	R-1-3.5	R-1-3.5-L
10. 028-142-31	R-1-6	R-1-6-L
11. 028-441-03	PA; PR	PA-L; PR
12. 029-013-51	M-1	M-1-L
13. 029-071-08	PF-D	PF-D-L
14. 029-071-38	R-1-6-D	R-1-6-D-L
15. 029-182-04	RM-4	RM-4-L
16. 030-142-04	C-2-GH	C-2-GH-L
17. 031-091-01	R-1-6	R-1-6-L
18. 032-011-27	R-1-6	R-1-6-L
19. 061-321-46	SU, R-1-6	SU-L, R-1-6-L

SECTION IV

The County Zoning Plan is hereby amended to delete the “L” Historic Landmark Combining District from the following properties:

<u>APN</u>	<u>Existing Zone District</u>	<u>New Zone District</u>
1. 030-041-37	PF-L, PF	PF
2. 030-091-11	R-1-6-L-GH	R-1-6-GH
3. 030-153-20	PF-L-GH	PF-GH
4. 030-161-29	RM-3-L	RM-3
5. 030-201-71	RM-4-L	RM-4
6. 039-232-02	C-1-L	C-1
7. 039-471-03	C-1, RM-4-L	C-1, RM-4
8. 040-101-62	RA, RA-L, SU	RA, SU
9. 040-461-07	RA, RA-L, SU, TP	RA, SU, TP
10. 048-231-11	CA-L	CA
11. 048-231-16	CA-L	CA
12. 049-501-01	A, A-L	A
13. 057-131-26	TP-L	TP
14. 058-082-08	C-1 -L	C-1
15. 058-103-15	PF-L	PF
16. 058-103-16	PF-L	PF
17. 058-103-18	PF-L	PF
18. 058-103-28	PF-L	PF
19. 060-081-12	R-1-20-L	R-1-20
20. 060-231-00	PR, PR-O, R-1-20, R-1-20-L, VA	PR, PR-O, R-1-20, VA
21. 063-121-14	A-L	A
22. 064-121-20	R-1-15-L	R-1-15
23. 065-061-21	R-1-15-L	R-1-15
24. 065-072-03	PF-L	PF
25. 065-074-16	A-L, R-1-10	A , R-1-10
26. 065-091-04	PR-GH-L	PR-GH
27. 066-023-30	R-1-15, PR-L	R-1-15, PR
28. 066-081-06	PR-GH. PR-L. R-1-15	PR-GH. PR. R-1-15
29. 066-132-16	PR-L	PR
30. 067-232-04	Isu-L	SU
31. 077-041-21	R-1-10-L	R-1-10
32. 077-092-16	R-1-10-L	R-1-10
33. 077-093-16	R-1-10-L	R-1-10
34. 079-331-34	RA-L	RA
35. 091-161-30	A-L	A
36. 094-011-19	TP-L	TP
37. 094-041-12	TP-L	TP
38. 094-041-74	RA, RA-L	RA
39. 094-041-75	RA-L	RA
40. 098-251-05	SU-L	SU
41. 098-331-07	SU-L, TP	SU, TP

SECTION V

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this _____ day of _____, 2007, by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM: 
County Counsel

Copies to: **Planning**
County Counsel

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: N/A

Assessor Parcel Numbers: Various parcels throughout County

Project Location: Countywide

Project Description: Rezone parcels to/from the "L" Historic Landmark Combining Zone District.

Person or Agency Proposing Project: County of Santa Cruz

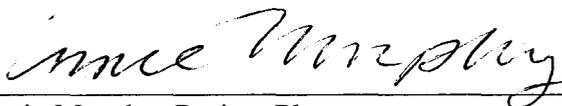
Contact Phone Number: Annie Murphy (831) 454-3111

- A. The proposed activity is not a project under CEQA Guidelines Section 15378.
- B. The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
- C. **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
- D. **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).
- E. **Categorical Exemption**

This project is exempt under CEQA section 15061 (b) 3, a general **rule** which states that where it can be determined with certainty that **an** activity has no possibility of **a significant** environmental effect, the activity is not subject to CEQA.

