



CITY OF MENIFEE

SUBJECT: Historic Districts and Preservation of Rural Areas

MEETING DATE: April 3, 2024

TO: Mayor and City Council

PREPARED BY: Doug Darnell, Principal Planner

REVIEWED BY: Cheryl Kitzerow, Community Development Director

APPROVED BY: Armando G. Villa, City Manager

RECOMMENDED ACTION

1. Review and provide feedback to staff regarding the information related to the creation of historic districts and preservation of rural areas.

DISCUSSION

Background

On April 5, 2023, the City Council discussed historic preservation as a future agenda item and requested staff bring back additional information for consideration. This report provides an overview of General Plan policy and discusses historic districts, how they are established, examples from other communities, and some pros/cons for consideration.

City of Menifee Policy & Context

The Open Space and Conservation Element of the General Plan describes Menifee as a community with an agrarian tradition carrying back to the 1800s when settlers transitioned from quartz mining to farming as a more stable lifestyle. Although the amount of farmland within the City limits is less than it was decades ago, there remain important reminders of the City's historically agrarian lifestyle. Open Space & Conservation Element policies related to historic preservation and protecting rural/agricultural lands include:

- ***Goal OSC-5: Archeological, historical, and cultural resources that are protected and integrated into the City's built environment.***
- ***Policy OSC-5.1: Preserve and protect significant archeological, historic, and cultural sites, places, districts, structures, landforms, objects and native burial sites, and other features, such as Ringing Rock and Grandmother Oak consistent with state law.***

- **Goal OSC-6:** *High value agricultural lands available for long-term agricultural production in limited areas of the City.*
- **Policy OSC-6.1:** *Protect both existing farms and sensitive uses around them as agricultural acres transition to more developed land uses.*
- **Action OSC-28:** *Identify sites in the City that meet the criteria to be in the State Historic Resources Inventory as Riverside County Landmarks, as State Points of Historic Interest, as State Landmarks, or as sites on the National Register of Historic Places, and encourage owners to apply for recognition.*

Buildings, structures, objects, archeological sites and features, landscapes and neighborhoods are physical reminders of the ways in which early inhabitants and later citizens of Menifee used and developed the land. These resources represent contexts or themes important in the history of the City. Many of Menifee's roads are named after early families residing in the area and the communities of Quail Valley, Romoland, and Sun City reflect Menifee's early development and historic heritage.

The Menifee Valley Historical Association was established with a mission to identify, preserve, and promote the historic legacy of Menifee Valley, and in 2016, opened the Menifee History Museum to share Menifee's history with the public. To educate the public about Menifee's past, the Menifee Valley Historical Association partnered with the Riverside County Board of Supervisors and the City to create and construct historical markers throughout Menifee that identify places of historical significance. Currently there are 12 historical monuments in Menifee with their locations depicted on the Historical Association's Historical Markers map. These include monuments for the Menifee school, built in 1890, Romoland School built in 1918, Del Webb's Kings Inn, Quail Valley Country Club, and Menifee's early farming families/prominent landowners.

The historical monuments are a way to recognize the City's important historic sites but does not mean they are officially designated as a historic landmark on a National, state, or local register and they are not subject to any preservation restrictions currently. In many instances, the markers are located at a City facility such as Lazy Creek Park and the Sun City Fire Station, or on vacant land such as the Menifee School site on Bradley Road, where a historic structure or structures may have existed at one time but do not exist now. If the City were to adopt a historic preservation ordinance, these properties could potentially be designated historic landmarks and subject to historic preservation requirements. However, preservation requirements usually are intended to protect a historic structure or building. In instances where there are no structures, buildings, or significant features on the site, it may be a matter of conditioning new development to incorporate elements, artifacts, etc. associated with the site's history into the development. One way this can be accomplished is through mitigation of historic impacts as part of the environmental review process required under the California Environmental Quality Act (CEQA), similar to CEQA mitigation measures often required for developments with impacts to tribal cultural resources.

Legislative Framework

National Historic Preservation Act: Enacted in 1966, the National Historic Preservation Act (NHPA) established the National Register of Historic Places program under the Secretary of the Interior, authorized funding for state programs with provisions for pass-through funding and

participation by local governments, created the Advisory Council on Historic Preservation, and established a review process for protecting cultural resources. The NHPA provides the legal framework for most state and local preservation laws.

