

## CITY OF MOUNTAIN VIEW

### ENVIRONMENTAL PLANNING COMMISSION STAFF REPORT OCTOBER 1, 2025

#### 5. NEW BUSINESS

##### 5.1 Historic Preservation Ordinance and Historic Register Update

#### RECOMMENDATION

That the Environmental Planning Commission review and provide a recommendation to the City Council regarding:

- Draft criteria and list of properties eligible for the Mountain View Register of Historic Resources;
- An approach for properties already listed in the Mountain View Register of Historic Resources that do not meet the draft criteria for eligibility;
- Process updates related to nominations, listing, and delisting of historic resources; and
- Updates to the development review process for historic resources.

#### PUBLIC NOTIFICATION

The Environmental Planning Commission (EPC) agenda is advertised on Channel 26, and the agenda and this report appear on the City's internet website. Meeting information was posted on the project webpage ([www.mountainview.gov/historicupdate](http://www.mountainview.gov/historicupdate)). Additionally, the EPC meeting date was also communicated in the following ways:

- Verbal notification at the August 25, 2025 Virtual Question and Answer session and September 3, 2025 Community Workshop.
- Mailed notices were sent to all property owners whose properties may be affected by potential listing or delisting as historic resources.
- Electronic notifications sent to individuals who have signed up on the project webpage to receive communications about this project as well as other stakeholder

groups, including Neighborhood Associations, Livable Mountain View, and the Historical Association.

## BACKGROUND

In 2004, the City adopted its first Historic Preservation Ordinance (“Historic Ordinance” or “Ordinance”) (see Exhibit 1—Historic Preservation Ordinance, codified at City Code Section 36.54.45, *et seq.*) and created the Mountain View Register of Historic Resources (“MV Register”) (see Exhibit 2—MV Register). Together, these tools help preserve historically and culturally significant buildings as well as their character-defining features. The MV Register, which was adopted by Council resolution and may be amended from time to time, is the inventory of buildings, structures, objects, and sites designated by the City Council as historic resources. The Historic Preservation Ordinance sets designation criteria, the designation process for the MV Register, the process to remove sites from the MV Register, incentives and benefits for inclusion in the MV Register, permit requirements, and the development review process. The purpose is to preserve the historic integrity as well as the look and feel of historically important buildings and neighborhoods.

There are several key reasons to update the Historic Ordinance and the MV Register at this time:

- For a number of reasons (discussed in detail later in this report), the existing MV Register does not include a complete list of properties that would require a Historic Preservation Permit (HP Permit). As a result, some property owners are not aware of the requirements before they design and submit a project to the City. Updating the Ordinance and MV Register will provide greater clarity and disclosure to property owners.
- Listing in the MV Register can improve property owner understanding of the historic status of a property and its character-defining features, which can allow historic preservation best practices to be incorporated into project design earlier in the process and streamline permitting by avoiding the need for historic analysis and/or project revisions after an application has been submitted.
- An updated Ordinance that reflects the community’s historic preservation goals can help protect historic structures as buildings across the City age and become age-eligible for consideration as historic resources (over 50 years old).
- Under the California Environmental Quality Act (CEQA), all buildings constructed over 50 years ago and that possess architectural or historical significance may be considered historic resources, and proposed alterations to these buildings may require some level of environmental review, regardless of whether they are included on a local

register. CEQA may, therefore, require historic review even if the affected property is not on the local register. This project would update the Historic Ordinance and the MV Register to create a list of properties subject to historic review and a consistent set of procedures for them. It is important to note that even after this update, it will be necessary to update the MV Register periodically or analyze individual properties as new properties become age-eligible (over 50 years old) and may be identified as historically significant.

- Since 2017, a number of state laws have been adopted that require ministerial approval of specified development applications based only on objective standards (e.g., Senate Bill (SB) 35, codified at Government Code Section 65913.4) and without environmental review. While many of these state laws are not applicable to properties proposing to demolish historic structures placed on a national, state, or local historic register, staff recommends updating the MV Register to help ensure the preservation and protection of historically significant properties.
- Updates to the Ordinance will provide opportunities to establish a process and criteria for the designation of local historic districts and can include a more comprehensive list of incentives.

### **Existing Ordinance**

The Ordinance includes designation criteria for the MV Register which closely parallel the criteria for the California Register of Historic Resources (“California Register”) and the National Register of Historic Places (“National Register”). The criteria would establish eligibility for listing in the MV Register when a building, structure, site, or other improvement:

- Is strongly identified with a person who, or an organization which, significantly contributed to the culture, history, or development of the City of Mountain View;
- Is the site of a significant historic event in the City’s past;
- Embodies distinctive characteristics significant to the City in terms of a type, period, region, or method of construction or representative of the work of a master or possession of high artistic value; or
- Has yielded or may be likely to yield information important to the City’s prehistory or history.

The Ordinance also contains:

- Procedures for the listing and removal of properties on the MV Register;
- Permit requirements for properties on the MV Register and those that are not on the MV Register but are eligible for the California or National Registers; and
- Incentives and benefits for properties on the MV Register, including significant property tax reductions through a Mills Act contract.<sup>1</sup> Only properties on the MV Register are eligible for property tax reduction and other incentives in the Ordinance.