F. Reasons why the project is exempt: The addition of the "L" zoning to the parcels with historic resources merely provides formal recognition to Board of Supervisor's previous action to designate historic resources on these parcels (Exhibits D and E). **The** parcels from which the "L" zoning would be removed (Exhibit F) contain no designated historic resources; therefore there is no potential for adverse environmental impacts.

In addition, none of the conditions described in Section 15300.2 apply to this project. Specifically, this project has no potential to cause a substantial adverse change in **the** significance of an historic resource, pursuant to 15300.2 (f).


Annie Murphy: Project Planner

Date: 4/6/07

TABLE OF PARCELS PROPOSED FOR REZONING TO THE "L" COMBINING DISTRICT, DESIGNATED BY THE BOARD OF SUPERVISORS IN JANUARY 2007.

<u>APN</u>	<u>Existing Zone District</u>	<u>New Zone District</u> <u>[changes in bold]</u>
1. 025-351-12	PA	PA-L
2. 026-181-23	R-1-4	R-1-4-L
3. 027-102-03	R-1-3.5	R-1-3.5-L
4. 027-103-11	C-1	C-1-L
5. 027-143-24	R-1-3.5	R-1-3.5-L
6. 027-143-33	R-1-3.5	R-1-3.5-L
7. 027-151-11	R-1-3.5	R-1-3.5-L
8. 028-041-45	R-1-6	R-1-6-L
9. 028-101-15	R-1-3.5	R-1-3.5-L
10. 028-142-31	R-1-6	R-1-6-L
11. 028-441-03	PA; PR	PA-L; PR
12. 029-013-51	M-1	M-1-L
13. 029-071-08	PF-D	PF-D-L
14. 029-071-38	R-1-6-D	R-1-6-D-L
15. 029-182-04	RM-4	RM-4-L
16. 031-091-01	R-1-6	R-1-6-L
17. 032-011-27	R-1-6	R-1-6-L

TABLE OF PARCELS PROPOSED FOR REZONING TO THE "L" COMBINING DISTRICT, DESIGNATED BY THE BOARD OF SUPERVISORS IN THE PAST.

<u>APN</u>	<u>Existing Zone District</u>	<u>New Zone District</u> <u>(changes in bold)</u>
1. 030-142-04	C-2-GH	C-2-GH-L
2. 061-321-46	SU, R-1-6	SU-L, R-1-6-L

TABLE OF PARCELS PROPOSED FOR REZONING FROM THE "L" COMBINING DISTRICT

Parcel	Existing zone District	New Zone District
1. 030-041-37	PF-L, PF	PF
2. 030-091-11	R-1-6-L-GH	R-1-6-GH
3. 030-153-20	PF-L-GH	PF-GH
4. 030-161-29	RM-3-L	RM-3
5. 030-201-71	RM-4-L	RM-4
6. 039-232-02	C-1-L	C-1
7. 039-471-03	C-1, RM-4-L	C-1, RM-4
8. 040-101-62	RA, RA-L, SU	RA, SU
9. 040-461-07	RA, RA-L, SU, TP	RA, SU, TP
10. 048-231-11	CA-L	CA
11. 048-231-16	CA-L	CA
12. 049-501-01	A, A-L	A
13. 057-131-26	TP-L	TP
14. 058-082-08	C-1-L	C-1
15. 058-103-15	PF-L	PF
16. 058-103-16	PF-L	PF
17. 058-103-18	PF-L	PF
18. 058-103-28	PF-L	PF
19. 060-081-12	R-1-20-L	R-1-20
20. 060-231-00	PR, PR-O, R-1-20, R-1-20-L, VA	PR, PR-O, R-1-20, VA
21. 063-121-14	A-L	A
22. 064-121-20	R-1-15-L	R-1-15
23. 065-061-21	R-1-15-L	R-1-15
24. 065-072-03	PF-L	PF
25. 065-074-16	A-L, R-1-10	A, R-1-10
26. 065-091-04	PR-GH-L	PR-GH
27. 066-023-30	R-1-15, PR-L	R-1-15, PR
28. 066-081-06	PR-GH, PR-L, R-1-15	PR-GH, PR, R-1-15
29. 066-132-16	PR-L	PR
30. 067-232-04	SU-L	SU
31. 077-041-21	R-1-10-L	R-1-10
32. 077-092-16	R-1-10-L	R-1-10
33. 077-093-16	R-1-10-L	R-1-10
34. 079-331-34	RA-L	RA
35. 091-161-30	A-L	A
36. 094-011-19	TP-L	TP
37. 094-041-12	TP-L	TP
38. 094-041-74	RA, RA-L	RA
39. 094-041-75	RA-L	RA
40. 098-251-05	su-L	SU
41. 098-331-07	SU-L, TP	SU, TP



