

Introduction to Design Review & Certificates of Approval

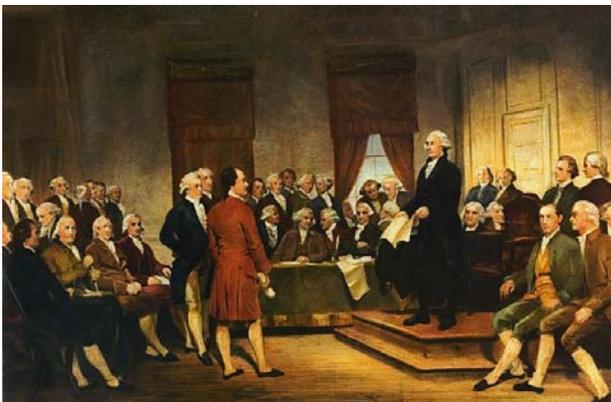
City of Alameda
Historical Advisory Board
February 5, 2015

Topics Covered

- Design Review
- Application Process
- Evaluation Criteria/Guidelines
- Common Applications
- Timelines
- Certificate of Approval
- Opportunities

Background

Police Power



- The fundamental power vested in every state and local government to limit and regulate the exercise of private rights in the interest of **public health, safety, and general welfare** of the community.
- Derived from the Tenth Amendment to the US Constitution.

Historic Preservation & Design Review

What is Historic Preservation?

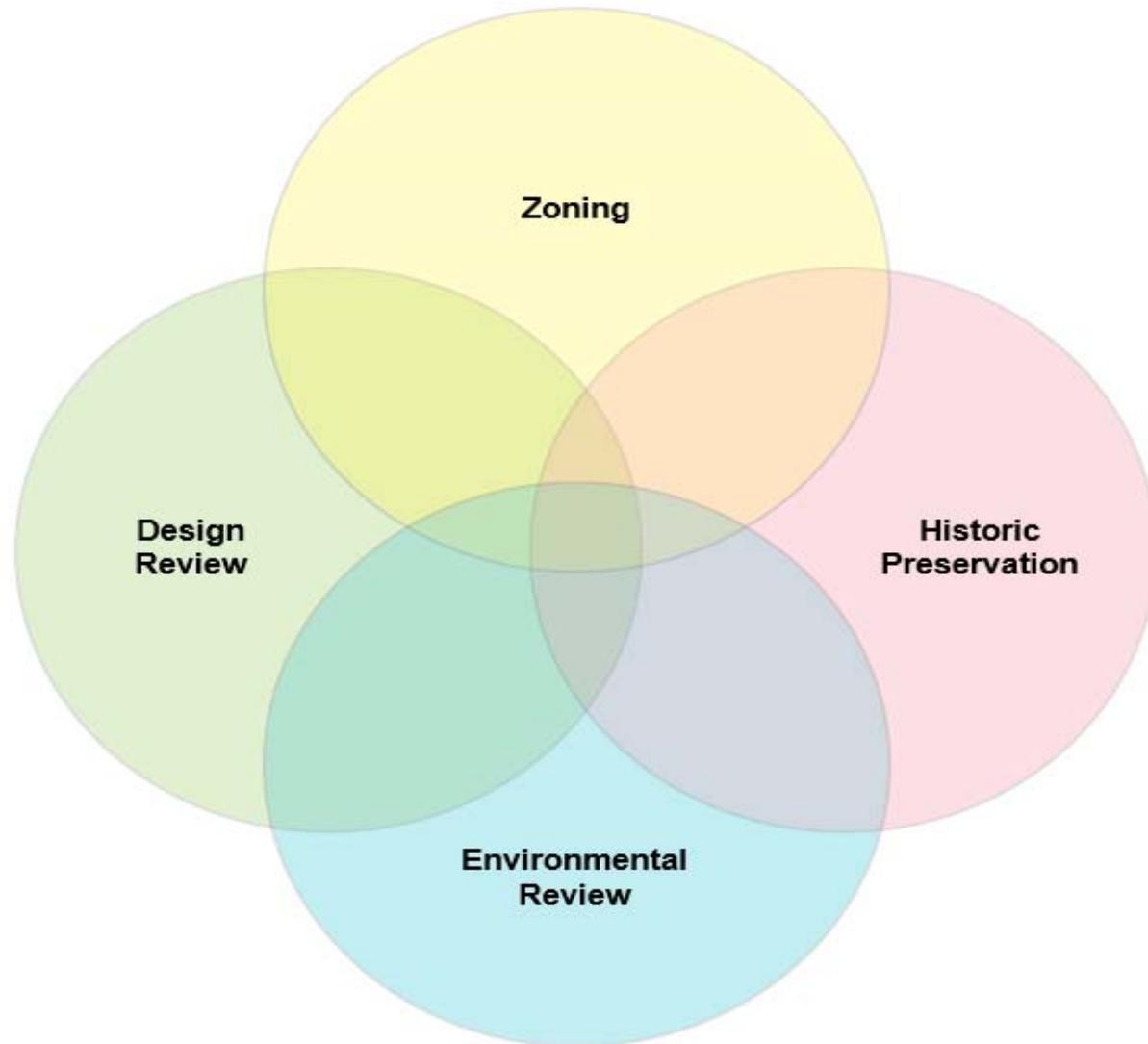
A program to coordinate and support public and private efforts to identify, evaluate, and protect historic and archaeological resources.