### **Existing MV Register**

In 2004, 93 properties were put on the inaugural MV Register following adoption of the Ordinance. In 2005 (within six months of MV Register creation), 56 of the properties, mostly residential properties, used the “opt off” clause in the Ordinance to remove themselves from the MV Register. The removal process, which had deadlines following adoption of the Ordinance, was as follows:

- Within six months of the adoption of the Ordinance in 2004, property owners were allowed to submit a request in writing that their property be removed from the MV Register.
- Following the six-month removal period deadline, properties remaining on the MV Register must stay on the MV Register and could not be removed for 10 years from the initial designation. However, after that 10-year period, a property owner could apply for removal every five years based on the anniversary of the designation. For example, properties designated on October 12, 2004 (the original MV Register adoption date) were eligible to apply for removal on October 12, 2014, October 12, 2019, and October 12, 2024.

After the initial “opt-off” period, 37 properties remained on the MV Register. Since then, the MV Register has changed in the following ways:

- Five properties have been added to the MV Register;

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<sup>1</sup> The Mills Act (Gov. Code § 50280, *et seq.*) is a state law that provides an important economic incentive program for the restoration and preservation of qualified historic buildings by private property owners. Enacted in 1972, the Mills Act grants participating local governments the authority to enter into contracts with owners of qualified historic properties who actively participate in the restoration and maintenance of their historic properties while receiving property tax relief. Additional details can be found here: [https://ohp.parks.ca.gov/?page\\_id=21412](https://ohp.parks.ca.gov/?page_id=21412).

- Six “opt-off” properties have been relisted by property owners to take advantage of incentives;
- One property was demolished; and
- One property was removed from the MR Register by a property owner request.

The current MV Register includes 46 properties (Exhibit 2); however, 46 properties that have opted off since 2005 may still be eligible under the “local criteria” adopted in the Ordinance. The properties that have opted off are not protected unless an application that will modify structures on the property requires review through CEQA for a discretionary planning permit or they are still eligible for the California or National Registers (thereby requiring environmental review and an HP Permit for applications that will modify structures on the property). However, these properties are not eligible for incentives that are available to properties on the MV Register.

### **California Environmental Quality Act**

In addition to the City’s Ordinance, CEQA provides another legal framework by which historical resources are identified and given consideration during the planning process. Under CEQA, impacts to historic resources are considered environmental impacts.

When a development application is subject to City discretion (typically a planning permit), CEQA requires the City to determine whether the property is a “historical resource.” If it is a “historical resource,” then the City must determine whether the changes to the property would cause a “substantial adverse change in the significance of a historical resource.” Some examples of proposed changes may include demolition, complete alteration of a front facade, or addition of a substantial vertical addition visible from public rights-of-way. There are three possible outcomes for CEQA review of proposed changes to historic properties: (1) a categorical exemption is required when the change or alteration is minor if the implementation meets the Secretary of the Interior’s Standards and Guidelines for the Treatment of Historic Properties; (2) a negative declaration or mitigated negative declaration is required when the proposed project is not minor and would not cause a substantial adverse change to the historical resource or if the adverse change can be mitigated by following the Secretary of the Interior’s Standards and Guidelines for the Treatment of Historic Properties; and (3) an Environmental Impact Report (EIR) is required when the proposed project would potentially cause a substantial adverse change to a historical resource, which can be a costly and time-consuming process for an applicant.

Projects that would be subject to CEQA currently include:

- Most projects on commercial, industrial, multi-family, and mixed-use sites that do not apply through a ministerial permit process, such as SB 35 (Gov. Code § 65913.4);
- Uses above as well as single-family in the Downtown Precise Plan that do not apply through a ministerial permit process, such as SB 1123 (Gov. Code § 66499.41); and
- Properties requiring an HP Permit (on the MV Register or eligible for the National or California Registers).

It is important to note that while CEQA requires identification and mitigation of potential significant effects to historic resources, its purpose is to inform decision makers; CEQA does not stop a project (e.g., with an EIR, a project may be approved even if it has significant, unavoidable impacts).

### **Prior Meetings**

#### **City Council Meeting—April 12, 2022**

At the April 12, 2022 City Council meeting ([Exhibit 6—April 12, 2022 Council Report](#)), the City Council reviewed and approved the project scope of work and consultant contract with Page & Turnbull, Inc., to update the Zoning Ordinance standards and procedures for the designation and preservation of historic resources (Mountain View City Code Section 36.54.45 through Section 36.54.97) and MV Register of historic resources. The City Council also directed staff to review up to eight buildings in downtown to analyze whether they would be eligible to be nominated to the National Register and to determine if Area H could be considered a historic district.

#### **Community Workshop—October 30, 2023**

Staff held a hybrid community workshop on October 30, 2023. Eleven (11) community members attended in person, and approximately 30 community members attended the meeting virtually.

