



Meeting Date: 9 / 18 / 07

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Other -Study Session

Prepared By: Nicole Doner, Associate Planner

Agenda Item No. R-3

Reviewed By: City Manager *[Signature]*

City Attorney *[Signature]*

Finance *[Signature]*

Other (Specify)

DATE: September 18, 2007

TO: City Council

FROM: Matthew Winegar, AICP, Director
Development Services Department *[Signature]*

SUBJECT: Cultural Heritage Board Options

RECOMMENDATION

That City Council provide comments and direction to the Planning Division Manager on preferred approaches for the preservation and protection of the City's historic and cultural resources.

DISCUSSION

Background

On July 11, 2006, the City Council conducted a study session outlining the current role of the Ventura County Cultural Heritage Board, and authorizing the Mills Act program for historical property agreements. City staff were directed to return with approaches to establishing our own cultural heritage review process.

Current Status

Since April 1991, the City Council authorized (by Resolution 10,135) Ventura County Cultural Heritage Board (County CHB) to implement the City's cultural heritage program and continues this service at no cost to the City. The County CHB is a Certified Local Government (CLG) that evaluates and recommends to City Council, the declaration or rescission of landmarks, and proposed Mills Act contracts; reviews project applications; issues certificates of appropriateness; and conducts historical surveys. The City refers approximately 200 building permit requests per year within the Henry T. Oxnard Historic District and downtown survey areas to the County CHB for review and approval.

Options for a City Cultural Heritage Program

Staff has identified three options available to implement the City's historic and cultural resources program:

1. Designate a new Citizen Advisory Group (CAG);

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2. Designate the Downtown Design Review Committee (DDRC) to act as the CHB; OR
3. Continue with the County CHB.

Under the first option, the benefits of designating a new CAG would provide the City with a certain amount of autonomy to tailor their program to specific community needs and to allow the City to proactively integrate historic preservation concerns into the City's planning process.

Under the second option, the benefit of designating the DDRC as the CHB would allow streamlined design review functions for the combined Henry T. Oxnard Historic area and the downtown utilizing an existing process for both applicants and staff. The DDRC consists of five members, with at least one licensed architect, one owning a business or real property in the CBD zone, and three that are city residents. The downside to designating the DDRC is that current members may not meet the Certified Local Government discipline requirements, or may not have historic preservation experience, although existing members could receive training and education, if they wish to continue with the Committee.

Another factor to consider is the City's ability to earn Certified Local Government (CLG) status from the State, which the County currently holds. As a CLG, the County is offered technical assistance from the State; given criteria and standards that make environmental review faster and that provide program credibility; and presented grant funding opportunities. The CLG's responsibilities are to enforce State and local laws for protection of historic property; establish a historic preservation commission by a local ordinance; maintain a system for surveying historic property; provide public participation and perform other duties as delegated by the State Office of Historic Preservation. To meet the CLG requirements, the State establishes membership criteria for the preservation commission, including a minimum number and their discipline types to protect and designate historic properties. The City may need to recruit and retain qualified and interested members with historic preservation experience and/or education in order to receive CLG status from the State.

Establishment of either City cultural heritage program approach (new CAG or existing DDRC) will ultimately enhance public understanding and potential participation in the review process. A City CHB would require a full-time staff planner and administrative and GIS support to administer the program. Historic preservation training would be required for staff and CHB members. The planner position would be responsible for "over the counter" projects; processing minor applications; conducting research, writing staff reports; and forwarding CHB recommendations to Planning Commission and City Council. Estimated annual costs for either City CHB approach are: Associate Planner at a fully burdened cost of \$120,000; administrative support, \$2,000; training and supplies, \$7,000; GIS support, \$2,000; and public noticing of meetings, \$1,500; for a total annual cost of \$132,000, however, City costs could be entirely recovered by new Cultural Heritage permit fees.

Under the third option, the benefits of continuing with the County CHB are that they have served the City well at no charge, are a CLG, and have consultants available to assist in the decision making process. Additionally, the County CHB's current membership consists of long-time Oxnard residents with many years of historic preservation experience as outlined in Attachment 1 (May 23, 2007 letter from Oxnard CHB).

In accordance with the California Environmental Quality Act (CEQA) Guidelines, the establishment of a City administered Cultural Heritage Program is a discretionary action defined as a CEQA project. This action falls under a Class 8 CEQA exemption, "Actions taken by regulatory agency, as authorized by state or local ordinance to assure the maintenance, restoration, enhancement or protection of the environment."

FINANCIAL IMPACT

The total financial impact varies depending upon the direction given by Council.

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Attachment #1 - May 23, 2007 letter from the Oxnard Cultural Heritage Board

Oxnard Cultural Heritage Board

May 23, 2007

The Honorable Tom Holden
Mayor of the City of Oxnard
City Hall
305 West Third Street
Oxnard, CA. 93030

Dear Mayor Holden:

At its meeting of Monday, April 23, 2007, the Oxnard Cultural Heritage Board discussed the City's apparent intention to create its own Cultural Heritage Board rather than utilizing the services of the Ventura County Cultural Heritage Board as it has done for the last 29 years. The Board understands the desire for local control, and has been concerned with the quality of landmark and historic survey site stewardship by local cities that have gone to Planning Commission control. In most cases it has not worked in the best interest of their respective historic resources. Ventura has done an excellent job with its separate Historic Preservation Committee and is good example. We believe strongly that we have served the City well with our cumulative years of Board experience and broad range of historic resource types that we oversee on a Countywide level.

The Board would like to indicate that currently the Chair, Mr. Gary Blum and Miguel Fernandez are longtime Oxnard residents, as is its staff. Also, Ms. Dorothy Ramirez, a native of Oxnard, served on the Board for 38 years and now serves in an advisory capacity. There were few people who have greater knowledge of the City's history. Also, Adele Walsh, member for ten years until recently, was a native of Oxnard and had intimate knowledge of many of Oxnard's historical events and pioneers.

The County Board is a Certified Local Government for the purposes of historical preservation, approved by the California Office of Historic Preservation and the Secretary of the Interior. This means the members must meet certain educational requirements, (Exhibit attached) must take annual training and file an annual report to maintain certification. The County Planning Department includes funding for the cost of training its Board members. In addition the Board has pro bono consultants that assist during meetings in making decisions. Judy Triem, author of all the historical surveys done in this County serves in this capacity, as well as a number of architects and an archaeological firm.

The original Historical Survey of Oxnard which provided most of the information residents used to prepare the National Register Henry T. Oxnard District nomination was done by Ms. Triem and the Board for the City in 1980. It, along with Santa Paula's was the first such Survey done in the County. Ms. Triem and her partner, Mr. Mitch Stone, also recently completed the City's downtown survey.

In the last 29 years of serving Oxnard the Board members have considered a great variety of projects, gaining unsurpassed knowledge. The Board stewards over 300 landmarks and over 1500 surveyed properties. Also, the Board members have offered their time and expertise selflessly to the City for all these years. The Cultural Heritage Board wants to express its willingness to continue its role in assisting the Oxnard owners of historic landmarks, the City of Oxnard Planning Department and the Oxnard City Council in the preservation of Oxnard's historic resources.

The City has not approached the Board regarding its concerns. The Board would like to invite a discussion so it can address the City's issues.

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ATTACHMENT 4
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Oxnard Cultural Heritage Board

Board Member Expertise

Don Shorts- Historian

Miguel Fernandez- Architect

John Kulwicz- Architect

Pat Havens- Historian

Eric Daily- Layman

Gary Blum- Self Employed Finish Carpenter

Ricki Mikkelsen- Attorney

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ATTACHMENT 1
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