

## **CHAPTER 30.25 – HISTORIC DISTRICT OVERLAY ZONE (HD)**

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### **30.25.010 – Purpose**

The city recognizes that the historic and architectural resources of the city are among its most important assets. It is the purpose of this chapter:

- A. To protect the beauty of the city and improve the quality of its environment through identification, recognition, conservation, maintenance and enhancement of its historic and architectural resources within neighborhoods;
- B. To protect designated areas having historic and architectural significance against intrusion of alterations, additions, new structures and other designs that fail to protect such significance;
- C. To ensure harmonious, orderly and efficient growth and development of the city;
- D. To stabilize and improve property values in such districts thus strengthening the local economy;
- E. To foster civic pride; and
- F. By furthering such purposes, to promote the public welfare, to strengthen the cultural and educational life of the city and to make the city a more attractive and desirable place in which to live and work.

### **30.25.020 – Historic District Overlay Zone Designation Criteria**

A historic district is a geographically definable area possessing a concentration, linkage or continuity, constituting more than sixty (60) percent of the total, of historic or scenic properties, or thematically-related grouping of properties. Properties must contribute to each other and be unified aesthetically by plan or historical physical development. A geographic area may be designated as a historic district overlay zone by the city council upon the recommendation of the historic preservation commission and planning commission if the district:

- A. Exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history;
- B. Is identified with persons or events significant in local, state, or national history;
- C. Embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship;
- D. Represents the work of notable builders, designers, or architects;

- E. Has a unique location or is a view or vista representing an established and familiar visual feature of a neighborhood community or of the city;
- F. Embodies a collection of elements of architectural design, detail, materials or craftsmanship that represent a significant structural or architectural achievement or innovation;
- G. Reflects significant geographical patterns, including those associated with different eras of settlement and growth, transportation modes, or distinctive examples of park or community planning;
- H. Conveys a sense of historic and architectural cohesiveness through its design, setting, materials, workmanship or association; or
- I. Has been designated a historic district in the National Register of Historic Places or the California Register of Historical Resources.

### **30.25.030 – Procedure for Historic District Overlay Zone Designation**

The following shall be the procedures for establishing and modifying Historic District Overlay zones.

- A. Requests for the establishment or modification of Historic District Overlay zones may originate with any property owner within the proposed district and presented to the Director of Community Development for consideration. Requests shall be accompanied by a draft historic district study area boundary, historical context, a statement describing why the proposed historic district meets the criteria for designation under Section 30.25.020, and any proposed supplements to the citywide Historic District Design Guidelines. For study areas containing non-residential buildings, the request shall contain draft historic district design guidelines for those buildings. The draft historic district design guidelines for non-residential buildings shall identify the standards which will be applied to design review within the district, differentiating review standards for properties and features within the district that contribute to the historical significance of the area and those that do not, as well as for standards for in-fill development.
- B. The Director of Community Development shall forward the request to the Historic Preservation Commission to conduct a preliminary consideration of the request to determine eligibility under the criteria set forth in Section 30.25.020 of this Chapter. The Director of Community Development may conduct meetings with residents of the community, seek advice of preservation professionals and historians and conduct or receive any preliminary research or studies to assist the Historic Preservation Commission with its decision.
- C. If the Historic Preservation Commission preliminarily determines that the study area is eligible to become a Historic District Overlay Zone, it shall authorize the project proponent(s) to circulate a Petition Requesting a Historic Resources Survey to affected property owners, asking the City Council to authorize preparation of a historic resources survey. The determination of the Historic Preservation Commission may be appealed to the City Council, following the Uniform Appeals Procedures of the Glendale Municipal Code.
- D. If the Historic Preservation Commission, or the City Council on appeal, determines that the study area is eligible to become a Historic District Overlay Zone, the Director of Community Development shall send notice of such preliminary determination to every property owner, and every household that is not owner occupied according to the County Assessor's office, in the study area, and to every property owner within 300 feet of the preliminary boundaries. In addition, the Director of Community Development shall mail to all owners, and each household that is not owner occupied

according to the County Assessor's office, within the study a summary of the city-wide design guidelines and any supplements thereto proposed for the proposed district; the Handbook on Historic Districts, with a summary sheet; and any other appropriate informational materials.

- E. Within ninety (90) days of the preliminary determination of eligibility of the Historic Preservation Commission, or within ninety (90) days of the City Council action on appeal, the project proponents shall submit to the Director of Community Development the Petition Requesting a Historic Resources Survey. Said petition must be signed by owners of more than twenty-five (25%) of the properties in the historic district study area, or the application for a Historic District Overlay Zone shall be deemed denied. The ninety (90)-day time limit may be extended by the City Council upon showing of good cause. Any request for an extension of time must be made prior to the expiration of the ninety (90)-day time limit. Any petition that is deemed denied may not be re-submitted for a period of six months after the date of denial.