Community members asked questions about the process and requirements. Some concerns were raised by property owners regarding requests for clarity about who is affected by this project, fear of excessive property owner obligations, and information on what structure modifications are possible on historic properties. For a comprehensive summary of the workshop, see Exhibit 8—Outreach Summary and Comments Received.

City Council Study Session—December 12, 2023

A City Council meeting was held on December 12, 2023, ([Exhibit 7—December 12, 2023 Council Report](#)) to receive additional direction on the goals and scope of the project. The following goals were identified:

- **Reflect the community's preservation priorities.** Updating the MV Register to create a comprehensive list of historic resources that the community wishes to preserve.
- **Provide clarity about historic status and requirements.** Create a comprehensive list of historic properties so that property owners are aware of their historic status and process requirements before they develop plans to modify them. Additionally, this will also allow the community to be aware of the historic properties and requirements to avoid confusion.
- **Streamline the process of determination and review.** A Citywide survey will reduce the need for individual applicants to conduct their own analysis and additional time for a peer review by the City.
- **Provide incentives that support preservation, maintenance, and integrity improvement.** If property owners are not given adequate incentives, they may let their historic property degrade over time. Listing all historic properties on the MV Register will provide clarity and make properties eligible for incentives.
- **Create local district criteria for a Downtown Preservation District.** Since downtown Mountain View does not meet the criteria for the California or National Registers, local district criteria could be created to adopt a Downtown Preservation District.

In addition, Council directed staff to evaluate and conduct an intensive survey for the following properties:

- All properties currently listed on the Mountain View, California, or National Registers and all properties located within Area H of the Downtown Precise Plan (100-300 blocks of Castro Street).
- Single-family properties that were previously identified as eligible for the California or National Registers or those located in Precise Plan areas.
- Commercial, institutional, civic, and multi-family properties that were previously identified as eligible for the Mountain View, California, or National Registers or identified as potentially eligible during the reconnaissance survey.

### Virtual Question and Answer Session—August 25, 2025

In early August, letters were sent by the City to the property owners whose properties were identified as potentially eligible for the MV Register as well as those whose properties may be delisted. On August 25, 2025, the project team held a [virtual presentation and question and answer session](#). The meeting was attended by 27 community members. Key questions concerned CEQA and other state laws, details regarding the listed properties, historic districts, incentives, and upcoming project activities and events. For a detailed list of questions, see Exhibit 8—Outreach Summary and Comments Received.

### Community Workshop—September 3, 2025

On September 3, 2025, the City held an in-person workshop to discuss the potential next steps for the Ordinance, which was attended by approximately 20 community members. Recorded notes from the meeting are included in Exhibit 8—Outreach Summary and Comments Received.

The following is a summary of the comments from this workshop, organized by topic in this report:

- **Criteria and Draft Register.** Community members expressed concerns that being on the MV Register could reduce property value, limit development flexibility, and create a barrier for construction or modification. Participants emphasized the importance of ensuring that historic property designation supports, rather than hinders, the vitality of buildings and districts. Concerns were raised that commercial properties can become underutilized once listed and that the fear of designation has grown due to perceived barriers to construction faced by current historic property owners. Feedback also underscored that historic resources should be established at both the building and district levels.
- **Nomination, Listing, and Delisting Process.** Attendees expressed support for the historic preservation self-nomination process and opportunities for district nominations, noting that this could help capture the broader context of neighborhoods and historic figures and not just individual buildings. It was also recommended that properties that are added to the National Register also be added to the MV Register. Concerns were raised regarding the financial impacts of designation, and participants emphasized the need for additional resources to help property owners better understand these implications.
- **Development Review Process.** There was support for updating the review process to base the review level on the scope of work for the project (i.e., small modification projects would be reviewed by staff or at an Administrative Zoning hearing instead of



by Council). Participants requested clarification regarding CEQA, particularly as some property owners who have opted off the MV Register may not be aware that they remain subject to CEQA requirements. Comments also highlighted the importance of transparency and accessible information for property owners and the community. Suggestions included making hard copies of the Historic Context Statement available at the Planning Counter and Mountain View Public Library, preparing a “how-to” guide outlining permitting and designation procedures, and providing clear timelines, checklists, and expectations for applicants.

- **Other topics.** Participants suggested consideration of a heritage zoning overlay for the downtown area. Participants value the Mills Act as an important incentive for maintenance and preservation and suggested additional measures, such as plaques, markers, and signage, to promote community awareness and pride in historic resources. Requests were also made for greater transparency and accessibility of materials, including timelines, checklists, guidance documents, and the Historic Context Statement. Participants also requested more information on tax rebates and the Mills Act program along with practical support for property owners through access to qualified consultants, engineers, and maintenance professionals.

## **ANALYSIS**

The purpose of this meeting is to receive EPC recommendation to inform Council confirmation regarding three key topics:

1. The eligibility criteria for local designation and draft list of privately owned properties that may be eligible for listing in the MV Register.
2. The proposed process changes for nominating, adding, and removing properties from the MV Register.
3. The proposed process changes for review of modifications to historic resources.

