



CITY PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
<http://cityplanning.lacity.org/>

Determination Mailing Date: SEP 18 2014

CASE NO. CPC-1999-194-HPOZ-M1
CEQA: ENV-2011-2857-CE

Applicant: The City of Los Angeles

Location: Properties generally bounded by 8th Street to the north, Harbor Blvd. to west, 12th Street to the south, and Pacific Avenue to the east

Council District: 15 - Buscaino

Plan Area: San Pedro

Zone: Various

At its meeting on March 14, 2013, the following action was taken by the City Planning Commission:

Project description as approved by the City Planning Commission. The Vinegar Hill Historic Preservation Overlay District (HPOZ) was established in 2001 by Ordinance No. 173892 in the area south of downtown San Pedro bounded generally by 9th, 10th, Palos Verdes and Center Streets, to preserve historically-significant structures, some of which are over 100 years old. The Proposed expansion of this area supports the objectives of the HPOZ and includes the addition of commercial guidelines to the existing Vinegar Hill Preservation Plan to guide historic preservation efforts within the entire HPOZ. The expansion area includes the area generally bounded by 8th, 12th, and Beacon Streets, and Pacific Avenue, with an extension along both sides of Mesa Avenue south to 14th Street. The Cultural Heritage Commission certified the Vinegar Hill Expansion Historic Resources Survey in 2011, and recommended approval of the establishment of the expanded boundaries in January 2013.

1. **Approved** the requested rezoning actions to effect changes of zone as identified in the Vinegar Hill Historic Preservation Overlay Zone (HPOZ) boundaries.
2. **Approved** the establishment of the Vinegar Hill HPOZ Expansion Area.
3. **Found** that the boundaries of the Vinegar Hill HPOZ are appropriate and that the Historic Preservation Overlay Zone meets one or more of the required criteria pursuant to Los Angeles Municipal Code Section 12.20.3 F 3 (c).
4. **Recommended adoption** of Categorical Exemption No. **ENV-2011-2857-CE**.
5. **Adopted** the attached findings.

Recommended Actions:

1. **Recommended** that the City Council **adopt** the requested rezoning actions to effect changes of zone as identified in the Vinegar Hill Historic Preservation Overlay Zone (HPOZ) boundaries.
2. **Recommended** that the City Council **adopt** the recommended boundaries of the proposed Vinegar Hill HPOZ Expansion Area, for the area containing the existing Vinegar Hill HPOZ and the Vinegar Hill expansion area as a merged area.
3. **Recommended** that the City Council **adopt** Categorical Exemption No. **ENV-2011-2857-CE**.

This action was taken by the following vote:

Moved: Roschen
Seconded: Freer
Ayes: Burton, Cardoso, Eng, Hovaguimian, Lessin, Perlman
Absent: Romero

Vote: 8 - 0



**James K. Williams, Commission Executive Assistant II
City Planning Commission**

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the **90th day** following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Ordinance, Map, Findings
City Planner: Debbie Lawrence

FINDINGS

I. HPOZ ORDINANCE FINDINGS

Subsection F.4(b) of the HPOZ Ordinance states that “the City Planning Commission shall make its recommendation to approve, approve with changes, or disapprove the consideration to establish... the boundaries of a Preservation Zone, pursuant to Section 12.32 C of this Code. In granting approval, the City Planning Commission shall find that the proposed boundaries are appropriate and make the findings of contribution required in Subsection F 3 (c). The City Planning Commission shall also carefully consider the Historic Resources Survey and the determination of the Cultural Heritage Commission. The Director and the City Planning Commission may recommend conditions to be included in the initial preservation Plan for a specific Preservation Zone, as appropriate to further the purpose of this section.”

A) Initiation and Boundaries

The Vinegar Hill Historic Preservation Overlay District (HPOZ) was established in 2001 in the area south of downtown San Pedro bounded generally by 9th, 10th, Palos Verdes and Centre Streets, to preserve historically-significant structures, some of which are over 100 years old. The Vinegar Hill HPOZ is part of the “historical” Vinegar Hill neighborhood, one of the neighborhoods built on the bluffs above the San Pedro harbor as a result of the Southern California real estate booms of the 1880s, 1906, and the 1920s. The period of significance for the existing Vinegar Hill HPOZ spans from 1882 to 1930, when the area attracted not only land speculators but also immigrants from all over the world who worked in the harbor and fishing industries. The area includes 43 parcels, making it the smallest of the City’s HPOZ’s at the time of adoption.

