



## City of Laguna Beach

Community Development  
Department

### INFORMATION GUIDE FOR:

# CHANGES TO A HISTORIC RESOURCE

#### **What is a Historic Resource?**

---

In the City of Laguna Beach, a Historical Resource is a structure that is listed on the City's Historic Register or Historic Resources Inventory. In addition, a structure is a Historic Resource, if the resource is listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources.

#### **What is Substantial Adverse Change to a Historical Resource?**

---

A proposed demolition, destruction, relocation or alteration that materially impairs the character-defining features of the historic resource would be considered a substantial adverse change to a Historical Resource. While demolition and destruction is an obvious significant substantial impact, it is more difficult to assess when a proposed change or alteration crosses the threshold of substantial adverse change. The California Environmental Quality Act (CEQA) Guidelines provide that a project that alters those physical characteristics of a historical resource that convey its historical significance (i.e., its character-defining features) can be considered to materially impair the resource's significance. In this context, the City will likely require the preparation of a Historic Resources Assessment Report prepared by a qualified historic preservation consultant to help determine if there is a substantial adverse change.

#### **How Can a Substantial Adverse Change be Avoided or Mitigated?**

---

A project that has been determined to conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties can generally be considered to be a project that will not cause a significant impact. In fact, in most cases if a project meets the Secretary of Interior's Standards for the Treatment of Historic Properties it can be considered categorically exempt from CEQA (<http://www.nps.gov/history/hps/tps/standguide>).

Mitigation of significant impacts must lessen or eliminate the physical impact that the project will have on the historic resource. This is often accomplished through the redesign of a project to eliminate objectionable or damaging aspects of the project (e.g., retaining rather than removing a character-defining feature or reducing the size or massing of a proposed addition.)

Relocation of a historic resource may constitute an adverse impact to the resource. However, in situations where relocation is the only feasible alternative to demolition, relocation may mitigate below a level of significance provided that the new location is compatible with the original character.

In most cases the use of drawings, photographs and/or displays does not mitigate the physical impacts on the environment caused by demolition or destruction of a historical resource. However, CEQA requires that all feasible mitigation be undertaken even if it does not mitigate below a level of significance. In this context, recordation serves a legitimate archival purpose. The level of documentation required as mitigation should be proportionate with the level of significance of the resource.

The City will likely require the preparation of a Historic Resources Assessment Report prepared by a qualified historic preservation consultant to help determine if a project conforms to the Secretary of the Interior's Standards for

### **Proposed Changes to a Historical Resource and CEQA Review**

The California Environmental Quality Act (CEQA) and the associated State CEQA Guidelines developed by the California Office of Planning and Research and adopted by the Secretary of Resources require that a proposed development project, which proposes a substantial adverse change to a historic resource be avoided or adequately mitigated to qualify for a CEQA exemption or mitigated negative declaration (Section 15064.5 of the State CEQA Guidelines). A Historic Resources Assessment Report prepared by a qualified historic preservation consultant may be required to document and support a CEQA exemption. A CEQA Initial Study is required to be prepared to document and support a proposed mitigated negative declaration and a Historic Resources Assessment Report will also likely be required to be prepared. If the proposed project cannot be mitigated to below a level of significance, an Environmental Impact Report must be prepared and processed according to the City and State CEQA Guidelines prior to project review and consideration.

### **Review Process for Proposed Changes to or Demolition of a Historical Resource**

Municipal Code Sections 25.45.008 and 25.45.010 specify the process for making changes to or demolition of a Historic Resource. The City Heritage Committee and the Design Review authority must review the proposed changes and find the proposal consistent with the rehabilitation guidelines specified in Subsection 25.45.008(B) for proposed changes and/or the waiting period requirements and findings specified in Subsection 25.45.010(D) & (E) for a proposed demolition.

**For more information contact:**  
**Department of Community Development**  
**505 Forest Avenue**  
**Laguna Beach, California 92651**  
**Heritage Committee Staff Liaison**  
**Martina Speare (Senior Planner)**  
**(949) 464-6629**  
[mspeare@lagunabeachcity.net](mailto:mspeare@lagunabeachcity.net)

## LAGUNA BEACH HISTORIC PRESERVATION BACKGROUND

“Since the 1920’s and the real flowering of Laguna Beach, there has always been a strong recognition of Laguna Beach as a village scale community in a unique setting complemented by human scale housing. Since the 20’s citizens and local government have tried earnestly to preserve the village scale and quality of Laguna, . . .” (Citation: *Laguna Beach Historic Survey Final Report*. Prepared by the Environmental Coalition of Orange County, Inc., 1981.)