### **Eligibility for Local Designation and Draft List of Properties**

Eligibility for historic resources is composed of two different types of analysis: “significance” criteria and “integrity” thresholds, each of which are further defined below. The Ordinance currently includes significance criteria that are similar to those established at the state and national levels. Only minor changes are needed to these criteria. The City does not currently have integrity thresholds.

The National Register is the nation’s most comprehensive inventory of historic resources. In order for a property to be eligible for listing in the National Register, it must be found

significant under one or more of the criteria listed in Table 1. In addition, the criteria used by the California Register for determining eligibility are closely based on those developed by the National Park Service for the National Register. The existing significance criteria used to determine if a property is eligible for listing on the MV Register are similar to the criteria used to determine eligibility for the National and California Registers, as detailed in Table 1. However, there are minor changes (such as order and terminology) that can be made to the City's significance criteria to ensure better alignment.

**Table 1: Significance Criteria**

<b>Criteria</b>	<b>National/California Registers</b>	<b>MV Register (Municipal Code §36.54.65)</b>
<b>A/1/b (Events)</b>	Resources that are associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.	Is the site of a significant historic event in the City's past.
<b>B/2/a (Persons)</b>	Resources that are associated with the lives of persons important to local, California, or national history.	Is strongly identified with a person who, or an organization which, significantly contributed to the culture, history, or development of the City of Mountain View.
<b>C/3/c (Design)</b>	Resources that embody the distinctive characteristics of a type, period, region, or method of construction or represent the work of a master or possess high artistic values.	Embodies distinctive characteristics significant to the City in terms of a type, period, region, or method of construction or representative of the work of a master or possession of high artistic value.
<b>D/4/d (Info. Potential)</b>	Resources or sites that have yielded or have the potential to yield information important to the prehistory or history of the local area, California, or the nation.	Has yielded or may be likely to yield information important to the City's prehistory or history

In addition to satisfying the significance criteria for listing in the National Register, California Register, and/or MV Register, a property must be shown to have sufficient historic integrity. The concept of integrity is essential to identifying the extent to which important physical characteristics are present in a historic resources. Integrity is defined as "the authenticity of a historic resource's physical identity evidenced by the survival of characteristics that

existed during the resource’s period of significance.”<sup>2</sup> The seven variables or aspects that define integrity (location, design, setting, materials, workmanship, feeling, and association) are used to evaluate the eligibility of a resource for listing on the National and/or the California Registers as well as to evaluate the degree of change of any potential alteration to a historic resource.

Currently, the Ordinance does not contain integrity thresholds. One of the previously identified goals at the December 12, 2023 Council meeting for this project was to “provide clarity about historic status and requirements” for a property. The City can do so by aligning the MV Register with the significance criteria and integrity thresholds used for the National and California Registers.

Significance and integrity can vary based on the age and type of the historic resource. To facilitate an understanding of these factors, the project team prepared the Historic Context Statement (HCS), which identifies significant themes, patterns, and property types within Mountain View to recognize the trends that helped shape the built environment. The HCS provides a framework that assists in the identification, evaluation, and review of improvements at historic properties. A draft of the HCS is attached (see Exhibit 3—Historic Context Statement). The HCS will be reviewed and adopted by the City Council along with the Ordinance and MV Register.

After the HCS was completed, an intensive survey was conducted, focusing on the property types Council directed staff to study as a part of this update. The intensive survey resulted in the preparation of a draft list of privately owned properties that appear to be eligible for listing in the MV Register based on the criteria established in the Ordinance and the HCS. This process is detailed further in Exhibit 4—Draft Survey Methodology Report.

