



## **City of Glendale**

### **Report to the Historic Preservation Commission**

**September 15, 2022**

*Hearing Date*

**Recommendations for Streamlining the Historic District Designation Process**

*Subject*

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*CDD Staff Member*

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#### **Summary**

At the direction of City Council, Planning staff is providing a set of recommendations to streamline the City's existing historic district designation process with the goal of significantly reducing the amount of time between an initial application and City Council's ultimate vote regarding the establishment of a new district.

#### **Environmental Review**

The project is exempt from CEQA review as a Class 8, "Actions by Regulatory Agencies for Protection of the Environment," exemption pursuant to Section 15208 of the State CEQA Guidelines because it provides for the enhancement and protection of historic resources through the establishment of historic districts.

#### **Staff Recommendation**

Staff recommends that the Historic Preservation Commission review the proposed process revisions and recommend to City Council that they be approved and codified, along with any additional revisions recommended by the Commission.

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#### **Background**

In 2003, City Council established a process for identifying, designating, and regulating historic district overlay zones (Ordinance No. 5347). In 2004, significant changes were made to the entire Zoning Code (Glendale Municipal Code Title 30; Ordinance No. 5399), including moving most of the district-related code sections to Section 30.25 ("Historic Preservation Overlay Zone"), where they remain today. While individual

properties could be listed in the Glendale Register of Historic Resources since 1997, there had been no mechanism to identify and protect significant groupings of buildings, aka historic districts, prior to 2003/04. The impetus to establish districts came from the community; specifically, home owners in what was called the Cumberland Heights neighborhood who were concerned about how the area was changing and lobbied for a means maintain its character. Ultimately, a group of home owners submitted a historic district application under the new ordinance. Unfortunately, the initial district ordinances failed to provide clarity about the actual designation process and how the City would regulate changes to properties were the area to be designated. For example, proponents for each new district were required to prepare a set of design guidelines specific to their district. This would have likely led to different types of design review being conducted in different districts. This, and other factors, produced uncertainty about how districts would actually work, leading the City to recognize that significant changes were needed to establish a clear process that could be more broadly supported in the community.

The Cumberland Heights proponents withdrew their nomination pending a new district process. This came in 2006, when the City revised many of the earlier code sections, particularly Section 30.25, in order to address the earlier shortcomings. In addition, the City commissioned Architectural Resources Group to produce a set of historic district guidelines, which later won an award from the Los Angeles Conservancy. The guidelines were intended for use in all future districts, rather than the initial model of having different sets of guidelines for different districts. With significant community support, City Council approved the code revisions (Ordinance No. 5535) and the current framework for creating and regulating historic districts was established.

There are now nine designated districts in Glendale - Royal Boulevard (2008), Ard Eevin Highlands (2009), Cottage Grove (2009), Rossmoyne (2012), North Cumberland Heights (2012), Brockmont Park (2014), Niodrara Drive (2016), South Cumberland Heights (2022), and Casa Verdugo (2022). A tenth nomination, for the Bellehurst neighborhood, is in progress and the historic survey is underway. In addition, a nomination for a district encompassing a large portion of the Verdugo Woodlands neighborhood (Selvas de Verdugo) was recently submitted. Staff has also discussed a potential district south of the South Cumberland Heights Historic District with a proponent who has gathered support in the neighborhood and may submit a nomination at some time. Any streamlined process approved by Council will be implemented for the Selvas de Verdugo nomination and all those that follow.

While numerous revisions have been made to preservation-related sections of the Glendale Municipal Code (GMC) over the last ten years, the section that focuses on the actual process of designating districts (GMC 30.25.030) is the same today as what was approved in 2006 (see Exhibit 4). Based on the confusion and uncertainty generated during the City's first districting attempt, a very cautious approach was taken when this section was written, with the approved process involving extensive community outreach, multiple HPC hearings, and two proponent-circulated petitions. We now have over

fifteen years of experience with designating districts and much of the fear and uncertainty that accompanied the first designations has dissipated. Despite this, the time it takes to process district applications has increased over the years. This is largely due to staffing and workload issues, and the inherently time-consuming designation process that is unchanged since 2006. While recent additions to Community Development Department (CDD) staff will help address the first issue, City Council recognized that structural changes to the designation process itself should also take place. In 2021, Council directed staff to propose ways to streamline the existing process, which is discussed in the following set of recommendations. All HPC comments and recommendations will be included in the staff report that Council will tentatively consider in October or November. Based on Council's direction, staff will prepare revisions to GMC 30.25.030 for review by HPC and the Planning Commission (PC) prior to their consideration by City Council.