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
 (831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

TOM BURNS, PLANNING DIRECTOR

January 5, 2007

AGENDA: January 23, 2007

Board of Supervisors
 County of Santa Cruz
 701 Ocean Street
 Santa Cruz CA 95060

SUBJECT: PUBLIC HEARING TO CONSIDER THE RECOMMENDATION OF THE HISTORIC RESOURCES COMMISSION REGARDING THE POTENTIAL HISTORIC DESIGNATION OF CERTAIN PROPERTIES IN LIVE OAK

Members of the Board:

Three years ago, your Board, acting on concern over applications to demolish some potentially historic buildings in Live Oak, approved a contract with CIRCA: Historic Property Development (CIRCA) to evaluate other potentially historic buildings in Live Oak for historic significance. CIRCA's evaluation and recommendations were subsequently considered by the Historic Resources Commission (HRC) for possible recommendation to your Board for designation as historic resources.

At ~~two~~ well-attended public hearings, on September 14 and October 20, 2006, the HRC reviewed a total of 45 properties. Most of the comments received at those public hearings did not favor designation of properties as historic resources. Nonetheless, acting according to the County Code criteria regulating designation of historic resources, the HRC recommended to your Board that 22 of the properties be designated as historic resources; determined that 20 of the properties are ineligible for designation as historic resources (County Code Section 16.42.080(f)), because they did not meet the criteria of County Code Section 16.42.080(c) and/or due to their deteriorated architectural integrity or condition; and made no recommendation on three of the properties.

Before your Board today is the recommendation of the HRC to designate 22 properties in Live Oak as historic resources (see Attachment 27). Staff is presenting an alternative recommendation for ~~two~~ of these 22 properties. Staff recommended to the HRC, and continues to recommend to your Board, that those two properties not be designated historic resources for the reasons given below.

In addition, the HRC is forwarding for your Board's consideration three properties with ~~no~~ recommendation. In those three cases, the HRC was deadlocked on whether or not to

recommend historic designation. Staff is presenting an alternative recommendation for all three of these properties.

Please see Attachment A.I for a list of all the properties considered by the HRC, including CIRCA's and staffs recommendation to the HRC, the HRC recommendation to your Board, and the staff recommendation to your Board (staffs recommendation differs from that of the HRC in five instances).

Background

The current Inventory of Historic Resources was created in the mid-1980s. At that time, thirteen properties in Live Oak were designated as historic resources. Another 27 were evaluated, but were not designated as historic resources for one reason or another. Some of those evaluations contained only meager descriptions of the buildings and their potential historic significance was not clearly stated. In early 2000, the HRC became increasingly concerned about the lack of information on these properties and, after applications were approved to demolish a couple of those 27 buildings, the HRC brought those concerns to your Board. Subsequently, your Board approved a contract with CIRCA to not only reevaluate those previously evaluated properties, but also to evaluate for potential historic significance an unspecified number of properties that had never been evaluated. Community members with extensive knowledge of the history of Live Oak volunteered to assist with research into the 27 previously reviewed properties and with initial identification of and research into potential new candidate properties.