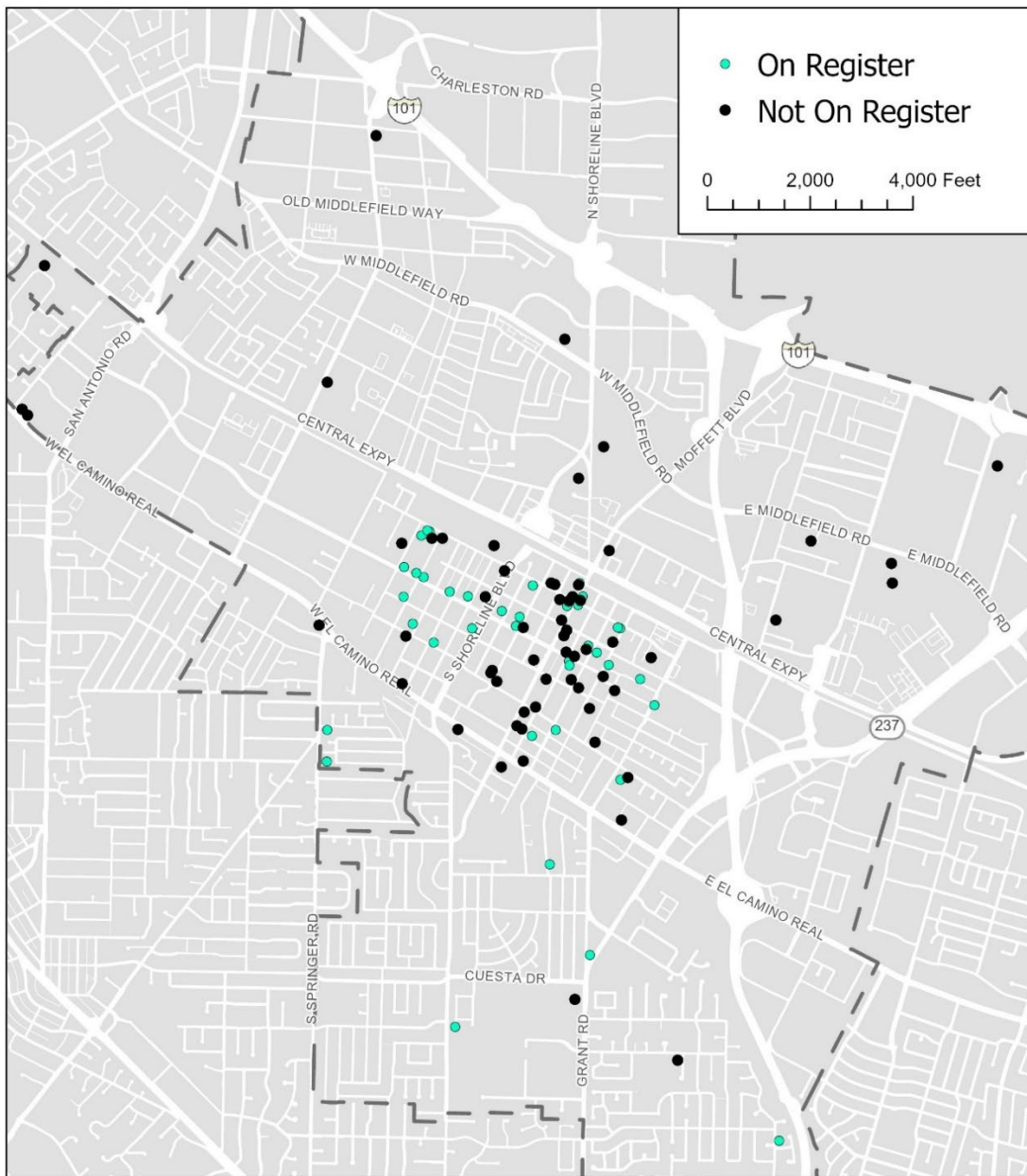
The draft list of 100 eligible properties includes a mix of uses detailed further below in Table 2. A map of these properties is shown in Figure 1. Exhibit 5—Draft Intensive Survey Resource Evaluation Forms includes a list of all potentially eligible properties, a map of the properties, and documentation for each property that supports the finding that they meet the draft eligibility criteria. Five of the 46 properties currently in the MV Register have been identified for potential delisting based on the intensive survey and are not included in the list of 100 properties. Additional detail regarding the considerations associated with potential delisting of these five properties is provided below. The list is considered a draft, since it may be informed by City Council direction as well as factual review by the public who have until December 1, 2025 to comment on the materials.

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<sup>2</sup> California Office of Historic Preservation, Technical Assistant Series No. 7: How to Nominate a Resource to the California Register of Historic Resources (Sacramento, CA: California Office of State Publishing, September 4, 2001), 11.

**Table 2: Eligible Properties by Use**

Eligible Property Types	Number
Single-family/duplex properties	54
Commercial/Industrial	27
Institutional, education, religious	12
Multi-family residential	4
Agricultural	3

**Figure 1: Map of Draft Historic Resources**



### Staff Recommendation







- Continue to utilize the City’s significance criteria as shown above in Table 1 with minor changes (such as order and terminology) to improve consistency with state and national historic preservation best practices.
- Adopt integrity thresholds consistent with state and national historic preservation best practices, defined as “the authenticity of an historic resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance,” with a focus on location, design, setting, materials, workmanship, feeling, and association.
- Include the draft list of eligible properties in Exhibit 5—Draft Intensive Survey Report in the MV Register, subject to public review of the accuracy of published materials.

### Ineligible Properties

The intensive survey identified five properties that are currently listed on the MV Register but that do not appear to meet integrity thresholds for listing. In other words, the properties do not visually appear as they did during their period of significance and, therefore, may not be eligible for listing on the MV Register based on staff’s proposed criteria. Table 3 contains the historic and modern pictures of the five properties.

**Table 3: Properties that May Be Ineligible for Continued Listing**

Address	Historic Picture	Modern Picture
142-156 Castro Street (Rogers Building) <i>Mills Act contract in place</i>		
298 Castro Street (Scarpa’s Meat Market)		

Address	Historic Picture	Modern Picture
336 Mariposa Avenue (Camp Residence) <i>Mills Act contract in place</i>		
1643 Villa Street		
1076 Wright Avenue (Eaton-Manfredi House)		

Continuous inclusion of these properties on the MV Register would result in challenges with future review of applications at these sites. A key aspect of Ordinance administration is the evaluation of proposed modifications to historic resources as compared to the relevant baseline of historical significance. However, since most or all of the character-defining features of these structures have been lost over time, there is insufficient historical integrity against which to compare proposed modifications to determine whether impacts to historical integrity would occur.