### **Proposed Changes to the Current Process**

The streamlining proposal presented below is not a radical re-envisioning of the current process. The goal is to maintain – and enhance – transparency and the level of public participation while also achieving time savings through the elimination or consolidation of several steps of the process (see Exhibits 1 and 2 for flowcharts depicting the current and proposed processes and Exhibit 3 for a comparison between the two). In addition, timelines for certain staff-level actions are proposed to help ensure efficient application processing. Finally, our experience with public meetings and processing district applications during the pandemic suggests concepts like hybrid public meetings and accepting electronic signatures on petitions can help further the City's streamlining goals.

This section follows the outline of the current process. Each item is briefly discussed in terms of current practice. Any streamlining recommendations are then discussed including, when applicable, an assessment of potential pros and cons. In a few cases, possible alternatives are suggested that PC, HPC, and/or Council may wish to consider.

- **Historic District Application**

#### ***Current Process***

The current application requirements expect proponents to provide sufficient information about the history, character, and boundary of the proposed district to help staff and HPC assess whether the proposal appears to meet the designation criteria and thresholds established in GMC Section 30.25. This section also requires that proponents must propose supplements to the Historic District Design Guidelines for any property types or styles that are not included in that document.

#### ***Streamlined Process: minor change proposed***

Proponents of all currently designated and nominated districts have ultimately been able to produce applications with sufficient information to allow the process to begin.

Staff recommends changing the current requirement regarding supplements to the design guidelines because expecting this from applicants is unrealistic and should instead be a task given to the consultant performing the district survey.

- **Staff Review and Recommendation**

***Current Process***

Staff review of district applications has two purposes: to make sure the application is complete and to assess the proposal against the City's designation requirements to make a preliminary recommendation to HPC regarding whether or not the area appears eligible for designation. We do not expect an application to tell the full story at this stage because if HPC ultimately moves it forward, the initial information will be reassessed and augmented by qualified historic resource consultants during the survey phase. However, staff may need to work with proponents to ensure an application is complete and/or provide assistance with issues such as boundary determination, assessment of properties' contributing status, and analysis of applicable designation criteria and thresholds. Typically, staff has held one or more meetings with proponents, either before or after an application is submitted, to work toward developing a complete application. These also serve to educate the proponents about the overall process and their role in moving it forward.

***Streamlined Process: no change proposed***

- **1<sup>st</sup> HPC Hearing: Preliminary Review**
- **1<sup>st</sup> Community Meeting: Review of Proposed District**

***Current Process***

After an application is determined complete, two distinct but related steps occur. First, HPC holds a hearing to review the nomination and determine whether the proposed district merits further review. This item is agendaized but not otherwise publicly noticed. If HPC votes to move the application forward, staff is directed to mail a notice of HPC's preliminary determination to all owners and occupants within the proposed boundary and a 500' radius. This notice also announces a community meeting at which staff provides information about the proposed district and answers questions from residents and owners. An affirmative HPC vote also authorizes district proponents to circulate a petition requesting that the City conduct a historic district survey.

***Streamlined Process: combine HPC hearing and community meeting***

Staff has found that attendance at community meetings over the years has been limited, with the majority of participants generally supporting the proposed district and many of those also attending the HPC meeting. In addition, those at this one-time community meeting speak only with staff members, who then convey what was

heard to HPC as part of the staff report. Overall, it appears that combining the meetings will enhance, rather than reduce, the opportunity for public participation and ensure a direct line of communication between the community and HPC.

