



HISTORIC PRESERVATION OVERLAY & DESIGN REVIEW GUIDELINES

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Background

- Municipal Code Update Subcommittee considered options for historic preservation following referral from City Council
- The subcommittee considered several examples from other cities and decided on a Historic Preservation Overlay with an related Ordinance
- The Planning Commission recommended approval of the Ordinance and re-adoption of Old Town Design Guidelines, with minimal changes

Background

- At the May 4, 2021 meeting, the City Council referred the Ordinance and Design Guidelines to a special committee of 3 Planning Commissioners and 2 Councilmembers to provide feedback to the Council
- Committee met 3 times and provided staff with recommendations on changes to Ordinance and Design Guidelines
- After the Committee met, the State enacted various housing laws, including SB 9, prompting a need for further analysis

Existing Design Review

- All project applications are required to go through the design review process
 - Comprehensive Design Review Is Conducted by Planning Commission
 - New buildings, large additions
 - Administrative Design Review Is Conducted by Zoning Administrator
 - Additions under 500 sq. ft., accessory structures, signs, exterior improvements

Design Review

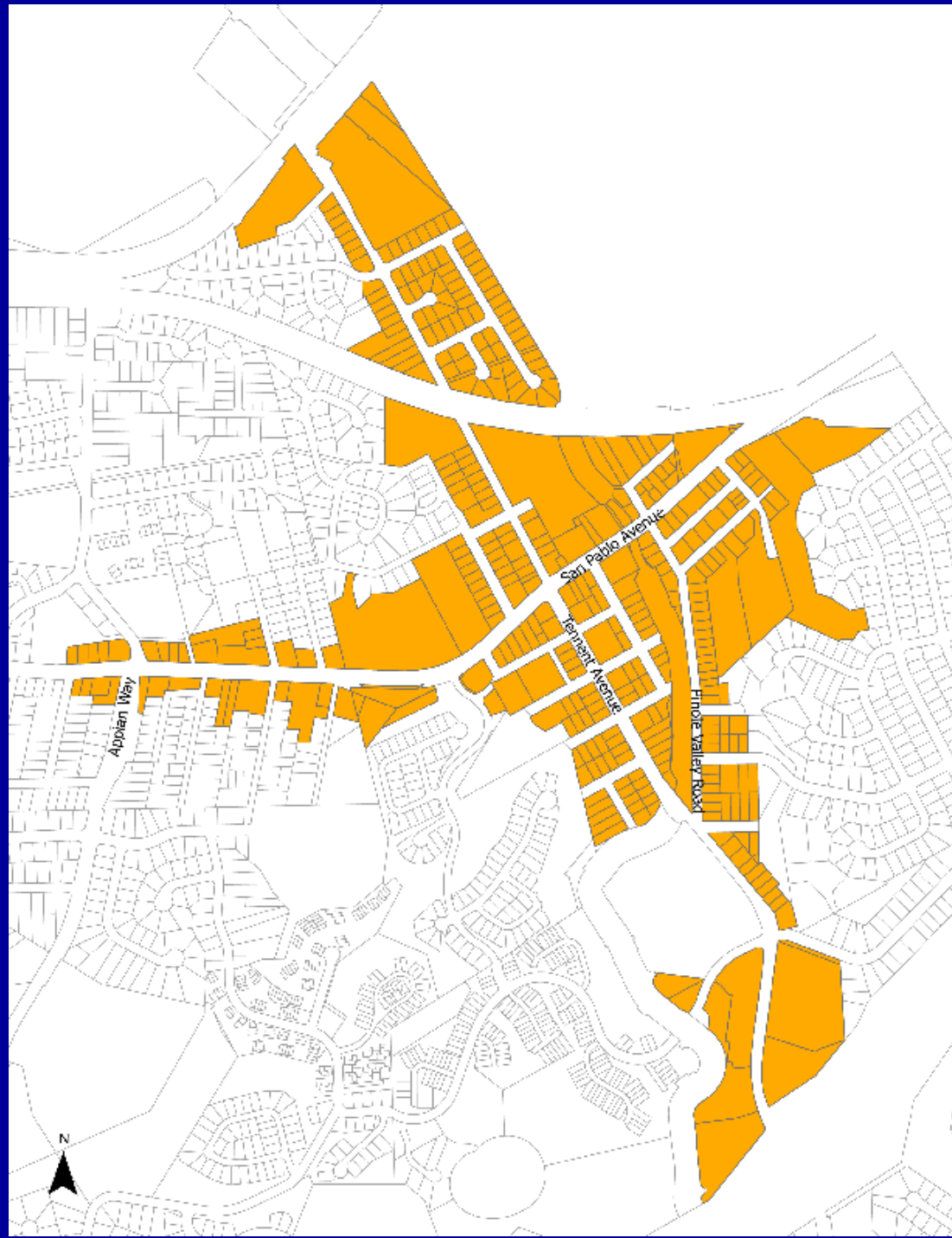
- Reviewing authority must make certain findings in order to approve a project. Findings include:
 - *CDR*: Project elements are “compatible with and complement the existing surrounding environment and ultimate character of the area”
 - *ADR*: Project has “Compatibility with the surrounding neighborhood”
- Compatibility with surrounding neighborhood is undefined and open to interpretation
 - Proposed Ordinance provides guidance on question of compatibility

Historic Preservation Overlay

- Proposed Ordinance creates a Historic Preservation Overlay (HPO) Zone
- An overlay is a type of supplemental zoning designation that establishes extra regulations
- An overlay does not change permitted uses

Proposed Ordinance

- STEP 1: Properties are designated for inclusion within the HPO Zone by the City Council.
 - Initial HPO Zone is Old Town Pinole
 - Properties can be added or removed in the future



Proposed Ordinance

- STEP 2: The Old Town Design Guidelines are applied through the otherwise applicable design review process.
 - No new permit or entitlement is required. Rather, the Design Guidelines will be considered when evaluating a permit or entitlement request from a property in the HPO Zone.

New Changes

- Elimination of Zoning Administrator's authority to determine whether a project was a cultural resource
- Elimination of section identifying potential incentives for historic preservation

Historic Preservation Overlay Design Guidelines

- Adopted in 1997 as “Old Town Design Guidelines”, but not applied in recent years
- Projects in HPO Zone are required to comply with guidelines.
- Contain a mix of mandatory requirements and recommendations

Design Guidelines

- Intended to ensure special attention and consideration to the historic character and uniqueness of Old Town, rather than strict compliance with specific detailed requirements
- A project need not satisfy every single element of in order to comply with guidelines overall
- Ability to impose subjective guidelines may be limited in some situations

Review Hierarchy

General Plan & Three Corridors Specific Plan



Zoning Code



Design Review Guidelines

- When an inconsistency exists, the higher document controls

Design Review

- Committee's specific changes recommended are incorporated in revised Design Guidelines
- Effort to ensure consistency with Specific Plan
- Tonight is opportunity for additional feedback
- Can be amended at any time by resolution of the City Council

Recommendation

Staff recommends that the City Council:

1. Introduce and waive the first reading of an ordinance adding Chapter 17.28, Historic Preservation Overlay, to the Municipal Code with any proposed changes
2. Provide feedback on Design Review Guidelines