The National Register program also includes National Historic Landmarks, which is limited only to properties of significance to the nation.

State – CEQA (Public Resources Code 21000-21178): The CEQA is a state law enacted in 1970, which requires state and local governmental agencies to consider the impact proposed projects have on the environment, including historic resources and archaeological sites. The CEQA review process identifies potential significant impacts as well as alternatives or mitigation measures to avoid or reduce the impacts. Properties listed in or determined eligible for the California Register of Historical Resources are subject to the CEQA review process. The California Register also includes properties listed in the National Register of Historic Places. In addition, Assembly Bill (AB) 52 requires public agencies to consult with local tribes during the CEQA environmental review process and requires the environmental review to evaluate and mitigate project impacts to tribal cultural resources.

The State Office of Historic Preservation (OHP) administers the California Register program and other State historic preservation programs including the Certified Local Government program. Certified Local Governments (CLG) are municipalities that have demonstrated through a certification process, a commitment to local preservation.

Overview of Historic Preservation Components

Local jurisdictions in California have the authority to adopt a local ordinance with regulations for protecting historic properties. Because every community has different types of historic resources, populations and development pressures, a historic preservation ordinance should suit the needs and views of the community. The first step prior to preparing any ordinance would be to conduct an updated survey of historic structures. This is done with the assistance of professional consultant and would include consultation with the Menifee Historical Association. Typical components of a historic preservation ordinance include:

- Creation of a historic preservation commission/board and responsibilities of the commission/board.
- Criteria that will be used to determine what properties can be designated as a historic resource under the ordinance and the process for such designations.
- A requirement that property owners maintain resources designated under the ordinance and guidelines for that maintenance.

Other key elements or issues that a historic preservation ordinance should address include:

- Statement of purpose and enabling authority
- Actions subject to review by the historic commission/board and procedures for initiating the review.
- Preservation incentives
- Enforcement
- Process for appeals
- Definitions

"historic districts" and "landmarks": Most jurisdictions designate historic districts or both historic districts and individual landmarks, depending upon the nature of the resources being protected and the extent of a local community's authority to regulate historic property under state law. Historic districts are geographically defined areas often comprised of significant concentrations of historic structures or sites that share common historic events, aesthetic features, or physical development. Landmarks are typically individual properties or sites. Properties located in historic districts are generally labeled as contributing or noncontributing. This label, in turn, dictates the level of review that will be applied. Contributing properties may enjoy full protection while changes to non-contributing property (including vacant land) are generally approved if "compatible" with the character of the historic district.

Criteria for designation of historic properties: The criteria for designation and the process for considering applications for designation are generally set in a preservation ordinance. If criteria for designation is not set forth in a state's enabling law, many communities utilize the criteria for listing historic properties in the National Register of Historic Places or an equivalent state register. An ordinance, for example, may seek to protect districts, sites, buildings, structures, and objects that are associated with historic events, "that embody the distinctive characteristics of a type, period, or method of construction," or "that represent the work of a master."

Protection of historic districts and landmarks under a preservation ordinance: Historic preservation ordinances generally empower a preservation commission to review and act upon applications for "certificates of appropriateness." Most often, owners of property subject to a preservation ordinance must submit an application to a preservation commission for permission to alter, move, or construct additions, and new buildings. This application, once deemed complete, will be evaluated either administratively or at a public hearing based upon standards for review set forth in the ordinance. Upon consideration of all the evidence, the approving authority will issue a formal decision, making specific findings of fact and conclusions of law. Permission is typically granted in the form of a historic area permit or certificate of appropriateness. The application fee and staff review time would be similar to other planning entitlements where a discretionary review is required and can vary depending on the complexity of the proposed project and level of historic significance involved. Where there is potential for significant impacts to historic resources, preparation of an Environmental Impact Report might be required.

Types of actions generally requiring review by a historic preservation commission: Review of applications to alter, demolish, or otherwise change historic property is generally triggered by a request for a building and/or demolition permit. Permit officials will delay issuance of a permit until the matter has been referred to and acted upon by the preservation commission in accordance with the terms set forth in the preservation ordinance. Historic preservation commissions generally have authority over alterations to a building's exterior, additions, demolition, and new construction in historic districts.