The City's decision to retain the pandemic-driven use of remote connections to public meetings means that community members have the added avenue of participating by phone, as well as the traditional forms of in-person and written testimony. Additionally, videos of the meetings are quickly archived, allowing people who weren't able to participate "live" to still view the staff presentation, hear public testimony, and watch HPC's deliberation.

Within ten business days of the HPC determination, staff will mail a follow-up notice to all affected owners/occupants informing them of the decision and, if the process moves forward, that historic design guidelines for design review are in effect while the area is considered a "pending historic district." This step is not currently practiced and staff strongly recommends its inclusion to help ensure the broadest awareness about the pending district and how it affects property owners. This notice would also include information about how property owners could oppose establishment of a district.

### ***Pro***

- Mailed notice of district proposal to owners/occupants in boundary and within a 500' radius, along with notice of the HPC hearing.
- Links to information on website and staff contacts provide in mailing.
- Improved transparency – previously, no public notice/information prior to 1<sup>st</sup> HPC meeting.
- Potentially enhance participation through televised hearing, with written, in-person and phone testimony considered.
- Follow-up notice regarding HPC decision and pending district status mailed to owners/occupants.

### ***Con***

- Some could see loss of transparency / comment opportunities in reducing number of public meetings

- **1<sup>st</sup> Petition Circulation: Request for Historic District Survey**

### ***Current Process***

Two petitions are required under the current process. The first occurs at this step and asks that property owners sign a petition requesting that the City conduct a survey to identify whether the area meets the criteria and thresholds for designation. District proponents circulate the petition, typically door-to-door, and provide information and answer questions for their neighbors. The owners of 25%+ of the

area's properties must sign in order for the nomination to move forward. Proponents have 90 days from the date of the HPC hearing to submit the petition, with a potential of a 90-day extension being granted if necessary.

***Streamlined Process: eliminate the 1<sup>st</sup> petition (with a caveat)***

Given the confusion in the early days of districting in Glendale, the 1<sup>st</sup> petition was probably important to give the City some assurance that investing in a district survey was warranted. Today, however, it is more of a *pro forma* requirement and adds an unnecessary step to the districting process. The proponents for all districts to date have easily met this requirement. Eliminating the petition will directly reduce the process timeline by several months. It will also allow staff to move directly from the HPC hearing to the Request for Proposal (RFP) step, which itself will have new timeline requirements as discussed below.

Staff does recommend that HPC be given the option of requiring the initial petition. Opposition to new districts by some property owners is inevitable and has been raised for each of the city's districts. In each case, this opposition was limited and far outweighed by the district supporters. However, this may not always be the case. Staff therefore recommends that HPC be given the power to require an initial petition if a majority of the commission believes that significant opposition was raised at the first HPC hearing at a level that warrants determining if there is sufficient "buy-in" from the community before moving the process forward.

***Pro***

- The public notice for the HPC meeting will allow for similar public outreach by providing links to information about the proposed district and the designation process.
- Petition feels unnecessary at this point - all districts have easily met requirement.
- Delivery of consistent information to owners/residents by City rather than by various proponents.

***Con***

- Loss of grassroots, neighbor-to-neighbor interactions to spread the word and gather petition signatures early in the process, though proponents may find more informal ways to accomplish early outreach.

• **Request for Proposals (RFP) and Bidder Recommendation**

***Current Process***

Once the completed petition is submitted, staff reviews and counts all signatures and, if the 25%+ baseline threshold is met, begins preparation of an RFP. This document is a mix of boilerplate and language specific to the proposed district that, after review by the City Attorney, is sent to the City's list of qualified historic preservation consultants. It requests bids that describe the firm's understanding of

the proposed survey, along with a scope of work, project timeline, and budget proposal. A small group of Planning staff reviews all bid documents received by the deadline and ranks the proposals, leading to the determination of a preferred bidder. There is currently no timeline requirement for staff's issuance of RFPs or the selection of bidders.

***Streamlined Process: maintain basic process and establish staff timelines***

No change is proposed for the basic RFP process. However, staff recognizes the opportunity to shorten the timeframe for this step and recommends two changes: working toward a 60-day timeline for issuance of an RFP after the 1<sup>st</sup> HPC hearing while also taking into account the timelines of other agencies involved in the review process, and a 45-day timeline for selection of the preferred bidder from the due date of the bids.