It is also unclear as a matter of public policy whether incentives in the Ordinance, such as property tax reductions through a Mills Act contract, should be granted to properties that do not possess sufficient historical integrity to justify continued listing on the MV Register. The purpose of a Mills Act contract is to provide a financial resource to a property owner that supports the maintenance and preservation of a historic resource and its character-defining features. In the absence of these features, the basis for a public subsidy through property tax reduction is unclear. Two properties listed in Table 3 currently have Mills Act contracts.

Letters that contained information on the potential ineligibility of these five properties for listing in the MV Register were sent to the property owners along with staff contact information. On September 17, 2025, City staff met with the property owner at 336 Mariposa Avenue regarding this issue. Following the meeting, the owners submitted a

letter, which is attached as Exhibit 8. Staff has not received any correspondence from the remaining four property owners.

### Staff Recommendation

Staff recommends developing a process whereby these properties have an opportunity to improve their integrity within five years before being removed from the MV Register. The property owners of these five properties would need to submit an application with an analysis showing that the improvements would return sufficient integrity to be eligible for continued listing in the MV Register. If they have not met the deadline, they would be automatically removed from the MV Register, and any Mills Act contracts would be canceled. Staff recommends this balanced approach to minimize impacts to individual property owners from the loss of any incentives associated with their properties (such as Mills Act property tax reductions) while at the same time maintaining the integrity of the Ordinance and associated incentives provided to property owners.

### Nomination, Listing, and Delisting Process

#### Current Nomination, Listing, and Delisting Process

Chapter 36 (Zoning) of the City Code (Section 36.54.45 through Section 36.54.97) contains the process requirements for adding properties to the MV Register. The process includes the following steps:

1. **Nomination.** Nomination of a property may be carried out either by the property owner or by the City Council. If the City Council nominates a property, the following steps will only be carried out with approval from the property owner.
2. **Staff Review.** If the property owner nominates a property, they must submit such historical and architectural information as is required to allow City staff to make an informed recommendation concerning the application. If the City Council nominates a property, these materials would be prepared under contract with the City. This information would be reviewed by staff and may also be reviewed by outside expert consultants.
3. **Formal Listing Action.** Once the materials have been reviewed, the formal action to list a property on the MV Register requires public hearings before both the Zoning Administrator and the City Council.

A property may be removed from the MV Register through an owner-initiated “opt-off” request. The opt-off option is permitted once every five years on the anniversary of the original designation. No public hearings are required for the removal of a property.

However, property tax rebates received through the City's property tax rebate program would have to be repaid with interest. Additionally, Section 36.54.75.d (Predemolition review) of the City Code requires a property owner who previously opted off the MV Register to meet with Planning Division staff prior to approval of any demolition permit to review the alternatives, incentives, and options to demolition.

#### Limitations with the Current Process

There are several limitations to the current process to add or remove properties from the MV Register:

- Allowing owners to remove themselves from the MV Register does not provide transparency to the public when an owner does so. It also may not eliminate obligations under the Ordinance if the property is eligible for the National or California Registers or requires environmental review in accordance with CEQA if the property owner requests a discretionary permit from the City. This not only impacts public transparency but could affect future owners who were not involved in the decision to remove a property from the MV Register.
- Properties listed on the National and/or California Registers are not automatically included on the MV Register.
- The Ordinance includes review requirements for California and National Register-eligible properties, but this can be determined without the knowledge of the property owner, and there can be disagreement among experts about eligibility.<sup>3</sup>
- The Ordinance does not include a process for the nomination of local historic districts, which would allow property owners to nominate their neighborhood.<sup>4</sup>
- The Ordinance does not clearly provide a process for delisting a property due to demolition.
- The Ordinance does not provide a process for delisting a historic property due to reassessment of eligibility through further analysis, if it becomes a safety hazard,

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<sup>3</sup> For example, the City commissioned a study of California and National Register-eligible properties in 2008. Page and Turnbull reevaluated the properties and found 11 that they determined were not eligible.

<sup>4</sup> Historic districts are a group of buildings which are not significant individually but are significant as a whole. Evaluation and designation criteria for historic districts have been established for the National Register and California Register. The Ordinance presently does not include a definition, criteria, designation, or review process for local historic districts. Based on prior direction from the City Council, staff did not conduct a survey for the designation of residential historic districts as part of this update.



economic hardship, or natural disasters (which are typically found in other historic ordinances).

