

## **ATTACHMENT A DISCUSSION**

The Monterey County Code (MCC), 2010 General Plan, and State law require the protection of historic resources and analysis of a land use application's potential impacts on historic resources. This function manifests itself through many tasks. In complying with the legal and policy requirements, RMA-Planning is recommending performing a classification study to hire staff for the following duties:

- 1) Process applications for local historic resources designation and/or for applications that involve the alteration or demolition of historic structures or resources.
- 2) Meet with project applicants
- 3) Provide technical guidance to staff on Code interpretation and historic resources
- 4) Provide staff assistance to Board members including attendance at monthly meetings
- 5) Prepare annual Certified Local Government (CLG) report for City and County
- 6) Provide related staff training
- 7) Answer public inquiries about historic-related resources
- 8) Assist in review of Mills Act applications
- 9) Provide guidance on ordinance changes
- 10) Review historical assessments
- 11) Review qualifications of historians to be included on the County/City qualified historians list
- 12) Draft and pursue CLG and other grants
- 13) Conduct field visits
- 14) Conduct environmental review pursuant to CEQA
- 15) Special projects as assigned (e.g., updating Spreckels historic map and designations).
- 16) Prepare Context Statements
- 17) Other historic and planning-related duties as assigned

### Background

Chapter 18.25, Preservation of Historic Resources, of the Monterey County Code requires RMA-Planning to implement the requirements of the chapter. The Board of Supervisors appoints members to a Historic Resources Review Board (HRRB), as defined in MCC section 18.25.030. RMA-Planning is required to provide staff to the HRRB, including serving as Secretary to the HRRB, establishing the agenda, coordinating review of projects, seeking funding for historic studies, and taking minutes and preparing resolutions for the HRRB. Staff also must monitor existing Mills Act contracts (MCC Chapter 18.27). The Zoning Ordinances of the County (Titles 20 and 21) also have requirements for the protection, processing, and review of historic structures and the structures within Historic Resources overlay zoning districts, which requires the expertise of a historian. The County Code also includes a Historical Building Code.

The 2010 General Plan has policies that require development of certain programs, plans and guidelines. The General Plan also requires significant effort toward the preservation of historic resources in general. Policies under Goal 12 of the Public Services Element require a significant effort by County staff, some of which include methods of incentivizing preservation (Policy PS-12.6), seeking grants (Policy PS-12.7), ensuring appropriate repair and maintenance of historic

resources (Policy PS-12.13), integrating historic protection into RMA programs (Policy PS-12.14), and developing public information (Policy PS-12.16). Other significant efforts are required by policies in the Land Use Element and in the Conservation and Open Space Element.

Prior to 1999, the former Planning and Building Inspection Department utilized staff planners with some academic background and/or expertise in historical resources to provide the previously outlined services. In 1999, the Parks Department took over the duties through its Museum Director/Historian position. No funding has been allocated to RMA-Planning for the position since at least that point in time. The Parks Department is no longer able to provide the historian services to RMA-Planning. RMA-Planning does not currently have existing staff with the expertise required in historical resources or architectural history. To fulfill the statutory requirements, the historian skills and knowledge must meet the United States Secretary of the Interior's Professional Qualifications Standards (generally a graduate degree in History, Architectural History, or Preservation Studies).

To understand a development project's potential impacts on historic resources pursuant to CEQA, RMA-Planning uses a 50-year threshold for historic survey requirements unless other specific information is known. Without an in-house expert, every applicant altering (including demolition) a structure that is over 50 years old is required by RMA-Planning to obtain a historical assessment. Staff is charged with providing an independent judgment on protecting historic resources, and is sometimes put in the position of having competing historians on applications, requiring an independent analysis from a County expert.

The duties of implementing General Plan policies, MCC Chapters 18.25, 18.27, 20.54, 21.54, and Section 21.64.270, as well as consulting on Chapter 18.08 (Historical Building Code), and protecting historic resources were fully resumed by RMA-Planning after the April 4, 2013 HRRB meeting. As a result of the previously described circumstances, these are new duties (at least since 1999) for RMA-Planning that are not included in the department budget. The County is also designated as a Certified Local Government by the State Office of Historic Preservation, which has certain benefits but also responsibilities to the State.