Initially, seventy-five (75) previously unsurveyed properties were identified as potentially worthy of review. Because of a number of issues, including budget constraints and clear lack of architectural integrity of many of those 75 properties, the number of previously unsurveyed properties to be further evaluated was reduced to 50. That number was reduced again due to budget constraints and the need to ensure that those properties that went forward in the historic designation process were those most worthy of consideration. Ultimately, the HRC directed CIRCA to focus on a final list of 24 never-before evaluated properties for further evaluation.

Historic Resources Inventory and Ratings of Properties Evaluated for Historic Significance

Properties on or recommended for inclusion on the County's Inventory of Historic Resources are assigned a rating of NR1, NR2, NR3, NR4, or NR5, according to the National Park Service system of classifying historic properties based on their level of significance and potential for listing on the National Register of Historic Places (please see Attachment 32). The County's Inventory of Historic Resources is made up mostly of properties with a rating of NR5, denoting local historical significance. All of the properties recommended by the HRC to be designated historic resources will also be given a rating of NR5. Properties with a rating of NR1 through NR5 are subject to the County's historic protection ordinance. For properties designated as historic resources by your Board and added to the Inventory of Historic Resources, Planning staff will record copies of the resolutions designating the properties as historic resources.

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County Code Section 16.42.080(f) provides for the assignment of another rating, NR6, to those properties that have been determined by the HRC to be ineligible for designation as historic resources (County Code Section 16.42.080(f)), because they do not meet the criteria of County Code Section 16.42.080(c) and/or due to their deteriorated architectural integrity or condition. The 27 Live Oak properties evaluated in the mid-1980s were all rated NR6. The Live Oak properties evaluated or re-evaluated as part of this current update that are not designated as historic resources by your Board will all have a rating of NR6.

Designation of Properties as Historic Resources

General Plan Policy 5.20.2 requires the County to “[m]aintain and update a County Historic Resources Inventory to describe those historic structures, objects, properties, sites, and districts which have been designated by the Board of Supervisors for protection of their heritage values.”

Section 16.42.030 defines a historic resource as follows:

Any structure, object, site, property, or district which has a special historical, archaeological, cultural or aesthetic interest or value as part of the development, heritage, or cultural characteristics of the County, State, or Nation, and which either has been listed in the County General Plan, or has been listed in the Historic Resources Inventory adopted pursuant to Section 16.42.080 of this Chapter and has a rating of significance of NR-1, NR-2, NR-3, NR-4, or NR-5.

Subsection 16.42.080(c), Designation Criteria states that

Structures, objects, sites and districts shall be designated as historic resources if, and only if, they meet one or more of the following criteria and have retained their architectural integrity and historic value:

1. The resource is associated with a person of local, state or national historical significance.
2. The resource is associated with an historic event or thematic activity of local, state or national importance.
3. The resource is representative of a distinct architectural style and/or construction method of a particular historic period or way of life, or the resource represents the work of a master builder or architect or possesses high artistic values.
4. The resource has yielded, or may likely yield information important to history or pre-history.

Staff Alternative Recommendations for 2 Properties Recommended by the HRC for Designation as Historic Resources

Of the 22 properties recommended by the HRC for designation as historic resources, staff has an alternative recommendation on two, as follows:

1438 Capitola Road (APN 026-193-41)

HRC recommendation:	Designate as historic.	Rating:	NR5
Staff recommendation:	Do not designate as historic.	Rating:	NR6
CIRCA recommendation:	Do not designate as historic.	Rating:	NR6

This house was the boyhood home of Robert Merriman who was involved in organizing anti-Franco forces and fighting in the Spanish Civil War and who was the model for a character in Ernest Hemingway's novel For Whom the Bell Tolls. However, Merriman never lived in the house during his adult life when he was involved in the Spanish Civil War. Had he lived there during a time when he was historically significant, then historical significance would attach to the house. Additionally, whatever his historical significance, it is not associated with the building at 1438 Capitola, nor does it approach that of, for example, Herbert Hoover, whose boyhood house in Iowa is a historical resource, even though he did not live there when he was historically significant as an internationally known engineer, humanitarian, Secretary of Commerce, or President of the United States. Therefore, neither staff nor the County's consultant believe that 1438 Capitola Road rises to the level of a historic resource. The consultant's recommendation for rating the property NR6 (not a historic resource) is part of Attachment 24, which includes a resolution for designating the property a historic resource with a rating of NR5, per the HRC recommendation.