What is Design Review?

A program to conserve the value of property by encouraging construction of buildings that are compatible and harmonious, and to discourage the construction of buildings that will have a harmful effect upon surrounding properties.

Historic Preservation & Design Review

Land Use Planning



Design Review

Design Review Goals

AMC Sections

30-35.1

30-35.2

- To ensure that new construction and remodeling in Alameda is attractive, safe, and harmonious with its surroundings.
- To accommodate and stimulate a broad range of individual and creative design, so that monotony and mediocrity of construction will be avoided.

Design Review

When is Design Review required?

- All improvements subject to a building permit require Design Review approval unless specifically exempt.
- *Improvements:* Construction of a structure, an addition, or alteration to a structure.
- *Alteration:* the **exterior** modification, including, an addition, removal and/or modification of windows, doors, roofing, siding or visible part of foundation of any structure

Design Review

What improvements are exempt from Design Review?

- Work that does not require a building permit
- Interior work
- Repair/Replacement-in-kind
- Restoration work
- Skylights
- Fences
- Work at the rear of a property
- Certain improvements under 220 s.f.



Exemptions are intended to encourage good design through streamlined permitting

Design Review

Who Performs Design Review?

AMC 30-36.1

- Design Review Staff - the review of applications shall be made by the Planning Staff designated by the Planning Director.



Planners review over 500 applications a year, in addition to hundreds of other miscellaneous permits.



At the Permit Center

**Applicant Proposes
Exterior Alteration to a Building**

Over the Counter Review Scope of Work

Exempt

**Project is reviewed for
zoning compliance
over the counter**

**Building Permit
Plan Check Begins**

Not Exempt

**Applicant files for
Design Review**

**Design Review By
Planning Staff**

Design Review

What Happens During Design Review?

Project plans are reviewed for:

- Completeness (Gov't Code 65920 et seq.)