***Pro***

- Establishes timelines for RFP issuance and bidder selection.

***Con***

None.

***Alternatives***

If an application is received requesting the expansion of an existing historic district, all of the streamlined designation steps, as ultimately approved by Council, would apply. However, the process of developing an amended district survey could potentially be shortened by retaining the same firm to survey the new area that prepared the original document. Staff recommends that HPC provide direction to explore potential issues with the City Attorney and include this information in the report to City Council.

- **City Council Funding Authorization for District Survey**

***Current Process***

The need to retain consultants for historic district surveys fluctuates from year to year. Where one, or even two, surveys may begin within one calendar year, in others there are none. For this reason, surveys are not included as line items in the Community Development Department's annual budget. They therefore need to be paid for through the City's General Fund, which requires authorization from City Council. This is generally a straightforward, though unavoidable, process.

***Streamlined Process: no change proposed***

- **Historic District Survey**

***Current Process***

Once the survey consultant is selected, staff needs to write the contract and obtain necessary approvals. The contract is largely boilerplate that needs to be carefully reviewed and edited to include all specifics of the proposed survey. CDD staff time for this process is relatively minimal but the contract also needs to be reviewed by the City Attorney and Finance before it can be signed by the City Manager. These latter steps lead to some uncertainty in the overall timeframe for this step. Once the contract is signed by all parties, however, the consultant is expected to perform all work within the timeline specified in the contract.

***Streamlined Process: maintain basic process and establish staff timeline***

No change is proposed for the basic process. However, staff recognizes the opportunity to shorten the timeframe for writing the contract and recommends that a 45-day timeline be established between the date of City Council's authorization of funding and placing the contract in the queue for City Attorney, and then Finance, review.

- **2<sup>nd</sup> Community Meeting: Review of Draft Survey**
- **2<sup>nd</sup> HPC Hearing: Review of Draft Survey and Petition Authorization**

***Current Process***

The second community meeting and second HPC meeting are typically held in close succession and are noticed in the same mailing. The community meeting allows staff and the consultant to share the survey results with homeowners in the proposed district, from the larger narrative history of an area's development to the finely-grained detail of the survey forms prepared for each property. The meeting also gives attendees the chance to ask questions and let the survey team know if there are any inaccuracies in the survey form. The same things are done at the HPC meeting, often with many of the same community members in attendance. HPC's role is to provide comments and corrections regarding the draft survey that, along with relevant corrections proposed by community members, are incorporated into a final draft of the survey. If HPC finds the draft survey adequate, it also authorizes the proponents to circulate a petition requesting that the city designate the proposed historic district.

***Streamlined Process: combine HPC hearing and community meeting***

As with the first community meeting and HPC hearing, the material presented by staff and the consultant at the second meeting are largely identical. Attendance at the community meeting is generally quite limited and skews heavily toward the district proponents and those in support. Staff believes that combining the two meetings will be a more efficient use of time, as well as providing greater

transparency and participation due to the pandemic driven changes to the public hearing process in general.

Staff also recommends that this be the final HPC meeting in the designation process unless the historic district survey requires significant revision, which has never been the case to date. If there are only minor corrections, as is typical, and HPC is comfortable with these being made by staff and the consultant, HPC could decide on a recommendation to Council at this time, along with authorizing proponents to circulate the petition requesting designation. This would eliminate the third HPC meeting, as discussed further below, unless HPC determines that a third meeting is necessary to review a substantially-changed document.

***Pro***

- Mailed notice of district proposal to owners/occupants in boundary.
- Links to information on website and staff contacts provide in mailing.
- Improved transparency – draft survey and property survey forms are posted online and the hearing is televised, with written, in-person and phone testimony considered.
- Potentially enhance participation.

***Con***

- Some could see loss of transparency / comment opportunities in reducing number of public meetings.