1575 7th Avenue (APN 026-501-02)

HRC recommendation:	Designate as historic.	Rating:	NR5
Staff recommendation:	Do not designate as historic.	Rating:	NR6
CIRCA recommendation:	Designate as historic.	Rating:	NR5

Please refer to Attachments 25, 30, and 31 for more information on this property. Staff continues to believe that this property has not retained its architectural integrity, nor are the people associated with the house particularly significant in the history of Live Oak, Santa Cruz County, California, or the nation. Therefore, staff recommends that this property not be designated as a historic resource.

Staff Recommendations for 3 Properties with no recommendation from the HRC

Of the 3 properties for which the HRC made no recommendation, staff and CIRCA presented the HRC with a recommendation on each, as follows:

11757th Avenue (APN026-211-19)

HRC recommendation: No recommendation
Staff recommendation: Do not designate as historic. Rating: NR6
CIRCA recommendation: Designate as historic. Rating: NR5

The 1986 evaluation of this house called it "a good example of the craftsman summer cottage and it is also a good example of the cottages that were developed during the 1910-1925 era." CIRCA concluded that there have been no physical changes except for a single window replacement, that it retains integrity and should be designated a historic resource and rated NR5. However, unlike other situations where an existing NR6 rated property is recommended to be designated as a historic resource and rated NR5, there are better examples of this style and there is no additional information on this site to justify the change. Staff therefore believes the NR6 rating should be retained. (see Attachment 26).

2468th Avenue (APN027-143-24)

HRC recommendation: No recommendation
Staff recommendation: Designate as historic. Rating: NR5
CIRCA recommendation: Designate as historic. Rating: NR5

According to CIRCA's evaluation, this house "pre-dates most of the structures in the area" and while some "minor physical changes" have been made, "the property retains integrity" and represents "distinct architectural style.. .of a particular historic period.. ." and should be rated NR5." Staff agrees with this recommendation (see Attachment 7).

2409th Avenue (APN 027-151-11)

HRC recommendation: No recommendation
Staff recommendation: Designate as historic. Rating: NR5
CIRCA recommendation: Designate as historic. Rating: NR5

According to CIRCA's evaluation, this house "is an excellent example of Queen Anne Style architecture. There have been no physical changes to the property except for a rear deck; it therefore retains its historic integrity" and is "representative of a distinct architectural style.. .of a particular historic period.. ." and should be rated NR5." Staff agrees with this recommendation (see Attachment 9).

California Environmental Quality Act (CEQA)

Protection of historically significant structures and resources is exempt from review under CEQA. Therefore, no negative declaration or environmental impact report is required for your Board's action to designate the structures under review today as historic resources. The Notice of Exemption is attached as Attachment 1.

Conclusion and Recommendation

The work performed by CIRCA to re-evaluate certain properties currently rated NR6 in Live Oak and to evaluate never-before evaluated properties in Live Oak for their historic and architectural significance has clarified the status of several properties and provides the opportunity to protect additional historic properties in Live Oak. For three of the properties staff has reached a different conclusion and recommendation than has the Historic Resources Commission, as described above.