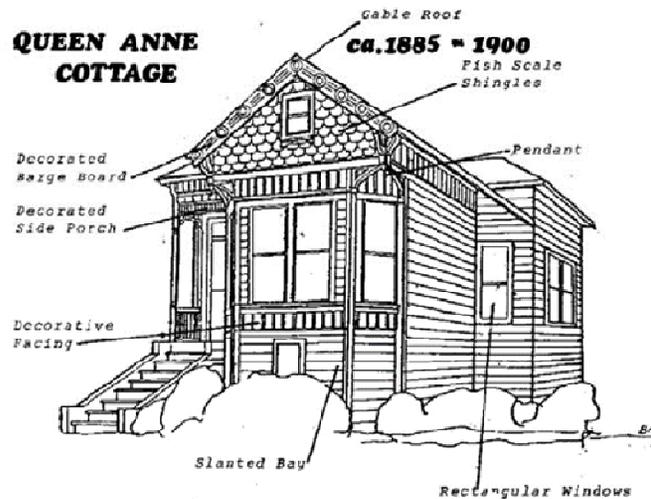
- Compliance with Zoning/Development Standards (height, setbacks, etc.)

- Consistency with Design Review Manual



Design Review

What Happens During Design Review?



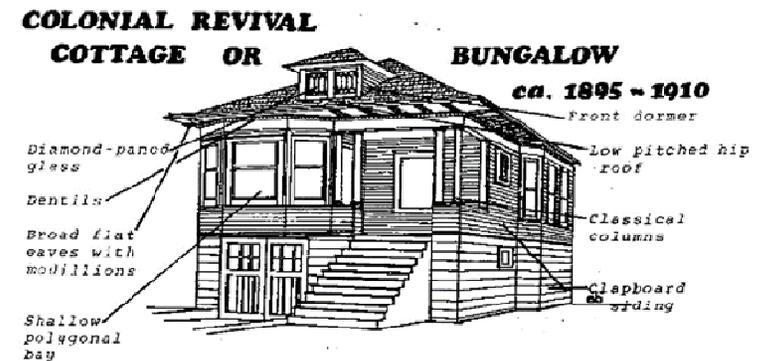
Form & Plan: Irregular plans and elevations; often L-shaped plan with side porch. Vertical emphasis. A give-away is the slanted or cut-away bay.

Materials: Surfaces covered with a variety of tactile patterns: horizontal siding, a variety of shaped shingles and spool-work.

Windows & Doors: Rectangular and rounded windows; heavy use of stained glass. Doors with transoms.

Roof: Complexity of elevation and shape; usually gable.

Decorative Elements: Elaborate and fanciful millworked wood siding, turned posts, spindlework (especially on porches). Decorated barge boards; finials, pendants, etc.



Form & Plan: Modest boxy structure, rectangular with raised basement. Shallow 3-sided bays.

Materials: Clapboard siding, both narrow and wide.

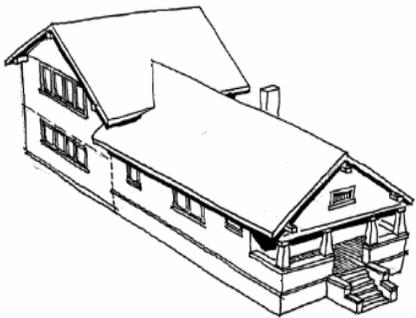
Windows & Doors: Rectangular windows, often with leaded glass in diamond patterns.

Roof: Low-pitched hip roof, often with front dormer; wide overhanging eaves, often with decorative brackets.

Decorative Elements: Stained glass windows; classical details: dentils, pilasters, columns.

Design Review

Example: Additions



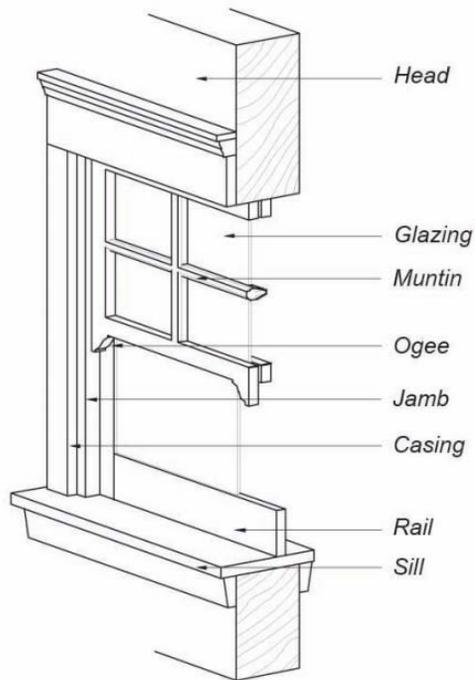
*ADD TWO STORIES TO REAR/SPLIT LEVEL (RECOMMENDED)