• **2<sup>nd</sup> Petition Circulation: Request Designation of Historic District**

***Current Process***

Proponents distribute the second petition to property owners within the district boundary. This petition specifically requests that City Council vote to enact the historic district zone change and designate the proposed district. The owners of 50%+ of the area's properties must sign in order for the nomination to move forward. Proponents have 180 days from the date of the HPC hearing to submit the petition, with a potential of a 180-day extension being granted if necessary.

***Streamlined Process: no change proposed***

Staff believes that signature gathering by district proponents will remain the best way to reach the greatest number of owners and residents. In the past, dedicated neighborhood volunteers have carefully mapped their outreach efforts, enabling them to return multiple times to properties they hadn't heard from after their initial contact attempt. In addition, if Council decides to eliminate the first petition that is required under the current system, the neighbor-to-neighbor contact required for the petition process may humanize the proponents' effort. The most important aspect of this step is that it ultimately gives City Council an objective look at the level of support for the district to inform its decision regarding designation.

**Pro**

- Provides Council with objective view of the level of support in the proposed district.
- Direct contact between proponents and neighbors may humanize the districting effort.

**Con**

- Can be time consuming, but most petitions have been submitted well within the six-month deadline.

- **3<sup>rd</sup> HPC Hearing: Review of Petition and Final Survey, and Recommendation to Council**

**Current Process**

At the final HPC hearing, staff presents the Commission with the number of properties for which owners signed the petition and what percentage of the district this represents. In all cases to date the 50%+ threshold was exceeded, with the nine designated districts receiving an average support rate of 73%. Staff also updates HPC on any revisions made to the draft survey that allow it to become the final version. The Commission then votes on whether or not it recommends that City Council approve the historic district overlay zone.

**Streamlined Process: eliminate the 3<sup>rd</sup> HPC hearing unless HPC previously voted to review final draft of the survey**

The third HPC meeting has felt rather unnecessary over the years. If the required percentage of support is met and any revisions are made to the draft survey, HPC really has no option but to move the proposal forward to the Planning Commission and City Council. As discussed above, HPC may be able to issue its recommendation to Council at its second meeting and indicate what revisions need to be made to the survey report based on public testimony and its own review of the draft document. HPC has no role in reviewing petition signatures, which is done by staff. The final percentage of support will ultimately be conveyed to City Council, which, as the ultimate decision maker in the process, is really the body to which the numbers are most important. Similar to staff's recommendation regarding the first petition, we recommend a provision be made for HPC to require a third hearing if, at the time of the second hearing, substantial changes are required before the draft survey can be finalized. In such a case, HPC would direct staff to schedule the third hearing after proponents submit a petition that meets or exceeds the required threshold of support.

**Pro**

- Eliminating the third HPC meeting would offer some overall time savings.
- The provision for HPC to require the meeting under certain circumstances would improve transparency in the case of proposals that do not move forward as smoothly as is the case for the existing districts.

**Con**

- Some could see loss of transparency / comment opportunities in reducing number of public meetings.

- **Planning Commission Review of Zone Change and Recommendation to Council**

**Current Process**

The Planning Commission must review all zone change applications, including those for historic district overlay zones, and vote on whether or not to recommend the zone change to City Council. The Commission is informed about the findings of the historic district survey and HPC’s recommendation to help inform its deliberation. The PC’s recommendation is included, along with that of HPC, in the staff report to Council for its final deliberation about a district designation and zone change.

**Streamlined Process: no change is proposed.**

- **City Council Final Determination**

**Current Process**

This is ultimately the most important step in the process but it is also one of the most straightforward. Staff provides Council with an overview of both the final survey and how the various designation criteria and thresholds have been met, along with the recommendations of HPC and the Planning Commission. Because a zone change is required to establish a historic district, a 4/5 majority Council vote is needed to approve the designation of a new historic district.

**Streamlined Process: no change proposed.**

**Exhibits**

- Exhibit 1: Proposed Streamlined Designation Process Flowchart
- Exhibit 2: Current Designation Process Flowchart
- Exhibit 3: Comparison between Existing and Proposed Processes
- Exhibit 4: GMC 30.25.030 (“Procedure for Historic District Overlay Zone Designation”)