On November 15, 2007, the Community Redevelopment Agency of Los Angeles (CRA/LA) funded a feasibility analysis, executed by the Department of City Planning, to study the potential expansion of the existing Vinegar Hill HPOZ (CF-07-3707). The proposed Vinegar Hill HPOZ expansion includes the area of mostly residential and a few commercial properties generally bounded by 8th, 12th, and Beacon Streets, and Pacific Avenue, with an extension along both sides of Mesa Avenue south to 14th Street. The Cultural Heritage Commission approved the staff recommended boundaries of the proposed Vinegar Hill HPOZ Expansion Area, and determined that the area meets criteria (a) through (c) of subsection 12.20.3 F 3 of the Los Angeles Municipal Code (LAMC).

B) Findings of Contribution

The HPOZ Ordinance requires that the City Planning Commission find that the proposed Vinegar Hill HPOZ expansion meets one or more of the required criteria per Los Angeles Municipal Code Section 12.20.3 because the proposed district has a high concentration of contributing structures of the period of significance, and therefore find that the structures within the preservation zone meet one or more of the following criteria:

- Adds to the historic architectural qualities of Historic association for which a property is significant because it was present during the period of significance, and possesses historic integrity reflecting its character at that time; or
- Owing to its unique location or singular physical characteristics, represents an established feature of the neighborhood, community or city; or

- Retaining the building, structure would contribute to the preservation and protection of a historic place or area of historic interest in the city.

A document called the Historic Resources Survey is responsible for determining the eligibility of an HPOZ. The Survey is intended to identify all potential Contributing and Non-Contributing Elements in the potential zone and include a context statement, which defines the various historical factors that shaped the historical, architectural and cultural development of the area. The Cultural Heritage Commission is responsible for “certifying” the Survey “as to its accuracy and completeness,” which it did at its Hearing on January 10, 2013.

Historic preservation consultants ICF Jones & Stokes (now ICF International) developed a comprehensive Historic Resources Survey for the proposed Vinegar Hill HPOZ expansion area. In line with the requirements, the Survey contained a substantial Context Statement and identified every parcel in the neighborhood as either Contributing or Non-Contributing. The Historic Resources Survey concluded that the proposed Vinegar Hill HPOZ expansion meets the criteria for a HPOZ because the survey’s context statement shows that Vinegar Hill retains a fairly high degree of integrity and that there are unique historical and cultural themes tied to the physical development of the area that warrant preservation. Vinegar Hill, as described below, represents a cohesive period of development, and the Context Statement establishes the relation between the physical environment of the area and its history. The expanded historic resources survey changes the period of significance so that it concludes in 1940—the year in which the initial build-out of vacant lots within the neighborhood was completed, just prior to the lull in building activity brought about by the Second World War. Throughout the 19th Century, immigrants with sea-faring backgrounds from Scandinavia, Holland, Portugal, Italy, China, Japan and Mexico all settled in the San Pedro area, namely within Vinegar Hill. As maritime industry at the port became more established the proliferation of immigrant settlers grew. The Vinegar Hill HPOZ and proposed Expansion Area, a historically working-class neighborhood with single-family and multiple-family residences, represent the development of the maritime-related labor force in Los Angeles and immigration to the San Pedro area before World War II. Today, San Pedro is the predominant maritime-based community in Los Angeles.

The San Pedro Community Plan area has a rich history, with key buildings and places that have become significant for their association with the social and cultural history of the community. The Vinegar Hill HPOZ is proposed for expansion to protect a larger neighborhood of historic resources. The approved expansion area has 296 total properties with 151 Contributors and 145 Non-Contributors (including vacant lots), which creates a ratio of 51 percent to 49 percent. When the expansion area is combined with the existing HPOZ (43 parcels), the result is an area with 339 total properties: 177 Contributors and 162 Non-Contributors (including vacant lots), with a ratio of 52 percent to 48 percent.