Therefore it is RECOMMENDED that your Board take the following five actions:

1. Adopt the Notice of Exemption from further environmental review under CEQA for designation of properties as historic resources;
2. Adopt the attached resolutions (Attachments 2 – 23) designating as historic resources with a National Register rating of NR5 the following properties, more particularly described on the exhibits to the resolutions:

	<u>APN</u>	<u>Address</u>		<u>APN</u>	<u>Address</u>
1.	025-351-12	2223 Soquel Drive	12.	028-161-02	401 Johans Beach
2.	026-181-23	1615 El Dorado	13.	028-161-12	2-1610 East Cliff
3.	027-102-03	363 7 th Avenue	14.	028-421-02	631 26 th Avenue
4.	027-103-11	300 7 th Avenue	15.	028-441-03	2300 Portola Drive
5.	027-112-13	330 9 th Avenue	16.	029-013-51	241 1 Chanticleer
6.	027-143-24	246 8 th Avenue	17.	029-071-08	1900 17 th Avenue
7.	027-143-33	235 9 th Avenue	18.	029-071-38	1975 Chanticleer
8.	027-151-11	240 9 th Avenue	19.	029-182-04	1940 Kinsley
9.	028-041-45	845 Tower Place	20.	029-182-04	1950 Kinsley
10.	028-101-15	300 12 th Avenue	21.	031-091-01	2930 Childers Lane
11.	028-142-31	234 13 th Avenue	22.	032-011-27	321 1 Roland Drive

3. Direct staff to record certified copies of the resolutions of historic designation.
4. Direct staff to process rezonings to add the "L" (Historic Landmark) Combining District to the parcels designated as historic resources.
5. Decline to designate the following properties as historic resources, but give them a rating of NR6:

	<u>APN</u>	<u>Address</u>
1.	026-193-41	1438 Capitola Road
2.	026-211-19	1175 7 th Avenue
3.	026-501-02	1575 7 th Avenue

6. Accept the rating of NR6 given by the HRC to the other evaluated properties not designated as historic resources.

Sincerely,



Tom Burns
Planning Director

RECOMMENDED



SUSANA MAURIELLO
County Administrative Officer

Attachments:

A.1. List of Summary Recommendations

1. CEQA Notice of Exemption
2. Resolution of Historic Resource Designation for 025-351-12 (2223 Soquel Drive)
3. Resolution of Historic Resource Designation for 026-181-23 (1615 El Dorado)
4. Resolution of Historic Resource Designation for 027-102-03 (3637th Avenue)
5. Resolution of Historic Resource Designation for 027-103-11 (3007th Avenue)
6. Resolution of Historic Resource Designation for 027-112-13 (3309th Avenue)
7. Resolution of Historic Resource Designation for 027-143-24 (2468th Avenue)
8. Resolution of Historic Resource Designation for 027-143-33 (2359th Avenue)
9. Resolution of Historic Resource Designation for 027-151-11 (2409th Avenue)
10. Resolution of Historic Resource Designation for 028-041-45 (845 Tower Place)
11. Resolution of Historic Resource Designation for 028-101-15 (30012th Avenue)
12. Resolution of Historic Resource Designation for 028-142-31 (23413th Avenue)
13. Resolution of Historic Resource Designation for 028-161-02 (401 Johans Beach)
14. Resolution of Historic Resource Designation for 028-161-12 (2-1610 East Cliff)
15. Resolution of Historic Resource Designation for 028-421-02 (631 26th Avenue)
16. Resolution of Historic Resource Designation for 028-441-03 (2300 Portola Drive)
17. Resolution of Historic Resource Designation for 029-013-51 (2411 Chanticleer)
18. Resolution of Historic Resource Designation for 029-071-08 (1900 17th Avenue)
19. Resolution of Historic Resource Designation for 029-071-38 (1975 Chanticleer)
20. Resolution of Historic Resource Designation for 029-182-04 (1940 Kinsley)
21. Resolution of Historic Resource Designation for 029-182-04 (1950 Kinsley)
22. Resolution of Historic Resource Designation for 031-091-01 (2930 Childers Lane)
23. Resolution of Historic Resource Designation for 032-011-27 (3211 Roland Drive)
24. Resolution of Historic Resource Designation for 026-193-41 (1438 Capitola Road)
25. Resolution of Historic Resource Designation for 026-501-02 (15757th Avenue)
26. Evaluation forms for 1175 7th Avenue, for which the **HRC** made no recommendation and which staff recommends not be designated as a historic resource, but be rated **NR6**