General criteria for all second story additions:

- The form, mass and style of the second story addition must relate to both that of the existing building and those of the surrounding neighborhood.
- The new building mass must not “loom” over the street or neighboring yards.
- Use of hipped roof forms may often be more appropriate than gables to minimize the addition’s visual bulk and maximize solar access of adjacent buildings.

Design Review

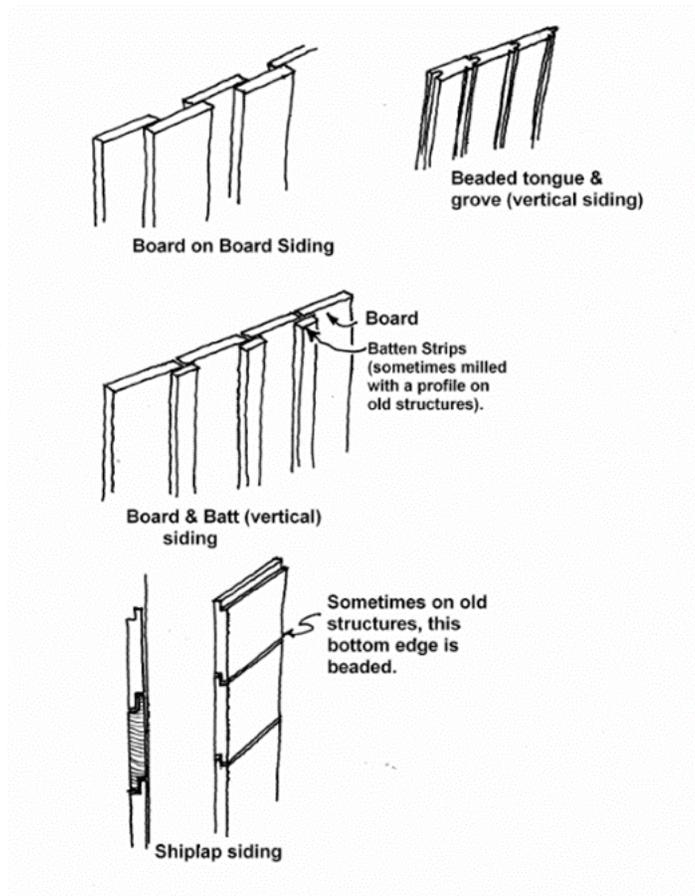
Example:
Windows



Design Review

Example: “Performance Standards” for replacement siding on historic buildings:

Siding Material



- The original exterior building materials should always be retained whenever possible.
- If it is not possible to retain the original material, replacement material should be in-kind, i.e. it should visually match the original. Do not use mismatched replacement materials of different sizes, shapes, textures, or finishes. For example, Italianate Victorians almost always used an 8-9 inch wide siding. Replacing this siding with a 5 or 6 inch wide siding would not meet this guideline because the siding would not virtually match the original. A $\pm 10\%$ width change from the original would be possible.
- If it is not possible to retain the original material, divide original materials from new materials by way of a watertable. Consider using original materials from the side or rear of the building and then re clad the entire side or rear with replacement materials of the same material and size.

Design Review

Public Noticing

AMC 30-36.2



Although not legally required, the City posts Design Review notices and project plans on its website. Project documents are also available on the City's Permit ePortal.