During the period from July 15, 1980 to July 15, 1981 a historic survey was performed by Heritage Orange County, Inc., with the assistance of a City Council-appointed Historic Survey Advisory Board. This survey identified a total of 852 pre-1940 homes and structures within the City. The survey rated homes and structures into three categories. The Historic Resources Inventory served as a source of documented information about the City’s historic resources from which the Historic Resources Element of the Laguna Beach General Plan was prepared and adopted by City Council on October 6, 1981 (Resolution 81.115). The number one implementation goal of the Historic Resource Element was to develop and adopt a Historic Preservation Ordinance in order to preserve and protect the cultural heritage of Laguna Beach.

On December 21, 1982, the City Council adopted Resolution 82.111, which formally recognized the 1981 Historic Resources Inventory “as a listing of the best representative examples of historically significant architecture within the City of Laguna Beach.” The Inventory found that about 25% of the structures dated from prior to 1940 still retained their original architectural integrity, but that the majority of the structures had a difference between the size and architectural quality of the original buildings. Due to the changes over time the team responsible for the survey instituted a classification system. *Exceptional* (E-rated) buildings were those with outstanding historic architectural integrity and were excellent architectural examples. *Key* (K-rated) buildings had very good historical architectural integrity and were fine period examples. *Contributive* (C-rated) buildings were those that contributed to the overall character and history of a neighborhood but may “not be unique in and of themselves.”

On August 15, 1989, the City Council adopted the Historic Preservation Ordinance (Ordinance 1179 – Municipal Code Chapter 25.45). This Ordinance established a “voluntary” Historic Register, which was available to owners of historic structures identified on the Historic Resources Inventory, and now also includes historic structures listed in the South Laguna Specific Plan. The Ordinance recognizes the Historic Resources Inventory and its classification system. The Ordinance provides incentives to owners of structures on the Historic Register to maintain, preserve and improve their historic properties. This Ordinance requires Design Review Board approval for proposed construction, exterior alteration, enlargement or demolition of a building or structure listed on the City’s Historic Register. The Ordinance also establishes the Heritage Committee in an advisory role on matters pertaining to historic preservation as specified in the Ordinance.

When a proposed project might adversely affect a historical resource, the California Environmental Quality Act (CEQA) requires the City carefully consider the possible impacts before proceeding (Public Resources Code Sections 21084 and 21084.1). Revisions to CEQA made in 1992, particularly Chapter 1075 of the Statutes of 1992, highlight the importance of evaluating possible impacts upon historic resources.

CEQA applies to discretionary projects and equates a substantial adverse change in the significance of a historical resource with a significant effect on the environment (Section 21084.1). "Substantial adverse change" is defined as demolition, destruction, relocation or alteration activities that would impair historical significance (Section 5020.1).

This effectively requires preparation of a mitigated Negative Declaration or an Environmental Impact Report (EIR) whenever a project may adversely impact historical resources. Current CEQA law provides that an EIR must be prepared whenever it can be fairly argued, on the basis of substantial evidence in the administrative record, that a project may have a significant effect on a historical resource (*Guidelines* Section 15064). A mitigated Negative Declaration may be used where all potentially significant effects can be mitigated to a level of insignificance (Section 21080). For example, a mitigated Negative Declaration may be adopted for a project that meets the Secretary of Interior's Standards for Rehabilitation and local historic preservation regulations, and so will not adversely affect the resource.

This presents the City with two key questions which it must address in sequence. First, does a significant historical resource exist? Absent a historical resource, the agency may proceed as usual and, depending upon the circumstances, may be able to apply a CEQA exemption to the project. Second, where a significant historical resource does exist, will the proposed project result in a substantial adverse change such that the qualities that make the resource significant are impaired or lost? This question is usually answered through preparation of an initial study for the project.

The Mills Act was adopted in 1976 by the State Legislature to establish an alternative method for determining assessment values for historic properties. The Act authorizes cities to enter into 10-year contracts (minimum) with owners of qualified historic structures that agree to comply with certain preservation restrictions and receive property tax reductions. The property owner may then use the money made available from a reduced tax bill to maintain and/or rehabilitate the historic structures.

In September 1993, the City Council approved the use of the Mills Act as an incentive for the preservation of historic structures (E-rated structures). In 2006, the City amended Mills Act eligibility to include "K"-rated structures. Periodic inspections of the properties are made by staff to ensure contract compliance.

On November 21, 1995, the City Council amended the Historic Preservation Ordinance (Ordinance 1309) to revise the parking incentives for Historic Register listed buildings.

