



Legislation Details (With Text)

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On agenda: 5/21/2015 **Final action:**
Title: BILL - (For introduction) - Amending the Historic Preservation Ordinance Section 12-1606(b) to allow the Historic Preservation Commission to adopt findings pursuant to the California Environmental Quality Act (CEQA)
Sponsors: Planning and Development Department
Indexes:
Code sections:
Attachments: 1. Letter to the SHPO and Proposed Amendment to the FMC 12-1606.pdf, 2. Ordinance 12-606.pdf

Date	Ver.	Action By	Action	Result
5/21/2015	1	City Council	introduced and laid over	Pass

REPORT TO THE CITY COUNCIL

May 21, 2015

FROM: JENNIFER K. CLARK, AICP, Director
Development and Resource Management Department

BY: KARANA HATTERSLEY-DRAYTON, M.A., Historic Preservation Project Manager
Development and Resource Management Department

SUBJECT

BILL - (For introduction) - Amending the Historic Preservation Ordinance Section 12-1606(b) to allow the Historic Preservation Commission to adopt findings pursuant to the California Environmental Quality Act (CEQA)

RECOMMENDATION

Staff and the Historic Preservation Commission recommend that the City Council adopt the attached amendment to the Fresno Municipal Code (FMC) 12-1606(b)(5). The amendment will make explicit the Commission's authority to adopt California Environmental Quality (CEQA) findings, as appropriate.

EXECUTIVE SUMMARY

The City's Historic Preservation Ordinance (12-1600 et seq.) requires that the Historic Preservation

Commission review and approve, or deny applications that may affect designated Historic Properties. Property owners of designated historic properties are required to have proposed work that is consistent with the Secretary of the Interior's Standards (12-1617(i). If a rehabilitation of a property is found to be consistent with the Standards, a CEQA Categorical Exemption 31 may apply and the project can be expedited. The inclusion of the proposed language in the Ordinance under 12-1606 (b) will make it explicit that the Commission has the authority to make a CEQA finding: "Make environmental determinations under the California Environmental Quality Act on any discretionary project applications the Commission considers for approval, including, but not limited to demolition permits for subject properties brought before the Commission."

BACKGROUND

As required by the City's Certified Local Government (CLG) agreement with the California Office of Historic Preservation and the National Park Service, the City Attorney's Office prepared and forwarded the proposed amendment to the State Historical Preservation Officer, Carol Roland-Nawi Ph.D., who reviewed and approved the change. The proposed amendment was presented to the City's Historic Preservation Commission at a public hearing April 27, 2015. The amendment was approved by the Commission on a 5-0 vote.

ENVIRONMENTAL FINDINGS

A change to the City's Historic Preservation Ordinance is not a "project" for the purposes of the California Environmental Quality Act ("CEQA") as it will not result in a direct or indirect change in the environment.

LOCAL PREFERENCE

Local preference was not considered because this agenda item does not include a bid or award of a construction or services contract.

FISCAL IMPACT

There is no additional impact beyond the expenditure of staff time.

Attachment:

1. Letter to the SHPO and Proposed Amendment to FMC 12-1606.