- At least ten (10) days before final decision by the Planning Director...
- A notice shall be sent to the owners of property located within one hundred (100') feet of the property...
- And prominently posted on the project site



City of Alameda • California

December 11, 2014

Dear Alameda Property Owner or Resident:

This letter is to inform you that the City of Alameda has received an application for Design Review File No. (PLN14-0683) from your neighbor at 1207 Union Street. Planning Division staff will review the project and all public comments submitted to the City on this application, and a final decision to approve or deny the application will be made on December 23, 2014.

DESCRIPTION OF WORK: The project consists of a basement conversion to a second dwelling unit within an existing single family home. The project also consists of rear additions to the basement floor, first floor, and second floor totaling approximately 1,613 sq. ft. The project also consists of the replacement and addition of eleven windows. The project is located within an R-4 (Neighborhood Residential) zoning district.

Because the proposal includes additions and modifications to the existing single-family dwelling, which is located 3 feet from the north east (right) property line, where a minimum five-foot setback is required, a finding must be made pursuant to AMC 30-5.7 (a) & (i), that no adverse effects such as shading, or view blockage would occur on an adjoining property.

ENVIRONMENTAL DETERMINATION: This project has been determined to be Categorically Exempt pursuant to Section 15301 of the CEQA Guidelines, which allows permitting and licensing of existing private structures involving negligible or no expansion of use beyond that which exists.

TO FIND OUT MORE: Plans are available for review during business hours Monday through Thursday at the Permit Center located at 2263 Santa Clara Avenue, Room 190. The project plans are also available online at <http://alameda.ca.gov/community-development/planning/Design-Review-Projects>. Please contact the project planner, Henry Dang, at 747-4871 or hdang@alameda.ca.gov if you would like to discuss this project.

COMMENTS? Written comments may be submitted to the Community Development Department within ten (10) calendar days of this letter. You may also send your comments via email to the project planner.

TO APPEAL THE DECISION OF THE PLANNING DIRECTOR: Once the decision is made, a ten (10) calendar day appeal period will commence. During that ten day period, any interested person may appeal the decision to the Planning Board. The appeal must be in writing and filed with the Community Development Department, Permit Center. The appeal must state in detail the factual basis for the appeal. A fee of \$250 (= \$500 Deposit) is required at the time of submittal of the appeal for a residential project. An appeal fee of \$500 (= \$2,500 Deposit) is required for the appeal of a commercial project.

Community Development Department
2263 Santa Clara Avenue, Room 190
Alameda, California 94501-4477
510.747.4800 • Fax: 510.866.4032 • TTY: 510.222.7338

City of Alameda • Printed Page

Design Review

Findings for Approval

AMC 30-37.5



Findings contain the facts and explain the rationale to support a decision.

The proposed design is:

- ...consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual; and
- ...appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses; and
- ...design of the structure(s) and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development.

Design Review

What projects are reviewed by the Planning Board?

AMC Sections

30-36.1

30-36.4



The Planning Board is the oversight body for all Design Review applications.

- Significant public interest
- Involve policy issues
- Require other entitlements to be reviewed by the Zoning Administrator or Planning Board.
- Call for Review by the Planning Board
- Appeal of a decision by staff

Design Review

Design Review Timeline



Be sure to review Submittal Checklists and Design Guidelines to ensure project compliance. Ask staff for a preliminary consultation.

Week 1 – Project Submittal

Week 2 – Staff Review/Completeness Screening*

Week 3 – Start 10-day Public Notice for compliant projects

Week 4 – Project Approval and Beginning of Appeal period. Building Permit application accepted.

Week 5 – End of Appeal Period. Approval is Final. Building permits may be issued.

*Priority is given to projects that are complete and compliant with all development standards and design guidelines.

Certificate of Approval

What is a Certificate of Approval?

- An entitlement required to make certain alterations to a historic resource.
- Entitlement granted by the Historical Advisory Board
- Also called “Certificate of Appropriateness” or “Historic Preservation Permit” in other municipalities

Certificate of Approval

When is a Certificate of Approval required?