On January 10, 2006, the City Council amended the Historic Preservation Ordinance (Ordinance 1458) and amended/updated the City's Historic Resources Element of the General Plan (Resolution 06.006). The amended Ordinance requires Design Review Board approval for proposed demolition of a building or structure listed on the City's Historic Resources Inventory.

Over the years the above listed documents satisfied the basic need to guide historic resource development and preservation in the City. Today, however, the Historic Resource Inventory is outdated and must be updated for compliance with CEQA and consistency with the Secretary of Interior's Standards for the Treatment of Historic Properties and the California Office of Historic Preservation's (OHP's) Instructions for Recording Historical Resources.

# Additions to Historic Properties: Design Considerations Cheat Sheet

By Jan Ostashay, Historic Preservation Consultant

---

## Introduction

The U.S. Secretary of the Interior publishes a set of standards for the rehabilitation of historic properties (buildings, structures, objects, sites, and districts) that forms the basis for many local preservation programs. The City of Beverly Hills has utilizes *The Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings* (herein referred to as the SOI Standards) as a basis for its design considerations when dealing with historic properties (see Attachment A).

New additions are appropriate as long as they do not destroy historic features, materials, and spatial relationships that are significant to the original building and site. Consistent with the SOI Standards, new additions should be differentiated from the original building and constructed so that they can be removed in the future without damage to the original building.

## Considerations

New additions should never compromise the integrity of the original building or site either directly through destruction of historic features and materials or indirectly through their location, size, height, mass, and scale. The impact of an addition on the original building can be significantly diminished by locating it on the least character-defining elevation (which is usually the rear) and by keeping it deferential in volume and/or mass. The new addition should never overpower the original building through height or size. The form, design, relationship of openings, scale, and selection of materials, details, colors, and features of proposed new additions should be reviewed in terms of compatibility with the original building.

Although designed to be compatible with the original building, an addition should be discernible from it. It may be differentiated from the original building through a break in roofline, cornice height, wall plane, materials, siding profile, window type, or the use of trim boards just to name a few examples.

The impact of an addition on the building site must also be considered. The addition should be designed and located so that significant site features, including a detached garage, other important accessory structures, or mature trees and landscaping are not lost. The size of the addition should not overpower the site or dramatically alter its historic character.

## Rehabilitation Design Principles:

Based off the recommended treatment approaches outlined in the SOI Standards, the following is a list of preferred rehabilitation design principles that form the foundation for design review when considering the appropriateness of additions and other modifications to historic properties.

- Construct new additions so that there is least possible loss of historic fabric and so that the character-defining features of the historic building are not destroyed, damaged, or obscured.
- Design new additions so that the overall character of the site, site topography, character-defining site features, and notable landscaping features, as well as any significant vistas and views within area (if property is located within a potential historic district) are retained.
- Locate a new addition on an inconspicuous elevation of the historic building, usually at the rear.
- Limit the size and scale of an addition in relationship to the historic building so that it does not diminish or visually overpower the original building.
- Design an addition to be compatible with the historic building in mass, materials, color, and relationship of solids to voids in the exterior walls, yet make the addition discernible from the original.
- It is not appropriate to construct an addition if it will detract from the overall historic character of the main building and the site, or if it will require the removal of a significant building element or site feature.
- It is not appropriate to construct an addition that significantly changes the proportion of the built mass to open space on the individual site.
- If an addition must be taller than the original building, set it back substantially from primary character-defining features and connect it with a smaller linking element. This will help to maintain the perceived scale and proportion of the historic portion.
- Windows in an addition that are visible from the public right-of-way should be compatible with those of the historic building. Consider window to wall ratio as well as design, type, and materials of new windows for compatibility purposes.
- Protect large trees and other significant site features from immediate damage during construction and from delayed damage due to construction activities, such as loss of root area, lack of water, or compaction of the soil by equipment. It is especially critical to avoid compaction of the soil within the drip line of trees.

## Conclusion

The goal of any rehabilitation project is to respectfully add to or alter a historic property in order to maintain its historic character and continue its original use or meet new use requirements. Under the SOI Standards some exterior alterations to a historic property are generally needed to assure its continued use. However, it is most important that such alterations do not radically change, obscure, or

destroy important character-defining materials, features, or finishes that identify and define the historic property. Such impacts may be considered direct (physical) and/or indirect (visual or audible).

If the proposed work preserves the important historic materials and character-defining features that identify it as a historic property, preserves its overall historic character, and also protects the property's historical significance by making a visual, yet compatible distinction between the old and the new work then the proposed "rehabilitation" work is considered acceptable and may be approved.

## ATTACHMENT A:

### SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

The ten standards for rehabilitation are as follows:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive material or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive historic feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.