Historic Preservation in other Communities

Many communities have historic preservation ordinances and programs while many others do not. Generally, those that have historic preservation ordinances and programs are older communities that were established over a century ago, that have historic downtowns with numerous civic buildings, schools, places of worship, cemeteries, parks, commercial districts, and neighborhoods that date back to early formation of those communities. Below is a summary of

how other jurisdictions in the region address historic preservation looking at the cities of Riverside, Redlands, Murrieta, Lake Elsinore, and Temecula.

- City of Riverside – The City of Riverside’s Historic Preservation efforts are broad and extensive, given Riverside’s rich citrus heritage dating back to the City’s founding in 1870 and its abundance of significant historic structures, sites, features, and neighborhoods. In the late 1960’s, Riverside became increasingly concerned about the future of the City’s rich heritage and exemplary early architecture. The need for a City historic preservation program came clearly to light when several key landmark structures were threatened in a noticeably short timeframe. For example, Riverside’s Historic Mission Inn was threatened by inappropriate alterations, deterioration, and talk of better uses for the site.

In 1968 Riverside’s City Council called for the formation of a Cultural Heritage Board and the adoption of a Landmarks Ordinance. With the creation of a historic preservation board and ordinance in 1969, Riverside undertook an effort to quickly identify its most important buildings and designate them as City Landmarks. Over time, the City conducted surveys to establish and designate numerous historic districts and conservation areas and thousands of historic landmarks throughout the City. More recently, Riverside adopted a Historic Preservation Element as part of their General Plan, which provides the policy framework for their historic preservation programs today.

The City of Riverside’s Cultural Resources ordinance establishes, among other things:

- A cultural heritage board including board authority and responsibilities.
 - A Historic Preservation Officer including authority and responsibilities.
 - Criteria for designating landmarks and districts.
 - Requirements and procedures for Certificate of Appropriateness applications.
 - Principals and standards for site development design.
 - Preservation incentives such as the Mills Act Program (Mills Act provides for an agreement between City and property owner for property tax reductions in exchange for a property owner’s commitment for repair, restoration, rehab & maintenance of a historic property).
- Redlands - In 1986, the City of Redlands adopted its Historic and Scenic Preservation Ordinance, which created a historic & scenic preservation commission responsible for recommending the designation of both individual properties (Historic Resources or Landmarks) and groupings of properties (Historic Districts or Historic and Scenic Districts). The City of Redlands is a Certified Local Government and regulates historical preservation through the following:
 - Citywide Historic Context Statement
 - Historic and Scenic Preservation Commission (Chapter 2.24 of the Municipal Code)
 - Historic and Scenic Preservation (Chapter 2.62 of the Municipal Code)
 - California Historic Building Code – The City of Redlands has adopted the Historical Building Code as part of the Municipal Code.
 - Property Preservation Program (Mills Act)
 - Historical Design Manual – evaluates projects in designated historic or scenic districts or changes to the exterior of individual historic properties and landmarks. The City of

Redlands has now proposed Historic Architectural Design Guidelines, once the proposed guidelines are adopted, they will replace the Historic Design Manual.

- *Murrieta* - Murrieta's Development Code includes a Cultural Resources Preservation Chapter to establish a mechanism by which community resources such as buildings, structures, and sites within the City of Murrieta, which are of pre-historic and historic interest or value, or which exhibit special elements of Murrieta's architectural, cultural or social heritage may be identified, protected, enhanced, perpetuated, and used in the interest of the public's health, safety, welfare, and enrichment. The Cultural Resource Preservation Ordinance is also established to implement the provisions of the conservation and open space element of the general plan. Murrieta's ordinance includes provisions for:
 - A Historic Preservation Advisory Commission.
 - Designation Criteria for Cultural Resources Archaeological Districts and Historic Districts
 - Cultural Resource Designation Procedures
 - Procedures for Certificates of Appropriateness
- *Lake Elsinore* – In 2012, the City of Lake Elsinore established a Historic Preservation Ad-Hoc Committee for the purpose of studying and making recommendations regarding historical preservation within the City of Lake Elsinore. The Ad-Hoc Committee recommended the completion of an updated survey of historic structures, and adoption of a Historic Preservation Ordinance. Lake Elsinore adopted its Historic Preservation Ordinance in 2019 which includes provisions for the Mills Act and certificate of appropriateness procedures.
- *Temecula* – Temecula is known for its Historic Old Town. The Old Town Specific Plan was adopted in 2010 and part of its vision is to create a dynamic, walkable, and pedestrian friendly mixed-use core in Old Town that consists of attractive, high-quality development, respectful of its historic buildings. Unlike the historic preservation ordinance examples above that apply broadly in those communities, Temecula's historic preservation requirements focus on their Old Town and are contained within the Old Town Specific Plan. Within the Old Town Specific Plan, building designs are required to reflect architectural styles of the 1880s to the 1940s, which represents a significant time period in the Temecula's past history and tradition. It provides examples such as the First National Bank, Santa Fe Railroad Station, Welty Hotel, and the Temecula Mercantile Building. The Old Town Specific Plan Historic Preservation provisions include:
 - Historic buildings that are listed on the Temecula Local Historic Register.
 - Old Town Local Review Board and its authority, duties, power, and meeting procedures.
 - Development and design standards.
 - Historical Appropriateness application procedures and findings.
 - Approval authority and processing procedures for all projects proposed in Old Town.