II. REQUIREMENTS OF 12.32 A THROUGH D of the LOS ANGELES MUNICIPAL CODE (LAMC)

The HPOZ Ordinance requires that, in addition to specific requirements contained within, the establishment of any HPOZ shall conform to the requirements of 12.32 A through D of the LAMC, Land Use Legislative Actions. The Code section authorizes the Director of Planning to make a recommendation for action on the matter, before which the Director may direct a Hearing Officer to hold a public hearing and make a report and recommendation. “After receipt of the Director’s recommendation, the Planning Commission shall hold another public hearing and make a report and recommendation to the Council regarding the relation of the proposed land use ordinance to the General Plan and whether adoption of the proposed land use ordinance will be in conformity with public necessity, convenience, general welfare and good

zoning practice.” The official public hearing must be properly noticed at least 24 days in advance in at least one general circulation newspaper in the City and by mailing written notice to the owners of all property within and outside the city that is within 500 feet of the area proposed to be changed.

A) Public Notice

The City Planning Department in conjunction with the Harbor area CRA/LA hosted a community workshop for the proposed project on August 31, 2010 at the Anderson Memorial Recreation Center in San Pedro. Mailers were sent to property owners in both the Vinegar Hill expansion area and the existing Vinegar Hill HPOZ. 26 members of the community and interested parties signed in. Department staff presented copies of the draft Survey and associated maps, distributed background information, historic preservation pamphlets, and answered questions from the community. In addition, comment forms were distributed; no comment forms were returned. A publicly noticed regularly scheduled Vinegar Hill HPOZ Board meeting was held on November 14, 2012. A discussion of the proposed expansion and modification to the Vinegar Hill Preservation Plan were on the agenda. There were no members of the public in attendance.

A public hearing for the update of the San Pedro Community Plan, including the Vinegar Hill HPOZ proposed Expansion, was held in the community in December 2012. A Notice of Public Hearing was mailed to approximately 32,500 residents announcing an Open House and Public Hearing, which was held on Wednesday, December 12, 2012 at the Boys and Girls Club, 100 W. 5th Street, San Pedro, CA 90731. The public hearing was attended by 120 people and 23 persons gave verbal testimony on the plan during the one-and-a-half hour hearing. One general comment form was received in support of the Vinegar Hill HPOZ expansion. No comments were received in opposition.

B) General Plan/Charter Findings

General Plan Consistency. The establishment of the Vinegar Hill HPOZ Expansion Area is in substantial conformance with the purposes, intent, and provisions of the General Plan, and will be in conformity with public necessity, convenience, general welfare and good zoning practice in that it implements the following objectives of the Framework, Housing, and Conservation Elements of the General Plan as well as the San Pedro Community Plan (adopted in 1999), a land use element of the General Plan.

General Plan Framework: Existing Residential Neighborhoods

Specifically, with respect to existing residential neighborhoods, the General Plan Framework states the following:

Policy 3.4.1: Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City’s major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

Objective 3.5: Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.

The Vinegar Hill HPOZ retains existing land use designations and zoning for its neighborhoods to protect the scale and character of this area and limit incompatible uses.

With respect to urban form and neighborhood design, the General Plan Framework includes the following goals, objectives, and policies:

Objective 5.1: Translate the Framework Element's intent with respect to citywide urban form and neighborhood design to the community and neighborhood levels through locally prepared plans that build on each neighborhood's attributes, emphasize quality of development, and provide or advocate "proactive" implementation programs.

Objective 5.5: Enhance the livability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm.

Objective 5.6: Conserve and reinforce the community character of neighborhoods and commercial districts not designated as growth areas.

The Proposed HPOZ expansion is consistent with the City's goals, policies, and objectives for urban form and neighborhood design in that it furthers the preservation of the City's historic districts. In summary, the proposed HPOZ expansion Proposed Plan is consistent with the City's General Plan in that it provides for the preservation and of cultural resources, neighborhoods and landmarks which have historical and/or cultural significance.