### Staff Recommendation

Update the Ordinance with the following nomination, listing, and removal processes (summarized in Table 4):

- Remove the unilateral owner opt-off provision and the required owner approval within the Council nomination process. With this modification, the City Council would still consider owner sentiment when deciding whether to add or remove a property on the MV Register.
- Create a process for neighborhoods or districts to nominate themselves, subject to Council approval. The proposed district would include a minimum number and percent of contributing resources within a geographically defined area. At least 50%<sup>5</sup> of contributing owners (based on analysis submitted with the application) should be included as signatories on the application. The review process should include a mailed ballot to all contributing properties to notify the property owners of the potential district nomination and allow for comments on the matter, which the City Council would take into consideration when they decide whether to list the district on the MV Register.
- List properties on the MV Register if an official determination of eligibility is made by the California Office of Historic Preservation or the National Parks Service, which is a formal process that does not depend on owner acceptance. This would resolve the transparency and consistency issues identified with the language in the Ordinance regarding review requirements for California and National Register-eligible properties.
- Provide delisting procedures that consider findings, including reassessment of eligibility through further analysis, if a listed property becomes a safety hazard, is damaged by a natural disaster, or an owner faces an economic hardship related to a property's listing. Also, provide a delisting procedure, consistent with CEQA, whereby the City Council can delist a property from the MV Register, such as due to demolition, if there is an overriding consideration (for example, if the resource is not of significant value to the community and the project includes public benefits like open space or affordable housing).

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<sup>5</sup> Other neighborhood-level zoning actions, such as the Height Overlay zone or the Neighborhood Design Overlay zone, require nomination by at least 50% of owners.

**Table 4: Comparison of Current and Proposed Nomination, Listing, and Removal Processes**

	<b>Current Code</b>	<b>Staff Recommendation</b>
Nomination	<ul style="list-style-type: none"> <li>Property owner</li> <li>City Council (property owner must approve)</li> </ul>	<ul style="list-style-type: none"> <li>Property owner</li> <li>District/neighborhood (minimum 50% of owners)</li> <li>City Council</li> </ul>
Listing	<ul style="list-style-type: none"> <li>City Council, after Zoning Administrator (ZA) recommendation</li> </ul>	<ul style="list-style-type: none"> <li>City Council</li> <li>Automatic after California/ National official determination</li> </ul>
Delisting	<ul style="list-style-type: none"> <li>Owner opt-off every five years</li> </ul>	<ul style="list-style-type: none"> <li>City Council, after ZA recommendation (based on specific findings or through CEQA process)</li> </ul>

### **Development Review Process**

#### **Current Development Review Process**

The Ordinance has three levels of development review for projects that would alter a historic resource listed in the MV Register or eligible for listing in the California or National Registers:

- Additional planning permits are not required for various improvements that “have limited potential to affect the character-defining features of a historic resource and shall include modifications to the interior, changes to landscaping, and the repainting of previously painted surfaces, regardless of color.”
- The Zoning Administrator reviews HP Permit applications for alterations to properties on the MV Register if the property is not eligible for listing on the California or National Registers.
- The City Council reviews HP Permit applications for alterations to properties that are eligible for listing on the California or National Registers, regardless of whether a property is listed on the MV Register.

HP Permit projects must meet certain findings per Section 36.54.85. (Requirement of permit—Development review process) of the City Code:

1. The proposed significant alteration will not result in a substantial adverse change in the significance of the historic resource.

2. The proposed significant alteration maintains and enhances the appearance of the community.
3. If the property is eligible for the California or National Register, the alteration is in substantial compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

#### Issues with the Current Process

Staff has identified several limitations with the current Ordinance that affect its clarity and effectiveness:

- The list of exempt alterations in the Code is limited and not objective; therefore, it does not provide transparency to applicants about whether an HP Permit will be required for many minor alterations.
- The Ordinance does not differentiate between major and minor projects (other than exempt activities), which can result in minor modifications, such as rear additions, needing City Council review (requiring a longer permitting process).
- Taking applications to the City Council solely based on California or National Register eligibility is not transparent as it may not be known by the property owner or staff that a property is eligible for those registers until after the application is submitted.
- There is no clear process for demolitions and other modifications that affect the integrity or eligibility of the resource.
- There are no enforcement provisions to ensure compliance.

#### Staff Recommendation

Staff recommends updating the Ordinance with the following development review procedures to provide greater clarity, transparency, and efficiency in the review process (summarized in Table 5):

- Clarify and adopt a comprehensive list of exempt alterations.
- Define “minor alterations” (e.g., in-kind replacement of doors and windows, alterations not visible from the public right-of-way, such as rear additions, and changes to noncharacter-defining features) and provide a staff-level review process. It is important to note that there are cases when these types of alterations may need

additional analysis to ensure that character-defining features of the structure are preserved.

- Define “major alterations” (e.g., relocation, new openings, visible additions, and alterations that would alter, remove, or obscure character-defining features) for review through an Administrative Zoning public hearing. These applications typically require analysis to ensure that the resource retains sufficient integrity and eligibility for continued listing on the MV Register. Public noticing is a part of the Administrative Zoning public hearing process and would ensure transparency regarding review of major alterations.
- Create a process for delisting a property from the MV Register, such as when demolition of a structure is required.
- Incorporate enforcement measures for property neglect, unauthorized alterations, or demolition without permits.
- Align ordinance permit review procedures with environmental review requirements under CEQA.
- Require contributing properties in a historic district to adhere to the review processes described in the report.