AMC Sections

13-21.5

13-21.7

- *Alterations:*
 - Historical Monuments and Contributors to Historic Districts
- *Demolition:*
 - Monuments, Contributors
 - Structures built prior to 1942. (2003)
- *Trees:*
 - Removal of certain trees
 - Coast Live Oak 10" in diameter at 4.5' above ground.

Certificate of Approval

Who reviews Certificate of Approval Applications?



Historical Advisory Board

- Alterations to Monuments and contributors to Historic Districts
- Demolition of historic resource or pre-1942 primary structure

Planning Staff (delegated by HAB)

- Demolition of accessory structures
- Removal of Coast Live Oak trees

Historic Preservation & Design Review

Process for Improvements to:

- 1. Historical Landmarks and Contributors to Historic Districts**
 - Certificate of Approval by HAB
 - Design Review by Staff

- 2. Structures on the Study List or pre-1942 structures**
 - Design Review by Staff
 - Certificate of Approval by HAB only if project qualifies as a demolition

Certificate of Approval

Finding for Certificate of Approval

- The Secretary of the Interior's Standards for Rehabilitation and guidelines for rehabilitating historic buildings.

Secretary of the Interior's Standards

1. Prefer uses sensitive to the resource
Maintain historic character
2. Don't create a false sense of history
3. Also preserve significant alterations
4. Materials and construction techniques
can be significant
5. Repair over replace
6. Use gentle chemical and physical
treatments
7. Don't disturb archaeological resources
8. New features should be harmonious
9. New features should be reversible



Certificate of Approval

Definition of Demolition (2003)

AMC 13-21.2

- *Demolition* shall mean the removal within a 5 year period of more than 30% of the value of any designated structure or building, as determined by the Building Official.



Unlike Design Review, where exemptions are granted for proper work, the Certificate of Approval process is mainly tied to demolition control.

Historic Preservation & Design Review

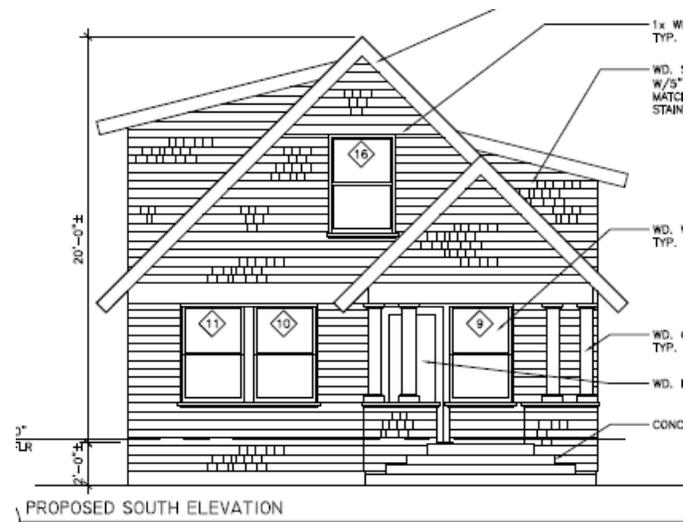
Unintended consequences with Demolition threshold

- The new demolition definition triggered some alterations, such as additions, meeting the demolition definition and becoming subject to a HAB Certificate of Approval in addition to the Design Review process.
- More structures (pre-1942 or on the Historical-Cultural Inventory) became subject to both reviews.
- Dual process meant additional time and cost for application review process.

Certificate of Approval



Existing



Proposed

Pre-1942 structure but not a historic resource. Certificate of Approval hearing required because the addition involved removal of more than 30% of the value of the structure

Certificate of Approval



Food for Thought

- Should the approval process be driven by:
 - End result?
 - (e.g., restorations are exempt from DR)
 - Thresholds?
 - (removal of 30% of value triggers CA)
- Ways to streamline process for “good” proposals?
- “Encourage investment in property not process.”