### Options

On June 12, 2013, the Budget Committee considered the following options:

#### Option 1 – Consultant (No County expertise)

One option for consideration is hiring a consultant. The cost of such a consultant would be approximately \$80 to \$120 per hour. According to the current County Historian, the RMA-Planning related duties require approximately 20 hours of staff time per week. This translates to a cost of approximately \$80,000 to \$120,000 per year for part time historian services. Given the ongoing nature of the required duties, this option would result in annual contractual costs and fail to provide RMA-Planning with long-term in-house expertise.

#### Option 2 – Utilize Consultant until a permanent planner position, with training in historic resources, is hired in RMA-Planning

RMA-Planning would hire a historical consultant for a limited period of time while recruiting for a permanent position. The permanent position may be an Associate Planner level position with a specialty in historical resources. The benefit of this approach is that an in-house planner would provide a full time staff resource for approximately the same cost as a half-time consultant. An Associate Planner position would cost approximately \$93,382 (FY2013-14 rates), assuming hiring at the fourth step. As a full-time position, the historian duties, as previously stated, would require approximately 20 hours per week, providing RMA-Planning with the capacity to meet the newly resumed responsibilities as well as an additional 20 hours per week of staff resource for other general planning duties. If the Planner has experience in archaeological resources, the customers, staff and the public would benefit greatly by having the expertise of both in house.

### Option 3 – No County Expertise

A third option, which does not provide any in-house expertise or neutral County review, is to require that applicants with proposals for demolition or alteration of structures that are over 50 years old, or that have a potential effect on a historic resource, hire a historian to provide a study to RMA-Planning. This option transfers substantial costs to project applicants, with many houses now over 50 years old. This approach continues to leave RMA-Planning lacking the in-house technical expertise to address the numerous other duties required of the historian. Additionally, in situations involving historians with differing opinions, staff would still need a neutral third-party opinion to fulfill its independent judgment role required by CEQA. Under such circumstances, RMA-Planning would need to pay for a historian at the applicant's cost, further limiting the ability to control related expenses.

### Budget Committee Consideration and Recommendation

The Budget Committee recommended that the department pursue hiring a permanent position. However, rather than hiring a planner with historic resources experience, staff is recommending that we pursue the creation of a County Historian position. In discussions with the City of Salinas, we identified that each jurisdiction has the need for a half time historian position. The County would hire the position and provide services to the City of Salinas on an hourly basis. The position would provide expert staff support to the public and County, as well as provide services to the City of Salinas, who would pay a significant portion of the annual costs.

### Summary

Funding for the current Historic and Cultural Affairs position in Parks cannot be transferred with the Parks Department relinquishment of the related RMA-Planning duties since Parks needs to retain the current incumbent to meet their historic requirements and other duties of the position. The County requires Use Permits for development in Spreckels, where a large number of structures fall within historic review requirements, but waives the Use Permit fee by ordinance. Aside from application fees for the Mills Act program, no funding sources for the historian requirement are included in the RMA-Planning budget. Revenue from a Mills Act program, if the permanent program is instituted by the Board of Supervisors, would be approximately \$1,937 per year for RMA-Planning (average one application per year). The Parks Historian has been working to obtain grants for special projects, such as the preparation of Context Statements, but those funds are used to hire the consultant to prepare those Context Statements.

The benefit of hiring either a consultant or planner/historian is that RMA-Planning currently lacks a historian to provide review of buildings that are over 50 years old. An in-house position would fill this void, substantially reducing the number of historic reports that must be prepared at a property owner's expense. Staff will propose charging a fee for historic review when an application to alter a structure over 50 years old is submitted. This allows some cost recovery for the position, while significantly reducing the cost (and time) that property owners incur for hiring a consultant to prepare and submit a historic assessment.

Staff is recommending that the Board direct staff to pursue a modified Option 2, with a focus on performing a classification study for a County Historian position, as the most cost-effective and practical approach to provide long-term in-house expertise for meeting ongoing statutory and policy requirements.