For the purpose of this Section, for the signature of an "owner of property" to constitute a valid petition signature, the petition shall be signed by one of the following:

- (i) Where the property is held by one individual, the petition shall be signed by that individual;
- (ii) Where the property is held in a form of co-tenancy, including joint tenancy, tenants in common, tenants in partnership or community property, then each such co-tenant shall be required to sign the petition;
- (iii) Where the property is held by a business entity, such as a corporation, limited partnership, general partnership, or limited liability, an authorized agent of such business entity shall sign the petition;
- (iv) Where the property is a common interest development, as defined in California Civil Code Section 1351, the authorized agent of the homeowners association or other agent designated in the common interest development's governing documents shall sign the petition; or
- (v) Where the property is held in trust, all co-trustees shall sign the petition unless the California Probate Code allows otherwise.

Properties owned by any public agency shall not be considered, either as signatories or when determining the total number of properties, in judging whether a petition has sufficient signatures.

- F. At the time of submittal of the Petition Requesting a Historic Resources Survey, the project proponent(s) may request amendment of the application, including the boundaries of the study area, any supplements to the City-wide Historic District Design Guidelines, any design guidelines proposed for non-residential structures, or any other aspect of the application. Any amendment of the application must be reviewed and approved by the Historic Preservation Commission, to determine that the amendment is consistent with the Commission's preliminary determination that the area is eligible to become a historic district, pursuant to subsection A, above. The Historic Preservation Commission's determination on the amendment may be appealed to the City Council, following the Uniform Appeals Procedures of the Glendale Municipal Code.
- G. Upon receipt of the Petition Requesting a Historic Resources Survey, the Director of Community Development shall verify that the petition meets the requirements of Subsection D, above, and, after the Historic Preservation Commission's review of amendments to the Historic District Overlay Zone application, if any, the Director of Community Development shall forward the petition to the City Council for authorization to conduct a historic resources survey.

- H. Upon completion of the historic resources survey, the Director of Community Development shall forward the survey to the Historic Preservation Commission for its review and approval. Upon approving the survey, the Historic Preservation Commission shall authorize the project proponent(s) to circulate petitions to affected property owners asking the City Council to initiate the designation process. The petitions shall be accompanied by a copy of the city-wide Historic District Design Guidelines, and any supplements proposed thereto, any draft historic district guidelines prepared for non-residential buildings, and shall also refer to where the Historic District Design Guidelines and any such proposed supplements, and any draft design review guidelines for non-residential buildings may be reviewed. The Commission’s approval of the historic resources survey may be appealed to the City Council, following the Uniform Appeals Procedures of the Glendale Municipal Code.
- I. Within six (6) months of the Historic Preservation Commission’s authorization to circulate a Petition Requesting a Historic District Overlay Zone, the project proponents shall submit said petition to the Director of Community Development. Said petition must be signed by owners of more than fifty (50%) of the properties in the historic district study area, or part thereof. Notwithstanding the foregoing, a petition satisfying the requirements of Article XV, Section 2 of the Glendale City Charter shall satisfy the requirement of this subsection. If such a petition is not submitted to the satisfaction of the Director of Community Development within six (6) months of the Historic Preservation Commission’s authorization to circulate petitions, the application for a Historic District Overlay Zone shall be deemed denied. The six (6) month time limit may be extended by the City Council upon showing of good cause. Any request for an extension of time must be made prior to the expiration of the six (6) month time limit. Any petition that is deemed denied may not be re-submitted for a period of six months after the date of denial.

For the purpose of this section, for the signature of an “owner of property” to constitute a valid petition signature, the petition shall be signed by one of the following:

- (i) Where the property is held by one individual, the petition shall be signed by that individual;
- (ii) Where the property is held in a form of co-tenancy, including joint tenancy, tenants in common, tenants in partnership or community property, then each such co-tenant shall be required to sign the petition;
- (iii) Where the property is held by a business entity, such as a corporation, limited partnership, general partnership, or limited liability, an authorized agent of such business entity shall sign the petition;
- (iv) Where the property is a common interest development, as defined in California Civil Code Section 1351, the authorized agent of the homeowners association or other agent designated in the common interest development’s governing documents shall sign the petition; or
- (v) Where the property is held in trust, all co-trustees shall sign the petition unless the California Probate Code allows otherwise.

Properties owned by any public agency shall not be considered, either as signatories or when determining the total number of properties, in judging whether a petition has sufficient signatures.