2001 Conservation Element of the General Plan

Cultural and Historical Objective: Protect important cultural and historical sites and resources for historical, cultural, research, and community education purposes.

Policy: Continue to protect historic and cultural sites and/or resources potentially affected by proposed land development, demolition or property modification activities.

Adoption of the expanded Vinegar Hill HPOZ will require that the Director of Planning approve major modifications to contributing structures, major additions, and new infill construction with recommendations from the HPOZ Board, and that the Harbor Area Planning Commission approve demolitions. This will help protect historically and architecturally significant structures and their corresponding character defining features. The HPOZ and its Preservation Plan will ensure that maintenance, repair, rehabilitation, restoration, additions, and new infill construction is conducted in a historically appropriate manner that is consistent with the character of the neighborhood, the "period of significance" (1882-1940) and the identified architectural styles. Moreover, the HPOZ will protect historic resources from demolition and potentially irreversible alterations that are incompatible with the neighborhood, thereby protecting these important resources and their corresponding character defining features.

2006-2014 Housing Element of the General Plan

Objective 1.1: Encourage production and preservation of an adequate supply of rental and ownership housing to meet the identified needs of persons of all income levels and special needs.

Policy 1.1.12: Provide technical assistance to individuals and organizations on housing development and rehabilitation.

The proposed Preservation Plan provides extensive information on architectural history, architectural styles and best practices for restoration and rehabilitation projects ranging from basic maintenance and repair, to additions and new structures. The HPOZ Board is composed of at least one architect and one general contractor or realtor that can serve as a free resource, providing professional architectural advice and information about restoration techniques and the location of reasonably priced materials. Additionally, Department of City Planning staff within the Office of Historic Resources are trained to provide guidance to individuals and developers on how to rehabilitate structures in a historically appropriate manner or construct buildings that are compatible with the character of the neighborhood.

Objective 2.2: Maintain and upgrade existing housing stock to meet Health and Safety code requirements through enforcement of existing laws, rather than demolition when feasible.

Policy 2.2.1: Promote the cost effectiveness of rehabilitation of older housing in order to conserve historical resources.

Through the HPOZ process, all major modifications, new construction, and demolitions are closely scrutinized, resulting in the conservation of existing housing stock. Rehabilitation and repair is normally the preferred approach in HPOZs, per the design guidelines in the Preservation Plan. In addition, the Preservation Plan and the HPOZ Board, which is composed of historic preservation professionals, contractors, and architects, can assist property owners by offering guidance on how to rehabilitate their properties in a cost-effective and historically appropriate manner.

The Preservation Plan guidelines will help to streamline the HPOZ review process by delegating authority to the Planning Department for many Conforming Work projects and exempting certain projects from review such as exterior paint and rear landscaping. The streamlining of the review process minimizes delays that could increase costs.

Objective 2.4: Develop and preserve quality single and multi-family housing utilizing approved design standards which maintain the prevailing scale and character.

As a result of the adoption of the expanded Vinegar Hill HPOZ, historically significant housing will be preserved and new infill construction will be compatible with the area's architectural and historic character.

Objective 6.2: Identify and protect "architecturally and historically significant residences and neighborhoods."

As a result of the Historic Resources Survey, all of the architecturally and historically significant structures in the Vinegar Hill neighborhood and expansion area have been identified. Through the expanded Vinegar Hill HPOZ, historically significant buildings and the neighborhoods in which they are located will be protected from incompatible alterations, additions, and demolition pursuant to the review process prescribed by LAMC 12.20.3 and the Preservation Plan. As a result of the Historic Resources Expansion survey, the number of significant structures identified in the Vinegar Hill HPOZ has increased. Thus, a greater number of historically significant structures in this neighborhood will be preserved. Through the implementation of the HPOZ, these historically significant buildings and the neighborhoods in which they are located will be protected by regulating alterations, additions or demolitions, which could negatively affect these historic resources.

San Pedro Community Plan Land Use Policies and Programs

The San Pedro Community Plan also contains policies and programs to protect key buildings and places that are considered historically and culturally significant. Specifically, with respect to historic neighborhoods, the Community Plan states the following:

Objective 1-4: To preserve and enhance neighborhoods with a distinctive and significant historical character.