Pros and Cons of a Historic Preservation Ordinance

<u>Pros</u>	<u>Cons</u>
Protection of Historic Value. For communities where there is significant historic character and value, numerous, and extensive significant historic resources, and community support for protecting its historic value, a historic preservation ordinance is an important and effective tool to preserve the historic value. A historic ordinance can help protect existing historic value and character of a property structure, including its impact to its historic context (i.e., impacts to surrounding properties and structures such as in a historic neighborhood). Protects historic resources beyond State CEQA requirements for evaluation and mitigation of impacts to historic resources and tribal cultural resources.	Minimal Effect. Where a community has few sites, structures, features or neighborhoods with historic value, an ordinance may only apply in infrequent and limited circumstances with minimal effect.
Tax Benefits for Property Owners. Historic Mills Act programs provide tax benefits to owners who commit to restoring their historic properties in compliance with strict regulations to maintain historical integrity, which helps maintain and increase property values.	Restrictive Regulations. Is an added layer of regulation beyond typical zoning restrictions that could severely limit a property owner's ability to develop or make improvements to their property, including prevent development, demolition/ replacement of a structure, or substantially limit modifications that can be done by an owner. Also adds time and money to the development process for additional studies/analysis. Policies apply to both private and public development projects.
	Resources & Staffing. A historic ordinance will require additional staff, funding, and resources to implement and administer, which may be too costly to justify where a community has few sites, structures, features, or neighborhoods with historic value. Requires staff with specialized training in historic preservation to review historic preservation applications including, for example, a Historic Preservation Officer, (e.g., certified as a State Historic Preservation Officer. Could require administration of a historic preservation board/commission, including conducting historic preservation hearings. Could include administration of other programs such as Mills Act.

	Historic Districts can discourage Economic Development. While tasteful, well-preserved areas may increase home values, it may suppress land values by limiting parcels for their optimum use.
	Potential Negative Aesthetics for Historic Districts. Unless there is exemplary historic value to protect, the downside could be that instead of letting neighborhoods develop a nice blend of old and new buildings, it keeps them stuck in time. They could end up protecting uninteresting buildings that are less attractive and exciting than new structures that could replace them.
	Housing in Historic Districts. Added restrictions within historic districts create barriers to housing working against housing goals.

Conclusion

The information provided is intended to help the City Council understand the historic preservation tools in California, how they are used by neighboring jurisdictions in the region, and how they may be used in Menifee with respect to preserving Menifee's heritage. From this, the Council can consider whether pursuing historic preservation initiatives and tools such as a historic preservation ordinance would be appropriate for Menifee. Options for consideration may include:

1. Direct staff to engage a State qualified historic preservation consultant to conduct analysis of the City's historic resources, prepare a formal historic inventory, and a historic context statement with recommendations and options for designation of historic structures, landmarks or districts, and preparation of a preservation ordinance including process for administering such ordinance/program. Based on recommendations, and subsequent Council direction, this effort may include preparation of an ordinance and associated environmental analysis under CEQA.
2. Continue with existing process via CEQA on a case-by-case basis as development proposals are reviewed.
3. Combination of 1 and 2 above, however, allow staff to determine appropriate timeframe in the future as workload permits to add this effort into the workplan consistent with existing Open Space Element Action Item OSC-28.

STRATEGIC PLAN OBJECTIVE

Thriving Economy

FISCAL IMPACT

There is no fiscal impact associated with the recommended action. The cost impact associated with the establishment of historic preservation program would be based upon the program parameters.

ATTACHMENTS

There are no attachments.