- J. Upon receipt of the petition, and verification by the Director of Community Development that the petition satisfies the requirements of subsection I, above, the Community Development Department shall prepare a report which will detail the appropriateness of the boundaries consistent with the Historic District Overlay Zone designation criteria, provide the percentage of the property owners in the district petitioning the City Council, document the history and significance of the area, provide photographs of all properties within the area (both contributing and non-contributing buildings), present any supplements to the city-wide Historic District Design Guidelines proposed for the

Historic District Overlay Zone and any proposed design guidelines for non-residential buildings, and indicate whether the historic resources survey has found that the supplements concern characteristics which have been identified in the historic resources survey to make significant contributions to the character of the potential historic district. Once complete, the Director of Community Development shall present the report to the Historic Preservation Commission for its consideration and recommendation to City Council.

- K. The Director of Community Development shall forward the Historic Preservation Commission recommendation to the Planning Commission for consideration of a zone change to create the specific Historic District Overlay Zone. The application shall then be processed according to the procedures set forth under Chapter 30.63 of this Title.
- L. If the request for a Historic District Overlay Zone includes any supplements to the city-wide Historic District Design Guidelines specific to the requested overlay zone, the City Council may not approve the supplements unless it finds that the supplements concern characteristics which have been identified in the historic resources survey to make significant contributions to the character of the potential historic district.
- M. The procedures for modification or deletion of a Historic District Overlay Zone shall follow the procedures outlined in this Section and elsewhere in the Zoning Code (Title 30) and the City Charter as applicable.

#### **30.25.040 – Design Review Authority**

The Historic Preservation Commission and the Director of Community Development, as applicable, shall have design review authority within all Historic District Overlay ones and may additionally review design plans and applications outside of Historic District Overlay zones as needed, and shall review and either approve, approve with conditions, or deny all proposals under the authority granted by Chapter 30.47.

#### **30.25.050 – Historic District Overlay Zone Design Review**

Within the Historic District Overlay Zone, neither the demolition, new construction, addition or alteration of exterior architectural features, nor the installation of wireless telecommunications facilities visible from the public right-of-way within the Historic District Overlay Zone may take place without the approval of the Historic Preservation Commission or the Director of Community Development, as applicable. No permits shall be issued prior to such an approval for projects subject to review under this Section. Any permit issued that is not in conformity with this Section shall be considered void from its inception. Application filing, review, notice, and appeals shall be conducted pursuant to Chapters 30.41, 30.42 and 30.47 of this Code.

#### **30.25.060 – Demolition**

Recognizing that the demolition of historic structures within designated historic district overlay zones may constitute an irreplaceable loss to the quality and character of the neighborhood and the city, the Historic Preservation Commission in considering an application for demolition of a building shall be guided by balancing the contribution of the particular structure to the character of the district against the special merit of the proposed replacement project after review and consideration under the California Environmental Quality Act.

- A. In considering a permit to demolish, the Historic Preservation Commission shall consider the following:
1. The historic or architectural significance of the structure;
  2. The importance of the structure to the integrity and character of the district;
  3. Whether the building is one of the last remaining examples of its kind in the neighborhood, the city, the region, the state or the nation;
  4. Whether reasonable measures can be taken to save the structure from further deterioration, neglect or collapse;
  5. The merit of the proposed replacement project in enhancing the character, harmony and economic health of the community;
  6. The opportunity to incorporate the existing buildings and structures in a replacement project that includes proposed new uses.
- B. Based on the considerations and review under the California Environmental Quality Act, the Historic Preservation Commission may approve the demolition permit, approve with conditions or deny.

**30.25.070 – Design Review Guidelines**

- A. It is the intent of this section to ensure, insofar as possible, that buildings or structures in the historic district overlay zone shall be in harmony with other buildings or structures located therein. In addition to Section 30.47.040, the Historic Preservation Commission shall take into account the proposal's merit with regard to its historic and architectural integrity, the enhancement of the attractiveness and functioning of the district, and the enhancement and protection of the public and private investment and the general value of lands and improvements within the district. When considering new construction, the Historic Preservation Review Board shall assure that the design's scale, proportions and general character are harmonious with the district.
- B. For residential properties, the Historic Preservation Commission shall use the city-wide Historic District Design Guidelines adopted by the City Council and any supplements thereto for each historic district overlay zone, as adopted by the City Council at the time of designation. For non-residential buildings, the Commission shall use the non-residential guidelines for that historic district overlay zone, as adopted by the City Council at the time of designation. Such guidelines shall be used to further the purpose of this chapter and shall serve as a general foundation for determining approval, approval with conditions or denial of projects within the historic district overlay zone.