Policy 1-4.1: Protect distinctive historic residential neighborhoods such as Old San Pedro.

Program: Develop specific plans, Community Design Overlay (CDO) Zones, Historic Preservation Overlay Zones (HPOZ) or other means appropriate for the needs of the individual neighborhood providing for designated housing types, height limits, and possible architectural style and development design standards with the establishment of a review process for new housing development, exterior remodeling, expansion, and major building modification.

Program: The San Pedro Coastal Land Use Plan requires that the establishment of the HPOZs to protect historic resources shall be considered.

Objective 18-1: To ensure that the community's historically significant resources are protected, preserved, and/or enhanced. Protect distinctive historic residential neighborhoods such as Old San Pedro.

Policy 18-1.1: Encourage the preservation, maintenance, enhancement, and reuse of existing historically significant buildings and the restoration of original facades.

Program: Continues identification of appropriate City designated historic and cultural monuments and preservation of those existing.

Objective 18-2: To encourage private owners of historic properties/resources to conserve the integrity of such resources.

Policy 18-2.1: Assist private owners of existing and future historic resources to maintain and/or enhance their properties in a manner that will preserve the integrity of such resources in the best possible condition.

Program: Adherence to the City's historic properties preservation ordinances and Cultural Heritage Board requirements for preservation and design.

Program: Utilize City historic properties restoration programs which provide funding for renovating and/or reusing historic structures.

The proposed Vinegar Hill HPOZ expansion would help protect existing residential neighborhoods by requiring that new infill development be built in a historically appropriate manner that is compatible with the character of the neighborhood, the "period of significance" (1882-1940) and the identified architectural styles. Vinegar Hill is specifically called out as a neighborhood with the potential for a historic district in the Community Plan and the Plan supports the establishment of an HPOZ in this area.

Contributing properties within the proposed HPOZ boundaries are eligible for the City's Mills Act program, which provides a financial incentive to promote the restoration of historic properties by

offering a substantial savings in property tax. This program encourages the purchase and restoration of deteriorated homes within an HPOZ.

III. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) DISCUSSION

Planning staff has conducted research and concluded that Categorical Exemptions Class 8 and 31 of the State CEQA Guidelines are appropriate and the exceptions to the use of categorical exemptions do not apply. Individual construction projects that are subject to the HPOZ are still required to go through project specific environmental review if required under CEQA. Thus, the amendment of an HPOZ does not supersede the California Environmental Quality Act, or other Los Angeles Municipal Code requirements. The project was issued Categorical Exemption ENV-2011-2857-CE.

State of California CEQA Guidelines, Article 19, Section 15308, Class 8 *“consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment”.*

The Vinegar Hill Historic Resources Survey in conjunction with the establishment of a Historic Preservation Overlay Zone over the proposed expansion area will help regulate construction activities to ensure the protection of a city historic resource: the Vinegar Hill neighborhood. Without regulation of construction activities in Vinegar Hill, the historic integrity of the neighborhood could be lost through incompatible alterations and new construction and the demolition of irreplaceable historic structures. The use of Categorical Exemption Class 8 from the State CEQA Guidelines is consistent with other California jurisdictions, which find that the regulations placed upon historic districts is necessary for the protection of the environment and will make sure that maintenance, repair, restoration, and rehabilitation does not degrade the historic resource.

State of California CEQA Guidelines, Article 19, Section 15331, Class 31 *“consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, or reconstruction of historical resources in a manner consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Buildings (1995), Weeks and Grimmer”.*

The establishment of the Vinegar Hill HPOZ is exempt from the California Environmental Quality Act of 1970 (CEQA), pursuant to Article 19, Section 15331, Class 31 because all exterior projects will be reviewed for conformity with the Secretary of the Interior’s Standards for Rehabilitation, as incorporated into the Vinegar Hill Preservation Plan. Utilizing these standards, properties can be adapted for modern living without degrading the historic integrity of the resource, thus protecting Vinegar Hill from construction activities that could damage its historic integrity and ensuring that maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction is conducted in a historically appropriate manner.