**Table 5: Comparison of Current and Proposed Development Review Procedures**

	<b>Current Code</b>	<b>Staff Recommendation</b>
Exempt Alterations	<ul style="list-style-type: none"> <li>• Definition with a limited set of examples.</li> </ul>	<ul style="list-style-type: none"> <li>• More comprehensive list of alterations to provide more clarity for applicants and staff.</li> </ul>
Staff Level Actions	<ul style="list-style-type: none"> <li>• None, though some minor permits, like signs, are approved at staff level outside the Historic Preservation Permit process.</li> </ul>	<ul style="list-style-type: none"> <li>• “Minor Alterations,” such as in-kind replacement of doors and windows, rear additions not visible from the front of the house, modifications to nonhistoric features, etc.</li> </ul>
Administrative Zoning Public Hearing Actions	<ul style="list-style-type: none"> <li>• All minor and major alterations to properties that are listed on the MV Register but not eligible for listing on the California or National Register.</li> </ul>	<ul style="list-style-type: none"> <li>• “Major alterations” such as relocation, new openings, visible additions, and alterations that would alter, remove, or obscure character-defining features but maintain integrity for listing.</li> </ul>

	<b>Current Code</b>	<b>Staff Recommendation</b>
City Council Public Hearing Actions	<ul style="list-style-type: none"><li>• All minor and major alterations if a property is eligible for the California or National Register (whether listed on the MV Register or not).</li></ul>	<ul style="list-style-type: none"><li>• Alterations that would require delisting, including demolition.</li></ul>
Other	N/A	<ul style="list-style-type: none"><li>• Include enforcement provisions.</li><li>• Include submittal materials.</li></ul>

### **Options Considered but Not Recommended by Staff**

The following nomination/listing/delisting and development review process options were considered but are not recommended by staff for further consideration:

- **Historic Overlay Zone:** Some cities designate properties both through the local register and by overlay zone, the latter of which would require a legislative process if the property owner wanted to remove the resources. However, this process may be overcomplicated, and there may be confusion about properties that may be in the overlay zone and not listed on the MV Register or listed in the MV Register but not in the overlay zone (for example, there is no way to automatically rezone a property if it is placed on the California or National Registers without a legislative action). In addition, the legislative process for the overlay zone may not ensure that properties meet eligibility criteria (for example, if the zone is applied through referendum).
- **Historic District Property Owner Consent:** Some cities require a percentage of affected owners in a district to approve the designation prior to listing (generally around 50%). This is more restrictive on City policy than the staff recommendation, which would only require the percentage to approve the nomination application. The difference is that nominations may occur through other processes (such as the City Council), and the City Council may wish to consider other factors when approving an historic district under those circumstances.

### **Other Updates and Next Steps**

The City Council is tentatively scheduled to review these items on November 18, 2025. Once the City Council provides direction, staff will prepare a draft ordinance, and the project will return to the City Council for final action in Q2 2026.

In addition, the project team is continuing to work on the following items and will provide an update when the project returns to EPC following City Council direction.

- **Incentives:** At the community meeting on September 3, 2025, the project team solicited feedback from the community about potential incentives that would help support the preservation of historic resources. The project team is still analyzing this input. Recommendations regarding incentives will be provided when the ordinance is presented to EPC for consideration.
- **National Nominations:** Based on previous Council direction, staff has prepared nominations to the National Register for the following five (5) properties:
  - 124-126 Castro Street (Weilheimer Store);
  - 169-175 Castro Street (Ames Building);
  - 191 Castro Street (Mockbee Building);
  - 194-198 Castro Street (Jurian Building); and
  - 201 Castro Street (761 Villa Street) (Farmers & Merchants Bank)

Staff has met with four of these property owners, and the forms are complete and ready for submission to the National Parks Service. Staff will submit these forms to the National Parks Service following confirmation of this approach by the City Council on November 18, 2025.

- **Emergency Shelters in the El Camino Real Precise Plan:** At the public hearing on March 26, 2024, the City Council directed staff to prepare amendments to the El Camino Real Precise Plan that would allow emergency shelters by right on properties excluding those with historic resources. Once the list of eligible resources is finalized, staff will prepare minor Precise Plan updates to address that direction. This will likely be completed in 2026.
- **Downtown Preservation District:** The Downtown Precise Plan comprehensive update is under way, which may inform the goals and criteria for a Downtown Preservation District. Coordination between these two projects will continue, and the project team will return with recommendations based on community and Council direction as part of the Precise Plan update process.

## CONCLUSION

In conclusion, staff is requesting that the EPC make a recommendation to the City Council on the draft list of properties eligible for the MV Register of Historic Resources and draft

strategies for Ordinance updates, including the process to modify the properties on the MV Register and the development review process for modifications to historic structures.

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- Exhibits:
1. [Historic Preservation Ordinance](#)
  2. Mountain View Register
  3. Historic Context Statement
  4. Draft Survey Methodology Report
  5. Draft Intensive Survey Report
  6. [Council Report, April 12, 2022](#)
  7. [Council Report, December 12, 2023](#)
  8. Outreach Summary and Comments Received